



# City of Ansonia

CONNECTICUT 06401

INLAND WETLANDS COMMISSION

REGULATIONS FOR THE PROTECTION AND  
PRESERVATION OF INLAND WETLANDS  
AND WATER COURSES  
CITY OF ANSONIA, CONNECTICUT

Effective date 1/15/76

REGULATIONS FOR THE PROTECTION AND PRESERVATION OF  
INLAND WETLANDS AND WATER COURSES

1.0 TITLE, AUTHORITY, AND PURPOSE

1.1 These Regulations shall be known as the "Inland Wetlands and Water Courses Regulations of the City of Ansonia, Connecticut" and are herein referred to as "these Regulations."

1.2 These Regulations have been prepared and are adopted in accordance with the provisions of Sections 22a-36 to 45, inclusive of the Connecticut General Statutes, as amended, by the Ansonia Inland Wetlands Agency.

1.3 The preservation and protection of the wetlands and water courses from random, unnecessary, undesirable, and unregulated uses, disturbance or destruction is in the public interest and is essential to the public health, welfare, and safety. It is, therefore, the purpose of these Regulations to protect the citizens of Ansonia by making provisions for the protection, preservation, maintenance, and use of the inland wetland and water courses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state, and local authority; preventing damage from erosion, turbidity, or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife, and vegetation and the destruction of the natural habitats thereof; protecting the quality of wetlands and water courses for their conservation, economic, aesthetic, recreational, and public and private uses and values; and protecting potable fresh water supplies from danger of drought, overdraft, pollution, misuses, and mismanagement by providing an orderly process to balance the need for the economic growth of the City of Ansonia and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the City of Ansonia the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

2.0 DEFINITIONS

2.1 Certain words, terms, and phrases used in these Regulations shall have the meanings presented in this section. All words used in the present tense include the future tense, and the word "used" shall be deemed to include "designed, intended, or arranged to be used."

- 2.1.1 Commission on Inland Wetlands Agency means the Ansonia Inland Wetlands Commission empowered by an ordinance passed by the Board of Aldermen of the City of Ansonia to implement inland wetlands regulations for Ansonia.
- 2.1.2 "Deposit" includes, but shall not be limited to fill, grade dump, place, discharge, or omit.
- 2.1.3 "Discharge" means the emission of any water, substance, or material into waters of or flowing through the City of Ansonia whether or not such substances cause pollution.
- 2.1.4 "Material" means any substance, solid or liquid, organic or inorganic, including, but not limited to soil, sediment, land gravel, clay, bog, mud, debris, sand, refuse, or waste.
- 2.1.5 "Person" means any person, firm partnership, association, corporation, company, organization, or legal entity of any kind including municipal corporations, governmental agencies, or subdivisions thereof.
- 2.1.6 "Pollution" means harmful thermal effect or the contamination or rendering unclean or impure of any water of or flowing through the City of Ansonia by reason of any waste or any other materials discharged or deposited therein by any public or private sewer or otherwise so as to directly or indirectly come in contact with any wetlands or water courses.
- 2.1.7 "Regulated activity" means any operation within or use of a wetland or water course involving removal or deposition of material or any obstruction, constriction, alteration, pollution of, or construction within such wetlands, but shall not include the specified activities in Section 3 of these Regulation.
- 2.1.8 "Regulated area" means any inland wetland or water course shown on the official Inland Wetlands and Water Courses Map for Ansonia, as may be updated or amended.
- 2.1.9 "Remove" includes, but shall not be limited to drain, excavate, mine, dig, dredge, suck, bulldoze, dragline, grade, or blade
- 2.1.10 "Render unclean or impure" means any alteration of the physical, chemical, or biological properties of any of the water courses or wetlands of the City of Ansonia including, but not limited to a change in odor, color, turbidity, or taste.
- 2.1.11 "Soil scientist" means an individual duly qualified in accordance with standards set by the United States Civil Service Commission
- 2.1.12 "Waste" means sewage or any substance, liquid, gaseous,

solid, or radioactive, which may pollute or tend to pollute any of the water courses or wetlands of the City of Ansonia.

