

*INLAND WETLANDS AND WATERCOURSE  
REGULATIONS*

*MERIDEN, CONNECTICUT*

(Revised to January 5, 1994)  
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(Revised-July 5, 2017)

# **INLAND WETLANDS AND WATERCOURSE**

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1.0 TITLE, AUTHORITY, AND PURPOSE

These regulations shall be known as the "Inland Wetlands and Watercourses Regulations of the City of Meriden, Connecticut", and are hereinafter referred to as "Regulations".

- 1.2 These Regulations have been prepared and are adopted in accordance with the provisions of the Connecticut General Statutes, Chapter 440, Section 22A-36, as amended from time to time, and as authorized in an ordinance adopted by the City Council of the City of Meriden on June 3, 1974.
- 1.3 They provide an orderly process through which to balance the need for economic growth and land use in Meriden, with the need to protect its environment and ecology for the benefit and enjoyment of the people of Meriden and generations yet unborn.
- 1.4 The purpose of these regulations is to protect the quality of the inland wetlands and watercourses lying within the City of Meriden. The wetlands and watercourses are an indispensable, irreplaceable and fragile natural resource with which the citizens of Meriden have been endowed. They are essential to an adequate supply of surface and underground water, to hydrogeological stability and control of flood and erosion, to the recharging and purification of groundwater, and to the existence of many forms of animal, aquatic and plant life.
- 1.5 It is in the public interest and essential to the health, welfare, and safety of the citizens of Meriden to preserve and protect the wetlands and watercourses from unnecessary, undesirable and unregulated uses, disturbances and destruction. The intent of protecting the public interest by making provisions for the protection, preservation, maintenance and use can be met by:
  - 1.5.1 Minimizing the disturbance and pollution of wetlands and watercourses;
  - 1.5.2 Maintaining or improving water quality in accordance with the standards set by federal, state or local authority;
  - 1.5.3 Preventing damage from erosion, turbidity or siltation;
  - 1.5.4 Preventing loss of fish and other beneficial organisms, wildlife, and

vegetation;

- 1.5.5 Preventing the destruction of natural habitats;
- 1.5.6 Controlling discharges and runoff to deter and inhibit pollution and flooding;
- 1.5.7 Protecting the conservation, economic, recreational and aesthetic quality of wetlands and watercourses to maintain their public and private uses and values; and
- 1.5.8 Protecting potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse or mismanagement.

## 2.0 **DEFINITIONS**

As used in these regulations:

- 2.1 "Bog" means a poorly drained area containing an accumulation of organic material and characterized by an association of plants recognized as bog species. Typical examples of bog species are listed in the booklet entitled Inland Wetland Plants of Connecticut (May, 1973). Such plant species include:, but are not limited to: *Larix laricina*, larch; *Picea mariana*, Black Spruce; *Decodon verticillatus*, Water willow; *Drosera rotundifolia*, Sundew; *Sarracenia purpurea*, pitcher plant; *Chamaedaphne calyculata*, Leather-leaf; *Myrica gale*, sweet gale; *Kalmia polifolia*, bog-laurel; and *Vaccinium oxycoccos*, Blueberry.
- 2.2 "Clear-cutting" means the harvest of timber products in a fashion which removes all species of trees down to a 2" diameter at breast height.
- 2.3 "Commission" means the Inland Wetlands and Watercourse Commission of the City of Meriden, Connecticut.
- 2.4 "Deposit" includes, but shall not be limited to fill, grade, dump, place, discharge or emit.
- 2.5 "Designated Agent" means an individual designated by the agency to carry out its functions and purposes.
- 2.6 "Discharge" means the emission of water, substance or material into waters of the City of Meriden, whether or not such substance causes pollution.
- 2.7 "Disturbing the natural and indigenous character of the land" means that the activity will significantly alter the inland wetland and watercourses by

reason of removal or deposition of material, clear cutting, alteration or obstruction of water flow, or will result in the pollution of the wetland or watercourse or as stated in Section 6.2.

- 2.8 "Farming" means using any tract of land for growing crops; raising livestock or other agricultural use.
- 2.9 "Gardening" means the tilling of soil, planting, cultivating and harvesting of vegetable matter.
- 2.10 "Grazing" means using any tract of land to feed or supply farm animals with grass or pasture, to tend farm animals, or feeding or growing silage and herbage.
- 2.11 "Harvesting of Crops" means gathering plants or animals or plant or animal products which have been grown to be harvested.
- 2.12 "Nurseries" means land used for propagating trees, shrubs or other plants for transplanting, sale, or for use as stock for grafting.
- 2.13 "Emergency repairs" shall include, but not be limited to the following: removal of obstructions such as trees, tires, and accumulated silt, etc. from watercourses for reasons of flood prevention and maintenance.
- 2.14 "Marsh" means an area normally covered with shallow water, subject to seasonal variations, that contains an association of herbaceous, soft-stemmed plants recognized as marsh vegetation. Typical examples of marsh species are listed in the booklet entitled Inland Wetland Plants of Connecticut (May, 1973). Such plant species include, but are not limited to:
- Sparganium americanum, Bur-reed; Typha latifolia Cattail;
  - Pontederia, Pickerel weed; Peltandra virginica, Arrow-arum; Carex stricta, tussock sedge; Lythrum salicaria, Purple loosestrife; Juncus acuminatus, Rush; Phragmites communis, Reed and Zizania aquatica, Wild Rice.
- 2.15 "Material" means any substance, solid or liquid, organic or inorganic, including but not limited to soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand and refuse or waste.
- 2.16 "Permit" means the whole or any part of a license, Certificate of Approval or Exemption, or similar form of permission which may be required of any person by the provisions of these Regulations or Section 22a of the Connecticut General Statutes.

