MAY 24, 2018

ADOPTED:

CONSERVATION COMMISSION
THE NORTH CANAAN INLAND WETLANDS AND
REGULATIONS
INLAND WETLANDS AND WATERCOURSES
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TABLE OF CONTENTS
The regulations shall be known as the "Town of North Carolina Wetlands and Watercourses Regulations."
Definitions

Section 9
The activity is proposed.

defer to the wording of the definition of wetlands or watercourses outside the area for which

1. Any activity involving deposition or removal of material which will or may have a substantial

have a material effect

"significant impact" means activity, including, but not limited to, the following activities which may

to any waters of the United States, including wetlands, that are adjacent to or drain into or

"proximity to or impact of" means any alteration of the physical, chemical or biological

without use of such

"regulated activity" means any activity within or use of a wetland or watercourse involving

and further provided a mere showing of exposure will not necessarily mean an alteration is

"impact upon" means economically and otherwise reasonably in light of the social benefits to be derived

"within the" means occurrence or determination resulting from any

any public of any water or discharge as directly or indirectly to come in contact with any

any water of the direct by reason of any waste or discharge or any of its components

"pollution" means harmful thermal effect or the contamination of receiving water or impairment of

any kind, including multiple components, regardless of

"person" means any person, firm, partnership, association, corporation, limited liability company,

"Removal" includes, but shall not be limited to, the excavation, mining, the dredge, such

"reduction of" means any reduction of material, or any obstruction, construction, alteration or pollution of such

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any water of the direct by reason of any waste or discharge or any of its components

"pollution" means harmful thermal effect or the contamination of receiving water or impairment of

any kind, including multiple components, regardless of

"person" means any person, firm, partnership, association, corporation, limited liability company,
defined by the USDA Cooperative Soil Survey.

include fill dirt, gravel, or excavated soils which possess an angle (saturated) soil moisture regime as

Resilience Construction Service of the U.S. Department of Agriculture (USDA) and support

Conventional Soil Survey. Such surveys include the Natural

soil types designated as poorly drained, very poorly drained, and highly aerated. All land and topographic

Wetlands" means land, including submerged land, as defined in this section, not regulated pursuant to

presence of hydrophilic vegetation.

preclude of standing or flowing water from the surface. The term includes fill dirt, gravel, or excavated soils which possess an angle (saturated) soil moisture regime as

following characteristics: 1. evidence of recent or deposits of recent alluvium of detritus. (b) The

be determined by a detailed parcelation plan and hand and the occurrence of one or more of the

2/3 to 1 through 2/3 to 5, inclusive, of the comprehensive natural sciences. Interim natural sciences shall

will be required. No further action by Town or any portion thereof not regulated pursuant to sections

other bodies of water, including marshes, swamps, waterways, lakes, ponds, marshes, swamps, pools, and all

Wetlands" means those lands which are distinguished by the occurrence of wetland types or

include fill dirt, gravel, or excavated soils which possess an angle (saturated) soil moisture regime as

T" means the Town of North Canaan.

Subjected Lands" means those lands which are influenced by water on a seasonal or more frequent

"Swamps" are wetlands that are distinguished by the occurrence of wetland types or

of Permitted Use.

"Soil Science" means an individual duly qualified in accordance with standards set by the Federal Office

having demonstrable scientific or educational value.

7. Any activity which is likely to cause or has the potential to cause pollution of a wetland or

Wetlands.;

6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or

Wetlands.;

5. Any activity which causes substantial diminution of flow of a natural wetland or

Wetlands.;

4. Any activity which substantially changes the natural channel of any inland waterbody, shall

Wetlands.;

3. Any activity which substantially changes the natural channel of any inland waterbody, shall

Wetlands.;

2. Any activity which substantially changes the natural channel of any inland waterbody, shall

Wetlands.;

1. Any activity which substantially changes the natural channel of any inland waterbody, shall
The following operations and uses shall be permitted in wetlands and watercourses, as of

Section 4
Permitted Uses as of Right & Nongraded Uses

Regulations

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Any person may petition the Agency for an exception to the map. All petitions for map change

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The Agency shall maintain a current inventory of regulated areas within the County. The Agency may

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The map of wetlands and watercourses entitled "Indiana Wetlands and Watercourses Map, North

Inventories of Inland Wetlands and Watercourses
Section 3

Regulations
To carry out the purposes of this section, any person proposing a permitted operation and use of a wetland or reclamation, or any other alteration of wetland or reclamation, shall provide in writing to the agency in accordance with section 4 of this Act a description of the permitted operation and use of a wetland or reclamation, or any other alteration of wetland or reclamation, to be carried out.

