



Town of Pomfret Wetland Application Package

- Inland Wetlands Permit Application form (Part 1 and 2)
- Wetland Fee instructions
- Advisory Site Review/Agent No-fee Ruling Request form
- Northeast District Department of Health (B100a)
- DEP Reporting Form (green copy)

Application forms are available at the town hall. The Commissions Clerk hours are: Mondays 10:00 - 1:00, Wednesday 3:00 - 6:00 p.m., and Fridays 9:00 - 12:00. Phone (860)974-9135. Or at the Town Clerk's office Monday from 9:00 – 4:00, Wednesdays 9:00 – 6:00 and Fridays 9:00 – 2:00. Visit our website at www.Pomfretct.org or e-mail: lynn@pomfretct.org

APPENDIX A

POMFRET FEES FOR MUNICIPAL LAND USE APPLICATIONS

(Inland Wetlands and Watercourses Commission)

Purpose: This document is to inform the public of the fee process that allows the Town of Pomfret to recoup the cost and expense of processing land use applications by The Pomfret Inland Wetlands and Watercourses Commission, also known as the Agency.

Definitions:

1. Municipal Consultant - Any professional hired by the Town or Agency (Wetlands Commission) to assist in the review and evaluation of a land use application.
2. Municipal Official – Any person appointed to a decision making position in the Town of Pomfret.
3. Processing – Any and all activities and functions performed by municipal officials and staff, as well as by professional consultants retained by municipal officials and staff in connection with the receipt, handling, review, assessment, analysis, and noticing of land use applications. Such functions and activities include, without limitation, all aspects of reviewing and analyzing the application and all materials submitted, whether by the applicant or others, in connection with the application, as well as reviewing, inspecting and or monitoring activities by staff that are required to ensure compliance with the terms and conditions of any wetlands permit approval.
4. Staff – Municipal employees, consultants (e.g., planning, legal, engineering, environmental, etc.), as well as employees of any regional agency of which the Town is a member.

General:

1. Set forth herein is an explanation of how wetlands application land use fees and estimated expense deposits are determined and what penalties may be assessed should the applicant fail to meet the fee and deposit requirement.
2. The applicant must pay the base fee and State filing fee (minimum application fee) at the time he or she submits the application to the Agency's clerk during the Agency's scheduled business hours. The wetlands Agency shall determine the amount of any additional funds (fees and/or deposit) needed for application processing. The Agency shall consider potential costs that may include but, which are not limited to, Staff site plan review, site monitoring and inspection(s), wetlands remediation, legal consultation, cease and desist orders, etc., after receipt of the application. It is not the responsibility of the Agency clerk to determine or to advise the applicant of the application fees or deposits to be paid, except for the minimum fee that must accompany all applications.
3. In accordance with Town policy, an applicant may request one (1) pre-application conference with municipal staff or consultants not to exceed ½ hour. The applicant will be billed for any time exceeding the ½ hour as part of the application process.

Computation of fees and deposits:

1. The fee schedule is determined by multiplying the hourly rate of staff and municipal consultant's times the average total hours historically expended on applications and other costs to the Town such as postage, advertising decisions in local newspapers, site walks, application review, etc. In most cases the base fee will cover these processing costs. However, there may be exceptions should the Agency determine that additional information concerning the application is needed. The Agency may also determine that in addition to fees, a deposit to cover estimated application processing expenses is required. These costs may include, but are not limited to application review by consultants, environmental impact studies, site monitoring to insure compliance with conditions of application approval, site inspections by the Town Engineer, a cease and desist order and/or notice of violation if circumstances warrant, site mitigation if required, etc.
2. Deposits shall be computed as the total of all fees due except for the minimum fee (Base fee plus State filing fee) multiplied by 150%. The total amount to be paid by the applicant is the sum of all fees and the required deposit minus any credits that apply.

Fee Schedule: See Schedule A attached.