- 2.17 "Person" means any person, firm, partnership, association, corporation, company, organization or legal entity of any kind, including municipal corporations, government agencies or subdivisions thereof.
- 2.18 "Pollution" means any harmful thermal effect or the contamination or rendering unclean or impure of any wetlands or watercourses by reason of any waste or other materials discharged or deposited therein by any public or private sewer, or otherwise, so as to come in contact with any wetlands or watercourses.
- 2.19 "Regulated Activity" means any operation or use of a wetland or watercourse involving removal or deposition of material; or any obstruction, construction, alteration or pollution of such wetlands or watercourses, and any earth moving, filling, construction, or "clear cutting" of trees within 100 feet of wetlands or watercourses, but shall not include the activities specified in Section 4 of these regulations.
- 2.20 "Regulated Area" means any wetlands and watercourses, as defined in these Regulations, not all of which may be specifically delineated at present on the map entitled "Designated Inland Wetlands and Watercourse of the City of Meriden" due to the constraints of printing and the mapping scale.
- 2.21 "Remove" includes, but shall not be limited to drain, excavate, mine, dig, dredge, suck, bulldoze, dragline or blast.
- 2.22 "Rendering unclean or impure" means any alteration of the physical, chemical or biological properties of any of the waters of the City of Meriden, including, but not limited to, change in odor, color, turbidity or taste.
- 2.23 "Significant Impact or Major Effect" means:
- 2.23.1 Any activity involving a deposition of material which will or may have substantial adverse effect on the regulated area or on another part of the wetland or watercourse system; or
- 2.23.2 Any activity involving a removal of material which will or may have a substantial adverse effect on the regulated area or on another part of the wetland or watercourse system; or

- 2.23.3 Any activity which causes substantial turbidity, siltation or sedimentation in a wetland or watercourse, or
- 2.23.4 Any activity which causes a substantial diminution of flow of a natural watercourse, or groundwater levels of the regulated area, or
- 2.23.5 Any activity which causes or has the potential to cause pollution of a wetland or watercourse, or
- 2.23.6 Any activity which creates conditions which may adversely affect the health, welfare and safety of any individual or the community, or
- 2.23.7 Any activity which destroys unique wetland or watercourse areas having demonstrable scientific or educational value.
- 2.23.8 Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system; or
- 2.23.9 Any activity which substantially diminishes the natural capacity of a wetland or watercourse to support desirable biological life, prevent flooding, supply water, assimilate waste, facilitate drainage, and/or provide recreation and open space; or
- 2.23.10 Any activity which would result in a degrading of a watercourse or the surface and/or groundwater of a wetland which would be inconsistent with the goals and purposes of these regulations.
- 2.24 "Soil Scientist" means an individual duly qualified in accordance with the standards set by the Office of Personnel Management (formerly the U. S. Civil Service Commission).
- 2.25 "Swamp" means an area with a water table at or near the surface of the ground throughout most of the year and containing vegetation dominated by an association of trees and/or shrubs recognized as swamp species. Typical examples of swamp species are listed in the booklet entitled Inland Wetland Plants of Connecticut (May, 1973). Such plant species include but are not limited to: *Acer rubrum*, Red Maple; *Rhus vernix*, Poison Sumac; *Fraxinus nigra*, Black Ash; *Salix discolor*, Pussy willow; *Nyssa sylvatica*, Black gum; *Alnus*, Alders; *Vaccinium corymbosum*, Blueberry; *Clethra alnifolia*, Sweet Pepperbush; *Rhododendron viscosum*, Clammy azalea; *Ilex verticellata*, Winterberry; *Lindera benzoin*, spicebush; *Cephalanthus occidentalis*, Buttonbush; *Caltha palustris*, Marsh-marigold; and *Symplocarpus foetidus*, skunk-cabbage.

- 2.26 "Waste" means sewage or any natural or man-made substance, liquid, gaseous, solid or radioactive, which may pollute or tend to pollute any of the waters of the City.
- 2.27 "Watercourse" means rivers, streams, brook, waterways, lakes, ponds, marshes, swamps, bog, and all other bodies of water, natural or artificial, public or private, vernal, intermittent, or perennial, which are contained within, flow through, or border upon the City of Meriden or any portion thereof, not regulated pursuant to Section 22a-28 through 22a-35, inclusive, of the General Statutes, as amended.
- 2.28 "Wetland" means land, including submerged land, not regulated pursuant to Sections 22a-28 and 22a-35 inclusive, of the General Statutes, as amended, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial or floodplain by the National Cooperative Soil Survey (as may be amended from time to time of the Soil Conservation Service of the U.S. Department of Agriculture).
- Such areas may include filled, graded, or excavated sites which possess an aquatic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.
- These soils are generally shown for informational purposes only on a map entitled "Designated Wetlands and Watercourses of the City of Meriden". In each instance, however, the actual character of the soil shall determine whether the land in question is subject to regulation.
- 2.29 "Wetland Analyst" an individual who has the qualifications both educational and experience to fully describe the subsections under Section 7.7.1 of these regulations.

### 3.0 **INVENTORY OF REGULATED AREAS**

- 3.1 The map of regulated areas, entitled "Inland Wetlands and Watercourses of the City of Meriden, Conn." delineates the general location and boundaries of inland wetlands and the location of watercourses. Copies of this map are available for inspection in the Planning Department. In all cases, the precise location of regulated areas shall be determined by the actual character of the land, the distribution of regulated soil types, and location of watercourses. Such determinations shall be made by field inspection and testing conducted by a qualified soil scientist where soil classifications are required, or where watercourse determinations are required, by other qualified individuals deemed acceptable to the



Commission.

3.2 Any property owner who disputes the designation of any part of his or her land as a regulated area on the Inland Wetlands and Watercourses Map, may petition the Commission to change the designation. All petitions for a map change shall be submitted in writing and shall include all relevant facts and circumstances which support the change. The petitioner shall provide proof that the designation is inapplicable. Documentation in accordance with Section 15 of these regulations may be required of the property owner when the agency requires an accurate delineation of regulated areas.

3.3 The Inland Wetland Commission or its designated agent(s) shall monitor and maintain general surveillance of all regulated areas.

