



**Welcome to the  
Inland Wetlands Commission**

Town of Barkhamsted, CT



## ❖ *Introduction*

Barkhamsted is a residential community located in Litchfield County, 15 miles northwest of Hartford. Our population is 3,620 on over 39 square miles of beautiful countryside and reservoir area.

### ***Office:***

Barkhamsted Town Hall  
67 Ripley Hill Road  
Pleasant Valley, CT 06063-0558

### ***Telephone:***

860-379-1314

### ***Bulding Hours:***

Building & Zoning Office:  
Monday, Tuesday, Thursday: 9-4  
Wednesday: 10-6  
Friday: 9-12

### ***Zoning Officer Hours:***

Friday: 9-12

The Wetlands Enforcement Officer is often in the field doing inspections. It is suggested to call before stopping in if you want to talk to the Wetlands Enforcement Officer.

### ***Wetlands Enforcement Officer:***

Rista Holda

### ***Scheduled Meetings:***

First Tuesday of the month

## ❖ *Purpose*

These guidelines, designed as questions and answers, were developed to assist applicants through the application and permitting process of the Inland Wetlands Commission, Town of Barkhamsted.

This brochure provides a simple understanding of the Inland Wetlands review process. Please refer to the Town of Barkhamsted Inland Wetlands and Watercourses Regulations, Revised January 1998 for full details, applicability and requirements.

Your understanding and compliance with application procedures can streamline the process and help you avoid any unnecessary delays. Following these guidelines does not guarantee the approval of an application or the granting of a permit. The final resolution of any questions or conflicting statements will be the ***Inland Wetlands and Watercourses Regulations: Town of Barkhamsted***, and the ***Inland Wetlands and Watercourses Act of 1974***.

In this guide, the word "Commission" refers to the Barkhamsted Inland Wetlands Commission. The acronym "WEO" refers to the Wetlands Enforcement Officer. The Town has a Wetlands and Conservation Inspector who inspects property for permitted activities, enforces the Inland Wetlands and Watercourses Regulations (IWWR) of the Town.

If you have any questions regarding these procedures, please call the Wetlands Enforcement Officer or the Building and Zoning Office Administrator at (860) 379-1314.

## ❖ *Basic Information*

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### **Commission:**

The Inland Wetlands Commission is the Town's only land use agency that is mandated and empowered by the State of Connecticut to enforce the Inland Wetlands Act (sections 22a-36 and 22a-45 inclusive) of the Connecticut General Statutes as amended. Commission members, appointed by the Board of Selectmen, serve terms of two years during which they participate in ongoing training and educational programs intended to aid in the understanding and execution of their duties.

### **Permits and Exemptions:**

Landowners, contractors and land use professionals are advised to familiarize themselves with the ***Inland Wetlands and Watercourses Regulations: Town of Barkhamsted*** regarding activity in and around our wetlands and watercourses and to secure the proper permits and approvals before commencing any regulated activity.

Regulated activities include but are not limited to: polluting, clearing, removal of vegetated understory or stream cover, grubbing, grading, paving, excavating, filling, constructing, installing or repairing septic systems, depositing or removing material, diverting or obstructing water flow and discharging storm water within **100 feet** of a wetland or watercourse. Also subject to review and regulation are activities to be undertaken in upland areas which have a potential for affecting a wetland or water-course.

Permitted as-of-right and non-regulated uses in and around our watercourses and wetlands are very limited and narrow in scope. Therefore it is prudent, and often necessary, to obtain a declaration of exemption from the commission or its duly authorized agent, prior to conducting any such activity. **Some permitted as-of-right and non-regulated uses include certain farming and agricultural activities, boat mooring or anchorage. Uses incidental to the enjoyment and maintenance of residential property are permitted, but shall not include removal or deposition of significant amounts of material from or in wetlands or watercourses.**

### **Permitting Process:**

Permit Applications and Applications for Exemption are available in the Barkhamsted Building & Zoning Department and must be submitted to the Commission **no later than 3 days before the next scheduled meeting**. To avoid delay, or possible denial, please be sure to complete both the Town Application and the **(green) DEP Activity Reporting Form** and include the appropriate fees. See the Application Fees in the Regulations.