Submission of fees and deposits:

1. The minimum application fee shall be paid by the applicants at the time the application is submitted.
2. All other required fees as listed in the fee schedule and any anticipated processing deposit expenses required for new, pending or an approved application shall be paid before a wetlands permit is approved or issued.
3. The Agency's clerk will notify the applicant via certified mail of the required deposit to include any outstanding fees or other expenses within seven (7) days of The Agency's decision. The applicant must submit the required deposit or payment of all amounts due to the Agency within fifteen (15) days from the date the notice was mailed.
4. If the applicant fails to deposit the required amount when due, the Agency shall consider the pending application at its next scheduled meeting as incomplete and reject or deny the application under Section 8.8 and Section 19.5d of its Regulations.
5. If the expenses (costs of processing) exceed the amount of the initial application deposit for any reason, the Agency shall inform the applicant via certified mail to submit the additional amount to be paid. **The Agency shall take no further action on the pending application until the amount assessed by the Agency is paid.** Failure by the applicant to forward the additional funds required will result in the Agency denying the application for cause or revoking the application if previously approved.
6. No permit will be issued until all fees and other costs associated with application processing are paid, appeals notwithstanding.
7. The minimum application fees and all other fees denoted on Schedule A denoted by * that may apply are not refundable. Fees and or deposits required for application review by Staff, independent studies and/or evaluations, legal and or other expert opinion and which shall include post permit approval construction and engineering and compliance inspections, etc., not obligated, shall be returned to the applicant.

Appeals:

An applicant may challenge in writing on a form to be provided by the Town clerk any billing within thirty (30) days of the date billed. The Agency shall hear the appeal within sixty-five (65) days and make its ruling within an additional sixty-five (65) days. This provision shall not bar the Agency from denying an application for cause.

1. Base Fee for all applications*	\$100.00
2. State filing fee for all applications*	\$ 30.00
3. Regulated Activities (Not As Of Right)*	
a. Subdivisions and re-subdivisions	\$ 100.00 /lot
b. Single-family residential uses	(no additional fee)
c. All other uses	\$ 220.00
d. Significant impact to any wetland or watercourse	\$ 250.00
4. Permitted and Non-regulated Uses*	
a. Uses Permitted As Of Right	\$ 50.00
b. Non-regulated uses	\$ 20.00
5. Public Hearing*	\$ 150.00
6. Modification of Prior Permit*	\$ 25.00
7. Amendment to official wetlands and watercourses map*	\$ 250.00
8. Engineering review	\$ 500.00
9. Town Planner review	\$ 400.00
10. Legal review pertaining to deeds, easements, bonding or Other matters*	\$ 500.00
11. Stenographic and transcription services if required. The estimated cost to be determined by the Agency.	

Note to applicant:

- All fees are subject to change without notice. Fees marked with star (*) are not refundable. Processing costs less than the amounts shown above for other expenses shall be refunded to the applicant.
 - The Base fee and the State filing fee are the minimum fees all applicants must submit with the application. No action may be taken by the Agency or it's duly appointed Agent until the minimum fee has been paid. No application may be granted or approved by the Agency until all applicable fees have been paid.
 - There is no provision for the Agency to grant a fee waiver to applicant.
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**TOWN OF POMFRET
INLAND WETLAND & WATERCOURSES COMMISSION APPLICATION (IWWC)**

PART ONE

PERMIT #: _____

Date Pomfret Planning and Zoning Commission Report Submitted: _____

Non-refundable fee paid _____

Date Building Permit Checklist endorsed by Agency or authorized

Check #: _____

Agent: _____

Bond Deposited Yes No

DATE APPLICATION RECEIVED BY THE COMMISSION: _____

Deposits Paid Yes No

To be filled in by applicant at the Assessor's Office to be sure the number and street are correct.

Location _____ Map _____ Block _____ Lot _____
Subdivision name _____ Subdivision Lot # _____ Acres _____ Dimensions sq ft _____

Applicant fill out below this line. Please print

1. Name of applicant _____ Phone _____
Business Phone _____
Home Address _____ City _____ Zip _____
Business Address _____ City _____ Zip _____

2. Name of property owner _____ Phone _____
Address _____ City _____ Zip _____

3. **A non-refundable application fee and/or fees must accompany this application. Make check payable to Town of Pomfret. Permits are not transferable.** Applicant understands this application is complete only when all information, documents, maps, etc. required by the Commission have been submitted within the time determined by the Commission. **The omission of Fees and Deposits not paid or failure to submit all required documents or information requested by the commission are grounds for application denial.**

4. **Applicants interest in property to include a description of ALL proposed activities/alterations:**
(attach extra sheets if needed)

Intended use of property Residential; Commercial; Village District; Other _____

5. **Are there wetlands/watercourses located on the property:** Yes No Uncertain
a. Approximate wetland/watercourse area to be disturbed and/or affected. Acreage _____ or Dimensions _____ sq ft
b. Distance from the edge of construction to nearest wetland/watercourse (at any location): _____ feet.

