

Columbia Board of Selectmen

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STANDARD GUIDELINES FOR GRANTING PERMISSION FOR THE CONSTRUCTION AND MAINTENANCE OF STRUCTURES AND SHORELINE ON COLUMBIA LAKE

The following are the standard guidelines the Columbia Board of Selectmen shall employ in granting permission for the construction and maintenance of seawalls and structures to be attached or built on or above the Town owned bottom of Columbia Lake and for the construction of seawalls and general shoreline maintenance of Columbia Lake. In granting permission, the Selectmen shall take into account issues of safety, access, aesthetics, public health, environmental concerns, views, and neighborhood tranquility. The Board of Selectmen may modify these standard guidelines to meet the specific requirements of the topography and the previous list of factors but must always take into account long-term public benefits.

I. DEFINITIONS:

BASE WATER LEVEL: The water level at which the surface waters of the lake begin to flow over the present spillway.

DOCK: a structure extending out from the shore into a body of water, to which watercraft may be moored and/or to which a watercraft covering or watercraft lift may be adjacent and which may be utilized for swimming, fishing and other reasonable uses for access to and enjoyment of the lake.

EMERGENCY REPAIR: Emergency repair means a repair to an existing structure that restores it to its original condition (including, without limitations, dimensions and location) made necessary by a weather event, age, or wear and tear to correct a condition that poses an unreasonable immediate risk to person or property so as to require expedient remedial action.

INFLATABLE: A large swimming accessory made buoyant by air sealed in pliable materials that is not removed from the water on a daily basis. Inflatables are treated as rafts by these standards unless otherwise expressly stated.

MOORING: A structure consisting of a rope or chain and anchor with an attached buoy to secure a watercraft.

PROPERTY LINE (EXTENDED): An imaginary continuing line over the lake of the property sidelines following the trajectory of property sideline on the land.

RAFT: A structure consisting of an anchored flat buoyant floating platform not removed from the water on a daily basis and not attached to a dock or seawall.

SHORELINE: The perimeter of Columbia Lake at Base Water Level.

STRUCTURE: A dock, raft, mooring, inflatable, watercraft lift and watercraft cover are considered a structure for these guidelines.

WATERCRAFT: A water-borne conveyance including motorized and non-motorized boats, personal watercraft, sail boats, kayaks, sail boards, paddle boards and canoes having a propulsive capability whether by sail, oar, paddle or propeller or the like and hence are distinct from a simple device that merely floats, such as a raft.

WATERCRAFT COVERING: A watercraft covering is a building structure especially designed for the protection and storage of watercraft. A watercraft covering does not include a dock but must be adjacent or attached to a dock and will be considered a part of the dock structure.

WATERCRAFT LIFT: A mechanical or floating device allowing a watercraft to be lifted out of the water when not in use. A watercraft lift does not include a dock but must be adjacent or attached to a dock and will be considered a part of the dock structure.

II. GENERAL STANDARDS:

- a) An applicant's property must have a minimum of fifty (50') feet of lake frontage to qualify for any permitted structure.
- b) An applicant may be allowed to have a seawall and up to three additional permitted structures, including any secondary dock, dependent on frontage.
- c) The design and placement of all structures shall be such that there will be a minimal restriction to the free flow of water in the lake, and watercraft upon such lake.
- d) All construction and maintenance shall be of sound material that shall not adversely affect either lake water quality or aquatic life. All permitted structures will be maintained in a structurally safe condition.
- e) Placement of all structures shall be such as not to obstruct access of the lake, the use of the lake and its channels, and shall take potential hazards for swimmers, divers, watercraft, and other uses of the lake in account.
- f) Property sidelines (extended) shall be observed so that all structures are positioned within the property sidelines (extended) of the applicant. Structures shall not interfere with access by neighbors to their property or lake. Should extended property lines cross, placement will be at the discretion of the Board of Selectmen with guidance from the Lake Management Advisory Committee.
- g) Construction of all seawalls and structures, other than rafts built on shore, shall take place during low water season - fall or winter – to minimize erosion and facilitate inspection of the building process. Construction on or over the lakebed will not be permitted between March 15 to October 15 in even numbered years and March 15 to November 1 in odd numbered years.
- h) No construction equipment will be allowed on the lakebed.
- i) All excavation below the Base Water Level of the lake is to be performed by hand.