#### 4.0 **PERMITTED USES AS OF RIGHT AND NONREGULATED USES**

4.1 The following operations and uses shall be permitted in inland wetlands and watercourses, as of right when verified in writing by the Commission:

4.1.1 Grazing, farming, nurseries, gardening, harvesting of crops, and farm ponds of three (3) acres or less essential to the farming operation. The provisions of this section shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear cutting of timber except for the expansion of agricultural crop land, or the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale. In the case of an agricultural activity, the applicant or property owner must be able to substantiate through assessor's records or other similar documents that fifty (50%) or more of income is derived from a bona fide agricultural operation;

4.1.2 Construction and use of a residential home for which a building permit has been issued, or on an approved subdivision lot, provided that the permit has been issued or the subdivision approved (by the Meriden Planning Commission) prior to July 1, 1974, the date of promulgation of these regulations. No home shall be permitted as of right unless the building permit was obtained on or before July 1, 1987.

4.1.3 Boat anchorage and mooring;

- 4.1.4 Uses incidental for the enjoyment and maintenance of residential property, such property defined as the largest minimum residential lot size in the City of Meriden which also contains a house. Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include any activity which diminishes the natural capacity of an inland wetland or watercourse to support desirable biological life, prevent flooding, supply water, assimilate waste, facilitate drainage, and/or provide recreation and open space.
- 4.1.5 Construction and operation, by water companies as defined in Section 16-1 of the Connecticut General Statutes or by municipal water supply systems as provided for in Chapter 102 of the Connecticut General Statutes, of dams, reservoirs and other facilities necessary to the impounding, storage and withdrawal of water in connection with public water supplies except as provided in Section 22a-36, et seq., of the Connecticut General Statutes.
- 4.1.6 Emergency repairs and routine maintenance of utility and town agency work. Utility and town agencies shall notify the Inland Wetlands and Watercourse Commission of all emergency repair operations conducted in watercourses as soon as possible after the repair.
- 4.2 The following operations and uses shall be permitted as non-regulated uses in wetlands and watercourses, provided they do not disturb the natural and indigenous character of the wetland or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetland or watercourse:
- 4.2.1 Conservation of soil, vegetation, water, fish, shellfish, and wildlife. Such operation or use may include, but is not limited to, minor work to control erosion, or to encourage proper fish, wildlife and silviculture management practices.
- 4.2.2 Outdoor recreation, including use of play and sporting areas, use of golf courses, field trails, nature study, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing, and shellfishing and cross-country skiing where these activities are otherwise legally permitted and regulated.
- 4.3 All activities in wetlands or watercourses involving filling, excavation, dredging, clear cutting, grading and excavation or any other alteration or

use of a wetland or watercourse not specifically permitted by this section shall require a permit from the Commission in accordance with Section 6 of these regulations.

- 4.4 To carry out the purposes of this section, any person proposing to carry out a permitted or nonregulated operation or use of a wetland or watercourse shall, prior to commencement of such operation or use, notify the Commission on a form provided by it from the Planning Department, and provide the Commission, through its designated agent with sufficient information to enable it to properly determine that the proposed operation and use is a permitted or nonregulated use of the wetland or watercourse. The Commission or its designated agent shall rule that the proposed operation or use is permitted or a nonregulated use of operation or that a regular permit is required. Such ruling shall be in writing and shall be made no later than the next regularly scheduled meeting of the Commission following the meeting at which the request was received. The designated agent for the Commission may make such ruling on behalf of the Commission at any time. Initiation of the permitted use or operation shall be within one year and any ruling pursuant to this section shall expire in one year from date of issuance unless otherwise extended by the Commission.

## 5.0 **ACTIVITIES REGULATED BY THE STATE**

- 5.1 The Commissioner of Environmental Protection shall regulate activities in or affecting wetlands or watercourses subject to the following jurisdiction:
- 5.1.1 Construction or modification of any dam pursuant to Sections 22a-401 through 22a-410 of the General Statutes, as amended;
- 5.1.2 Construction or placement of any obstruction within stream channel encroachment lines pursuant to Sections 22a-342 through 22a-349 of the General Statutes, as amended;
- 5.1.3 Construction or placement of any structure or obstruction within the tidal, coastal or navigable waters of the state pursuant to Sections 22a-359 through 22a-363 or in designated tidal wetlands pursuant to Sections 22a-28 through 22a-35 of the General Statutes, as amended;
- 5.1.4 Diversion of water in excess of fifty thousand (50,000) gallons per day or any surface waters of the state where the tributary watershed area above the point of diversion is 100 acres or larger pursuant to Sections 22a-365 through 22a-378 of the General Statutes, as amended;

- 5.1.5 Discharges into the waters of the state pursuant to Section 22a-430 of the General Statutes, as amended;
- 5.1.6 Discharge of fill or dredged materials into the wetlands and watercourses of the state pursuant to Section 401 of the Federal Clean Water Act, as amended, for activities regulated by the U.S. Army Corps of Engineers under Section 404 of the Federal Clean Water Act;
- 5.2 Any permit decision or order issued by the Commission of Environmental Protection shall be binding upon the Commission as to those matters within the Commissioner of Environmental Protection's jurisdiction.
- 5.3 The Commissioner of Environmental Protection shall have exclusive jurisdiction over regulated activities and other activities, in or affecting wetlands or watercourses, undertaken by any department, agency or instrumentality of the State of Connecticut, except any local or regional board of education.

6.0 **REGULATED ACTIVITIES TO BE LICENSES**

- 6.1 The Commission shall regulate those activities which involve the disturbance of the natural and indigenous character of the wetland or watercourse. It shall not regulate the activities specified in Section 22a-39 of the Connecticut General Statutes, those activities being regulated solely by the Commissioner of Environmental Protection.
- 6.2 An operation or use shall be considered a disturbance of the natural and indigenous character of the wetlands and watercourses which it involves one of more of the following activities:
  - 6.2.1 Alteration of the surface, soils, topography of, in and adjacent to;
  - 6.2.2 Alteration of water table in or adjacent to;
  - 6.2.3 Alteration or removal of vegetation in;
  - 6.2.4 Alteration of the light source or penetration into;
  - 6.2.5 Alteration of water source(s) or drainage into or within;
  - 6.2.6 Placement of structures, dredging or filling within;
  - 6.2.7 Alteration of the chemical properties of a wetland or watercourse;

