

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

For Office Use Only

APPLICATION NO. _____

DATE FILED: _____

DECISION DATE: _____

DECISION: _____

1. APPLICANT:

Name: _____ Signature: _____

Address: _____ City: _____ State: ____ Zip _____

Telephone No.: _____ [] home [] work Email: _____

2. PROPERTY OWNER(S):

Name: _____ Signature: _____

Address: _____ City: _____ State: ____ Zip _____

Telephone No.: _____ [] home [] work Email: _____

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; area of impact: _____ SF (_____ acres)
 - within 100 feet of a wetlands or watercourse; area of impact: _____ SF (_____ acres)
 - beyond 100 feet of a wetlands or watercourse; area of impact: _____ SF (_____ acres)

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. Refer to Section 7.5 of the Bristol Inland Wetland Regulations.
- 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.

- electronic copies of all information, plus one copy of final 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(r) 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 upland review 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 upland review area. 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 upland review 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(r) 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 50-year storm and the proposed flow during a 50-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 2, 5, 10, 25, 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 – \$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

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

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

NOTE: Application filing fees include \$60 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's significant impact 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)

THE PERMIT IS ISSUED SUBJECT TO THE FOLLOWING CONDITIONS AND/OR MODIFICATIONS:

1. The Inland Wetlands Enforcement Officer (IWEO) shall be notified at least three days prior to the initiation of any regulated activity under this permit (584-6116) and shall be regularly informed as to the progress of all activities involved in this proposal.
2. The duration of any permit shall be five (5) years unless otherwise approved by the Commission.
3. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this permit.
4. This authorization is not transferable without the written consent of the Commission.
5. In evaluating this application, the Commission has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit shall be modified, suspended or revoked.
6. This permittee shall employ best management practices, consistent with the terms and conditions of this permit and current state and local guidelines, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Land Use Office, 111 North Main St., Bristol, (860) 584-6225.
7. The permittee shall immediately inform the Commission/Engineering Division of any problems involving wetlands or watercourses which have developed in the course of, or which are caused by, the authorized work.
8. No equipment or material including without limitation, fill, construction materials or debris shall be deposited, placed or stored in any wetlands, watercourse or flood plain on or off site unless specifically authorized by this permit or, if applicable, by a Flood Plain Permit.
9. This permit is subject to and does not derogate any present or future property rights or other rights or powers of the City of Bristol and conveys no property rights in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.
10. If the activity authorized by this permit also involves activity or a project which requires zoning or subdivision approval, special permit, variance or special exception, no work pursuant to this permit may begin until such approval is obtained.
11. Timely implementation and maintenance of sediment and erosion control measures as outlined in the "Connecticut Guidelines for Soil, Erosion & Sediment Control", dated May 2002 and as revised, shall be a condition of this permit.
12. All siltation and sedimentation control measures shall be removed once all upgradient site construction has been completed and a suitable vegetative ground cover has been established on all previously disturbed non-surfaced areas.
13. All excess fill material shall be disposed of off-site. Off-site disposal areas within an area regulated by the Inland Wetlands Commission shall require approval from the Commission.
14. If required by the Commission, signs delineating the City of Bristol Inland Wetlands Conservation Easement shall be located a minimum of thirty (30) feet apart or at a change of direction unless otherwise approved by the Engineering Division. A minimum of three (3) signs per lot shall be provided. Signs shall be installed on 4" X 4" posts, set below frost, and shall read "City of Bristol Conservation Easement". Signs shall be installed prior to any activity and maintained in perpetuity.
15. Conservation easement language shall be submitted for City's review prior to recording. Conservation easement shall include provisions for restrictions of fertilizers, pesticides, and herbicide use in and adjacent to conservation easement, unless related to an approved invasive species management plan.
16. The following construction sequence shall be implemented unless otherwise approved by the Commission consist of the following:
 - a. Contact IWEO (584-6116)
 - b. Clearly designate limits of construction.
 - c. Install conservation easement signs (if required)
 - d. Install erosion control measures
 - e. Install storm drainage (At a minimum, all retention and detention areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediments must be removed from the storage area prior to final grading and stabilization.)
 - f. Construct regulated activity in accordance with approved plan
 - g. Once stabilized, remove erosion control measures

17. Where mitigation is proposed, areas shall be planted prior to any of the following events (whichever comes first); issuance of the first certificate of occupancy, use of the infrastructure for its intended use, or transfer of the responsibility for operation and maintenance to the City or other responsible entity.
18. Stabilization shall be initiated as soon as practicable in portions of site where construction activities have temporarily or permanently ceased, but in no more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
19. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any final operation or maintenance documents, shall be submitted to the City for approval. Deed restrictions, easements and other operation and maintenance documents which require recordation must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by the City, final operation and maintenance documents shall be submitted when the maintenance operation is accepted by the City. Failure to submit the appropriate documents will result in the Permittee remaining liable for carrying out maintenance and operation of the permitted system.
20. Each phase of independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located in the area served by that portion or phase of the system. Each phase of independent portion of the system must be completed in accordance with the permitted plan and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to the City or responsible entity.
21. The roof leaders from the proposed construction shall be connected to a water quality/groundwater recharge system, designed for site-specific groundwater and soil conditions, in accordance with CT Stormwater Quality Manual, as approved by the Engineering Department.