Agents representing the landowner must have a **letter of authorization** from the owner. Note: An ink signature is required on the application and on any agent authorization letters. The commission must allow a waiting period of 14 days (from the official date of receipt) before acting on a Permit Application. Exemptions do not require a waiting period. Generally the permitting process is completed within 65 days, however, complex projects, review by experts and public hearings, if necessary, may require more time.

The Inland Wetlands Commission regards all violations of its regulations as serious and has several avenues of redress available to it in dealing with such cases. Violators - both the landowner and his agent(s) - are subject to enforcement actions and orders.

Please, help us protect and preserve our Town's and our State's precious water resources by understanding and upholding The Inland Wetland and Watercourses Regulations.

## ❖ *Question and Answers*

### **Q** *When do I need to make an application for an Inland Wetlands Permit?*

- A. When the proposed activity is in, or within 100 feet of a wetland or watercourse, or
- B. When the proposed activity is outside the 100-foot area, but has the potential to adversely affect or impact wetlands or watercourses down slope.

### **Q** *What defines a wetland or watercourse?*

- A. Connecticut's definition of wetland are based on soil characteristics. The soil type of wetlands are poorly drained, very poorly drained, alluvial, and floodplain. Wetlands may not always appear wet. For example floodplain soils are considered wetlands regardless of drainage class. Areas disturbed by human activities and are no longer in their natural state, may also be classified as wetlands due to their soil characteristics. Identifying wetlands by soils allow us to identify wetlands during times of drought when there is no surface water present, or during winter when characteristics wetland indicator plants may not be obvious,
- B. Watercourses mean rivers, streams, brooks, waterways, lakes, ponds, 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 the lands of the Barkhamsted township.
- C. The Department of Environmental Protection has a lot of information that defines what a wetlands is. Approximately 17% of Connecticut's land area is comprised of wetlands. [www.ct.gov/dep](http://www.ct.gov/dep)

### **Q** *How do I determine whether I have regulated wetlands or watercourses on or near my property?*

- A. You should first consult the map entitled ***Official Inland Wetlands and Watercourses Map, Barkhamsted, Connecticut***. This map delineates the general location and boundaries of inland wetlands and watercourses in Barkhamsted, and is available for inspection in the office of the Town Clerk. The map is only a guide and may not be accurate in all instances.
- B. The surest way to determine the extent of wetlands and watercourses on your property is to have a Certified Soil Scientist (CSS) make a field inspection and/or take soil samples, and enter his findings clearly on your property map. You should forward the findings to the Commission on the official letterhead showing the name and address of the CSS, his signature, and seal. Since this information is required for most applications, you may want to bring it to the Commission's attention as part of the pre-application process.

- C. You may contact the WEO, who at your request or the request of the Zoning Commission, will make a site visit to ascertain any site conditions which could relate to wetlands or watercourses on or off your property. The WEO will report her findings to you, the Inland Wetlands Commission, and the Zoning Commission. See Note

*Note: The Zoning Commission, to whom all applications for land use or construction activities must be referred, may decide to request the opinion and/or approval of the Inland Wetlands Commission before considering an application where wetlands and/or watercourses are believed to exist.*

**Q** *What is required if I do not have wetlands or watercourses on or near my property or if the work I propose to do is of no consequence to the wetlands*

- A. When, through any of the above steps, it has been determined that there are no wetlands or watercourses on your property, or that the proposed activity will have no, or marginal impact, on existing wetlands and/or watercourses, the Commission or the WEO, acting as its Agent, may make a decision that no application is necessary. In some circumstances, you may be asked to provide the Commission written confirmation, from a CSS, that no wetlands or watercourses exist on your property or near the proposed activity. Such confirmation should include the name and address of the property owner, date of testing, name and address of the CSS, his signature, and seal.

