

TOWN OF BROOKFIELD
ZONING REGULATIONS

Woodcutting, lumbering, & forestry - § 242-304A&B

§ 242-304. Woodcutting, lumbering and forestry operations.

A. General requirements and exceptions:

Woodcutting shall be a permitted use in all districts of the Town. However, there shall be no woodcutting in any district without a permit from the Zoning Commission, except when such removal is limited to the following:

- (1) Necessary cutting resulting from a bona fide construction operation being executed on the premises or for the installation of foundations, driveways, sewers or waterlines, electric or gas service sidewalks, fences or walls which may or may not be in connection with the construction of a building or addition thereto for which a building permit has been issued.
- (2) Necessary cutting for a subdivision road for which the preliminary plans have been approved by the Planning Commission of the Town of Brookfield.
- (3) The removal by or for the owner when such removal is for the purpose of landscaping, farming or otherwise improving the property, to a maximum of one hundred (100) cords of wood.
- (4) Material that may be otherwise removed in any one (1) calendar year without the required permit is an amount not to exceed twenty (20) cords of wood.

B. Application for a permit:

Application for a woodcutting permit shall be made by filing with the Zoning Commission of the Town of Brookfield the following information:

- (1) A **site plan** drawn to scale, by an engineer or surveyor registered to practice in the State of Connecticut, showing the following:
 - (a) The property on which the cutting is to be made.
 - (b) Adjacent roads and the location of proposed access roads to the proposed cutting.
 - (c) Adjacent property ownership within one hundred feet (100').
 - (d) Existing and proposed drainage on the premises, if any, including proposed level and area of any impounded water.

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- (e) Location and design of structural and nonstructural sediment and control measures, such as diversions, waterways, grade stabilization structures, debris basins, check dams, water breaks, silt fences and the like, and the location of temporary and permanent control measures.
- (2) A written statement with the following information:
 - (a) The sequence of operations, including time periods for major development phases, temporary and permanent sediment control measures to be employed, specifications for temporary and permanent vegetative and structural stabilization, and general information relating to the implementation and maintenance of the sediment control measures, including the name of the individual responsible for implementing the plan.
 - (b) Details of regrading and revegetation at the conclusion of the project or at the conclusion of such phases of the project as the Commission may require.
- (3) The application must be filed with the Zoning Commission before any operations are started, and no cutting shall be started until the application is approved.
- (4) The application must be signed by the persons intending to carry out the cutting operations and also the owner of the property if the cutting is not being carried out by the owner.
- (5) The Commission may waive, in whole or in part, the requirements of this section where they are not deemed necessary for reasonable review of the application.

C. Conditions of approval and/or renewal:

- (1) The Zoning Commission may approve the application and issue a permit for a stated period not to exceed twelve (12) months. Such permit may contain such conditions as the Commission determines necessary to protect the health, safety, general welfare and best interest of the Town and its residents. Such permits may be renewed for successive stated periods, none of which shall exceed twelve (12) months. The fees for an annual permit shall be in accordance with the Zoning Commission Fee Schedule (see appendix) which may be revised from time to time to reflect current administrative costs. Such permit shall automatically terminate upon failure to pay the annual fee within thirty (30) days of the anniversary date of the permit. *[amended 8/23/01]*

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- (2) A permit may be granted or denied by the Commission after consideration of good forestry practice; the public health, safety and general welfare; the comprehensive plan of development; soil erosion; drainage; lateral support slopes and grading of abutting streets and land; effect on land values and uses in the area; damage to existing landscape; and traffic access and safety. A permit may be granted only if the Commission finds compliance with the following conditions:
- (a) Cutting will not result in the soil erosion or fertility problems or depressed land values.
 - (b) There must be a minimum of two hundred (200) linear feet sight line clearance in both directions at point of truck access onto a Town road unless, in the opinion of the Commission, safety factors indicate otherwise.
 - (c) The area of truck access onto a Town road must be permanently established at the same grade as the Town road for a minimum distance of sixty feet (60').
 - (d) The Town road at the point of truck access must have a minimum width or traveled portion of twenty feet (20').
 - (e) The point of truck access onto a Town road must be so situated and constructed as to ensure that no trucks will back onto or off of the Town road.
 - (f) Compliance with § 242-602A, D and E of this Chapter.
- (3) For the health, welfare and safety of the residents of the Town of Brookfield, no work of any nature shall be performed under any permit granted under the terms of the regulations except between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 7:00 a.m. and 12:00 noon on Saturday.
- (4) Truck access to the cutting shall be so arranged, as to minimize nuisance to surrounding properties, and such access on the premises shall be provided with a dustless surface.
- (5) Damage to roads:
- Any permittee or agent thereof who shall cause damage to any road or roads in the Town of Brookfield shall immediately be liable to the Town for repairing said damage, which shall be under the supervision of the Board of Selectmen of the Town of Brookfield.

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D. Performance bonds:

When, in the sole determination of the Commission, it is necessary to protect the public health, safety, convenience and property values, the Commission may require the filing of a performance bond in accordance with §242-705A for the faithful completion of the entire project, or any portion thereof. The performance bond, in favor of the Town of Brookfield, shall be in an amount and of such form acceptable to the Commission.