## 7.0 APPLICATION REQUIREMENTS

- 7.1 Any person intending to conduct an activity which may involve a regulated activity within inland wetlands or watercourses shall present a complete application to the City Planning Office fifteen (15) days prior to a regular meeting of the Commission to be on the next meetings agenda. Applications are available at the office of the City Planning Department. An application shall include an application form and such information as prescribed by Section 7.5 and, in the case of a significant activity, by Section 7.7 of these regulations. The date of receipt of an application shall be the date of the next regularly scheduled meeting immediately following the day of submission provided such meeting is no earlier than three business days after receipt or 35 days after submission, whichever is sooner.
- 7.2 No applications shall be deemed complete and accepted unless it is in such form and contains such information as the Commission deems necessary to carry out its duties under these Regulations and to make a fair determination of the issues. Application guidelines are available with the application at the City Planning Department.
- 7.3 The information required by the Commission shall be furnished in sufficient copies to permit the Commission to carry out its duties under these regulations. In no case will fewer than four (4) copies be accepted for a final review of an application proposal.
- 7.4 All information submitted in the application for review shall be considered factual and binding. A knowing failure on the part of the applicant or any of his agents to provide correct or complete information during the application procedure shall be grounds for denial or revocation of the permit, or the imposition of other penalties.
- 7.5 All applications shall include in addition to such other information as may be required by the Commission, the following information in writing on the application:
- a. The applicant's name, home, and business address, and telephone numbers;
  - b. The owner's name (if applicant is not the owner of the property), home and business addresses, telephone numbers and written consent to the proposed activity set forth in the application;

- c. Applicant's interest in the land;
- d. The geographical location of the property which is to be affected by the proposed activity, including a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, area(s) of wetland or watercourse disturbance, soil type(s) and vegetation;
- e. Purposes and description of the proposed activity;
- f. Alternatives considered by the applicant and why the proposal to alter wetlands set forth in the application was chosen;
- g. A site plan showing existing and proposed conditions in relation to wetlands and watercourses;
- h. Names and addresses of adjacent property owners;
- i. Certification that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;
- j. Authorization for the Commissioners and agents of the Commission to inspect the property, at reasonable times, both before and after final decision has been issued;
- k. Any other information the applicant deems necessary to the understanding of what it is proposing;
- l. Submission of the appropriate filing fee based on the fee schedule established in Section 12 of these Regulations;
- m. Required additional information.

7.6 A site plan shall be included with the application for permit, showing the proposed use and the property to be affected. The map shall be at the scale specified in the application checklist, and shall include, but not be limited to, the following information:

7.6.1 Property boundaries showing dimensions and names of abutting property owners;

- 7.6.2 Existing and proposed contours at two (2) foot intervals based on City datum or field survey, or where no grading is involved, spot elevations at appropriate locations;
- 7.6.3 Location of proposed building and/or use(s);
- 7.6.4 Location of storm water drainage system, with drainage computations and profiles based on ten (10) and twenty-five (25) year design storms;
- 7.6.5 Location and depth of underground storage tanks and septic systems;
- 7.6.6 Location of designated wetlands by a Soil Scientist. Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U.S. Soil Conservation Service. A soils report by a Soil Scientist shall be provided. The Wetland soils shall be flagged in the field, and any proposed foundations, within 100 feet of wetland shall be staked.
- 7.6.7 Location and classification of Flood Zone(s) per Federal Flood Insurance Rate Maps;
- 7.6.8 Soil Erosion and Sedimentation Control Plan, and;
- 7.6.9 North arrow and location key at 1" = 1000' scale;
- 7.7 If the proposed activity involves a Significant Impact or Major Effect (Plenary Ruling) as defined in Section 2.22 of these regulations, additional information, based on the nature and anticipated effects of the activity, including but not limited to the following is required:
- a. Site plans for the proposed use or operation and the property which will be affected, which show existing and proposed conditions, wetland and watercourse boundaries, land contours, boundaries of land ownership, proposed alterations and uses of wetlands and watercourses, and other pertinent features of the development drawn by a licensed surveyor, professional engineer or architect registered in the State of Connecticut or in an adjoining state, or by such other person acceptable to the Commission. The site plan shall show where each specific poorly drained, very poorly drained, alluvial and/or floodplain soils are found. Soil types identified must be consistent with the categories established by the National Cooperative Soil Survey of the United States Conservation Service.

A soils report by a Soils Scientist shall be provided, the wetlands soils shall be flagged in the field by the Soils Scientist, and any proposed foundations within 100 feet of wetland shall be staked. The site plan shall show all boring locations and soil samples obtained by the soil scientist.

- b. Engineering reports and analyses and additional drawings to fully describe the proposed project and any filling, excavation, drainage or hydraulic modifications to wetlands and watercourse, including expansion or reduction in the stormwater storage or carrying capacity of the wetland or watercourse. The projected impact upstream and downstream shall be addressed.
- c. A list of abutting property owners, including their current mailing addresses and telephone numbers.

7.7.1 The following subsections shall be prepared by a "Wetland Analyst":

- a. Description of the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions;
- b. Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application and with each alternative;
- c. Analysis of chemical or physical characteristics of any fill material;
- d. Measures which would mitigate the impact of the proposed activity. Such measures include, but are not limited to, plans or actions which avoid destruction or diminution of wetland or watercourse functions, recreational uses and natural habitats, which prevent flooding, degradation of water quality, erosion and sedimentation and obstruction of drainage, or which otherwise safeguard water resources.
- e. Other information regarding the role of the wetland or watercourse in water purification, water recharge, and flood control.

7.8 The applicant shall certify whether:



- a. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
- b. Traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
- c. Sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or,
- d. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

7.9 Four copies of the complete application shall be submitted to comprise a complete application or as is otherwise directed, in writing, by the Inland Wetland Commission.

7.10 Any application to extend the expiration date of a previously issued permit shall be filed with the Commission not later than sixty-five (65) days prior to the expiration date for the permit in accordance with Subsections 8.4 through 8.8 of these Regulations. Any application for renewal or extension shall be made in accordance with this Section provided:

- a. The application may incorporate by reference the documentation and record of the original application;
- b. The application shall state the reason why the authorized activities were not initiated or completed within the time specified in the permit;
- c. The application shall describe any changes in facts or circumstances involved with or affecting wetland or watercourses or the property for which the permit was issued;
- d. The Commission may accept an untimely application to extend the expiration date of a permit if the authorized activity is ongoing and allow the continuation of work beyond the expiration date if in its judgment, the permit is likely to be extended and the public interest or environment will be best served by not interrupting the activity. The application shall describe the extent of work completed at the time of filing and the schedule for completing the activities authorized in the permit.