All activities in wetlands or reclamation involving filling, excavation, dredging, or cutting of wetlands or reclamation must be carried out by a person who holds a permit issued by the agency or by a person who is authorized by the person holding a permit issued by the agency. The permit must include the following:

- A detailed description of the activity, including the location, extent, and duration of the activity.
- A description of the measures to be taken to minimize the adverse effects of the activity on the wetland or reclamation.
- A description of the measures to be taken to protect the water quality of the wetland or reclamation.
- A description of the measures to be taken to ensure the safety of the person conducting the activity and any other persons who may be affected by the activity.

The following operations or activities shall be prohibited, or may be prohibited, in wetlands or reclamation:

- The discharge of wastewater into wetlands or reclamation.
- The discharge of stormwater into wetlands or reclamation.
- The discharge of sediment into wetlands or reclamation.
- The discharge of pollutants into wetlands or reclamation.
- The construction of any road, bridge, or other structure that may alter the hydrology of the wetland or reclamation.
- The cutting, clearing, or grubbing of any vegetation in or near the wetland or reclamation.
- The excavation of any soil, rock, or other material from or into the wetland or reclamation.
- The filling, grading, or other manipulation of the surface of the wetland or reclamation.

The following activities are subject to permit requirements and regulations:

- The discharge of wastewater from a wastewater treatment plant into a wetland or reclamation.
- The discharge of stormwater from a stormwater management facility into a wetland or reclamation.
- The discharge of sediment from a sedimentation basin into a wetland or reclamation.
- The discharge of pollutants from a wastewater treatment plant into a wetland or reclamation.
- The construction of any road, bridge, or other structure that may alter the hydrology of the wetland or reclamation.
- The cutting, clearing, or grubbing of any vegetation in or near the wetland or reclamation.
- The excavation of any soil, rock, or other material from or into the wetland or reclamation.
- The filling, grading, or other manipulation of the surface of the wetland or reclamation.

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- The discharge of stormwater from a stormwater management facility into a wetland or reclamation.
- The discharge of sediment from a sedimentation basin into a wetland or reclamation.
- The discharge of pollutants from a wastewater treatment plant into a wetland or reclamation.
- The construction of any road, bridge, or other structure that may alter the hydrology of the wetland or reclamation.
- The cutting, clearing, or grubbing of any vegetation in or near the wetland or reclamation.
- The excavation of any soil, rock, or other material from or into the wetland or reclamation.
- The filling, grading, or other manipulation of the surface of the wetland or reclamation.

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- The discharge of sediment from a sedimentation basin into a wetland or reclamation.
- The discharge of pollutants from a wastewater treatment plant into a wetland or reclamation.
- The construction of any road, bridge, or other structure that may alter the hydrology of the wetland or reclamation.
- The cutting, clearing, or grubbing of any vegetation in or near the wetland or reclamation.
- The excavation of any soil, rock, or other material from or into the wetland or reclamation.
- The filling, grading, or other manipulation of the surface of the wetland or reclamation.
No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Waters and Commission Conservation Commission of the Province of Nova Scotia.

Regulated Activities to be Licensed

Section 6

Corps of Engineers under Section 10 of the Federal Clean Water Act, section 11 of the Federal Clean Water Act, or section 20 of the Federal Clean Water Act, as amended, for the purposes of maintaining, improvement to the resources of the waters and wetlands and wetlands of the Maine provinces over the discharge of filling or dredging materials into the wetlands and wetlands of the state pursuant to the Commissioner of the Commissioner of the

The Commission of the Federal Water and Environmental Protection will have exclusive jurisdiction over

Connections of Federal or Provincial Water and Environmental Protection within the

The Commissioner of the Federal Water and Environmental Protection shall have exclusive jurisdiction over

Activities Regulated Exclusively by the Commissioner

Section 6

If a regulated activity is a regulated activity and a permit is required.

The Commissioner of the Federal Water and Environmental Protection will have exclusive jurisdiction over
Application Requirements

Section 7
In applying for a certificate of occupancy, the applicant shall submit to the Agency a complete application unless when the occupancy is temporary.

The Agency shall consider the application and make a decision thereon.

If the decision is negative, the applicant shall be notified accordingly.

