

TOWN OF KILLINGLY

WORKING IN OR NEAR WETLAND/WATER COURSES?



The Town of Killingly has a 200 foot upland review area, this means that for certain regulated activities that you would like to do within 200 feet from the edge of wetlands or watercourses, you are required to first submit a wetlands application and receive approval before any work can begin.

WHAT IS A WETLAND?

A wetland may not appear to be wet, and/or it may only be wet for part of the year. For this reason wetlands are determined in Connecticut by soil type, not by appearances. It is important to protect wetlands and watercourses for the many benefits they provide for us, including but not limited to:

- Wildlife Habitat;
- Nutrient Retention;
- Sediment Trapping;
- Pollution Filtration;
- Flood Control;
- Groundwater Recharge;
- Educational and Recreational (re: fishing, canoeing, bird watchin and photography to name a few)

WHAT IS A WATERCOURSE?

A river, stream, brook, waterway, lake, pond, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the Town or any portion thereof not regulated through 22a-35 of the General Statutes, inclusive.

INTERMITTENT WATERCOURSES

must have a defined permanent channel and bank and the occurrence of 2 or more of the following characteristics:

- 1.Evidence of scour or deposits of recent alluvium or detritus
- 2.The presence of standing or flowing water for a duration longer than a particular storm incident
- 3.The presence of hydrophytic vegetation

(according to TOK IWW Regulations, Amend. Effective Date: Feb. 12, 1996: Amend. Effective Date June 1, 1997)

WHAT ARE THE REGULATED ACTIVITIES?

The list of regulated activities include: "Any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses. Furthermore any clearing, grubbing, grading, paving, excavation, filling, constructing, deposition or removal of material and discharging of stormwater on the land within 200 feet measured horizontally from the boundary of any wetland or watercourse is regulated activity."

WHAT TO DO?

Killingly has Inland Wetlands and Watercourses Regulations that explain what is required in order to do the regulated activities within the upland review area, including minimum set back distances depending on the activity. *These distances are subject to change depending on the proposed activity and associated impacts.* Copies of the Regulations are for sale in the Planning and Zoning Office for a fee of \$9. Please come into the Planning and Zoning Office to discuss what you would like to do and we can determine what permits, if any, are required.

If you are unsure whether you have wetland on your property, you should have a **certified soil scientist** walk your property; they can *delineate any wetlands/watercourse* that you may have.

If you are unsure about whether your intended activities fall into the regulatory category or if you need a wetlands permit, please come into the Planning and Zoning Office to speak with us. Our office is located in the back of the 1st floor of the Town Hall.

The Inland Wetlands and Watercourses Act of 1972 and the Town of Killingly's Inland Wetlands and Watercourses Regulations protect **BOTH** wetlands and watercourses.

Staff reviews each application and proposed project on a case-by-case basis to determine which type of Wetlands Permit is required. This may require a site visit before the determination can be made. There are two types of Wetlands Permits, and are as follows:

Authorized Agent Applications are used for proposed projects that pose minimal impact and are close to the 200' of the Upland Review Area.

The fee?
\$210 = \$150 + \$60 (state fee)*

Inland Wetlands and Watercourses Application are used for proposed projects in or near wetlands/watercourses that pose and impact due to the regulated activities. Minimum setback distances set in the regulations must be met. The *setbacks are minimums* and are subject to increases by the IWWC. The application is received as new business the first month, it is not necessary that you attend this meeting. The Commission will determine if they need to have a Public Hearing or a Site Walk on this issue. The Commission most likely will make a decision at the second months' meeting. ***It is necessary*** that you attend this meeting to answer any of the Commission's questions. If the Commission needs more information they may table the decision until the next meeting. The Commission has 65 days to make the decision unless an extension is granted

The fee?
\$100 base fee + \$100 per lot + \$60 (state fee)*

Staff determines which application is necessary.

***The Fee partially covers town costs, including the legal notice(s) required by law to be put in the newspaper, (we use the Norwich Bulletin).**

***The fees are non-refundable.**

After approval the decision legal notice is put in the newspaper. A 15-day appeal period begins. Only after the 15th day, providing there is no appeal, can staff sign your zoning permit, allowing you to begin your project.** In the meantime, staff will send you a letter stating what the conditions of approval are and the date you may come in for your zoning permit.

*****The Building Department is in the same office to determine whether you need a Building Permit.***

Town of Killingly Inlands Wetlands and Watercourses Comission

172 Main St.
Danielson, CT 06241
(860)779-5311

Last updated on 8-16-2023 by SLG