

**BRISTOL CONSERVATION COMMISSION
INLAND WETLANDS AGENCY
FORM IW-1 (Application for a Wetlands Permit)**

APPLICATION NO. _____

DATE FILED: _____

APPROVED: _____

DENIED: _____

1. APPLICANT:

Name: _____ Signature: _____

Address: _____ City: _____ State: ____ Zip _____

Telephone No.: _____ [] home [] work

2. PROPERTY OWNER(S):

Name: _____ Signature: _____

Address: _____ City: _____ State: ____ Zip _____

Telephone No.: _____ [] home [] work

3. DESCRIBE THE SUBJECT PROPERTY:

Address or Location: _____

Assessor's Map No.: _____ Assessor's Lot No.(s): _____

Description of wetlands (location, approximate area to be disturbed, vegetation, etc.): _____

4. DESCRIBE THE PROPOSED ACTIVITY AND ITS PURPOSE:

5. CHECK THE STATEMENT WHICH APPLIES TO THE PROPOSED ACTIVITY:

- a. The proposed activity is either a use permitted as of right or a non-regulated use, under subsection _____ of Section 4 of the Inland Wetlands Regulations. *See instructions for submission requirements.*
- b. The proposed activity is not regulated because it is greater than 100 feet from a wetlands or watercourse or will not adversely affect the wetlands or watercourse. *See instructions for submission requirements.*
- c. The proposed activity is a regulated activity and will occur:
 - in a wetlands or watercourse
 - within 100 feet of a wetlands or watercourse
 - beyond 100 feet of a wetlands or watercourse

6. FLOW CALCULATIONS:

Does a watercourse flow through the subject property?

yes no

If "yes", see instructions for submission requirements.

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7. AUTHORIZATIONS AND CERTIFICATIONS:

- a. I/we hereby authorize the commissioners and agents of the Bristol Inland Wetlands Agency to inspect the subject property at reasonable times, both before and after a final decision has been made regarding this application or request.
- b. I/we hereby certify that, if a portion of the subject property is located within 500 feet of the boundary of an adjoining municipality, I/we have caused written notice of the proposed activity to be sent to the Inland Wetlands and Watercourses Agency of such municipality by certified mail, return receipt requested, on the date that I/we submitted this application to the City of Bristol.
- c. I/we hereby certify that I/we am/are familiar with the information included in this application and am/are aware that the law provides that any person who commits, takes part in, or assists in any violation of any provision of Sections 22a-36 through 22a-45, inclusive, of the Connecticut General Statutes, including regulations adopted by the Commissioner of Environmental Protection and ordinances and regulations of the City of Bristol through its Inland Wetlands Agency, shall be assessed a civil penalty of not more than one thousand dollars for each offense. I/we further certify that I/we am/are aware that it is a violation of law to obtain a wetlands permit or ruling through deception or through inaccurate or misleading information.

8. SUBMISSION REQUIREMENTS:

The following shall be included as part of this application:

- filing fee – make checks payable to "City of Bristol"

Wetlands Permit

total project size: one acre or less – \$185

total project size: more than one acre – \$185 *plus* \$40 per additional acre or portion thereof

Extension of Unexpired Permit

total project size: one acre or less – \$110

total project size: more than one acre – \$135

Modification of Existing Permit

total project size: one acre or less – \$135

total project size: more than one acre – \$160

NOTE: Application filing fees include \$60 state fee.

- ten copies of a Site Plan showing existing and proposed conditions in relation to the wetlands and/or watercourses, prepared in accordance with Section 7.8 of the Regulations
- any other information as may be required by the Agency

INSTRUCTION SHEET FOR FORM IW-1

This application form is to be used for the following:

- a request for a wetlands permit to conduct a "regulated activity";
- a request to extend an unexpired wetlands permit;
- a request to modify an existing wetlands permit;
- a request for a ruling as to whether a proposed activity in a regulated area is permitted "as of right" or qualifies as a "nonregulated use" under Section 4 of the Inland Wetlands Regulations (hereinafter referred to as "the Regulations"); and,
- a request for a ruling as to whether a proposed activity beyond 100 feet of a wetlands or watercourse is a regulated activity which requires a wetlands permit.

If you are seeking a boundary change to a wetlands or watercourse, use Form IW-2.

