

## **Falls Village, Town of Canaan Steep Slope Overlay Zone**

### **A. Purpose**

The purpose of this Section is to carefully monitor development in areas of steep slopes in order to determine whether public services (such as fire, ambulance, and public works) can be reasonably provided, to minimize soil erosion and sedimentation, and to minimize adverse visual impacts on the rural character of the community. It is not the intent of this Section to prohibit or preclude development in designated areas. Rather, this Section is intended to establish a process whereby property owner's interests in capitalizing on scenic views or other assets can be balanced with the community's desire to provide a reasonable level of services and to protect environmentally sensitive steep slopes and hillsides from inappropriate development. The uses and standards of this Section are similar to the uses and standards which have been utilized in the Housatonic River Overlay Zone since the 1980s.

### **B. Philosophy**

1. The extensive and essentially undisturbed slopes and ridges are a defining feature of Canaan (Falls Village).
2. Experience in other communities has shown that, if these resources are not protected, insensitive development of steep slopes can adversely affect the availability of public services, harm important natural resources, and detract from community character.
3. Because of their steepness and prominent visibility, the areas within the Steep Slope Overlay Zone need stricter standards to protect them from excessive or inappropriate development.
4. These standards should strike an appropriate balance between the use of private property and the Commission's responsibility to protect the public health, safety and welfare, the integrity of the steep slopes, and the scenic views within the community.

### **C. Delineation**

1. The Steep Slope Overlay Zone, as delineated on the Zoning Map, shall be superimposed on underlying zoning districts and the standards in this Section shall apply in addition to the requirements of an underlying zoning district.

2. If there is a conflict between the provisions listed below and the underlying district or other Regulations, the more restrictive provisions shall apply.

#### **D. Uses**

##### **1. Permitted Uses and Activities**

The following shall be permitted uses within the Overlay Zone subject to the requirements of these Regulations in the underlying zone:

- a. Open space uses which do not require moving, removing or otherwise altering the position of the earth, stone, sand, gravel, or water.
- b. Game management, fishing, hunting (where permitted), camping and picnicking, hiking, and other passive recreational activities.
- c. Maintenance, repair, or reconstruction of existing public ways or bridges.

##### **2. Special Permit Uses and Activities**

Other uses shall only be allowed within the Steep Slope Overlay Zone as a Special Permit and only to the extent permitted in the underlying zone. This procedural requirement is intended to ensure that activities are conducted in ways that avoid or minimize adverse impacts in these significant natural and aesthetic resource areas.

#### **E. Special Permit Considerations**

In deciding upon a Special Permit application in the Steep Slope Overlay Zone, the Commission shall, in addition to the criteria specified in Section 7.2.D.5, consider the following:

1. The extent to which public services (such as fire, ambulance, and public works) can be provided at all times and in all seasons to current and future owners of the property.
2. The extent to which any proposed activity will cause erosion or slipping of soil, or cause sediment to be discharged including whether:
  - a. the stability of soils will be adequate to support any proposed construction, landscaping, agricultural use, or similar activities.
  - b. the natural stability of the soil on the site has been used to determine the proper placement of structures and other development within the steep slope area.
  - c. all construction shall be accomplished in conformance with the erosion prevention provisions of the Connecticut Guidelines for Erosion and Sediment Control, as amended.
  - d. such operation will occur with an acceptable conservation plan, so that it will not leave an objectionable scar on the landscape.

3. The extent to which existing vegetation will help to retain the stability of the slopes and soils including whether:

- a. plant life located on the slopes outside of the minimum area that needs to be disturbed for carrying on approved development will be retained.
- b. plants or other acceptable ground cover will be re-established in the disturbed area immediately upon completion of development activities to maintain the natural scenic characteristics of any steep slope.

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4. The extent to which storm water drainage will be designed and located to ensure slope stability and not:

- a. cause erosion or siltation,
- b. contribute to slope failure,
- c. pollute groundwater, or
- d. cause damage to, or flooding of, property.

5. The extent to which care will be taken to protect scenic views, scenic vistas, scenic roads, and unique aesthetic features such as prominent ridgelines, from damage, obstruction or other degradation.

6. The extent to which there is an alternative location for the proposed development on that portion of the site not containing steep slopes or an alternative location on that portion of the site having fewer impacts on sensitive resources.