

**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**MINUTES – AUGUST 21, 2008**  
**Work Session - Regulations**

**MEMBERS PRESENT:** Richard Girouard, Chairman  
 Andrew Lubin  
 Arlyne Fox  
**ALSO PRESENT:** Stephen Savarese, PE, LS - Town Engineer  
 Neil Lieberthal - Town of Trumbull Attorney

The Chairman opened the work session at 7:00 p.m.

There was discussion on public hearing fees and site walk fees. Public hearing fees will be set when the Commission receives an application. The Commission will be able to waive public hearing fees. Publication costs were also discussed.

The following changes were discussed and made:

2.1 – “Disturbance” or was added to definition: “Disturb the natural and indigenous character of the wetland or watercourse”...

Section 19 – Application fees were discussed and new fees were made part of the Regulations as follows:

**19.1** Method of Payment. All fees required by these regulations shall be submitted to the Agency by check or money order payable to the Town of Trumbull at the time the application is filed with the Agency.

**19.2** No application shall be granted or approved by the Agency unless the correct application fee is paid in full or unless a waiver has been granted by the Agency pursuant to Subsection 19.7 of these regulations.

**19.3** Fees are not refundable.

**19.4** Definitions. As used in this section:

“Residential uses” means activities carried out on property developed for permanent housing or being developed to be occupied by permanent housing.

“Commercial uses” means activities carried out on property developed for industry, commerce, trade, recreation, or business or being developed to be occupied for such purposes, for profit or nonprofit.

“Other uses” means activities other than residential uses or commercial uses.

**19.5** Fee Schedule. Application fees shall be based on the following schedule:

a. Regulated Activities

|                                   |          |
|-----------------------------------|----------|
| Residential Uses                  | \$300.00 |
| Plus fee from Schedule A, B and C |          |

|                                   |          |
|-----------------------------------|----------|
| Commercial Uses                   | \$500.00 |
| Plus Fee from Schedule A, B and C |          |

|                                   |          |
|-----------------------------------|----------|
| All other uses                    | \$500.00 |
| Plus fee from Schedule A, B and C |          |

|  |          |
|--|----------|
| Permanent wetland disturbance - additional | \$500.00 |
|--|----------|

|                                   |          |
|-----------------------------------|----------|
| Approval by Duly Authorized Agent | \$100.00 |
| Plus Schedule C                   |          |

|  |          |
|--|----------|
| Appeal of Duly Authorized Agent Decision | \$200.00 |
| Plus Schedule C                          |          |

(The fee for an appeal of an authorized agent decision shall be reimbursed upon reversal of such Agent Approval decision by the Commission. Said reimbursement shall not include the State DEP surcharge fee.)

b. Permitted and Nonregulated Uses:

|                            |     |
|----------------------------|-----|
| Permitted Uses as of Right | n/a |
| Nonregulated Uses          | n/a |

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|--|----------|
| c. Regulation Amendment Petitions  | \$500.00 |
| Plus administrative costs and notification fees  |          |
| (Does not include Notices to or Regulation Advisories from DEP)  |          |
| d. Map Amendment Petitions   | \$500.00 |
| Plus Fee from Schedule C   |          |
| e. Modification of Issued Permit:  | \$100.00 |
| Plus Schedule A  |          |
| f. Subdivision reports/recommendations with regulated activity (per lot)   | \$20.00  |
| Residential \$100 minimum - \$300.00 max   |          |
| Commercial \$100 minimum - \$500.00 max  |          |
| Subdivision reports/recommendations with no regulated activity   |          |
|  | n/a      |
| g. Renewal of Issued Permit  | \$100.00 |
| h. After-the-Fact Surcharge of 200% of fees paid under this Section. That is, the total amount paid will be three times the amount that would have been due had the application not been after-the-fact. This surcharge is in addition to any other fines or penalties that may be assessed. |          |

**SCHEDULE A – ADDITIONAL FEES**

|  |          |
|--|----------|
| a. Regular hearing   | n/a      |
| b. Public Hearing (fee must be paid within 10 calendar days after Agency's receipt of application) | \$500.00 |
| c. Expert Analysis Fee (pursuant to Section 10.7 of these Regulations)                             | Varies   |

**SCHEDULE B.** Additional fees for areas of regulated activity. For the purpose of calculating the permit application fee, the area in Schedule B is the total area of wetlands, watercourses and upland review area. These fees shall be added to the fees as indicated in section 19.5 (Fee Schedule).

**SCHEDULE B. SQUARE FEET OF AREA**

|   |          |
|---|----------|
| a. Less than 1,000                                      | \$50.00  |
| b. 1,000 to 5,000                                       | \$100.00 |
| c. More than 5,000                                      | \$100.00 |
| (plus \$50 for every additional 1000 sq ft, rounded up) |          |

**SCHEDULE C.** Additional fees for DEP reporting \$30.00  
(State Environment Fee - established by the State Department of Environmental Protection)

- 19.6** Exemption. Boards, commissions, councils and departments of the Town of Trumbull are exempt from all fee requirements.
- 19.7** Waiver. The applicant may petition the Agency to waive, reduce or allow delayed payment of the fee. Such petitions shall be in writing and shall state fully the facts and circumstances the Agency should consider in its determination under this subsection. **The Agency may waive all or part of the application fee or any additional fees in its reasonable discretion.** The Agency shall state upon its record the basis for all actions under this subsection.

The Chairman closed the work session at 9:10 p.m.

Respectfully submitted,

BY: \_\_\_\_\_  
Joyce Augustinsky, Clerk