2.1.13 "Water courses" means rivers, streams, brooks, water ways, the water course of a defined stream including banks, beds, and water, lakes, marshes, swamps, bogs, and all other bodies of water, natural or artificial, public or private, which are contained within, flow through, or border on the City of Ansonia or any portion thereof, not regulated pursuant to Sections 22a-28 to 35, inclusive of the Connecticut General Statutes, as amended.

2.1.14 "Wetlands" means land, including submerged land, not regulated pursuant to Sections 22a-28 to 35, inclusive of the Connecticut General Statutes, as amended, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and flood plain by the National Co-operative Soils Survey, as may be amended from time to time by the Soil Conservation Service of the United States Department of Agriculture.

2.1.15 "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. "Marsh" means a swamp characterized by the absence of trees and shrubs and whose vegetation is composed of soft-stemmed herbaceous plants. "Bog" means an undrained or imperfectly drained area, often with an area of open water, characterized by an association of sedges, shrubs, trees, and sphagnum mosses, typically with peat formation. Typical examples of swamp, marsh, and bog species are listed in the booklet Inland Wetland Plants of Connecticut, the Connecticut Arboretum, May, 1973.

2.1.16 "Significant impact or major effect" means

- a. Any activity involving a deposition of material which will or may have a substantial adverse effect on the regulated area or on another part of the inland wetland or water course system or
- b. Any activity involving a removal of material which will or may have a substantial adverse effect on the regulated area or another part of the inland wetland or water course system or
- c. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a water course system or
- d. Any activity which substantially diminishes the natural

# Amendments to City of Ansonia, Inland Wetland Regulations

December 7, 2000

## Section 2.1.7

(f) If a municipal Inland Wetland agency regulates activities within areas around wetlands or watercourses, such regulation shall (1) be in accordance with the provisions of the Inland Wetlands Regulations adopted by such agency related to application for, and approval of, activities to be conducted in wetlands or watercourses and (2) apply only to those activities which are likely to impact or effect wetlands or watercourses.

Upon the adoption of this amendment, Section 2.1.7, the definition of regulated activity shall read as follows:

**“Regulated Activity”** Means any operation of any kind within, or use of a wetland or watercourse, involving removal or disposition of material or any obstruction, constriction, alteration, pollution of, or construction, within such wetlands, but shall not include the specified activities in Section 3 of these regulations: regulated activity shall also include all such of force and activities within “100 feet” around such inland wetlands or watercourses related to application for, and approval of, activities to be conducted in wetlands or watercourses and which activities are likely to impact or effect wetlands or watercourses.

## Statement of Reasons

A 100 foot upland review area will protect the wetlands and those areas within the Commission’s jurisdiction... will leave more space between the wetland and the edge of the construction activity... will allow for a less intense use of our natural resources, and the 100 foot upland activity within 100 feet of a wetland boundary is valid as it will provide applicants with more feasible and prudent alternatives which have less adverse impacts on wetlands and watercourses.

Adopted: 12/7/00

capacity of an inland wetland or water course to support biological life, prevent flooding, supply water, assimilate waste, facilitate drainage, and/or provide recreation and open space or

e. Any activity which would result in degrading a water course or the surface and/or ground water of an inland wetland.

### 3.0 PERMITTED USES

3.1 The following operations and uses shall be permitted in wetlands and water courses, as of right.

3.1.1 Grazing, farming, nurseries, gardening and harvesting of crops, and farm ponds of three (3) acres or less.

3.1.2 Construction and operation by water companies as defined in Section 16-1, or by municipal water supply systems as provided for in Chapter 102, 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 Sections 25-110 and 25-112 of the General Statutes, as amended.

3.1.3 Boat anchorage or mooring.

3.1.4 Uses incidental for the maintenance of a residential proper including the maintenance of existing structures and landscaping, shall not include removal or deposition of material from or onto a wetland or water course, or diversion or alteration of a water course.

3.1.5 An existing residential home

1. for which a building permit has been issued or
2. on a subdivision lot, provided the permit has been issued the subdivision approved as of the effective date of promulgation of municipal regulations pursuant to Subsection (b) of Section 22a-42a of the General Statutes, as amended.