- e. The Commission shall evaluate the application pursuant to Section 10 of these Regulations and grant the application as filed, grant it with any terms or limitations, or deny it without prejudice with respect to the filing of a new permit application.

## 8.0 APPLICATION PROCEDURES

- 8.1 All applications shall be filed with the Planning Department of the City of Meriden.
- 8.2 In the case of any application where any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of Berlin, Middletown, Middlefield, Wallingford, Cheshire, or Southington, the applicant shall give written notice of the proposed activity, certified mail return receipt requested, to the adjacent municipal wetland agency on the same day of filing an inland wetland permit application with the Meriden Inland Wetland Commission. Documentation of such notice shall be provided to the Meriden Inland Wetland Commission.
- 8.3 The Commission shall, in accordance with PA 87-307, notify the clerk of any adjoining municipality of the pendency of any application to conduct a regulated activity when:
  - a. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
  - b. A significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
  - c. A significant portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage or drainage system within the adjoining municipality; or,
  - d. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

Notice of the pendency of such application shall be made by registered mail and shall be mailed within seven (7) days of the date

of receipt of the application.

- 8.4 When an application is filed to conduct or cause to be conducted a regulated activity upon an inland wetland or watercourse, any portion of which is within the watershed of a water company as defined in Section 16-1 of the General Statutes, the applicant shall provide written notice of the application to the water company provided such water company has filed a map showing the boundaries of the watershed on the land records of the municipality in which the application is made and with the inland wetlands agency of such municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of the application. The water company, through a representative, may appear and be heard at any hearing on the application.
- 8.5 The date of receipt of any application shall be the day of the next regularly scheduled meeting of the Commission immediately following the day of submission to the Commission, provided such meeting is no earlier than three business days after receipt or thirty five days after submission, whichever is sooner. Agenda deadline date shall be 15 calendar days before the next regularly scheduled meeting.
- 8.6 At any time during the review period, the Commission may require the applicant to provide additional information about the regulated area or regulated activity which is the subject of the application, or wetlands or watercourses affected by the regulated activity.
- 8.7 If a public hearing is to be held on any application for a permit, all documentary evidence in support of the application shall be filed with the Commission and available for public inspection no less than fifteen (15) days prior to the day of the hearing or any reconvening thereof.
- 8.8 All applications shall be open for public inspection.
- 8.9 Incomplete applications may be denied.
- 9.0 **PUBLIC HEARINGS**
- 9.1 A public hearing shall be held on all applications with a Plenary Ruling classification. A public hearing may be held on applications which do not

involve significant activities if the Commission determines it is in the public interest. All applications and maps and documents relating thereto shall be open for public inspection. Any person may appear and be heard at any public hearing.

- 9.2 Notice of the public hearing shall be published at least twice at intervals of not less than two days, the first not more than fifteen days and not fewer than ten days, and the last not less than two days before the date set for the hearing in a newspaper having a general circulation in each town where the affected wetland and watercourse is located.
- 9.3 Notice of the public hearing shall be mailed to the owner(s) of record of abutting land and all parties of record no less than fifteen days prior to the day of the hearing.
- 9.4 In the case of any application which is subject to the notification provisions of Section 8.3 of these Regulations, a public hearing shall not be conducted if the clerk of the adjoining municipality(s) has not received notice of the pendency of the application.

## 10.0 **CONSIDERATIONS FOR DECISION**

- 10.1 The Commission may consider the following in making its decision on an application:
- a. The application and its supporting documentation;
  - b. Public comments, evidence and testimony from a public hearing;
  - c. Reports from other agencies and commissions including but not limited to the City of Meriden:
    1. Inland Wetlands and Watercourse Commission
    2. Flood and Erosion Control Commission
    3. Planning, Zoning, or Planning and Zoning Commissions
    4. Building Official
    5. Health Officer
  - d. The Commission may also consider comments on any application from the New Haven County Soil and Water Conservation District, the South Central Regional Council of Governments or other regional

organizational agencies in adjacent municipalities which may be affected by the proposed activity, or other technical agencies or organizations which may undertake additional studies or investigation.

- e. Non-receipt of comments from agencies and commissions listed above within the proscribed time shall neither delay nor prejudice the decision of the Commission.

## 10.2 Standards and Criteria for Decision

The Commission shall consider all relevant facts and circumstances in making its decision on any application for a permit, including but not limited to the following:

- a. The environmental impact of the proposed action, including the effects on the inland wetland's and watercourse's capacity to support fish and wildlife, to prevent flooding, to supply and protect surface and ground waters, to control sediment, to facilitate drainage, to control pollution, to support recreational activities, and to promote public health and safety;
- b. The alternatives to the proposed action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

This consideration should include, but is not limited to, the alternative of taking no action, or postponing action pending further study, and the alternative of requiring actions of different nature which would provide similar benefits with different environmental impacts, such as using a different location for the activity.

- c. The relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity, including consideration of the extent to which the proposed activity involves trade-offs between short-term environmental gains at the expense of long-term losses, or vice versa, and consideration of the extent to which the proposed action forecloses or predetermines future options.
- d. Irreversible and irretrievable commitments of resources which would be involved in the proposed activity. This requires recognition that the inland wetlands and watercourses of the State of Connecticut are

an indispensable, irreplaceable and fragile natural resource, and that these areas may be irreversibly destroyed by deposition, filling, and removal of material, by the diversion, diminution or obstruction of water flow including low flows, and by the erection of structures and other uses.