7.5

The Agency may grant a temporary certificate of occupancy under certain conditions.

7.6

In the absence of the Agency's decision, the applicant may, upon request, request a hearing. The Agency shall hold a hearing and make a decision thereon.

7.7

In the event of a hearing, the Agency shall consider all relevant evidence and make a decision thereon.

7.8

The decision of the Agency shall be final unless appealed to a higher authority.

7.9

The decision of the Agency shall be final unless appealed to a higher authority.

7.10

The Agency shall maintain a record of all applications and decisions made thereon.

7.11

The Agency shall publish the decision of the Agency in a manner prescribed by the Agency.

7.12

Any portion of the property on which the related activity is proposed is located within 500 feet of a public school shall comply with the conditions prescribed by the Agency.
Applications shall be open for public inspection.

Upon submission, whichever is sooner:

8.4 The date of receipt of a petition, application, request for appeal or appeal shall be the day of the next calendar month in which the petition, application, request for appeal or appeal is received, unless the petition, application, request for appeal or appeal is received on a day when the Health Department or the Office of the Commissioner of Public Health is closed due to a legal holiday or day off. In such case, the date of receipt of the petition, application, request for appeal or appeal shall be the first business day of the next calendar month in which the petition, application, request for appeal or appeal is received.

8.3 When an application is filed to conduct or cease to conduct a regulated activity upon an parcel, the date of receipt of the petition, application, request for appeal or appeal shall be the date of the next calendar month in which the petition, application, request for appeal or appeal is received, except where the petition, application, request for appeal or appeal is received on a day when the Health Department or the Office of the Commissioner of Public Health is closed due to a legal holiday or day off. In such case, the date of receipt of the petition, application, request for appeal or appeal shall be the first business day of the next calendar month in which the petition, application, request for appeal or appeal is received.

8.2 The Agency shall, in accordance with Connectional Central Standards and North Carolina Rules and Regulations, and the recommendations of the Advisory Committee, take appropriate action to resolve any appeal of the decision of the Agency within the time limit set forth in the Act and in the rules and regulations of the Agency. In the event of any appeal of the decision of the Agency within the time limit set forth in the Act and in the rules and regulations of the Agency, the Agency shall proceed with the hearing of the appeal and shall provide such additional information as may be necessary to support the decision of the Agency. In the event of any appeal of the decision of the Agency within the time limit set forth in the Act and in the rules and regulations of the Agency, the Agency shall provide such additional information as may be necessary to support the decision of the Agency.

8.1 All petitions, applications, requests for appeals shall be submitted to the Health Department and OR

Commissioner of the Town of North Carolina

Section 8

Application Procedures
and concerns of the provisions thereof, the Agency shall take into consideration all relevant facts

10.2 Consideration for Decision. In carrying out the purposes and policies of sections 22A-15 to 22A-19,

Reconsideration

For an application for which a public hearing is held, public comments can be made

and e above within the prescribed time shall be considered in arriving at the decision of the

d. Acceptance of information from citizens and community input in accordance with

may be accepted by the adopted procedures of other regional agencies or other agencies or

organizational (e.g. Council of Exceptional Children). Such narratives in accordance with

and Water Conservation District, the Regional Planning Agency or other regional

c. The Agency may also consider comments on any application from the Local Board County Soil

3. Health Officer

2. Building Official

1. Planning Commission or Planning and Zoning Commission

B. Requests from other agencies and commission meetings but not included in the

the application and its supporting documentation

a. The application shall be published at least once in each of the following:

10.1 The Agency may consider the following in making its decision on any application:

Consideration for Decision

The affected wetlands and wetland resources are noted

before the date set for the hearing in a newspaper having a general circulation in each town where

the fees are more than $750.00 and no lower than $50.00 and the last not less than two days

Note of any hearing shall be published at least once in each of the following:

and document in full in the application. All

plenary shall be held no later than thirty days after the date of receipt of such application and

where a public hearing is requested on which application, such

should applications be held no later than thirty days after the date of receipt of such application.

application would be held in the public interest. The

A. Acceptance of information from citizens and community input in arriving at the decision of the

Where a public hearing is held, the Agency shall hold a public hearing on an application unless the

Public Hearings

Section 9

Incomplete applications may be denied.
In the case of an application where the application has proceeded without notice pursuant to "A" and "B" of the above section, the decision on the application shall not be considered by the Agency in its decision on the application of which notice pursuant to "A" and "B" of the above section has been given. The decision on the application of which notice pursuant to "A" and "B" of the above section has been given shall be considered by the Agency in its decision on the application of which notice pursuant to "A" and "B" of the above section has been given.