3.2 The following operations and uses shall be permitted, as nonregulated use in wetlands and water courses, provided they do not disturb the natural and indigenous character of the land. "Disturbing the natural and indigenous character of the land" means that the activity will appreciably disturb the inland wetland or water course by reason of deposition or removal of material, will cause the alteration or obstruction of water flow, or will result in the pollution of the wetland or water course.

3.2.1 Conservation of soil, vegetation, water, fish, shellfish,

and wildlife.

3.2.2 Outdoor recreation including play and sporting areas, golf courses, field trails, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing, and shell fishing where otherwise legally permitted and regulated.

#### 4.0 GENERAL REQUIREMENTS

4.1 No person shall henceforth conduct a regulated activity in the City of Ansonia without first obtaining a permit for such activity from the Inland Wetlands Commission

4.2 The map of the regulated areas, entitled "Official Inland Wetlands and Water Courses Map, Ansonia, Connecticut" shall be considered a part of the Regulations and copies of said map shall be available for inspection in the offices of the Ansonia Town and City Clerk, Planning Commission, Zoning Commission, and Public Works Department.

4.3 Commission members and their agents or any specialists used by the Commission to evaluate permit applications under these Regulations, shall have the right of free access to portions of the property under consideration. The property owner may require that such persons have a letter of authorization from the Secretary or Chairman of the Commission prior to permitting such access.

4.4 The Commission shall maintain general surveillance of the regulated areas within the City of Ansonia to ensure that no unauthorized regulated activities occur.

4.5 All information submitted in the application shall be considered factual, or in the case of anticipated activity, binding. A failure on the part of the applicant or any of his agents to provide correct information or performance exceeding levels of anticipated activity shall be sufficient grounds for the revocation of any permit issued under these Regulations and/or for penalties to be imposed.

4.6 Wetlands and water courses are defined in Sections 2.13, 2.14, 2.15 and 2.17 of these Regulations.

4.6.1 If any person disputes the designation or failure to designate any wetland or water course as a regulated area, such person shall be required to produce such information as the Agency deems necessary to permit an informed decision.

4.6.2 To meet the burden of proof for wetland exemption under sub

Section (a), the petitioner may be directed to present documentation by a soil scientist that the wetland in question, or a portion of it does not have a soil type classified by the National Co-operative Soils Survey as poorly drained, very poorly drained, alluvial, or flood plain.

4.6.3 To meet the burden of proof for exemption (a) of a swamp, bog or marsh, the petitioner may be directed to present documentation by a professional biologist or ecologist, competent in plant identification and wetland ecology and classification systems, that the area in question is not defined by botanical species as a swamp, bog, or marsh.

## 5: APPLICATION PROCEDURES

5.1 Any person intending to conduct a regulated activity within an area shown on the official Inland Wetlands and Water Courses Map shall present an application to the Chairman or Secretary of the Commission at least seven (7) days prior to a regular meeting of the Commission, and on a form prescribed in the Appendix of these Regulations. In no case will fewer than three (3) copies be accepted for a final review of an application proposal.

5.2 The Commission shall, within thirty-five (35) days of the meeting following receipt of the application, classify the application as one of the following:

5.2.1 Class A. Application. This classification shall be given to any application which the Commission determines does not involve a regulated activity. Upon assignment of such classification, a permit shall be granted without delay.

5.2.2 Class B. Application. This classification shall be assigned to any application which, in the opinion of the Commission, involves a regulated activity.

5.3 When an application is classified as a Class B Application, the Commission shall notify the applicant that a site plan, prepared in accordance with Section 6 of these Regulations, must be submitted before further consideration of the application is given by the Commission.

5.4 Upon receipt of the required site plan, the Commission shall refer one copy to each of the following agencies for review and comment:

5.4.1 The New Haven County Soil and Water Conservation District.

5.4.2 The Valley Regional Planning Agency.

5.4.3 The Ansonia Conservation and Municipal Planning Commissions, as well as the Conservation, Inland Wetlands, Planning and Zoning Commissions in any municipality whose border lies within one hundred (100) feet of any wetland or water course that may be affected by the proposed activity.

