

## **GENERAL INSTRUCTIONS FOR PREPARING AN IWC APPLICATION**

Review the “Town of Vernon Inland Wetlands and Watercourses Regulations” to determine which activities require approval by the Inland Wetlands Commission (IWC) and what information needs to be provided with the application to obtain approval(s) from the IWC. If there is a question or doubt whether an activity is one that is regulated, please consult with Vernon’s Wetlands Enforcement Officer.

Section 7 describes the application procedure and information required.

The application form is to be used to apply to the Vernon Inland Wetlands Commission (IWC) for any of the purposes listed in Part VI of the application form. Regulated activities require approval of a wetlands permit within the following areas:

Any area defined as wetlands, watercourse, or intermittent watercourse in these Regulations and Connecticut General Statutes (CGS) Chapter 440 Wetlands and Watercourses Section 22a-36 – 22a-45.

- Areas within one hundred (100) feet measured horizontally from the boundary of a wetland, watercourse, or intermittent watercourse.
- Areas within two hundred (200) feet measured horizontally from the boundary of:

Gage’s Brook	Ogden Brook	Tankerhoosen River	Walker Reservoir East
Hockanum River	Railroad Brook	Valley Falls Pond	Walker Reservoir West

The “Town of Vernon Inland Wetlands and Watercourses Map” delineates the general location and boundaries of wetlands and watercourses. The Inland Wetlands Map is at a scale of 1:12,000 (1" = 1000'). The scale of the Inland Wetlands Map does not provide information in sufficient detail and accuracy to make an accurate delineation of wetlands and watercourses for parcel surveys and site planning. It is usually necessary to obtain the professional services of a soil scientist to field-delineate the location of the wetlands and of a surveyor to depict the location of the wetlands accurately on a plan. A source of soils information is the Web Soil Survey, available at <http://websoilsurvey.nrcs.usda.gov>.

In addition to maps, all applicants must submit a brief narrative describing the proposed activity and the purpose of the application. Describe the purpose, the general activities, and the specific activities in regard to disturbance of watercourses and wetlands. Section 7 describes the project information that must be submitted with the IWC application. Section 7.5.h requires that the map be prepared by a licensed surveyor or professional engineer registered in the State of Connecticut if the extent of the proposed regulated activity exceeds one-half (1/2) acre. Section 7.6.c requires that location of the wetlands be determined by a certified professional Soil Scientist.

An applicant must submit the above-required information to the Town Planning Department accompanied by a check or cash in the amount determined by the fees prescribed in section 19. A check is payable to “Town of Vernon.” (See the fee schedule, below.)

An applicant must submit (20) copies of a map showing all the information required in Section 7.8 of the wetlands regulations.

Per Connecticut General Statutes (CGS) Section 8-26, if an application submitted to the Planning & Zoning Commission (PZC) or the Zoning Board of Appeals (ZBA) involves any activity regulated under Vernon’s wetlands regulations, an application for this activity must be filed with the Inland Wetlands Commission (IWC) on or before the day the Planning & Zoning Commission (PZC) application is filed by the applicant. (Section 7.2)

Per CGS Section 22a-42f, If the proposed activity is to take place within a watershed of a water company, the applicant is required to file a copy of the application with the water company and the Commissioner of Public Health by certified mail within seven (7) days of the date of the application. (Section 8.3) A form for doing so is included in this application packet under “Other Forms” along with a map showing applicable areas.

Per CGS 22a-39: The Connecticut Department of Environmental Protection (DEP) reporting form incorporated in the application must be completed during the wetlands application process to be submitted to the Commissioner of the DEP with information necessary to properly monitor the inventory of State wetlands. The reporting form is part of the application packet under "Other Forms, and specified sections must be completed by the applicant.

### **APPLICATION PROCESSING SCHEDULE**

An application to the Inland Wetlands Commission (IWC) will be officially received at the first regular IWC meeting following the date of submission to the Planning Department. By state law the IWC must allow 14 days following official receipt for residents to file a petition with the IWC requesting a public hearing. *The IWC may not act on an application the same day it is received.* The IWC will not schedule a public hearing unless it determines that the proposed activity may have a significant impact on wetlands or watercourses or that a public hearing would be in the public interest. All applications requesting redesignation of wetlands require a public hearing.

The Planning Department schedules a Development Review meeting following receipt of an application at which staff of Town departments meet with the applicant and any design professionals to identify issues or request additional information about the application. The Planning Department may also refer the application to the Conservation Commission for comment. Following are the meeting schedules for the commissions and development review team that may be involved in reviewing an application:

#### **Inland Wetlands Commission (IWC)**

Fourth Tuesday of each month, 7:30 pm

Council Chambers, Third floor, Memorial Building/Town Hall, 14 Park Place

#### **Development Review meeting**

Second Wednesday of each month; 10:00 a.m.

Council Chambers, Third floor, Memorial Building/Town Hall, 14 Park Place

#### **Planning & Zoning Commission (PZC)**

First & third Thursday of each month; 7:30 p.m.

