

Town of Harwinton

Development Guide

Commission Meeting Schedules

Inland Wetlands	First Monday of the month
Planning	Second and Fourth Wednesday of the month
Zoning	Second and Fourth Monday of the month
ZBA	Second Wednesday of the month



Welcome!

This guide is intended to provide you with the basic steps needed to successfully submit a Land Use application. Whether it be an Inland Wetlands application for activities within a regulated area (100 feet of a wetland or watercourse), a Subdivision application to create new building lots, a Zoning application for construction and uses of land or a Zoning Board of Appeals application for variances.

Please refer to this Guide to gain a clear understanding of the process in making an application. Please note that this Guide should not be used in place of the Town's Inland Wetlands, Subdivision or Zoning Regulations.

City Officials

First Selectman Michael Criss	860-485-9051
Land Use Coordinator Polly Redmond	860-485-2784
Zoning Board of Appeals/Christine Neal	860-485-2784 ext. 134
Zoning & Wetlands Enforcement Officer David Perkins	860-485-2784 ext. 141
Building Official Frank Rybak	860-485-2784 ext. 140
Highway Supervisor John Fredsall	860-485-9051 ext. 109
Lake Harwinton Association, Max Smith	860-485-1731
Fire Marshal William Baldwin	860-601-8940
Torrington Area Health District	860-4890436
Town Engineer Steve McDonnell, W.M.C. Consulting Engineers	860-667-9624
Bristol Water Department	860-582-7431

Land Use Commissions

Inland Wetlands & Watercourses Commission	Chairman Bruce Burnett
Planning Commission	Chairman Michael Orefice
Zoning Commission	Chairman Don Truskauskas
Zoning Board of Appeals	Chairman Tom Rotondo

STEP 1 – SITE IDENTIFICATION

If you need assistance identifying a site, please contact the Land Use Office to help you define the type of zone a parcel of land is in. The Land Use Office will assist you in determining the feasibility of various uses of the land.

STEP 2 – SITE PLAN & REVIEWS

Once you have identified a site that will accommodate your needs, your next step will be to develop a plan for the site. You will need to hire a professional engineer, land surveyor and possibly a soil scientist to discuss your building requirements.

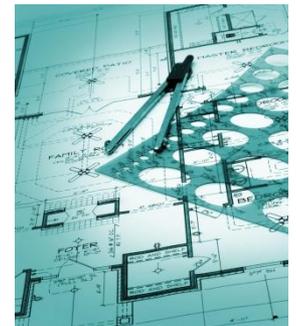
For large developments, you may wish to hold a pre-review meeting with the appropriate land use commission to review the layout of the site plan at an early stage before your engineer gets too far along on the design of the site.

You or your engineer should also be in contact with Torrington Area Health District for their review and approval.

STEP 3 – SUBMITTING THE APPLICATION

Your next step will be to submit your application on forms provided by the Land Use Office along with your site development plan. In order to be considered for the agenda of a land use commission/board, your application must be submitted on the Thursday prior to the meeting date. This will allow for board members to receive and review your application.

NOTE: Please consult the IWWC, Subdivision and/or Zoning Regulations for further information.



Inland Wetlands approvals.

The Inland Wetlands Act defines the terms *wetlands* and *watercourses* broadly. Wetland means land which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soil Survey of the U.S. Soil Conservation Service. Watercourse means a river, stream, brook, waterway, lake, pond, marsh, swamp, bog and all other bodies of water, natural or artificial, public or private, which are contained within, flow through or border upon the State of Connecticut.

Regulated Activity means any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, but shall not include the specified activities in Section 22a-40 of the Connecticut General Statutes. Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging of storm water on the land within 100 feet measured horizontally from the boundary of any wetland or watercourse is a regulated activity. The Inland Wetlands Commission may rule that any other activity located within such upland review area or in any other non-wetland or non-watercourse area that is likely to impact or affect wetlands or watercourses is a regulated activity.

The Inland Wetlands Commission must decide on your wetland application before the Planning or Zoning Commission can make their decision. The Wetlands Commission will accept your application as a regulated activity which allows for review of the proposed activity for feasible and prudent alternatives in accordance with State Statute 22a-41. A determination on the application will be made at the Commission's next regularly scheduled meeting but has 65 days from submission to make a final decision.

Subdivision approvals.

