



# City of Milford, Connecticut

Founded 1639

Inland Wetlands Agency

70 West River Street  
Milford, CT 06460-3317  
Telephone (203) 783-3256  
Fax (203) 876-1960

No. IW-\_\_\_\_\_

## PRE-APPLICATION FOR ACTIVITY IN INLAND WETLANDS, WATERCOURSES AND REGULATED AREAS

1. Name of Applicant \_\_\_\_\_  
 Address (Home) \_\_\_\_\_ Zip \_\_\_\_\_ Tel. \_\_\_\_\_  
 Address (Business) \_\_\_\_\_ Zip \_\_\_\_\_ Tel. \_\_\_\_\_
2. Name of Owner \_\_\_\_\_  
 Address (Home) \_\_\_\_\_ Zip \_\_\_\_\_ Tel. \_\_\_\_\_  
 Address (Business) \_\_\_\_\_ Zip \_\_\_\_\_ Tel. \_\_\_\_\_
3. Location of Property \_\_\_\_\_  
 (Include street address and identification from Tax Assessor's Map:  
 Map \_\_\_\_\_ Block \_\_\_\_\_ Parcel \_\_\_\_\_ USGS Quad \_\_\_\_\_
4. Total site area:(in acres [square feet /43,560]) \_\_\_\_\_  
 Total site area altered:(in acres [square feet /43,560]) \_\_\_\_\_  
 Total Wetland Review Area Altered: \_\_\_\_\_  
 Total Wetlands and/or watercourse area on-site: \_\_\_\_\_  
 Total Area of wetland/watercourse that will be disturbed: \_\_\_\_\_  
 Total Wetlands to be enhanced or created: \_\_\_\_\_  
 Total Open Water Body Altered: \_\_\_\_\_  
 Total Stream Alteration: \_\_\_\_\_
5. Purpose and Description of Proposed Activity. Use separate sheet if needed. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
6. Alternates considered and why this proposal to alter wetlands and/or watercourses was chosen  
 \_\_\_\_\_  
 \_\_\_\_\_
7. Names and addresses of all adjoining property owners  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
8. Attach a sketch or concept map or site plans, sufficient to identify and locate all proposed activities.

*Pre-Application:* For approval of an activity which is non-regulated or permitted as of right, under Section 4 of the wetlands and watercourses regulations, check uses in the following section:

*Jurisdictional rulings:* For approval of activities proposed outside of the 100' of 150' review area or minor activities with no work proposed within 25'. Such work will not impact the wetlands or watercourses. These rulings must be published and are appealable to the agency within 15 days of publication.

#### 4.1 Operations and Uses Permitted as of Right

The following operations and uses shall be permitted in inland wetland and watercourses, as of right:

- a. Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less, essential to the farming operation and activities conducted by or under the authority of the Department of Environmental Protection for the purposes of wetland or watercourse restoration or enhancement or mosquito control. The provisions of this section shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear cutting of timber except for the expansion of agricultural crop land, or the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale;
- b. A residential home for which (i) a building permit has been issued or (ii) is on a subdivision lot, provided the permit has been issued or the subdivision has been approved by a municipal planning, zoning or planning and zoning commission as of the effective date of promulgation of the municipal regulations pursuant to C.G.S. subsection (b) of section 22a-42a., or as of July 1, 1974, which ever is earlier, and further provided no residential home shall be permitted as of right pursuant to this subsection unless the building permit was obtained on or before July 1, 1987. The individual claiming a use of wetlands permitted as a right under this subsection shall document the validity of said right by providing a certified copy of the building permit and a site plan showing proposed and existing topographic contours, the wetland boundaries, house and well locations, septic system, driveway, approval dates or other necessary information to document his entitlement. The individual claiming the use of wetlands permitted as of right must show to the satisfaction of the Agency that there will be no unnecessary disturbance to the wetlands;
- c. Boat anchorage or mooring, not to include dredging or dock construction;
- d. Uses incidental to the enjoyment or maintenance of residential property. Such incidental use shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of substantial amounts of material from or onto a wetland or watercourse, or a diversion or alteration of a watercourse. For the purposes of this section, residential property is defined as such property, containing a residence, that is equal to or smaller than the largest minimum residential lot site permitted in the City of Milford;
- e. Construction and operation, by water companies as defined by section 16-1. of the Connecticut General Statutes or by municipal water supply systems as provided for in Chapter 102, of the Connecticut General Statutes, of dams, reservoirs and other facilities necessary to the impounding, storage and withdrawal of water in connection with public water supplies except as provided in sections 22a-401 and 22a-410 of the Connecticut General Statutes;
- f. Maintenance relating to any drainage pipe which existed before the effective date of any municipal regulations adopted pursuant to section 22a-42a or July 1, 1974, which ever is earlier, provided such pipe is on property which is zoned as residential but which does not contain hydrophytic vegetation. For the purposes of this subsection, "maintenance" means the removal of accumulated leaves, soil, and other debris whether by hand or machine, while the pipe remains in place.