Council Chambers, Third floor, Memorial Building/Town Hall, 14 Park Place

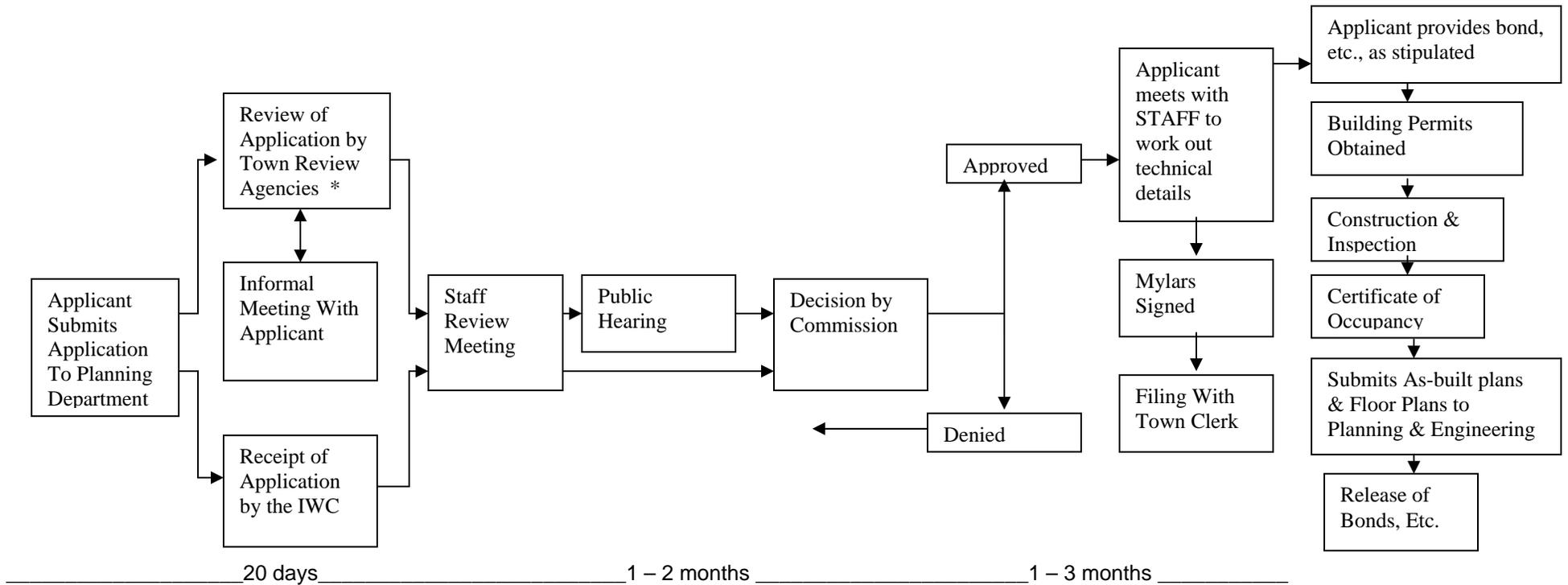
#### **Conservation Commission (CC)**

Third Monday of each month; 7:30 p.m.

Council Chambers, Third floor, Memorial Building/Town Hall, 14 Park Place

The flow chart below illustrates the general sequence of application processing.

## Flow Chart for Applications Submitted to Vernon Land Use Commissions



(All time frames are approximate and for reference only)

Note: When application involves PZC, IWC, and/or ZBA approvals, IWC & ZBA must be obtained first.

\*Town Review Agencies may include Conservation Commission, Traffic Authority, Design Review Commission, and/or Local Historic Properties Commission

**INLAND WETLANDS APPLICATION TIME FRAMES**

	Action on Application or Start of Hearing	Conclude Public Hearing	Decision on Application following close of Hearing
No hearing scheduled	Within 65 days of receipt		
Public hearing scheduled	Within 65 days of receipt	Within 35 days	Within 35 days

- NOTES: 1. Applicant may consent to extend the time frame for any component for a total of sixty-five (65) days.
2. All Applications are considered “received” at the next regularly scheduled meeting of the IWC after submission to the Town Planning Department.
  3. Application must be received at least one (1) business day prior to a regularly scheduled meeting in order to be “received” at the next regular meeting.

**APPLICATION FEES**

(Section 19 of the Inland Wetlands and Watercourses Regulations)

19.4 Fee Schedule. Application fees shall be based on the following schedule:

Wetlands redesignation	\$150
Modification of a wetlands redesignation	75
Wetland permits	
Non-significant activity	125
Significant activity with less than ½ acre site disturbance	250
Significant activity with site disturbance from ½ to and including 2 acres	500
Significant activity with site disturbance greater than 2 acres	800
Notification of abutters of public hearings, per abutter	1
Commission modification of a wetlands permit remaining in effect	150
Modification of a wetland permit by the Wetland Agent	75
State mandatory fee (per CGS 22a-27j)	60
Other fees	
Approval by Wetland Agent	75
Appeal of Wetland Agent decision	125
Jurisdictional rulings regarding permitted and nonregulated uses	25
Review of proposed subdivision per CGS 8-26 (e) where no regulated activity is proposed	\$125

Complex Application Fee: The Commission may charge an additional fee sufficient to cover the cost of reviewing and acting on complex applications. Such fee may include, but not be limited to, the cost of retaining experts to analyze, review, and report on issues requiring such experts. The Commission or the Wetland Agent shall estimate the complex application fee which shall be paid pursuant to section 20.1 of these regulations within 10 days of the applicant's receipt or notice of such estimate. Any portion of the complex application fee in excess of the actual cost shall be refunded to the applicant no later than 30 days after publication of the Commission's decision.

19.5 Exemption. Boards, commissions, councils and departments of the Town of Vernon are exempt from all fee requirements.

19.6 Waiver. The applicant may petition the Commission to waive, reduce or allow delayed payment of the fee. Such petitions shall be in writing and shall state fully the facts and circumstances the Commission should consider in its determination under this subsection. The Commission may waive all or part of the application fee if the Commission determines that:

- a. The activity applied for would clearly result in a substantial public benefit to the environment or to the public health and safety and the applicant would reasonably be deterred from initiating the activity solely or primarily as a result of the amount of the application fee, or
- b. The amount of the application fee is clearly excessive in relation to the cost to the Town for reviewing and processing the application.
- c. The applicant has shown good cause.

The Commission shall state upon its record the basis for all actions under this subsection.