

# **TOWN OF HADDAM**

## **WETLANDS COMMISSION**

### **FOREST PRACTICES REGULATIONS**

**ADOPTED JANUARY 10, 2000**

# FOREST PRACTICES REGULATIONS

## 1. INTRODUCTION:

Harvesting of forest tree species is an integral part of forest management by which wood for human use is obtained and by which during harvesting operations, there will be temporary changes in the forest environment.

The objective of these Regulations is not to discourage timber harvesting but to allow harvesting procedures that:

\*Limit soil erosion;

\*Protect water bodies and watercourses from sedimentation and other pollutants;

\*Protect the public health, safety and welfare, and property values;

\*Comply with the Connecticut River Gateway Commission's standards within the Gateway Conservation Zone.

\*The burden of proof concerning any dispute on the amounts of wood cut shall rest with the landowner and shall be resolved by a professional forester.

\*The Commission may impose the more stringent cutting requirements.

These regulations are adopted under the authority of the Connecticut General Statutes Section 23-65k.

## 2. DEFINITIONS:

- A. Forest Practice--Any activity which may alter the physical or vegetative characteristics of any forest and which is undertaken in connection with the harvest of commercial forest products unless such harvest is undertaken pursuant to the conversion of forest land to other uses and such conversion has been approved by the wetland commission.
- B. Commercial Forest Products--Wood products harvested from a tract of forest land in excess of fifty cords or one hundred fifty tons or twenty five thousand board feet, whichever measure is appropriate, in any twelve month period.

- C. Commercial Forest Practitioner--Any person who engages in commercial forest practices.
- D. Tree--A woody perennial plant usually having one self-supporting stem or trunk which has a definitely formed crown and is normally expected to attain a mature height of over twenty feet.

**3. ACTIVITIES PERMITTED WITHOUT REGISTRATION**

- A. Timber, except in the Gateway Conservation Zone, may be harvested without obtaining approval from the Wetland Enforcement Officer, or obtaining site plan approval from the Wetland Commission for the following:
  - (1). Clearing to prepare site for farming and agricultural purposes including the cultivation of crops other than forest products;
  - (2). Thinning and clearing in connection with development of residential, industrial, recreational, public or non-woodland commercial purposes, including cutting, removing or harvesting trees on a lot for the purpose of preparing the site for the construction of a building, structure, or other use where prior approval has been granted;
  - (3). Thinning or clearing to provide access to abutting land;
  - (4). Cultured Christmas tree area;
  - (5). Cutting, removing or harvesting timber representing 15 cords or less, or ten thousand board feet or less on any one ownership of land within any given calendar year.

All harvesting, however, shall be conducted in a manner that minimizes erosion and sedimentation to wetlands and watercourses and to protect the public health, safety and welfare and property values.

**4. DEFINITIONS AND REQUIREMENTS FOR ALL CUTTING IN THE GATEWAY CONSERVATION ZONE:**

A. Non-Commercial Cutting

- (1). The cutting or removal of forest tree species on a lot for the purpose of preparing a site for the construction of a building or other structure and/or cutting for the customary maintenance and improvement of a lot of any size.

- (2). A cutting plan showing the existing mix of tree species, their approximate height, age and density; a description of the cutting or removal activities to be undertaken and any other information that may be necessary and reasonably required.

#### B. Commercial Cutting

- (1). Any cutting or removal of forest tree species which exceeds one acre.
- (2). A cutting plan must show the applicant's property and the abutting property owner, a description of the activity to be undertaken, and certification by a forester that the plan is consistent with the "Minimum Standards for the Cutting of Timber" set forth in Appendix A of the Gateway Conservation Zone Regulations.
- (3). Commercial cutting representing 16 to 100 cords, or more than 10,000 board feet and less than or equal to 25,000 board feet on any one ownership of land within any 12 month period and owner of the property on which that harvest operation is proposed shall first obtain a permit from the Wetland Enforcement Officer.
- (4). Commercial cuttings representing more than 100 cords, or more than 25,000 board feet on any one ownership of land in any 12 month period the owner of the property on which the harvest operation is proposed shall first obtain a Timber Cutting Approval from the Commission.

### 5. COMMERCIAL CUTTING (OUTSIDE GATEWAY CONSERVATION ZONE)

#### A. 16 to 100 Cords - Approval from Wetland Enforcement Officer Required

- (1). Before any timber is harvested representing 16 to 100 cords, or more than 10,000 board feet and less than or equal to 25,000 board feet on any one ownership of land within any 12 month period of the owner of the property on which the harvest operation is proposed shall first obtain a permit from the Wetland Enforcement Officer. Such permit shall be in effect for one year and may be renewed for one additional year with the approval of the Wetland Enforcement Officer without filing a new application.

