

SECTION 7 - APPLICATION REQUIREMENTS

7.1 Application for a permit for a regulated activity shall be made on a form, such form being the most recent form for this purpose or revision thereof, prescribed and approved by the Commission, and shall be accompanied by such supporting information and documents as prescribed in Section 7 of these regulations. Application forms shall be available at the Planning & Development office at Killingly Town Hall.

All applications shall include the following information:

- a. Applicant's name, address, day and evening phone numbers; if the applicant is a Limited Liability Corporation or a Corporation the managing member's or responsible corporate officer's name, address, and telephone number;
- b. Owner of record's name, address and phone number;
- c. Applicant's interest in the land;
- d. References to all prior Killingly Planning and Zoning, Zoning Board of Appeals and Inland Wetlands and Watercourses Commission applications submitted for the property;
- e. Location of the property including house # (pole #) and street, assessor's Tax Map, Block, Lot #; zoning district; lot size; lot frontage;
- f. Easements and/or deed restrictions;
- g. Purpose and detailed description of the proposed activity, including a list of all proposed regulated activities;
- h. Windham County wetland soil types and areas of each located on the property and/or within 200' of the proposed activity;
- i. Proposed erosion and sedimentation controls narrative;
- j. Certification that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;
- k. Authorization for the Commissioners and authorized agent(s) of the Commission to inspect the property, at reasonable times, both before and after a final decision has been issued;
- l. Any other information the Commission deems necessary to the understanding of what the applicant is proposing;
- m. Signatures of the applicant and the property owner of record;
- n. A site plan or drawing showing the proposed activity (refer to Section 7.5);
- o. Alternatives considered by the applicant and why selection of the submitted alternative was made (refer to Section 7.6E). These alternatives shall be diagrammed on a site plan or drawing and submitted to the Commission as part of the application;
- p. Northeast District Department of Health approval where applicable (refer to Section 7.4);
- q. Submission of the appropriate fee in accordance with the Town of Killingly "Ordinance of Land Use Application Processing Fees" Effective August 15, 1989 or as amended.
- r. Submission of a soil scientist report including functions and values, potential wetlands disturbance, and potential habitat disturbance.
- s. Pre and post development drainage calculations.

- 7.2 No application shall be deemed complete unless it shall be in such form and contain such information as the Agency deems necessary for a fair and informed determination of the issues.
- 7.3 The Commission's authorized agent and the applicant may hold a pre-application meeting to determine whether or not the proposed application involves a significant activity.
- 7.4 Northeast District Department of Health (NDDH) Septic Evaluation and Percolation Test results must accompany all applications when appropriate. All subdivision plans submitted must be accompanied by NDDH reports verifying that the proposed subdivision lots are acceptable for on-site septic systems and water systems. The test locations shall be identified and numbered on site for each proposed lot to correspond with the subdivision plans.
- 7.5 In addition to the completed application form, the applicant shall provide 3 copies of maps or drawings containing the following minimum information:
- a. 1" = 40' scale or other appropriate scale to 1" = 100'
 - b. North arrow
 - c. Names and addresses of adjacent property owners, including across any street
 - d. Locations of existing and proposed land uses
 - e. Locations of existing and proposed buildings
 - f. Locations of existing and proposed subsurface sewage disposal systems, and test hole descriptions
 - g. Existing and proposed man-made features including roads and driveways, on and adjacent to the site
 - h. Location and diagrams of proposed erosion control structures
 - i. Assessor lot identification number
 - j. Location key or inset map 1" = 1000'
 - k. Soil types classification and wetlands boundary delineation (flagged and numbered boundary), Soil Scientist's signature or certification on plans
 - l. Watercourse channel location and flow direction, where appropriate; watercourse boundary
 - m. Flood Zone classification and delineation, where appropriate
 - n. A caveat printed on the plan stating any changes on these plans within 200' of wetlands or watercourses must be resubmitted to the Killingly Inland Wetlands and Watercourses Commission for its approval
 - o. A note stating that the applicant will contact the Killingly Inland Wetlands and Watercourses Commission's agent after all erosion and sediment control measures are installed prior to any construction or excavation on the property
 - p. Wetland and watercourse boundary buffer; minimum separation distances
 - q. Limits of clearing
 - r. Existing and proposed contours
 - s. Any other information the Agency deems necessary to the understanding of what the applicant is proposing
 - t. Location of any on-site storage of fill or excavated materials
 - u. Include GIS map showing surrounding wetlands and/or watersheds. GIS Maps are available from the Planning and Zoning office.