1. **APPLICANT:** Indicate the name, address and telephone number of the person, partnership, corporation or other legal entity in whose name the permit will be issued, if approved. The application must be signed by the applicant or the applicant's authorized representative.
2. **PROPERTY OWNER:** Indicate the name, address and telephone number of the person, partnership, corporation or other legal entity which owns the subject property. If there is more than one property owner, provide this information for each additional owner on a separate sheet. The application must be signed by all of the property owners or their authorized representatives. If the property owner is the same as the applicant, indicate "same as applicant".
3. **DESCRIPTION OF PROPERTY:** Describe the subject property in sufficient detail to allow the Inland Wetlands Agency to identify: (a) the wetlands and watercourses on the property; (b) the areas of wetlands or watercourses to be disturbed; and (c) the soil types and vegetation present. If you need additional space, indicate "continued on attached sheet(s)" and use a separate sheet or sheets. If you are submitting a report which provides this information, indicate "see attached report" and submit the report with your application.

Example: "Property consists of 2.3 acres adjacent to Coppermine Brook. The rear (northwestern portion) contains approximately .5 acres of wetlands along the brook varying from 15 to 150 feet in width. A small pocket of unconnected wetlands appears on the City's maps at the front (southeastern section) but cannot be verified by field research. Vegetation varies from grass to dense woods near the brook. Approximately .1 acres of actual wetlands may be disturbed for a road crossing."

4. **DESCRIPTION/PURPOSE OF PROPOSED ACTIVITY:** Indicate the nature of and the reason for the proposed activity, e.g., "filling of a wetlands to construct a single-family house" or "installation of a culvert in a watercourse for a subdivision road crossing."
5. **CATEGORY OF THE PROPOSED ACTIVITY:**
 - (a) If the proposed activity will occur in or within 100 feet of a wetlands or watercourse, you may request a ruling from the Agency that the proposal is an "as of right" use or a "nonregulated" use under Section 4 of the Regulations. If you believe this provision applies, check statement 5a. on the application, indicate the specific subsection of Section 4 on which you base your determination and attach a sheet which explains your reasoning. The Agency will make a ruling on your request no later than the next regularly scheduled meeting following the meeting at which it was received.
 - (b) If the proposed activity will occur at a distance greater than 100 feet from a wetlands or watercourse, you may request a ruling from the Agency that the proposal is not a "regulated activity" as defined under Section 2.1(p) of the Regulations. If you believe this provision applies, check statement 5b. on the application and attach a sheet which explains your reasoning. You must also demonstrate to the Agency's satisfaction that the activity will cause no adverse environmental impact to the wetlands or watercourses on or adjacent to the subject property.

The fact that a proposed activity falls outside the 100-foot "buffer" area of a wetlands or watercourse does not automatically classify it as a nonregulated activity. Oftentimes, a proposed activity will affect a wetlands or watercourse even though it will take place beyond the 100-foot buffer. In such instances, the activity is considered to be "regulated" and thus requires the filing of a complete application for a wetlands permit.

As a general rule, the closer the proposed activity is to a wetlands or watercourse, the more likely that it will be considered a regulated activity. Topography, the nature of the proposed activity and the amount of area to be disturbed are all weighed in making the determination. For example, steep slopes might cause soil sedimentation and erosion from construction to potentially reach a wetlands or watercourse even though the activity is more than 100 feet from the wetlands or watercourse.

If there are wetlands or watercourses on or adjacent to the subject property and you are seeking a ruling that the proposed activity is outside the 100-foot buffer area and is nonregulated, you must also demonstrate to the Agency's satisfaction that the activity will cause no adverse environmental impact to the wetlands or watercourses.

Best rule of thumb: if there is ANY QUESTION about the effects of a proposed activity on a wetlands or watercourse, and if time is at all a critical factor in getting an Agency ruling on your request, you should file a complete application.

(c) Regulated activities are defined in Section 2.1(p) of the Regulations. In general, any of the following activities automatically constitute a regulated activity and thus require a wetlands permit from the Agency:

1. Activities in a wetlands or watercourse: any operation within or use of a wetlands or watercourse involving removal or deposition of material; or any obstruction, construction, alteration or pollution of such wetlands or watercourse;
2. Activities within 100 feet of a wetlands or watercourse: any earth moving, filling, construction, clear-cutting of trees, or installation of septic systems;
3. Activities further than 100 feet from a wetlands or watercourse if there is a potentially adverse impact on the wetlands or watercourse.