- j) No rocks, sand or other soils or other material will be removed or deposited into the lakebed without proper approvals. Permission for removal of rocks or repositioning of rocks or sand or other soils, or addition of rocks may be granted in certain instances, for example if they pose a hazard to swimmers, divers, watercraft, or other permitted uses of the lake, or if they interfere with dock, watercraft cover or watercraft lift construction or in order to maintain seawalls or established shorelines.
- k) No sand from a remote location will be added onto the lakebed or its immediate shoreline. If proper permits are attainable, sand currently located on the lakebed may be repositioned in accordance with clauses h), i) and j) above.
- l) No modification to existing shoreline configuration will be allowed.
- m) The provision of lighting (whether powered by electric utility, battery, or renewable resource) on any structure constructed under these standards shall not be permitted. Electric service for other uses may be permitted with proper evidence that proper codes will be satisfied, the necessary Building Department permit has been obtained and that installation will be by a licensed electrician. Electric power installation shall be inspected and approved by the Town's building inspector at the expense of the applicant.
- n) Applicants will be required to provide a completed application, containing detailed site and/or building plans including dimensions, materials, and distance to adjacent property lines of proposed structures. Applicants may also be required at the discretion of the Lake Management Advisory Committee (LMAC) or the Board of Selectmen to notify adjacent landowners in accordance with Article VII.
- o) The Board of Selectmen will inspect or request members of the LMAC to inspect the site for application accuracy and assessment of conditions prior to approval of the application and again after construction to verify the accuracy and compliance with conditions of the applicable permit.
- p) The Board of Selectmen may approve, approve with modification, approve with conditions, or deny any application made under these standards and in the process waive strict compliance with these standards when merited.
- q) Special Note: Permission by the Board of Selectmen to construct a structure on or above the Town owned lake bottom shall not relieve the applicant from obtaining other required approvals and permits from IWWC and Building department if required.
- r) The presence of any unauthorized structure, obstruction or non-permitted use of Columbia Lake is sufficient grounds for the Board of Selectmen to compel its removal.
- s) All fee-owners and owners of rights-of-way must join in any application; however, the Town has no obligation to a right-of way owner(s) or deeded right-of-way property holder to allow watercraft to be tied to a dock or moored into the lake, nor

does the owner(s) or deeded right-of-way property holders have an entitlement or right to a dock, mooring, raft, watercraft cover, watercraft lift or other structure.

- t) Any permission granted or inspection conducted under these guidelines is granted and conducted solely for purposes of assuring compliance with these guidelines. No assurance is provided to or to be assumed by the applicant that the approval of any design, installation, or maintenance of any structure means that the Board of Selectmen, LMAC, or any other agent or agency of the Town of Columbia has found that any such structure is mechanically and structurally safe and sound for the intended use or that any other applicable law or code has been or will in the process be properly complied with. Liability for construction, maintenance and use of structures governed by these guidelines remains at all times with the applicant and landowner.
- u) Use of pressure treated woods, used to construct docks, watercraft coverings, watercraft lifts and rafts, do pose some environmental risk to small aquatic life. Applicants shall not use pressure treated woods denoted as (CCA) Chromate Copper Arsenate, (ACZA) Ammonia cal Copper Zinc Arsenate or (ACA) Ammonia cal Copper Arsenate. Other pressure treated woods or alternative building materials, such as natural pest resistant woods (redwood and cedar), products made of aluminum or the wide range of composites made from recycled polyethylene plastic, wood or other cellulose fibers may be used.
- v) The cutting or sizing of building materials is not to occur over the lake bottom and no sawdust is to be deposited into the lake.

III. DOCKS:

- a) Docks will be permitted only to the extent necessary to provide safe mooring and reasonable access to the water. Dimensions of docks will normally be granted for up to twenty (20') feet in length and five (5') feet in width. Where these dimensions are not appropriate to the site, or to the length or draft of intended watercraft, variations of these dimensions may be granted; however, no dock shall be approved with a width of less than three (3') feet and no dock may extend more than twenty-five (25') feet beyond the shoreline at Base Water Level. A total of no more than one hundred (100') square feet will be the standard for the dock footprint.
- b) Unless a dock is located on the centerline of a property, no dock shall be placed closer (at any point) than twenty-five feet (25') to the applicant's extended property line and will not pose an obstruction to an abutting neighbor's waterfront access.
- c) A secondary dock will be considered for applicants whose property consists of one hundred feet (100') or more of lake frontage. Secondary docks shall conform to the same standards as primary docks and such additional standards as are set forth in these guidelines for secondary docks.
- d) The sanding and staining of docks is permitted during low water season only. Emergency maintenance can be performed during high water season as long as the proper precautions are taken to collect/catch the debris/residue.