5.4.4 Non-receipt of comments from these agencies shall not prejudice the decision or delay the proceedings.

5.5 No sooner than thirty (30) and not later than sixty-five (65) days after receipt of such an application, the Inland Wetlands Commission may hold a public hearing on such application. Notice of the hearing shall be published at least once not more than thirty (30) days and not fewer than ten (10) days before the set date for the hearing in a newspaper having a general circulation in each town where the affected wetland or water course or any part thereof, is located. All maps and documents and applications relating thereunto shall be open for public inspection. At such hearing any person may appear and be heard.

5.5.1 Where possible, public hearings shall be completed in a single session. However, the hearing may be continued (to a date certain) where necessary for the full development of the evidence, or the full and adequate participation of the parties, or for such other substantial purposes. In no case shall continuances be used as a device for delay.

5.5.2 Action shall be taken on applications within sixty-five (65) days after the completion of a public hearing(s) or in the absence of a public hearing, within sixty-five (65) days from the receipt of the completed application.

5.6 In granting a permit the Inland Wetlands Commission may limit or impose conditions or limitations designed to carry out the policy of the Inland Wetlands and Water Courses Act.

5.7 The applicant shall be notified of the Agency's decision by certified mail within fifteen (15) days of the date of the decision and the Agency shall cause notice of their order in issuance, denial, revocation or suspension of a permit to be published in a daily newspaper having a general circulation in the town wherein the wetland or water course lies.

5.8 With the consent of the applicant, the Agency may extend the period between the hearing and its action on the application for an additional thirty-five (35) days.

**Ansonia Inland Wetlands Regulations**  
**Amendment to Application Procedures and Fees**

December 7, 2000

**Section 5.10**

All permit application are considered incomplete until payment of application, consultant and professional fees are paid-in-full. Per the regulation being adopted on December 7, 2000, The Amendment further states: "that any applicant who proposes any project to the Inland Wetland Commission must pay all fees and cash bonds and the cost of any consultant or professional who may be engaged or contracted in order for the Commission to adequately and appropriately review said project or the effect of said project.

These fees and costs must be paid directly to the Commission. The Inland Wetlands Commission shall not continue review of or approve said project until it receives written verification that all fees and costs have been timely paid."

Adopted: 12/7/00

5.9 Once the Agency has taken action on an application, any further consideration of the same area and the same activity shall be in response to a new and separate application with the Agency to determine what is pertinent to each new proposal. No application for the same proposal shall be resubmitted for consideration.

#### 6.0 SITE PLAN REQUIREMENTS

6.1 The site plan required under Section 5.3, above, shall be prepared by a licensed land surveyor or professional engineer or architect registered in the State of Connecticut. Five (5) copies of the site plan shall be submitted, and it shall be drawn at a scale which, in the opinion of the Commission, is adequate to show the information required to evaluate the proposed activity and its environmental impact. The site plan shall include but may not be limited to the following:

- 6.1.1 Boundary lines, dimensions, and area of property.
- 6.1.2 Locations of all wetlands and water courses on the property and within two hundred (200) feet thereof and the extent of proposed changes in their configuration.
- 6.1.3 Elevations at one (1) foot contour intervals in all areas of the property that are within one hundred (100) feet of a wetland or water course and at five (5) foot contour intervals throughout the remainder of the property. If depositions or removal of earth materials are proposed, resulting elevations shall be shown by one (1) foot contour intervals.
- 6.1.4 Locations and descriptions of all existing and proposed drainage features and facilities, along with proposed structures.
- 6.1.5 Locations and descriptions of proposed activities.
- 6.1.6 If the activity affects a wetland, a description of the soil including locations of any soil borings or any test holes. Soil types shall be described in accordance with categories established by the United States Soil Conservation Service.
- 6.1.7 A description of the vegetative cover of any regulated areas including dominant botanical species and any rare species.
- 6.1.8 Quantities and descriptions of materials to be removed or deposited.
- 6.1.9 Existing and proposed depths of water and high water levels for all inundated areas.

6.1.10 If pollution is proposed, the existing and anticipated alkalinity/acidity level, pH, turbidity, bacteria count, dissolved oxygen level, biological oxygen demand, flows, odor, color, temperature, and taste of affected water, both above and below the ground surface.