6. **A complete site plan showing the proposed activity; erosion and sedimentation plans; any drainage plans; septic fields; driveways and/or impervious surfaces or a Commission approved subdivision site plan depicting any wetlands or watercourses that may be impacted as a result of the proposed activity.**

7. Describe plan alternatives considered to avoid or reduce adverse environmental impact on wetlands and/or watercourses and subsequently rejected and why the alternative as set forth in the application was chosen; **all such alternatives shall be shown to scale on a site plan.**

OVER

8. Describe on the site plan the proposed activity and any existing and/or proposed conditions in relation to wetlands and watercourses, and any further activities related to the regulated activity which are made inevitable by the proposed activity and which may have an impact on wetlands and/or watercourses.
9. **Other information requested by the Commission:**
 Is the proposed activity located within 500 feet of an adjoining town line: Yes, No
 Will the proposed activity disturb an area to exceed 5000 sq ft of a wetland or watercourse. Yes, No
 Does the activity require submission of a DEP Natural Diversity Data Base Form? Yes, No, Uncertain
 If yes, please attach a copy of the DEP project review for this application.
10. If the Commission determines a public hearing is required, Section 9.3 of the IWWC regulations shall apply. See Part 2 Significant Activity.

The undersigned warrants the truth of all statements contained herein and in all submitted supporting documents, according to the best of his/her knowledge and belief and authorizes the Commission members and alternate members or any of its staff, as defined under Section 2 of the IWWC regulations, to inspect the subject land, at reasonable times, with or without the Applicant or his/her representative present before, during and until a final decision on the application's completion has been issued by the Chairman or an authorized commission member. The undersigned agree that Section 13 – Security, if required as a condition of permit approval, and Section 19 – Application Fees and Deposits, of the Pomfret IWWC regulations shall apply to the final approval and issuance of a wetlands permit.

Signature of Applicant/or authorized agent _____

 Print name

Signature of owner(s) _____

 Print name

 Print name

Note to Applicant. Any activity in a wetlands or watercourse of more than 5000 sq. ft. requires the review and approval from the US Army Corp of Engineers in Concord MA. 1-800-343-4789 in addition to this permit before any work begins. Approval of this application is subject to the applicant obtaining all other permits required by Sections 11.9c and 18.1 inclusive of the Pomfret IWWC regulations, and **no** work pursuant to the wetlands permit may begin until **all other approval(s) are obtained.** The Agency or its appointed agent will issue a project Cease and Desist Order for non-compliance.

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- Department of Health letter of approval: Date _____ initials _____
- Site Plan approved: Date _____ Initials _____
- Final inspection: Date _____ Initials _____
- Application Withdrawn: Date _____
- Application Denied without prejudice: Date _____
- Approved Date: _____ Approved with conditions: Date _____ See attached permit.

TOWN OF POMFRET
INLAND WETLAND & WATERCOURSES COMMISSION APPLICATION (IWWC)
PART TWO SIGNIFICANT IMPACT ACTIVITY

Date of Receipt _____

If the proposed activity involves a significant impact activity as determined by the Agency, additional information, based on the nature and anticipated effects of the activity, including but **not limited** to the following, is required.
(See Section 7.6 of the IWWC regulations)

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1. **Site Plan** (three copies) Showing the entire lot with existing and proposed conditions, wetland and watercourse boundaries, by soil type, land contours, boundaries of land ownership, proposed alterations and uses of wetlands and watercourses and **other pertinent features** of the land and the proposed activity to include buildable sites and E & S Control measures, prepared by a Connecticut State Licensed Engineer, land surveyor, architect or landscape architect or landscape architect, soil scientist or wildlife biologist, or by such other **qualified** persons as recognized by the commission.
 2. **Engineer reports and analyses** and additional drawings to **fully describe** the proposed activity including any filling, excavation, drainage or hydraulic modifications to wetlands and/or watercourses and upland areas that may impact on wetlands/watercourses on/off site.
 3. **Mapping of all soil types** consistent with the categories established by the Soil Survey of Windham County Connecticut of the U.S. Natural Resources Conservation Service. The wetlands and upland soils by type shall be delineated **in the field** by a certified soil scientist and the soil scientist's comprehensive field delineation shall be depicted in the site plan.
 4. Describe the ecological communities and their function in relationship to wetlands and/or watercourses involved and the effects of the proposed activity on these communities as determined by a **professionally recognized Wetland Scientist or Wildlife Biologist satisfactory to the Agency**.
 5. Describe 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 considered, and a description of why each alternative considered was deemed neither feasible nor prudent as determined by a certified wildlife biologist**.
 6. Analysis of **chemical or physical** characteristics of any fill material; and **management practices** and other measures designed to **mitigate** the impact of the proposed activity on wetlands and/or watercourses.
 7. Attach a plan describing **Best Management Practices** and other measures designed to **eliminate or reduce adverse impact** on wetlands and/or watercourses of the proposed activity.
 8. Three (3) copies of all application materials shall be submitted to comprise a complete application to include fees assessed and deposits required. An incomplete application shall be grounds for denial of the application under Section 8.8 of the IWWC Regulations.