- e. The character and degree of injury to, or interference with, safety, health, or the reasonable use of property, including abutting or downstream property, which would be caused or threatened by the proposed activity, or the creation of conditions which may do so. This includes recognition of potential damage from erosion, turbidity, or siltation, loss of fish and wildlife and their habitat, loss of unique habitat having demonstrable natural, scientific or educational value, loss or diminution of beneficial aquatic organisms and wetland plants, the dangers of flooding and pollution, and the destruction of the economic, aesthetic, recreational and other public and private uses and values of wetlands and watercourses to the community.
- f. The suitability of the activity to the area for which it is proposed. This requires a balancing of the need for the economic growth of the state and the use of its land, with the need to protect its environment and ecology for the people of the state and the benefit of generations yet unborn.
- g. Measures which would mitigate the impact of any aspect of the proposed regulated activity(s). Such measures include, but are not limited to, actions which would avoid adverse impacts or lessen impacts to wetlands and watercourses and which could be feasibly carried out by the applicant and would protect or enhance the wetland's or watercourse's natural capacity to support fish or wildlife, prevent flooding, supply water, control sedimentation, prevent erosion, assimilate wastes, facilitate drainage, and to provide recreation and open space.

10.3 In the case of any application which received a public hearing, a permit shall not be issued unless the Commission finds that a feasible and prudent alternative does not exist. In making this finding, the Commission shall consider the facts and circumstances set forth in Section 10 of these regulations. This finding and the reasons therefor shall be stated on the record in the decision of the Commission.

10.4 In reaching its decision on any application after a public hearing, the Commission shall base its decision on the record of that hearing. Documentary evidence or other material not in the hearing record shall

not be considered by the Commission in its decision.

## 11.0 DECISION PROCESS AND PERMIT

- 11.1 The Commission may grant the application as filed; grant it upon such terms, conditions, limitations or modifications necessary to carry out the purposes of the Act; or deny it.
- 11.1.1 Upon receipt of the application, the Commission shall classify it as requiring a declaratory ruling, a summary ruling, or a plenary ruling.
- 11.1.2 Declaratory ruling, or exemption, shall be given to any application which the Commission determines does not involve a regulated activity. The Commission shall verify this in writing to the applicant, however, a permit shall not be necessary to conduct the proposed activity. The Commission shall state in writing its reasons for finding that a proposed activity or use does not involve a regulated activity pursuant to Section 6.0 of these regulations. This permission shall be subject to limitation or revocation if it is later shown that a regulated activity or non-permitted use is a consequence of the proposed activity.
- 11.1.3 Summary ruling classification shall be given to an application that, after initial review, is determined to be a regulated activity not involving significant impact or major effect on a wetland or watercourse. The Commission may review the application and may allow the activity with or without conditions.
- 11.1.4 Plenary Ruling classification shall be given to an application that the Commission finds does or may involve a "Significant Impact or Major Effect" on the wetlands or watercourse. The Commission shall hold a public hearing within sixty-five (65) days of receipt of the completed application by the Commission.
- 11.2 No later than sixty-five (65) days after receipt of an application, the Commission may hold a public hearing on such application. The hearing shall be completed within thirty-five (35) days of its commencement.
- Action shall be taken on applications within thirty-five (35) days after completion of a public hearing. In the absence of a public hearing, action shall be taken on applications within sixty-five (65) days from the date of

receipt of the application. The applicant may consent to one or more extensions of the periods specified in this subsection for the holding of the hearing and for action on such application, provided the total extension of any such period shall not be for longer than a total of sixty-five (65) days, or may withdraw such application. Failure of the inland wetlands agency to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the application.

- 11.3 The Commission shall state upon its record the reasons and bases for its decision and, in the case of any public hearing, such decision shall be based fully on the record of such hearing and shall be in writing.
- 11.4 The Commission shall notify the applicant and any named parties to the proceeding of its decision within fifteen (15) days of the date of the decision by certified mail and the Commission shall cause notice of its order in the issuance or denial of the permit, in a newspaper having general circulation in the town wherein the inland wetland or watercourse lies. In any case in which such notice is not published within such fifteen day period, the applicant may provide for the publication of such notice within ten days thereafter. The Commission shall notify the Department of Environmental Protection for each application with a Plenary Ruling classification (significant impact or major effect) on a form provided by the D.E.P. no later than the 15 day of the month following the month in which the action was taken.
- 11.5 If an activity authorized by the inland wetland permit also involves an activity or project which requires zoning or subdivision approval, a special zoning permit, variance or special exception, a copy of the decision and report on the application shall be filed with the City of Meriden Planning, Zoning, or Planning and Zoning Commission within fifteen days of the date of the decision.
- 11.6 If the Commission denies the permit without prejudice or if it grants a permit with terms, conditions, limitations or modifications, the applicant may attempt to modify the proposal to the Commission's satisfaction. The Commission shall determine whether the proposed modification requires the filling of a new application. The rejection of a modified or corrected application by the Commission shall be equivalent to the denial of an application for the purposes of appeal.
- 11.7 If the Commission denies a permit with prejudice, the application shall not be resubmitted for one year following the date of such denial.
- 11.8 The duration of any permit shall be for five years. Unless it is renewed by



the Commission, the permit shall expire if the activity authorized therein is not initiated within three (3) years from the date the permit was issued, provided that the permittee may apply for and the agency may, at its discretion, grant a renewal of such permit for successive periods of time not to exceed an additional five years.

- 11.9 No permit shall be assigned, transferred, sublet or sold without the written permission of the Commission.
- 11.10 If a bond or insurance is required in accordance with Section 12 of these regulations, no permit shall be issued until such bond or insurance is provided.
- 11.11 General provisions in the issuance of all permits:
- a. In evaluating applications in which the Commission relied in whole or in part on information provided the applicant, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.
  - b. All permits issued by the Commission are subject to and do not derogate any present or future rights or powers of the Commission of the City of Meriden, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the property or activity.
  - c. If the activity authorized by the inland wetland permit also involves an activity or a project which requires zoning or subdivision approval, special permit, variance or special exception, no work pursuant to the wetland permit may begin until such approval is obtained.
  - d. The permittee shall employ construction management practices, consistent with the terms and conditions of the permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.

## 12.0 FEES

- 12.1 Method of Payment. All fees required by these regulations shall be submitted to the Commission by check or money order payable to the City of Meriden at the time the application is filed with the Commission.