6.2 The requirement for contour information under Section 6.1.3 may be waived or modified by the Commission if it determines such information is not necessary to properly evaluate the impact of the proposed activity.

## 7. APPLICATION EVALUATION CRITERIA

7.1 The Commission shall be guided in its reviews of Class B Application by the criteria presented in this section. Before taking action on a Class B Application, the Commission shall seek to determine (a) the environmental impact of the proposed activity, (b) the importance of the regulated area affected by the activity, and (c) the alternatives to the proposed activity.

7.2 The Commission shall consider the following in the process of evaluating the environmental impact of a proposed activity and be so influenced to render a decision based on a significant impact or effect:

7.2.1 The ability of the regulated area to continue to absorb, store, or purify water, or to prevent flooding.

7.2.2 Increased erosion problems resulting from changes in grades, ground cover, or drainage features.

7.2.3 The extent of additional siltation or leaching and its effect on water quality and aquatic life.

7.2.4 The influence of toxic materials on water supplies, aquatic organisms, or wildlife.

7.2.5 Changes in the volume, velocity, temperature, or course of a waterway and their resulting effects on plant, animal, and aquatic life.

7.2.6 Natural, historic, or economic features that might be damaged, destroyed, rendered inaccessible, or otherwise affected by the proposed activity.

7.2.7 Changes in the suitability of the area for recreational and aesthetic enjoyment, in addition to the suitability of the activity for the proposed area.

7.2.8 The irreversible and irretrievable commitments of resources

involved in the proposed activity, as well as the character and degree of injury to , or interference with, safety, health, or the reasonable use of property which is caused or threatened.

7.3 The Commission shall consider the following in the process of evaluating the importance of a regulated area:

7.3.1 The existing or potential use of the area as a surface or ground water supply.

7.3.2 The extent to which the area serves as a recharge area or purifier of surface or ground waters.

7.3.3 The function of the area as part of the natural drainage system for the watershed.

7.3.4 The importance of the area as a natural wildlife feeding or breeding area.

7.3.5 The existence of rare or unusual concentrations of botanical species.

7.3.6 The existing and potential use of the area for recreation purposes.

7.3.7 The availability of other open spaces in the surrounding area.

7.4 The Commission shall consider the contribution of the social and economic welfare of the community, exclusive of the increased tax revenue which would result from the proposed activity.

7.5 The Commission shall consider or propose provisions for reclaiming, or reducing any loss of environmental values caused by the proposed activity

7.6 The Commission shall base its decision with regard to the application on the following:

7.6.1 The evaluation made in accordance with Sections 7.2, 7.3, and 7.5 above.

7.6.2 The evidence presented at the public hearing.

7.6.3 Any reports or comments received from the New Haven County Soil and Water Conservation District, the Valley Regional Planning Agency, and the Conservation or Planning and Zoning Commissions or neighboring municipality, as well as those of the City of Ansonia.

7.7 When the Commission denies a permit for a Class B Application, it shall note the reasons for the denial in the minutes of the meeting at which such action was taken and within fifteen (15) days thereafter transmit a copy of the reasons for the denial of the application. Should the Commission at any time deny a Class B Application, such decision is made without prejudice. Although the Commission recognizes that the applicant may be aggrieved, the Commission is not responsible for any negotiation

concerning remuneration for any property, and the action(s) of the Commission will not constitute an act of taking.

7.3 When the Commission approves, or approves with conditions, a permit for a Class B Application, it shall support its decision by a written statement which shall be included in the minutes of the meeting at which such action was taken. The statement will attest to the following:

7.8.1 That no preferable location on the subject parcel or elsewhere can be reasonably acquired.

7.8.2 That no further modifications of the proposed activity can reasonably be required, to further reduce any adverse environmental impacts.

7.8.3 That the public benefit of the proposed activity justifies any possible degradation of the regulated area.

7.8.4 That the exercise of the property rights associated with the activity, together with any possible public benefits from this activity, justify any possible degradation of the wetland or water course and impairment of public health, safety, and welfare.