Signature of Applicant or
Authorized Agent _____

_____ Print Name

Name: _____

Address: _____

Telephone: _____ e-mail _____

Signature of Owner (s) _____

_____ Print Name

**NORTHEAST DISTRICT DEPARTMENT OF HEALTH
136 MAIN STREET, SUITE 301, DANIELSON, CT 06239
(860)774-7350
FAX (860) 774-1308**

www.nddh.org

OFFICE HOURS: MONDAY THROUGH FRIDAY – 7:00 A.M. – 4:00 P.M.

Directions:

Please have available your deed or previous owner's name(s)

Map, Block and Lot numbers from the assessor's office.

Plot plan to scale showing location of house, well, septic system, and closest property lines.

Written description of proposed addition, accessory structure, or change in use.

Must conform with Town Zoning Regulations. Please check with your Town Officials.

TOWN: _____ STREET: _____ Water Supply: Well or Public
(please circle)

ASSESSOR'S MAP # _____ BLOCK# _____ LOT # _____ DEV. LOT # _____
LOT SIZE: _____

EXISTING NUMBER OF ROOMS IN HOME: _____ PROPOSED NUMBER OF ROOMS: _____

LEGAL OWNER: _____

MAILING ADDRESS: _____

TOWN: _____ STATE: _____ ZIP CODE: _____

WORK TELEPHONE NUMBER: _____ HOME TELEPHONE NUMBER: _____

BEST TIME TO CALL BETWEEN 8:00 A.M. AND 4:30 P.M.: _____
(Please circle which telephone number to call)

APPOINTED AGENT FOR OWNER: _____

MAILING ADDRESS: _____

TOWN: _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER: _____

NDDH USE ONLY

FILE # _____ B-100A/CHANGE IN USE FEE: _____

RECEIPT #: _____ CHECK#: _____

DATE PAID: _____

(Website Copy)

**Town of Pomfret
Inland Wetlands And Watercourses Commission**

Advisory Site Review/Agent No-Fee Ruling Request Form

Date received: _____ Request No. _____

To be completed by property owner/or authorized representative

Location of activity: _____ Map _____ Block _____ Lot _____
Owner's / Representative's Name: _____ Telephone: _____
Address: _____ City/State: _____ Zip Code: _____

Describe all proposed activities and/or land alterations involved in your request. Include a sketch or map of the property and any other documentation that would make clear the project proposed.

_____ (Use back of Form if needed).

Are there wetlands or watercourses located on the property? Yes No Uncertain
Distance from project to nearest wetland/watercourse: _____ feet (include state highway/town road drainage ditches, etc.)

The undersigned warrants the truth of all statements made herein and of all submitted supporting documents, according to the best of his or her knowledge and belief and authorizes the Commission's appointed agent(s) or member(s) of the Commission to inspect the property.

Signature of Property Owner _____

Print Name
Signature of Owner's Representative _____

Print Name

Appointed Agent's Comments (and by separate written report)

Decision by agent: Wetlands Permit Required: Yes No

The undersigned appointed agent **certifies** that the conditions set forth in section 6, of the Commission's regulations and section 22a-41, inclusive of the Connecticut General Statutes have been fully met in considering this application and accordingly, his and/or her decision made on this application without exception.

Signature of agent: _____
Date: _____

Commission Action

Date of review: _____ Ruling by agent approved: Yes No
Planning and Zoning Commission informed: Yes Date