

Review Considerations

Modify Section 7 – Application Requirements of the Wetland Regulations as follows:

Section 7 – Application Requirements

7.5 All applications shall include the following information in writing or on maps or drawings:

Parts a. through d. remain intact

- e. the purpose and a description of the proposed activity and proposed erosion and sedimentation controls and other management practices and mitigation measures, including low impact development practices, which may be considered as a condition of issuing a permit for the proposed regulated activity including, but not limited to, measures to (1) prevent or minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority; restore, enhance and create productive wetland or watercourse resources;
- f. alternatives, including low impact development practices, alternative which would cause less or no environmental impact to wetlands or watercourses and why the alternative as set forth in the application was chosen; all such alternatives shall be diagrammed on a site plan or drawing;

Parts g. through p. remain intact

7.6 At the discretion of the Commission or its agent, or when the proposed activity involves a significant impact, additional information, based on the nature and anticipated effects of the activity, including but not limited to the following, is required:

Parts a. through d. remain intact

- e. a 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 each alternative, including low impact development practices, which would cause less or no environmental impact to wetlands or watercourses, and a description of why each alternative considered was deemed neither feasible nor prudent;
- f. analysis of chemical or physical characteristics of any fill material;
- g. management practices and other measures, including low impact development practices, designed to mitigate the impact of the proposed activity.

Definitions

Modify Section 2 – Definitions of the Wetland Regulations as follows:

Section 2 – Definitions

“Significant impact” means any activity, including, but not limited to, the following activities which may have a major effect:

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.
2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant, or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
5. Any activity which causes a substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.
7. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.

Notwithstanding the above, the application of a low impact development practice in accordance with the Plainville Low Impact Development and Stormwater Manual shall not be considered to be a significant impact activity when such activity is located more than:

- a. 35 feet measured horizontally from the boundary of any wetland, or
- b. 70 feet measured horizontally from the boundary of any watercourse.

Actions By Duly Authorized Agent

Modify Section 12 – Action By Duly Authorized Agent of the Wetland Regulations as follows:

Section 12 - Action by Duly Authorized Agent

12.1 Action By Agent

- 12.1.1 The Agency hereby delegates to its duly authorized agent the authority to approve or extend a license for an activity that is not located in a wetland or watercourse provided that such agent:
- a. has completed the comprehensive training program developed by the Commissioner of Environmental Protection pursuant to section 22a-39 of the Connecticut General Statutes, and
 - b. finds that the conduct of such activity would result in no greater than a minimal impact on any wetland or watercourse.
- 12.1.2 Activities which may be so approved or extended by such agent include but are not necessarily limited to the following:
- a. An activity not located in a wetland or watercourse which is deemed to be accessory to a residential use (a one family or two family home) including, but not limited to:
 - Construction or placement of an accessory structure (such as a deck or a shed) on posts, blocks or stone pads provided the structure is located more than thirty-five (35) feet from a wetland and more than seventy (70) feet from a watercourse.
 - Maintenance of landscaped or natural areas and minor land clearing or minor grading related to such maintenance.
 - Minor drainage improvements.
 - Utility installations (except for the installation of a septic system).
 - b. The installation of a low impact development practice in accordance with the Plainville Low Impact Development and Stormwater Manual when:
 - When such activity is the only regulated activity being conducted on the property and the applicant is not otherwise required to appear before the Commission.
 - Such practice is located more than thirty-five (35) feet from a wetland and more than seventy (70) feet from a watercourse.
 - c. The replacement or improvement of a conventional drainage component with a low impact development practice in accordance with the Plainville Low Impact Development and Stormwater Manual when such practice is located more than thirty-five (35) feet from a wetland and more than seventy (70) feet from a watercourse.
- 12.1.3 Requests for such approval shall be made on a form provided by the Agency and shall contain the information listed under Section 7.5 of these regulations and any other information the Agency may reasonably require.
- 12.1.4 Notwithstanding the provisions for receipt and processing applications prescribed in Sections 8, 9 and 11 of these regulations, such agent may approve or extend such an activity at any time.