**Q** *What if I do have wetlands or watercourses on my property and need to ascertain whether the Commission has jurisdiction over my proposed activity?*

- A. Consult the WEO who can be reached by calling 860-370-1314 and make an appointment. The WEO can advise you as to whether your activity is regulated and requires a permit, or in some cases can make a declaratory ruling that a permit is not required.
- B. In some cases the WEO may recommend that you come to the Commission for pre-application advice. If so, stop in the Planning & Zoning Office and fill out a request form. You will be placed on the agenda of the Commission's next regularly scheduled meeting, or given an alternative date if additional time is required. In either case, bring a map of the property, indicating the location of wetlands and / or watercourses, and a description of the proposed property activity. There is no charge for pre-application advice, and it often helps delays in the application process.

❖ *Question and Answers (continued)*

**Q** *How do I become better acquainted with the Inland Wetlands Regulations?*

- A. A copy of the Barkhamsted Inland Wetlands & Watercourses Regulations, Town of Barkhamsted is available for examination in the Planning & Zoning Office. Copies are available at a cost of \$10.00.

**Q** *How do I apply for an Inland Wetlands Permit?*

- A. Obtain and complete the following application forms from the Barkhamsted Planning & Zoning Office
1. **Town of Barkhamsted Inland Wetlands Application for a Permit.** Note: The application form **MUST** be signed by the property owner of record, in ink, regardless of whether or not someone else is acting as an agent for the owner.
  2. **Statewide (DEP) Inland Wetlands Activity Reporting Form.** If you need assistance contact the Land Use Office prior to the scheduled meeting.

*Note: The Commission will not consider incomplete applications.*

- B. Present the completed applications and all attachments to the Land Use Secretary (or leave in the office) along with:
1. **One check payable to the Town of Barkhamsted** and including:
    - a) The basic application fee of **\$50.00**.
    - b) **Plus an additional fee of \$29.00 required by the DEP, State of Connecticut.**
    - c) Plus any additional fees as indicated on the fee schedule. See **Section 19.5** of the **Barkhamsted Inland Wetlands And Watercourses Regulations.**
  2. **Agent Authorization** - Anyone acting as an agent for the property owner **MUST have a written letter of authorization**, signed and dated by the property owner.

**Q** *How is my application processed?*

- A. Once you bring your completed application and all supporting materials to the Planning & Zoning Office, the Land Use Secretary will:
1. Date stamp each item received, noting 14\*days and 65\*days from “date of receipt” of your application.  
*\* State statutes require that the Commission wait 14 days after an application is received before acting on it, and that the Commission must act on the application within 65 days after it is received unless an extension is requested by the applicant and approved by the Commission.*

2. Create a folder labeled with your name, street and application number, and containing all of the forms, maps, and other data received.
- B. The WEO will then:
1. Review the application and supporting materials, in the folder, for completeness and note any omissions.
  2. If time and conditions permit, the WEO will review the site, discuss the project with the applicant and/or applicant's agent, and request any additional information the WEO deems necessary for the Commission's review.
  3. The WEO will summarize the findings and recommendations, including notices of omissions, in a report to the Commission.
- C. The secretary adds completed applications to the agenda of the next regularly scheduled meeting, following the day the application is received, for its initial review or pre-application review.
- D. You and/or your designated agent should appear before the Commission on the date your application is to be reviewed. You should be ready to answer any questions that might arise regarding your application. If additional information or data is required, the Commission will inform you or your designated agent, and request that it be submitted prior to or at the next regularly scheduled meeting.
- E. If the Commission feels that a Public Hearing, on your application, is warranted, you will be informed and a date for the hearing will be set.
- F. The Commission may schedule a site visit to visually inspect the property and wetlands/watercourses involved. You and/or your designated agent are encouraged to attend the site visit to answer any questions that may arise. Note: Site visits are "noticed" and are open to the public under the Freedom of Information Act. A Site Inspection Report will be written, formally accepted at the next Commission meeting and become part of the application file.
- G. Once all the questions have been answered satisfactorily at a Public Hearing, and the required data and maps presented, the Commission will discuss the proposed application at its next regularly scheduled meeting. Following the discussion, a motion will be made to approve or deny the permit application. The motion may carry with it certain conditions for approval. A vote is taken and may be carried by a simple majority of the members seated.
- H. You will be notified at the meeting, and formally by letter, of the decision of the Commission.

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**Inland Wetlands Commission Guide**  
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