IV. WATERCRAFT COVERINGS AND WATERCRAFT LIFT STRUCTURES:

- a) There will be a maximum of one watercraft covering and one watercraft lift structure per lake front property; provided, however, that a conforming watercraft lift under a conforming watercraft covering will be counted only once. For each permitted watercraft covering or watercraft lift, the allowed capacity per structure is one watercraft.
- b) Watercraft coverings and/or watercraft lifts must be used in connection with and adjacent to docks.
- c) Watercraft coverings can contain a watercraft lift and a dock may have a watercraft covering on one side and a lift on the other if the resulting combination satisfies all other applicable guidelines. However, watercraft coverings and/or watercraft lifts cannot be linked, coupled, connected, or placed either front and back or side by side on one side of a dock.
- d) Watercraft coverings and watercraft lifts shall not include decks on top, storage sheds or other attachments and must have open sides to minimize visual obstruction.
- e) A watercraft lift's dimensions will fit the approved watercraft for that lift; if needed to access a watercraft on a watercraft lift there can be no more than a twenty-four (24") inches catwalk on either or both sides of the watercraft lift. Catwalks shall not be considered or used as docks. Catwalks may not exceed the length or width of the watercraft lift by more than twenty-four (24") inches at each end and may not extend out more than twenty-five (25') feet from the Shoreline.
- f) A watercraft covering's dimensions will not be larger than ten (10') feet by twenty (20') feet and shall not extend out into the lake more than twenty-five (25') feet from the Shoreline.
- g) A watercraft covering shall be constructed so that no part is more than eight (8') feet above the lake's Base Water Level when using a peaked roof design, or six (6') feet when using a single pitch (shed) roof design.
- h) The intention of the applicant to install a mechanical watercraft lift in a watercraft covering shall not constitute reason for varying from these standards.

V. RAFTS AND MOORINGS:

Applicants/owners eligible for a raft or mooring shall be considered for one raft and one mooring, or in lieu of a raft, a second mooring. No offshore structure will be permitted beyond one hundred (100') feet from the Shoreline.

- a) Applications for rafts and moorings shall include measurements of distances from the nearest points on the Shoreline and the distances to extended property lines of abutting neighbors. A raft shall not be placed more than seventy-five (75') feet from the Shoreline and shall be on the extended center line of the applicant's property. A

mooring shall be placed not more than one hundred (100') feet from the Shoreline and shall be on the extended center line of the applicant's property, providing it is not in conflict with general standards and does not present a navigational obstruction.

- b) A raft will be placed as nearly as possible on the center line between the applicant's extended property lines.
- c) Rafts, other than inflatables, shall be constructed to float so that the top of the decking is a minimum of ten (10") inches and a maximum of thirty-six (36") inches above the water level.
- d) Raft dimensions, other than inflatables, will be as close to square as possible and shall not exceed twelve (12') feet by twelve (12') feet.
- e) Rafts, including inflatables, shall have no attachments or extensions which are more than eighteen (18") inches above the decking except ladder supports.
- f) A circular inflatable will be permitted as a raft providing the inflatable is no greater than twelve (12') feet in diameter. Twelve (12') feet diameter rafts will be allowed one (1) inflatable floating attachment, used for the purpose of boarding the raft and of no greater dimensions than four (4') feet by four (4') feet by eighteen (18") inches high.
- g) Smaller inflatables may be circular, square, rectangular or oval and will be permitted to have multiple attachments, providing the raft and attachment does not exceed twelve (12') feet in overall dimension in length or width and no more than eighteen (18 inches) high.
- h) All rafts and moorings, inclusive of their anchors and mooring tackle, shall be of materials that are environmentally suitable for use in the lake and do not present a danger to other users of the lake.
- i) Applicants for the construction of rafts and installation of moorings are responsible for any damage done to property should a raft or moored watercraft break free for any reason.
- j) The name and address of the owner of each raft shall be indelibly affixed to the raft near its ladder or other aid for boarding it.

VI. LAKE FRONTAGE WALL (SEAWALL):

- a) All seawalls shall be securely attached to the land of the applicant and be so designed and constructed to prevent erosion into the lake.
- b) Only environmentally approved materials shall be used in the constructions of seawalls.
- c) Seawall construction shall follow the contour of the Shoreline.

- d) Applicants shall not extend and or backfill their property behind the seawall except to the level required to complete construction.
- e) Seawalls shall not present any hazard to person(s) using the lake.
- f) New or replacement seawalls shall not be higher than thirty (30") inches above Base Water Level.
- g) Repaired seawalls shall follow the current location as nearly as possible. Several points along the lake wall shall be triangulated to fixed points to verify compliance to this section. LMAC will determine the methods used to accomplish this provision during application review.
- h) Applicants seeking to have steps incorporated into a seawall will design the steps to lead back into the applicant's property and not extend into the lake.
- i) Cuts or openings in sea walls, including cuts or openings for ramps or steps will be no greater than four (4') feet wide. No cut or opening that does not provide for it to be filled with an impervious or other erosion preventing surface will be allowed.
- j) Permit applications seeking to add a decorative fascia or veneer to the front of an existing seawall may be considered with the following conditions:
 1. The contour of the existing seawall is not altered
 2. The thickness of the fascia/veneer shall not exceed two (2") inches.
 3. Only one two (2") inch thickness of fascia/veneer permitted on any seawall
 4. Materials used will be environmentally friendly
 5. Materials used for fascia/veneer shall be compatible with the character of the shoreline
 6. The fascia/veneer shall be securely attached to an existing, structurally sound seawall and not present a hazard to users of the lake.
- k) Properties whose shorelines have a grandfathered sand interface with the lake may not add additional sand transported from a remote location. Such shorelines must be maintained through compliance with General Standards h) and i) in Article II of these Guidelines.