The Planning Commission oversees adherence to the Subdivision Regulations which apply to subdivisions and resubdivisions. If land is to be subdivided into two or more lots, a subdivision approval from the Planning Commission is required. If the subdivision will contain interior lots, you will need to consult Subdivision Regulation 4.7.5. Subdivisions with road construction shall require review by the town's engineer at the applicant's expense.

No subdivision or resubdivision of land shall be made by any person, firm or corporation until an application for such subdivision or resubdivision has been submitted to and approved by the Planning Commission and a map thereof has been endorsed by the Commission and approved and filed by the applicant in the office of the Harwinton Town Clerk.

Zoning approvals.

If you are planning to construct or alter your house or add a structure on your property, you must complete a Zoning application obtained through the Land Use office. For structures or additions in excess of 200 square feet, you must provide the Commission with a site plan certified by a licensed engineer. This is to assure the Commission that the size of the building or addition and distances from your neighbor's property lines are exact. Structures under 200 square feet can be signed off by the Land Use Coordinator. Please examine the Zoning Regulations and determine what zone you are in and then determine how far off each boundary line you must stay. Work involving grading, excavation or bringing in of fill in excess of 50 cubic yards also requires a permit through the Zoning Commission.

Special Permits.

The Zoning Regulations allow for Special Permits within each individual zone that requires the holding of a public hearing. Approvals of Special Permits may modify or place conditions on proposals to eliminate or lessen impacts on the land or within the neighborhood. The Zoning Commission can deny a Special Permit request if they have evidence that your proposal will have a negative impact on the land and/or neighborhood.

The Zoning Commission has up to 65 days to hold a public hearing. Once the hearing is open, the Board must close the hearing within 35 days. Once the public hearing is closed, the Board must make a decision within 65 days. The applicant can request/consent to extend any of the timeframes of any of the steps but the total of all extensions together cannot exceed 65 days.

Zoning Board of Appeals

The Zoning Board of Appeals has the power and duty to hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the official charged with enforcement. The Board also has the power to determine and vary the application of the Zoning Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values of others. Variances cannot be personal, financial or self-imposed. If the ZBA grants your request, a Legal Notice of Decision shall be published in the newspaper. It is recommended that the applicant wait 15 days for any appeals that may be taken on the decision before any activity begins.

After the ZBA grants your request, you will receive a certificate of approval that must be filed in the Office of the Town Clerk in order for your variance to be legal. Variances granted by the ZBA run with the land. After you file your certification, you may then proceed to the Inland Wetlands, Planning or Zoning Commission (wherever such approvals are required).

Erosion and Sedimentation Controls

The E&S Plan is an integral part of an overall site plan. It should be a separate plan when needed for clarity but can also be on the site plan if the proposed E&S Measures can be clearly shown and noted. The E&S Plan itself shall contain notes to ensure that the controls are installed, inspected and maintained properly. E&S Plans shall contain sufficient information to show that the potential problems of soil erosion and sedimentation have been addressed for a proposed project. The 2002 Connecticut Guidelines for Soil Erosion and Sediment Control should be consulted.

All Erosion and Sedimentation Controls must be maintained by the applicant throughout the duration of the project and until all disturbed areas are stabilized. The Zoning Enforcement Officer will inspect the property periodically throughout the term of the open permit to ensure this is the case.

Low Impact Development Practices

In 2011 the Town of Harwinton received a grant from the Connecticut Department of Energy and Environmental Protection through the Farmington River Enhancement Grant Program to implement LID Regulations found in Section 7 of the Inland Wetlands Regulations, Section 7 of the Zoning Regulations and Section 4.10 of the Subdivision Regulations.

The Town of Harwinton encourages utilization of the Recommended Low Impact Development Techniques Manual.

Building Permits

You should contact the Building Official who will review your building plans and issue a building permit if all building codes are satisfactorily met and all required approvals are received.

Filing the As-Built

Once you have completed construction of all site improvements, your surveyor may need to prepare an as-built drawing of the site to show the exact locations of the improvements (which may be slightly different than what was shown on your site plan). Two copies of this As-Built drawing must be submitted to the Land Use Office. The Zoning Enforcement Officer will inspect your property against the As-Built and issue a Certificate of Compliance if the project conforms to all Commission/Board conditions of approval.

Certificate of Completion

Once you have completed the construction of the building and site improvements and you have filed your As-Built drawing, you are ready to ask the Building Official for a Certificate of Occupancy (or CO).

For further information please contact Polly Redmond, Land Use Coordinator at 860-485-2784 or at landuse@harwinton.us.