

## **SECTION 581 FIVE MILE RIVER PROTECTION OVERLAY DISTRICT**

**Purpose -** The Five Mile River Protection Overlay District shall be defined as the Five Mile River within the Town of Killingly, including the area within the river's ordinary high water marks, floodplain, wetlands, and a contiguous buffer strip which together constitutes a culturally significant and environmentally sensitive river corridor. Its establishment furthers the goals of the state and municipality in river protection efforts under Connecticut General Statutes Section 25-102xx. All uses and activities established after the effective date of this regulation shall be in accordance with the standards and requirements in this regulation which are established to accomplish the following publicly recognized purposes:

- A.** To establish standards and requirements for the use and conservation of the district and to contribute to the regional conservation of the river corridor
- B.** To prevent any alterations to the natural flow of the river, in order to maintain its ecological, recreational, aesthetic and other qualities.
- C.** To prevent water pollution caused by erosion, sedimentation, nutrient or pesticide run-off, and waste disposal facilities and to encourage retention and enhancement of shore vegetative cover, including diversity of native species, age distribution, and ground cover density to provide a protected buffer and pollution filter strip along the river as required in other important river corridors and as recommended in numerous pollution prevention studies, such as published by the Smithsonian Environmental Research Center.
- D.** To conserve the ecological, water supply and flood storage functions of the river's flood plain and related groundwater table and aquifer recharge areas and to protect life, public safety and property from flooding hazards.
- E.** To protect valuable fisheries and wildlife habitat within and along the Five Mile River.
- F.** To conserve and enhance the natural scenic and topographic conditions in the river corridor and its environmental quality, recognizing that these are vital to the economic and environmental health of the Town, and to preserve the natural scenic quality of the river by maintaining, where possible, screening of man-made structures from the river view, and:
- G.** To carry out the recommendations of the Town Plan of Conservation and Development and the State Plan of Conservation and Development and to prevent unnecessary or excessive expenditures of municipal funds for services and utilities which might be required as a result of improper development of land within the district.

Boundary - The limits of the Five Mile River Overlay Protection District are:

Beginning at a point in the Killingly/Putnam Town Line which is the western most point of property now or formerly of Douglas C. Cutler and known as Killingly Tax Map 7658 Block 377 Lot 1; thence easterly following the southerly line of the above property until its intersection with the westerly line of Cutler Road; thence southerly along Cutler Road to its intersection with North Road; thence in an easterly direction along the southerly line of North Road to the 400' USGS contour; thence in a southerly and westerly direction along the 400' USGS contour crossing Yosemite Valley Road and Mason Hill Road to a point in the easterly line of Chestnut Hill Road; thence northerly along the easterly line of Chestnut Hill Road and Pineville Road to Putnam Road; thence easterly and southerly along Putnam Road to Stone Road; thence northerly and easterly along the easterly line of Stone Road to Chase Road; thence northerly and easterly along the easterly line of Chase Road to the Putnam/Killingly Town Line; thence easterly along the Putnam/Killingly Town Line to the point of beginning.

Reference is made to a map entitled "Five Mile River Protection Overlay District".

Permitted Uses - all uses which are permitted in the underlying, existing zones by right or by special permit are also permitted in the Five Mile River Overlay Protection District with the following exceptions, restrictions and requirements:

- A. Sanitary waste water discharge from on-site septic systems or their equivalent shall not average more than six hundred (600) gallons per acre per day, unless a denitrifying waste disposal system is installed and reviewed by a registered sanitarian.
- B. Any new or enlarged waste storage facilities accessory to agricultural and other permitted and special permitted uses shall obtain required permits or approvals from the Connecticut Department of Environmental Protection in accordance with the provisions of Chapter 446k of the Connecticut General Statutes as amended.
- C. The following uses are prohibited:
  1. Road salt storage and loading facilities.
  2. Solid materials disposal sites. The location of sanitary landfill or dump for the disposal of solid materials is prohibited.
  3. Septage disposal sites and lagoons. Disposal of septage in lagoons is prohibited.
  4. The use and/or storage or manufacture of hazardous materials.

5. Effluent disposal into surface or groundwater associated with any land use is prohibited.
6. Underground fuel storage tanks
7. Golf Courses.
8. Commercial earth removal.
9. Outdoor commercial recreation.
10. Impoundments, dams or structures which would alter the rate, volume or character of the flow of the river.
11. Public service corporation
12. Motor vehicle junk yard
13. Collection centers for recycling operations
14. Bulk Storage of cement and petroleum products; concrete mixing plant; bituminous paving mixing plants;
15. Commercial storage and sale of fuel and bottled gas
16. Freight and materials trucking business and terminals
17. Clear cutting except for maintenance of existing agricultural fields and/or the minimum necessary to accommodate permitted structures and their appurtenances.

Adopted December 11, 2000

Effective Date: 12:01 AM, January 10, 2001

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