#### 8.0 APPEALS

8.1 If an application for a permit is disapproved or approved with conditions unacceptable to the applicant, the applicant may appeal the decision of the Commission to the Court of Common Pleas for New Haven County within fifteen (15) days of publication of this decision.

#### 9.0 PENALTIES

9.1 Any person who commits, takes part in, or assists in any violations of any provisions of these Regulations shall be fined-not-more than one thousand (1000) dollars for each offense. Each violation shall be a separate and distinct offense, and, in the case of a continuing violation each day's continuance thereof shall be deemed to be a separate and distinct offense. The Superior Court, in any action brought by the Commission, the City of Ansonia, or any person, shall have jurisdiction to restrain a continuing violation of these Regulations, and to issue orders directing that the violation be corrected or removed. All costs, fees, and expenses in connection with such action shall be assessed as damages against the violator. The moneys collected pursuant to this section

shall be used to restore the affected wetland or water course to its condition prior to the violation, wherever possible.

## 10.0 ENFORCEMENT

10.1 Any person who shall commit, take part in, or assist in any violation of any provision of these Regulations or of conditions imposed by the Agency upon a permit, shall be served with a written order via certified mail, at the direction of the Agency, stating the nature of the violation and providing a specified time within which such violation shall cease and satisfactory corrective measures shall be taken by the violator. Within ten (10) days of the issuance of such order the Agency shall hold a hearing to provide the person with an opportunity to be heard and show cause why the order should not remain in effect. The Agency shall consider the facts presented at the hearing and within ten (10) days of the completion of the hearing notify the person via 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 Agency 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 9.1 above.

10.2 The Agency and/or its appointed agent shall make regular inspection of all activities for which permits have been issued under these Regulations. Such activities shall be open to inspection at all times. The applicant, owner, or their agent shall have such permit readily available shall produce the same for inspection by such agent of the Agency upon request.

10.3 The Agency may suspend or revoke a permit if it finds, after giving due notice to the permittee of the facts or conduct which warrant the intended action, and after a hearing at which the permittee is given an opportunity to show compliance with the requirements for retention of the permit, that the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the application.

10.4 The applicant shall be notified of the Agency's decision to suspend, revoke or maintain a permit by certified mail within fifteen (15) days of the date of the decision, and the Agency shall cause notice of its order

of revocation or suspension to be published in a daily newspaper having a general circulation in the town wherein the wetland or water course lies.

#### 11.0 CONFLICT AND SEVERANCE

11.1 Where there is conflict between the provisions of these Regulations and those of any other applicable statute, ordinance, or regulation, the provisions of that statute, ordinance, or regulation which imposes the greatest restrictions on the use of wetlands and water courses shall govern. The invalidity of any work, clause, sentence, section, part, or provision of these Regulations shall not affect the validity of any part which can be given effect without such invalid part or parts.

#### 12.0 BOND AND INSURANCE

12.1 The applicant upon approval of the application and prior to issuance of a permit, at the discretion of the Agency, may be required to file a performance bond and/or maintenance bond in an amount and with sureties, and in a form approved by the Agency in consultation with the Corporation Counsel and City Engineer of Ansonia.

12.2 The bond and sureties shall be conditioned on compliance with all provisions of these Regulations and conditions imposed on application approval.

12.3 The applicant may be directed to certify that he has public insurance against liability which might result from proposed operation or use covering any and all damage which might occur within three (3) years of completion of such operations, in an amount to be determined by the Agency commensurate with the projected operations.

#### 13.0 FEES

13.1 All applications shall be accompanied by a fee of twenty-five (25) dollars. When an application is classified as a Class A Application, this fee shall be refunded to the applicant. When an application is classified as a Class B Application, the applicant shall be required to pay an additional fee of fifty (50) dollars to cover costs of a public hearing. The fifty (50) dollar fee shall be payable at the time of the

submission of the completed site plan.

13.2 These fees are subject to amendment from time to time as necessity dictates. Notice of changes will be via recommendation to the Board of Aldermen, and upon their approval, notice will be published in a paper with general circulation in the City of Ansonia.