6. FLOW CALCULATIONS: If a watercourse flows from or through the subject property and the proposed activity may affect its rate of flow, the present flow during a 25-year storm and the proposed flow during a 25-year storm as a result of the proposed activity must be calculated – in cubic feet per second (c.f.s.) – and certified by a licensed professional engineer. Attach a sheet with the necessary calculations.

Since the Agency may request supplementary information in connection with an application, it is advisable to submit similar information for 50- and/or 100-year storms if the proposal is significant. If such information is not relevant to your application, please explain.

7. AUTHORIZATIONS AND CERTIFICATIONS: Please read the authorizations and certifications carefully, as they affect your rights and impose certain obligations upon you. If you do not understand any of them, do not sign the application until they have been explained to you. Also note that, if required, documentation of notice to a neighboring municipality's Inland Wetlands Agency must be provided to the Agency before it will act on your application.

8. SUBMISSION REQUIREMENTS: The Agency's application fee schedule is as follows:

Wetlands Permit

total project size: one acre or less – \$155

total project size: more than one acre – \$155 plus \$40 per additional acre or portion thereof

Extension of Unexpired Permit

total project size: one acre or less – \$80

total project size: more than one acre – \$105

Modification of Existing Permit

total project size: one acre or less – \$105

total project size: more than one acre – \$130

NOTE: Application filing fees include \$30 state fee.

IS YOUR PROPOSAL A SIGNIFICANT ACTIVITY?

If you are applying for a wetlands permit, the Agency will first determine whether or not your proposal constitutes a "significant activity." This is important because significant activities require a public hearing and the submission of more supporting documentation than does an activity determined to be non-significant. Be sure to attach all information necessary to allow the Agency to determine if your proposal will be treated as a significant or a non-significant activity.

To assist the Agency in making this determination, you should be prepared at the first meeting at which your application is received to answer the following questions and to explain the facts upon which your answers are based:

- a. Will the proposed activity involve the deposit or removal of material in or near a regulated area?
- b. Will the proposed activity change the natural channel or inhibit the natural dynamics of a watercourse system?
- c. Will the proposed activity cause any decrease in the natural capacity of a wetlands or watercourse to: support desirable fisheries, wildlife, or other biological life; prevent flooding; supply water; assimilate waste; facilitate drainage; or provide recreation or open space?
- d. Will the proposed activity cause turbidity, siltation or sedimentation in a wetlands or watercourse?
- e. Will the proposed activity diminish the flow of a natural watercourse or the groundwater levels of the regulated area?
- f. Will the proposed activity cause or have the potential of causing pollution of groundwater, a wetlands or watercourse?
- g. Will the proposed activity create conditions that may adversely affect the health, welfare and safety of any individual or the community?
- h. Will the proposed activity destroy a wetlands or watercourse?
- i. Will the proposed activity have a major effect or substantial impact on the area for which this application has been filed or on another part of a wetlands or watercourse?

IF YOUR PROPOSAL IS DETERMINED TO BE A SIGNIFICANT ACTIVITY

If your proposal is determined to be a significant activity, you will be required to submit (a) the additional information listed in Section 7.4 of the Regulations, and (b) a description of the alternatives which you considered to your proposed activity. (Under the Regulations, the Agency will not issue a wetlands permit unless it finds that a feasible and prudent alternative to the proposed activity does not exist.)

ACTIVITIES REQUIRING THE APPROVAL OF OTHER AGENCIES

For certain proposed activities, the Agency's jurisdiction is coincident with that of other agencies. If your proposal involves one or more of the following, you must obtain the approval of the appropriate Federal or State agency:

- a. construction or modification of a dam,
- b. construction or placement of an obstruction within a stream channel encroachment line,
- c. diversion of water in excess of 50,000 gallons of water per day or any other diversion where the tributary watershed area above the point of diversion is 100 acres or more,
- d. discharge into the waters of the state under Sections 22a-365 et seq. of the Connecticut General Statutes, or,
- e. discharge of fill or dredged materials into wetlands as defined under Federal law (Army Corps of Engineers)