Maps should be folded so the name of the applicant (usually the lower right of the map), and the locus map are visible. (Effective Date: May 15, 2011)

- 7.6 If the proposed activity involves a significant activity as determined by the Agency and defined in section 2 of these regulations, additional information, based on the nature and anticipated effects of the activity, including but not limited to the following is required:
- a. Site plans for the proposed use or operation and the property which will be affected which show existing and proposed conditions, wetland and watercourse boundaries, wetland and watercourse boundary buffers, land contours, boundaries of land ownership, proposed alterations and uses of wetlands and watercourses, and other pertinent features of the development including an A-3 survey prepared by a licensed land surveyor registered in the State of Connecticut;
 - b. Engineering reports and analyses and additional drawings to fully describe the proposed project and any filling, excavation, drainage or hydraulic modifications to watercourses and the proposed erosion and sedimentation control plan in accordance with the requirements set forth in Guidelines for Soil and Sediment Control including:
 - i. Location of areas to be stripped of vegetation and other unprotected areas;
 - ii. Schedule of operations including starting and completion dates for major development phases;
 - iii. Seeding, sodding, or revegetation plans for all unprotected or unvegetated areas;
 - iv. Location and design of structural sediment control measures;
 - v. Timing of planned sediment control measures;
 - vi. General information as required
 - c. Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U.S. Soil Conservation Service (the Agency may require the applicant to have the wetlands delineated in the field by a soil scientist and that the field delineation be incorporated onto the site plans);
 - d. Description of the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions;
 - e. 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, 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 in addition to:
 - i. Area to be filled;
 - ii. Volume of requested fill;
 - iii. Finished slopes of filled areas;
 - iv. Containment and stabilization measures
 - v. Proposed finished contours;

- vi. Evaluation of the effect of filling the wetlands or watercourses with respect to storage volume and its impact downstream showing before and after development flows, and the evaluation of stormwater detention including the existing need for flood control downstream.
 - g. Measures which mitigate the impact of the proposed activity. Such measures include, but are not limited to, plans or actions which avoid destruction or diminution of wetland or watercourse functions, recreational uses and natural habitats; which prevent flooding, degradation of water quality, erosion and sedimentation and obstruction of drainage, or which otherwise safeguard water resources;
 - h. The Commission may require an Environmental Impact Statement or reports from Environmental Review Teams or other independent environmental services approved by this Commission.
- 7.7 The application form, appropriate maps or drawings, supplementary information and the necessary filing fee as established by the Town of Killingly "Ordinance Concerning Land Use Application Processing Fees," Effective August 15, 1989 or as amended, shall be submitted before an application is deemed complete.
- 7.8 A certificate of notification of adjoining town(s) must be submitted where required by state statute section 8.7d; as amended.
- 7.9 The Commission may, upon written request by the applicant, waive one or more of the application requirements if the applicant can show, to the satisfaction of the Commission, that the information is not necessary to insure the protection of the wetland or watercourse.
- 7.10 The applicant shall certify whether:
 - a. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
 - b. Traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - c. Sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or
 - d. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- 7.11 Any application to extend the expiration date of a previously issued permit or amend an existing permit shall be filed with the Agency at least sixty-five (65) days prior to the expiration date for the permit in accordance with section 8 of these regulations. Any application for amendment, renewal or extension shall be made in accordance with this subsection provided:
 - a. The application may incorporate by reference the documentation and record of the original application;
 - b. The application shall state the reason why the authorized activities were not initiated or completed within the time specified in the permit;

- c. The application shall describe any changes in facts or circumstances involved with or affecting wetlands or watercourses or the property for which the permit was issued;
- d. The Agency may accept an untimely application to extend the expiration date of a permit if the authorized activity is ongoing and allow the continuation of work beyond the expiration date if in its judgement, the permit is likely to be extended and the public interest or environment will be best served by not interrupting the activity; the application shall describe the extent of work completed at the time of filing and the schedule for completing the activities authorized in the permit;
- e. The Agency shall evaluate the application for amendment pursuant to section 10 of these regulations and grant the application as filed, grant it with any terms or limitations, or deny it. (Amend. Effective Date June 1, 1997)
- f. Any application to renew a permit shall be granted upon request of the permit holder unless the agency finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided a) no permit issued during the time period from July 1, 2006, to July 1, 2009, inclusive, shall be valid for more than eleven years; and b) no permit issued prior to July 1, 2006 or after July 1, 2009 may be valid for more than ten years. (Amend. Effective Date: May 15, 2011)

7.12 A reporting form shall be completed during the application process which provides the Commissioner of the Department of Environmental Protection with information necessary to properly monitor the inventory of State wetlands. The reporting form shall be part of the application and the following information shall be provided by the applicant: name of applicant; location and name of the project; project and site description; area of wetlands and/or linear feet of watercourse proposed to be altered. The Agency shall be responsible for the remaining information and any corrections on the form and for filing it in accordance with section 22a-39-14 of the Inland Wetlands and Watercourses Regulations of the Department of Environmental Protection.

7.13 In addition to all application requirements listed in this section, wetland creation/pond construction projects under 5000 square feet* in area will also require to following (Amend. Effective Date: June 22, 1999):

- a. Existing surface and ground water condition evaluation (to ensure a continual source of water) (Amend. Effective Date: June 22, 1999) ;
- b. Native species planting plan – to ensure proper stabilization of the disturbed area and to prevent the introduction of foreign and/or invasive plant species. Because of changing hydrologic conditions, planting plans should note the possibility of changing the location of certain plantings to meet the unexpected hydrologic conditions. (Amend. Effective Date: June 22, 1999);
- c. Detailed cross-section and profile of the proposed area (length and width); (Amend. Effective Date: June 22, 1999);
- d. A professional wetland consultant is required, unless waived by agent or commission, to work through any wetland creation project to ensure its success (Amend. Effective Date: June 22, 1999).

*Pond/wetland creation project over 5000 square feet in area will require review and approval from the U.S. Army Corps Of Engineers (Amend. Effective Date: June 22, 1999).