#### 14.0 ASSESSMENT RELIEF

14.1 Any owner of wetlands and water courses who may be denied a permit in connection with a regulated activity affecting such wetlands or water courses, shall upon written application to the assessor of the City of Ansonia, be entitled to a revaluation of such property to reflect the fair market value thereof in light of the restriction placed upon it by denial of such permit, effective with respect to the next succeeding assessment list, provided no such revaluation shall be effective retroactively, and the City of Ansonia may require as a condition thereof the conveyance of a less than fee interest to it of such land pursuant to the provisions of Section 7-13lb to 7-13lk, inclusive, of the Connecticut General Statutes, as amended.

#### 15.0 AMENDMENTS

15.1 These Regulations and the Official Inland Wetlands and Water Course Map may from time to time be amended by the Commission as new information regarding soils, hydrology, and botanical species peculiar to inland wetlands and water courses in the City of Ansonia become available, or new state laws pertaining to the Inland Wetlands Bill are adopted. Regulated and Inland Wetlands boundaries may be amended, changed, or repealed by simple majority vote of the Commission, after a public hearing in relation thereto is held by the Inland Wetlands Commission, at which interested parties and citizens shall have an opportunity to be heard and for which notice shall be published in a daily newspaper having a general circulation in the City of Ansonia at least twice at intervals of not less than (2) days, the first not more than twenty-five (25) days nor less than fifteen (15) days, and the last not less than two (2) days before such hearing. A copy of the proposed Regulation or boundary changes shall be filed in the office of the Town and City Clerk for public inspection at least ten (10) days before such hearing.

15.2 Any application submitted to the Commission shall be judged according to the Regulations in force on the date of its submission.

15.3 All petitions requesting a change in the Regulations or boundaries of regulated areas shall be submitted in writing on a form provided by the Agency. Such petition shall be considered at a public hearing in a manner prescribed in the Act for the establishment of Regulations and boundaries. Such public hearing shall be held within ninety (90) days after receipt of said petition. The applicant shall be notified of the time and place of the scheduled hearing by certified mail no fewer than ten (10) days prior to the hearing. The Agency shall act upon the changes requested within sixty (60) days after the hearing. The petitioner may consent to extension of the periods provided in this section for holding hearings and for adoption or denial of the requested change, or may withdraw the petition. The Agency may require a filing fee deposited with the Agency, payable when the petition is submitted, to defray the cost of the publication of notices required for the hearing.

#### 16.0 VALIDITY AND SEPERABILITY

16.1 If any section, subsection, sentence, or portion of these Regulations is for any reason held in-valid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the Regulations.

#### 17.0 EFFECTIVE DATE

17.1 These Regulations shall take effect on January 15, 1976.

These Regulations for the protection and preservation of Inland Wetlands and Water Courses are in conformation with the Department of Environmental Protection Guidelines, utilizing information from Bristol and Seymour Connecticut's Rules and Regulations.

CITY OF ANSONIA  
CONNECTICUT 06401

INLAND WETLANDS COMMISSION

APPLICATION FOR PERMISSION TO CONDUCT A REGULATED ACTIVITY WITHIN AN  
INLAND WETLAND OR WATER COURSE AREA IN THE CITY OF ANSONIA, CT

(In accordance with Sections 22a-36 to 45, inclusive of the General Statutes  
as amended, and the Regulations of the Ansonia Inland Wetlands Commission)

INSTRUCTIONS:

All applicants must complete this application form for submission to the  
Commission for preliminary review. The Commission will then notify the  
applicant of any additional information that may be required (as outlined in  
Section 6.1) and will schedule a public hearing, if necessary. In ad-  
dition to the information supplied in this application, the applicant may  
submit other supporting facts or documents which may assist the Commission  
in its evaluation of this proposal.