#### 4.2 Nonregulated Uses Permitted as of Right

The following operations and uses shall be permitted as nonregulated uses in wetlands and watercourses, provided they do not disturb the natural and indigenous character of the wetland or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetland or watercourse:

- a. Conservation of soil, vegetation, water, fish, shellfish, and wildlife. Such operation or use may include, but is not limited to, minor work to control erosion, or to encourage proper fish, wildlife, and silviculture management practices.
- b. Outdoor recreation including the use of play and sporting areas, golf courses, field trials, nature study, hiking, horseback riding, swimming, skin and scuba diving, camping, boating, water skiing, trapping, hunting, fishing and shell fishing and cross-country skiing where otherwise legally permitted and regulated.

#### 4.3 Other Operations and Uses Require a Permit

All activities in wetlands or watercourses involving filling, excavation, dredging, clear cutting, grading and excavation or any other alteration or use of a wetland or watercourse not specifically permitted by this section or otherwise defined as a regulated activity by the Regulations shall require a permit from the Agency in accordance with section 6 of the Regulations.

#### 4.4 Must Notify Agency

To carry out the purposes of this section, any person proposing to carry out a permitted or non-regulated operation or use of a wetland or watercourse, which may disturb the natural and indigenous character of the wetland or watercourse, shall, prior to commencement of such operation or use, notify the Agency on a form provided by it, and provide the Agency with sufficient information to enable it to properly determine that the proposed operation and use is a permitted or non-regulated use of the wetland or watercourse. The Agency or its designated agent shall rule that the proposed operation or use is a permitted or a non-regulated use operation or that a permit is required. Such ruling shall be in writing and shall be made no later than the next regularly scheduled meeting of the Agency following the meeting at which the request was received. The designated agent for the Agency may make such ruling on behalf of the Agency at any time.

NOTICE

As the applicant it is your responsibility to submit the data which area necessary for the Inland Wetlands Agency to process your application and to make a fair determination of the issues. Your failure to supply such data may result in the delay, denial, or both. It is important that the applicant and the land surveyor / engineer who shall prepare maps and other plans shall carefully review the Inland Wetlands Regulations to be certain that the plans comply with all requirements contained therein.

You are strongly advised to submit a Pre-Application for reviews by the Inland Wetlands Agency prior to submitting an application.

The undersigned application hereby consents to necessary and proper inspections of the aforementioned property by agents of the Inland Wetlands Agency at reasonable times, both before and after a final decision has been issued by the Agency.

The undersigned applicant understands that the application is considered complete only when all information and documents required by the Agency have been completed to the Agency's satisfaction.

The undersigned warrants the truth and completeness of all statements contained herein and in all supporting documents to the best of her/his knowledge and belief.

\_\_\_\_\_  
Signature of Applicant Date

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Signature of Authorized Agent Date

\_\_\_\_\_  
Print Name of Authorized Agent

\_\_\_\_\_  
Authorized Agent's Address

\_\_\_\_\_  
**Signature of Owner** **Date**

\_\_\_\_\_  
**Print Name of Owner**

Pre-Application Fee Chart

State Filing Fee	\$60.00	
Jurisdictional Rulings (Section 12)	\$125.00	
Permitted and Unregulated uses (Section 4)	\$0.00	

Pre-Application Fee: \$ \_\_\_\_\_ Paid by: \_\_\_\_\_ Date: \_\_\_\_\_

**Legal Counsel for Applicants are Advised as Follows:**

The Milford Inland Wetlands Agency is a lay board. During public hearings, we ask that you limit your presentation to the factual issues before the Agency and summarize only any legal arguments relating to your application. Applicants who wish to submit legal arguments in greater detail must do so in writing prior to the public hearing or at the public hearing. Applicants are advised that the Agency reserves the right to consult with the City Attorney's Office for technical assistance.