12.2 No application shall be granted or approved by the Commission unless the correct application fee is paid in full or unless a waiver has been granted by the Commission pursuant to subsection 4 of these Regulations.

12.3 The application fee is not refundable.

12.4 Definitions. As used in this Section:

- a. "residential uses" means activities carried out of property developed for permanent housing or being developed to be occupied by permanent housing.
- b. "Commercial uses" means activities carried out on property developed for industry, commerce, trade, recreation, or business or being developed to be occupied for such purposes, for profit or nonprofit.
- c. "Other uses" means activities other than residential uses or commercial uses.

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

- a. PERMITTED AND UNREGULATED USES - Section 4 of these Regulations.

PERMITTED USES AS OF RIGHT (Section 4.1).....NO CHARGE

NONREGULATED USES (Section 4.2).....\$55.00

- b. REGULATED USES - Section 6 of these Regulations.

RESIDENTIAL USES..... 100.00

PLUS: WHEN EXISTING WETLAND AND/OR WATERCOURSE IS GREATER THAN A TOTAL OF 500 SQUARE FEET INCLUDE, \$50.00/LOT OR 50.00/ ACRE WETLANDS ON THE PROPERTY WHICH EVER IS MORE

COMMERCIAL USES..... 200.00

PLUS: FEE FROM SCHEDULE A IN SECTION 12.6 OF THESE REGULATIONS.

ALL OTHER USES.....150.00

- c. SIGNIFICANT (Plenary) ACTIVITY - Section 7.7 of these Regulations.....250.00
- d. MAP AMENDMENT PETITIONS - Section 15.3 of these Regulations.....250.00

**PLUS: FEE FROM SCHEDULE B IN SECTION 12.7 OF THESE REGULATIONS.**

- e. MODIFICATION OF PREVIOUS APPROVAL - Section 7.10 and 11.1 of these Regulations..... 35.00  
(There shall be no fee for correcting typographical or other errors)

12.6 SCHEDULE A. For the purpose of calculating the permit application fee, the regulated area in schedule A is the total area of wetlands and watercourses upon which a regulated activity is proposed.

SQ. FT. REGULATED AREA	FEE/1000 SQ.FT. REGULATED AREA
LESS THAN 2,500	\$18.00
2,500 TO 50,000	12.00
MORE THAN 50,000	6.00

12.7 SCHEDULE B. For the purpose of calculating the map amendment petition fee, the regulated area in schedule B is the total length of wetlands and watercourses boundary subject to the proposed boundary change.

LINEAR FEET REGULATED AREA	FEE/100 LINEAR FEET REGULATED AREA
LESS THAN 500.....	\$20.00
500 TO 1,000.....	15.00
MORE THAN 1,000.....	8.00

12.8 SAMPLE APPLICATION FEE CALCULATIONS:

- a. Ten lot residential subdivision of eleven acres comprised of two acres of wetlands and watercourses: Fee is the greater of:
  - i. \$100 plus 2 X \$50 equals \$200
  - ii. \$100 plus 10 x \$50 equals \$600
 Add \$250 if the proposed activity is a "Significant Activity."

- b. Residential development of a single 2.8 acre building lot comprised of 1.28 acres of wetlands and watercourses: Fee is the greater of:

1. \$100 plus 1.3 X \$50 equals \$165.00

11. \$100 plus 1 X \$50 equals \$150.00

Add \$250 if the proposed activity is a "Significant Activity."

- c. Commercial development of a retail complex involving alterations and/or filling of 37,000 sq. ft. of wetlands and watercourses. The proposed activity is a "Significant Activity." The application fee is:

\$200.00 plus 2.5 X \$18.00 or \$45.00 (first 2,500 sq. ft.), plus 34.5 X \$12.00 or \$414.00 (remaining 34,500 sq. ft), plus "Significant Activity" fee of \$175.00 equals a total application fee of \$909.00

- d. Petition for a map amendment involving 3,450 linear feet of wetland or watercourse boundary. The filing fee is:

5 X \$20 or \$100 (first 500 ft.), plus 10 X \$15 or \$150 (next 1000 ft.), plus 19.5 X \$8 or \$156 (last 1950 ft.) plus \$250.00 equals a total filing fee of \$656.00.

12.9 Exemption. Boards, commissions, councils and department of the City of Meriden are exempt from all fee requirements under section 2 of these regulations.

12.10 Waiver. The applicant may petition the Commission to waive, reduce or allow delayed payment of the fee required by Section 2 of these Regulations. Such petitions shall be in writing and shall state fully the facts and circumstances the Commission should consider in its determination under this section. 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 City for reviewing and processing the application.

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

**13.0 BOND AND INSURANCE**

13.1 Upon approval of the application and prior to issuance of a permit, the applicant may, at the discretion of the Commission, be required to file a bond or other surety in a form approved by the Commission.

13.2 The bond or surety shall be conditioned on compliance with all provisions of these regulations and the terms, conditions and limitations established in the permit.

13.3 The Commission may require the applicant to certify that it has public liability insurance against liability which might result from the proposed operation or use of the wetlands or watercourses covering any and all damage which might occur within two (2) years of completion of such operations, in an amount to be determined by the Commission commensurate with the regulated activity.

**14.0 ENFORCEMENT**

14.1 The Commission may appoint an agent or agents to act in its behalf with the authority to inspect property, except a private residence, and issue notices of violation or cease and desist orders and carry out other actions or investigations necessary for the enforcement of these regulations.

14.2 The Commission or its agent may make regular inspections of all regulated activities for which permits have been issued under these regulations.

14.3 If the Commission or its duly authorized agent finds that any person is conducting or maintaining any activity, facility or condition which is in violation of the Act or these regulations, the Commission or its duly authorized agent may:

- a. Issue a written order by certified mail, to such person conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within ten (10) days of the issuance of such order the commission shall hold a hearing to provide the person an opportunity to be heard and show cause why the order should not remain in effect. The Commission shall consider the facts presented at the hearing and within ten days

of the completion of the hearing notify the person by certified mail that the original order remains in effect, that a revised order is in effect or that the order has been withdrawn. The original order shall be effective upon issuance and shall remain in effect until the commission affirms, revises or withdraws the order. The issuance of an order pursuant to this section shall not delay or bar an action pursuant to Section 22a-44(b) of the General Statutes, as amended.