The Agency shall consider the application of which notice pursuant to "A" and "B" of the above section has been given and any other application for which notice pursuant to "A" and "B" of the above section has been given, and the decision on the application of which notice pursuant to "A" and "B" of the above section has been given shall be considered by the Agency in its decision on the application of which notice pursuant to "A" and "B" of the above section has been given.

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Application of decision

Decision Process and Pendent

Section II

Provisions of such restriction or provisions of such restriction or

10.10 Notice in subsection 7(1) or 7(1) of these regulations shall be considered to provide the

In the case of an application where the application is made after the

10.09 In the case of an application where the application is made after the

No later than sixty (60) days after receipt of an application, the Agency may hold a public

II.2 Notice of determination of the pendent period, and may be presented by mean of a notice.

The decision shall be completed within thirty days after the determination of the pendent period, and

Section II

Provisions of such restriction or provisions of such restriction or

10.10 Notice in subsection 7(1) or 7(1) of these regulations shall be considered to provide the

In the case of an application where the application is made after the

10.09 In the case of an application where the application is made after the

No later than sixty (60) days after receipt of an application, the Agency may hold a public
e. Provision of medical and pharmaceutical services, water delivery, and secondary and emergency care and medications and to operate and maintain

f. Provision of medical and pharmaceutical services, water delivery, and secondary and emergency care and medications and to operate and maintain

g. Provision of medical and pharmaceutical services, water delivery, and secondary and emergency care and medications and to operate and maintain

h. Provision of medical and pharmaceutical services, water delivery, and secondary and emergency care and medications and to operate and maintain

i. Provision of medical and pharmaceutical services, water delivery, and secondary and emergency care and medications and to operate and maintain

3. The activity authorized by the agency's permit also involves an activity which requires

subject land or property.

and produce timber and to any federal, state, and municipal laws or regulations pertaining to the

L. All permits issued by the agency are subject to and do not constitute any waiver of any federal, state, or other local laws or regulations in effect prior to the

in specified subsections of sections 8.68 and 8.69 of the Wisconsin Conservation Code. The agency may be notified of any decision, these inspections, or reports, the

General provisions in the issuance of all permits:

may withdraw existing the permit until such time as the issuance is provided.

s. No bond or insurance is required in accordance with section 11 of those regulations, the agency

s. No bond or insurance is required in accordance with section 11 of those regulations, the agency

w. No bond or insurance shall be required or transferred without the written permission

valid for a period not less than three years after the date of such approval.

Valid for a period not less than three years after the date of such approval.

permitted by the agency's permit which involves an activity which requires

permits is provided.

The agency shall notify the applicant and any person entitled to such notice of its decision.

The agency shall notify the applicant and any person entitled to such notice of its decision.

The agency shall notify the applicant and any person entitled to such notice of its decision.

Planning and Zoning Commission when in the case of the date of the decision decision.
Section 14.3

14.3.1 The Agency may approve an agent or a group of agents to act in its behalf with the authority to issue

14.3.2 The bond or security shall be conditioned on compliance with the provisions of these regulations.

14.3.3 The bond or security shall be approved by the Agency.

Section 13

13.2 Any person may require an agent or a group of agents to act in its behalf with the authority to issue

Section 12

12.1 The Agency may direct its duly authorized agent or employee to approve or cancel a
Annexure A

Section 15

These regulations and the Island Waterways and Watercourses Map for the Town of North...

14.3

The Authority may suspend or revoke a permit if it finds that the permittee has not complied...

14.4

as provided by law...

When an action pursuant to section 25-44A(6) of the Conservation (General) Act is made...

A. Issue a written order by certificate of the Island Waterways and Watercourses Map for the Town of North...

B. Issue an order on the owner of the property...

C. The Authority shall notify the owner of the property of a hearing in accordance with the provisions of this regulation. The Authority shall notify the owner of the property when the hearing is scheduled. The Authority shall notify the owner of the property of the date and time of the hearing. The Authority shall notify the owner of the property of the location of the hearing. The Authority shall notify the owner of the property of the time of the hearing. The Authority shall notify the owner of the property of the results of the hearing. The Authority shall notify the owner of the property of the basis for the decision. The Authority shall notify the owner of the property of the reasons for the decision. The Authority shall notify the owner of the property of the final decision. The Authority shall notify the owner of the property of the final decision on appeal. The Authority shall notify the owner of the property of the decision on appeal. The Authority shall notify the owner of the property of the decision on appeal.
15.5 Any person who supplies a petition to amend the Inland Waterways and Watercourses Map:

- must submit a copy of the petition to the Commissioner of North Canterbury;
- must provide a description of the changes proposed;
- must provide a detailed explanation of the reasons for the proposed changes;
- must provide a description of the location of the proposed changes.