- 
1. Name of Applicant \_\_\_\_\_  
Home Address \_\_\_\_\_  
Business Address \_\_\_\_\_  
Telephone # \_\_\_\_\_
  2. Applicant's Interest in the Property  
\_\_\_\_ Owner    \_\_\_\_ Lessee    \_\_\_\_ Lessor    \_\_\_\_ Other (please explain)  
\_\_\_\_\_
  3. Name of Property Owner (if not applicant) \_\_\_\_\_  
Home Address \_\_\_\_\_  
Business Address \_\_\_\_\_  
Telephone # \_\_\_\_\_
  4. Attach a written, witnessed consent to the proposed activity by the  
owner, if applicant is not the property owner.
  5. Geographical Location of the Property
    - a. This property may be reached from \_\_\_\_\_  
by proceeding (north) (east) on Route No. \_\_\_\_\_ or \_\_\_\_\_  
(south) (west)  
and the following specific directions:

(Use an additional sheet, if necessary, to draw a sketch showing  
the property in relation to surrounding roads.)

Name of Applicant \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Application No. \_\_\_\_\_ (to be filed in by the Commission)

b. Lot number (or other designation) as shown on the Tax Assesor's Map (Zoning Map, Subdivision Map, etc.) \_\_\_\_\_  
Specify map source \_\_\_\_\_

6. Purpose and Description of Activity for Which Authorization is Requested

a. Proposed activity will involve the following within inland wetland or water course area (Check appropriate space or spaces):

\_\_\_alteration \_\_\_construction \_\_\_deposition of material  
\_\_\_pollution \_\_\_removal of material

b. Attach a general description of the proposal and identification each regulated activity for which a permit is sought. Include the nature and volume of material to be placed, removed, or transfered

c. Attach a sketch showing location of proposed activity on property

d. Please submit a detailed plan of the proposal.

e. Purpose of the proposed activity (i.e., addition to existing dwelling, new business, industrial development, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Names and Addresses of Adjacent Property Owners (attach separate sheet)

8. The Property to be Affected by the Proposed Activity Contains a  
\_\_\_swamp \_\_\_marsh \_\_\_bog \_\_\_lake or pond \_\_\_flood plain  
\_\_\_stream or river \_\_\_other regulated area (describe) \_\_\_\_\_

The undersigned applicant hereby consents to necessary and proper inspection of the above-mentioned property by members of the Inland Wetlands Commission or its Agents, at reasonable times, both before and after the permit in question has been granted by the Commission.

The undersigned swears that the information supplied in the complete application is accurate, to the best of his knowledge and belief.

Signature of Applicant

Date Application Filed

# **INLAND WETLANDS COMMISSION**

## **FEE SCHEDULE**

|                                |  |
|--------------------------------|--|
| <b>Application Fee:</b>        | <b>\$100.00 per unit</b>   |
| <b>DEP Fee:</b>                | <b>\$10.00</b>   |
| <b>Permit Fee:</b>             | <b>\$500.00 per unit</b>   |
| <b>Public Hearing Fee:</b>     | <b>\$500.00</b>  |
| <b>Cash Bond:</b>              | <b>Minimum Cash Bond: \$5000.00</b><br><b>Usually determined by the severity of the disturbance to the wetlands/watercourse, the effect on the area of wetlands and watercourses. The cash bond must be able to restore any damage to the environment back to prior condition.</b> |
| <b>Engineering Review Fee:</b> | <b>Minimum \$300.00. Should the site require more than one engineering review then the applicant must pay the engineering review fees for those additional reviews as required. This fee will be assessed to all subdivisions and difficult sites.</b>                             |

**All checks should be made out to the City of Ansonia – Inland Wetlands Commission. The DEP check should be a separate check made out to the City of Ansonia.**

**5/11/00**

INLAND WETLANDS COMMISSION  
FEE CHECK LIST

Applicant: \_\_\_\_\_

The following fees have been collected for this IWC permit application:

|  |                    |
|--|--------------------|
| Application Fee - \$100.00 per unit:   | _____              |
|  | Check No. & Amount |
| DEP Fee - \$10.00                      | _____              |
|  | Check No. & Amount |
| Permit Fee - \$500.00 per unit         | _____              |
|  | Check No. & Amount |
| Public Hearing Fee - \$500.00          | _____              |
|  | Check No. & Amount |
| Cash Bond                              | _____              |
|  | Check No. & Amount |
| Engineering Review Fee - \$300.00 plus | _____              |
|  | Check No. & Amount |
|  | _____              |
|  | Check No. & Amount |