- b. Issue a notice of violation to such person conducting such activity or maintaining such facility or condition, stating the nature of the violation, the jurisdiction of the Commission, and prescribing the necessary action and steps to correct the violation including, without limitation, halting work in wetlands or watercourses, appearing at the next regularly scheduled meeting of the Commission to discuss the unauthorized activity, providing a written reply to the notice or filing a proper application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in Subsection (a) of this Section or other enforcement proceedings as provided by law.
- c. Issue a citation to such person conducting such activity or maintaining such facility or condition, stating the nature of the violation, the jurisdiction of the Commission, and the fine pursuant to Section 22a-42g of the General Statutes, as amended. The issuance of a citation pursuant to this section shall not delay or bar an action pursuant to Section 22a-44(b) and 22a-44(c) of the General Statutes, as amended.

14.4 The Commission may suspend or revoke a permit if it finds that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application including application plans. Prior to revoking any permit, the Commission shall issue notice to the permittee, personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action. At the public hearing the permittee shall be given an opportunity to show that it is in compliance with its permit and any and all requirements for retention of the permit.

14.5 The permittee shall be notified of the Commission's decision to suspend, revoke, or maintain a permit by personal service or certified mail within fifteen (15) days of the date of its decision.

## 15.0 AMENDMENTS

- 15.1 These regulations and the Inland Wetlands and Watercourses Map for the City of Meriden may be amended, from time to time, by the Commission in accordance with changes in the Connecticut General Statutes or regulations of the State Department of Environmental Protection, or as new information regarding soils and inland wetlands and watercourses becomes available. An application filed with an inland wetlands agency which is in conformance with the applicable inland wetlands regulations as of the date of the decision of such agency with respect to such application shall not be required thereafter to comply with any change in inland wetlands regulations, (boundaries) including changes to setbacks and buffers, taking effect on or after the date of such decision. The provisions of this subsection shall not be construed to apply (1) to the establishment, amendment or change of boundaries of inland wetlands or watercourses or (2) to any change in regulations necessary to make such regulations consistent with the provisions of Chapter 440 of the General Statutes as of the date of such decision.
- 15.2 These regulations and the City of Meriden Inland Wetlands and Watercourses Map shall be amended in the manner specified in Section 22a-42a of the Connecticut General Statutes, as amended. The Commission shall provide the Commissioner of Environmental Protection with a copy of any proposed regulations and notice of the public hearing to consider any proposed regulations or amendments thereto, except determinations of boundaries, at least thirty-five days before the public hearing on their adoption.
- 15.3 Petitions requesting changes or amendments to the "Inland Wetlands and Watercourses Map, Meriden, Connecticut" shall contain at least the following information:
- a. The applicant's name, address and telephone number;
  - b. The owner's name (if not the applicant), address, telephone number, and a written consent to the proposed action set forth in the application;
  - c. Applicant's interest in the land;
  - d. The geographic location of the property involved in the petition including a description of the land in sufficient detail to allow identification of the disputed wetland or watercourse areas;

- e. The reasons for the requested action;
- f. The names and addresses of adjacent property owners; and
- g. A site plan showing proposed development of the property.

- 15.4 The Inland Wetlands Commission may require the property owner to present documentation by a certified soil scientist that the land in question does not have a soil type classified by the National Cooperative soils survey as poorly drained, very poorly drained, alluvial, or flood plain. Such documentation includes a map of the land in question signed by a certified soil scientist on which the flag locations defining the boundaries of the regulated soil types are depicted, along with their appropriate numerical designations at an accuracy of an A2 survey standard established by the State of Connecticut Board or Registry for Professional Engineers and Land Surveyors.
- 15.5 Watercourses shall be delineated by a competent soil scientist, geologist, ecologist or other individual satisfactory to the Agency.
- 15.6 A public hearing shall be held on petitions to amend the Inland Wetland and Watercourses Map. Notice of the hearing shall be published in a newspaper having substantial circulation in the municipality at least twice at intervals of not less than fifteen days, and the last not less than two day, before such hearing. A copy of such proposed boundary change shall be filed in the office of the two clerk, for public inspection at least ten days before such hearing.
- 15.7 Within ninety (90) days after receipt of a complete petition for a change in the mapped boundaries of any wetland or watercourse, the Commission shall hold a public hearing to consider the petition. The Commission shall act upon the changes requested in such petition with sixty days after the hearing. The petitioner may consent to one or more extensions of the periods specified in this subsection for the holding of the hearing and for action on such petition, provided the total extension of any such period shall not be for longer than the original period as specified in this subsection, or may withdraw such petition. The failure of the inland wetlands agency to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the petition.
- 15.8 The Commission shall make its decision and state the reasons why the change in the Inland Wetland and Watercourses Map was made in



writing.

**16.0 APPEALS**

16.1 Appeal on actions of the Commission shall be made in accordance with the provisions of Section 22a-43 of the General Statutes, as amended.

16.2 Notice of such appeal shall be served upon the Commission and the Commissioner of Environmental Protection.

**17.0 CONFLICT AND SEVERANCE**

17.1 If there is a conflict between the provisions of these regulations, and provision which imposes the most stringent standards for the use of wetlands and watercourses shall govern. The invalidity of any word, clause, sentence, section, part, subsection or provision of these regulations shall not affect the validity of any other part which can be given effect without such valid part or parts.

**18.0 OTHER PERMITS**

18.1 Nothing in these regulations shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the City of Meriden, State of Connecticut and the Government of the United States including any approval required by the Connecticut Department of Environmental Protection and the U. S. Army Corps of Engineers. Obtaining such assents, permits or licenses is the sole responsibility of the applicant.

**19.0 EFFECTIVE DATE OF REGULATIONS**

19.1 These regulations including the Inland Wetlands and Watercourse Map and amendments thereto, shall become effective upon filing in the Office of the City Clerk and publications of a notice of such action in a newspaper having general circulation in the City of Meriden.