The landowner shall submit:

- a. A sketch map or maps showing the landowner's property and the abutting property owners;
- b. Proof that notification has been given to abutting property owners within 500 feet of the actual area disturbed by the cutting operation. Such notification shall consist of a copy of the application for a cutting permit and shall be sent to abutting property owners within 500 feet via certified mail return receipt requested;
- c. Description of the nature and location of the cutting operations;
- d. Location of water bodies and water courses;
- e. Number and type of vehicles and equipment to be used;

Hours of operation are to be between 7:00 a.m. and 6:00 p.m., Mondays through Saturdays unless modified and approved by the Commission;

- (2). Other information which the Wetland Enforcement Officer deems necessary to determine the cutting operation's impact on soil and water quality.
- (3). Appropriate Fee

The Wetland Enforcement Officer shall give approval when satisfied that the cutting, removal or harvesting will minimize soil erosion and sedimentation to wetlands and watercourses, protect the public health, safety and welfare, and that no more than 100 cords, nor more than 25,000 board feet will be removed.

**B. Over 100 Cords - Permit from Wetland Commission Required**

- (1). Before any timber is harvested representing more than 100 cords, or more than 25,000 board feet on any one ownership of land in any 12 month period the owner of the property on which the harvest operation is proposed shall first obtain a Timber Cutting Permit from the Commission. Such approval shall be in effect for one year and may be renewed for one additional year with the approval of the Commission without filing a new application.

The application for a Timber Cutting Permit shall include the following minimum requirements:

- (1). A Timber Cutting Site Plan showing the following:
  - a. A U.S.G.S. topographic map showing the location of the property where harvesting is proposed.
  - b. A sketch map (such as a copy of an assessor's map) showing the landowner's property and the abutting property owners and proof that notification has been given to abutting property owners within 500 feet of the actual area disturbed by the cutting operation. Such notification shall consist of a copy of the application form and shall be sent to abutting property owners via certified mail, return receipt requested.
  - c. Location of proposed cutting operation, including logging trails, skid trails, yarding and landing accesses and sawmills, bridges and other stream crossings.
  - d. Location of existing watercourses and/or water bodies.
- (2). A Sedimentation & Erosion Control Plan which meets the minimum requirements set forth in "Logging and Water Quality in Connecticut", published by the Connecticut 208 Forestry Advisory Committee. Such erosion and sedimentation control plan may be referred to the Middlesex County Soil and Water Conservation District or the Forestry Division of the Department of Environment Protection for technical review or advisory opinion.
- (3). Narrative Description of:
  - a. Type and number of vehicles to be used on the site;
  - b. Proposed vehicular access to the site;
  - c. Starting and completion dates and hours of days proposed for operation on the site;
  - d. Hours of operation, which are to be between 7:00 a.m. and 6:00 p.m., Mondays through Saturdays unless modified and approved by the Commission.
- (4). Appropriate Fee

## **6. GRANTING OF PERMIT**

The cutting, removal or harvesting of trees or forest products may be permitted by the Commission subject to review of items required in these regulations. Of particular importance will be documentation that the proposed operation will comply with sedimentation and erosion control measures and notification of abutting property owners.

- A. The following administrative procedures shall apply to timber cutting operations where the Timber Cutting Permit approval from the Wetland Enforcement Officer or where a Timber Cutting Permit from the Commission are required:
- (1). Ten days before the start of work, the Wetland Enforcement Officer will be notified and a site inspection will be scheduled.
  - (2). Property boundaries adjacent to all cutting areas will be flagged in the field at reasonable intervals but not more than 50 feet at least ten days before the start of work, and trees to be removed within 25 feet of the boundary will be marked.
  - (3). Major logging roads and side trails within 50 feet of a stream, wetland boundary or property boundary will be flagged in the field ten days before the start of work.
  - (4). The landowner shall notify the Wetland Enforcement Officer upon completion of the harvest at which point any corrections necessary to correct erosion and sedimentation control problems will be carried out.
  - (5). All skidding and loading operation shall be on private property unless otherwise approved by the Commission.
  - (6). The burden of proof concerning any dispute on the amounts of wood cut shall rest with the landowner and shall be resolved by a professional forester. The Commission may impose more stringent cutting requirements.