VII. ABUTTING PROPERTY CONSIDERATIONS:

- a) No dock, watercraft covering, watercraft lift, raft or mooring shall pose a potential hazard for swimmers or other reasonable uses of the lake at abutting lake front properties including the navigation, docking and mooring of watercraft at abutting lake front properties.
- b) Watercraft coverings, watercraft lifts and rafts must be located so that all parts thereof are at least fifteen (15') feet from abutting property boundaries, including the imaginary extensions of those property boundaries over water.

- c) Abutting property owners must be notified and satisfactory proof of such notification must be attached to any application seeking any variance from any of the provisions of these Standard Guidelines. The notification shall include a copy of the application and the date of the LMAC meeting at which it will be considered.

VIII. EXISTING STRUCTURES AND IMPROVEMENTS:

- a) All structures and improvements associated with the reasonable use and enjoyment of the lake by a landowner abutting the lake that predate these standards or the first time that they are covered by an amendment to these standards shall and remain a structure or improvement permitted by these standards so long as they are properly maintained and repaired in accordance with these standards and not abandoned for a period of more than 3 years. All such structures and improvements that may not be in conformity with these standards, other than sandy shorelines, may be replaced in their original location any time before they are considered abandoned so long as their nonconformity does not increase in any fashion and only after obtaining a permit hereunder. Sandy shorelines may only be maintained as provided in Article II, clauses j) and k), of these standards.
- b) No existing structure or improvement covered by these standards, may be relocated without complying with these standards. Relocation of an otherwise permitted nonconforming structure or improvement may be permitted if the new location better serves the issues that these standards are designed to address.
- c) The rights of a landowner with property abutting the lake to maintain and use associated structures and improvements that have been approved per these standards or that are permitted preexisting structures or improvements shall run with said land and be deemed transferred whenever title to said property is transferred without need for further approval except with respect to future maintenance and repair activities and any relocation.
- d) The removal of any existing structure or improvement covered by these regulations, including preexisting structures and improvements shall be treated as a repair and require an application and approval hereunder before execution. All removals must restore or accommodate the natural restoration of the lakebed and must leave a reasonable protective barrier between land and water to prevent erosion and otherwise serve the goals of these regulations.

IX. APPLICATION PROCESS:

- a) A landowner seeking to build/install, repair, relocate, or modify a seawall, dock, watercraft covering, watercraft lift, mooring, or raft, shall make application for a permit to do so. Application forms shall be available at the office of the Town Administrator. All applications shall be signed by the applicant and any general or prime contractor that will be retained to carry out the project covered by the application.
- b) The completed application shall be delivered to the Town Administrator who shall promptly forward it to the member of LMAC who shall have been designated to

receive the same in order to set a date and time for LMAC review and field survey with the applicant. If all required information is included in the application and a site visit conducted, the application and LMAC's observations and recommendations will be considered promptly by the Board of Selectmen at a regular meeting of the Board, notice of which shall be supplied to the applicant, and if one or more abutting property owners were to require to receive notice of the application, to them as well.

- c) Under special circumstances, applications may be expedited at the discretion of the Board of Selectmen.
- d) A separate application to the Inland Wetlands Commission (IWWC) and building department must also be made when necessary. It may be made prior to the approval of the Board of Selectmen, but the Board of Selectmen must approve the application made under these standards before an IWWC permit can be issued and construction commenced.
- e) Notwithstanding the foregoing provisions of this Article, emergency repairs to any dock, watercraft covering, watercraft lift, raft, or mooring, may be made with such IWWC approval as may be needed prior to the submission of an application covering the repairs; provided, that, such an application is made promptly after the completion of the repairs. Subsequent review and approval of such application will be based on an inspection for compliance with these regulations. Emergency repairs not found to be in compliance with these regulations will be required to be corrected or otherwise remediated as the Board of Selectmen shall determine.

Revision adopted April 1, 1997; effective immediately.

Proposed Revisions dated August 19, 2003; effective immediately.

Proposed further revision dated September 16, 2003; effective immediately.

Proposed further revisions adopted July 16, 2013; effective immediately.

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