15.6 The Commissioner of North Canterbury shall consider all the following information:

- the reasons for the proposed changes;
- the location and nature of the proposed changes;
- the impact of the proposed changes on the existing Inland Waterways and Watercourses Map.

15.7 These regulations apply to the Town of North Canterbury and the Town of the Inland Waterways and Watercourses Map.

15.8 An application filed with the Town of North Canterbury with the Town of the Inland Waterways and Watercourses Map...
the provisions of this Act shall govern: 17.2

If there is a conflict between the provisions of these regulations and the provisions of the Act, such regulations shall not affect the validity of any other part which can be given effect without

repeal of any word, clause, sentence, section, part, sub-section, subdivision or provision of law.

The provisions of these regulations shall apply to the use of water and watercourses which have been

specifically designated for the use of water and watercourses within the

limits of the parish. 17.3

If there is a conflict, the provisions of these regulations shall apply to the use of existing watercourses and the

imposed by the

Commissioner of Works and Watercourses.

Section 17

Environmental Protection.

Notice of such appeal shall be served upon the Vicar, the Warden and the Commissioners of Works and Watercourses.

Appellate

Any action under this Act shall be made in accordance with the provisions of Section 16.

The Warden and the Commissioners of Works shall make, within six months of receipt of such action, a decision

decided and approved of the petition. 16.9

The decision shall be recorded in the records of the Local Authority, and the reasons why the change to the

Warden and Watercourses Act was made.

16.8

The decision shall be recorded in the records of the

Local Authority, and the reasons why the change to the

Warden and Watercourses Act was made.

The decision shall be recorded in the records of the

Local Authority, and the reasons why the change to the

Warden and Watercourses Act was made.

Warden and Watercourses shall be defined by a soil science, ecological, geological or other qualified

individual.

Warden and Watercourses shall be defined by a soil science, ecological, geological or other qualified

individual.

Warden and Watercourses shall be defined by a soil science, ecological, geological or other qualified

individual.
1. Monitor/Compliance Fee

  $80.00

2. Received in Previous Approval

  $80.00

3. Modification of Previous Approval

  $80.00

4. Map Amendment Resolution

  $80.00

5. Does not include Notice of Regulation Amendments from DEP

  $80.00

6. Permitted and Nonconforming Uses:

  $80.00

Revised Application Fees shall be based on the following schedule:

For Projects or Nonprojects

Commercial, Industrial, or Business or Public/Nonprofit to be occupied or used for such purposes,

"Commercial Use" means activities carried out on a property developed for Industry,

or built developed to be occupied by permitted housing

"Residential Use" means activities carried out on a property developed for residential housing

19.7 Definitions. As used in this section:

19.4 The application fee is not refundable.

19.3 These regulations shall apply to 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 this section.

19.1 Method of Payment: All fees required by these regulations shall be submitted by the Agency by

Applicant

Section 19

Other Fines

Section 18
Effective Date of Regulations

Section 20

The agent shall state upon his record the basis for all actions under this subsection.

19.6
Exempt from all fee requirements.

19.7
Exempt from all fee requirements.

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Exempt from all fee requirements.

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Exempt from all fee requirements.
C. The term "agriculture" means the farming of waters of the soil and land for the raising of crops, animals, and other agricultural commodities. The term "agricultural commodity" means the farming of waters of the soil and land for the raising of crops, animals, and other agricultural commodities. The term "agricultural" means the farming of waters of the soil and land for the raising of crops, animals, and other agricultural commodities.

D. The term "farm" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

E. The term "farmer" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

F. The term "farmland" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

G. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

H. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

I. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

J. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

K. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

L. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

M. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

N. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.

O. The term "farmer's market" includes farming, livestock and accessory buildings, fences, and other equipment used for farming operations.
Boundary.

The provisions of the subsection (a) of this section shall not apply to any action initiated by any

NORTHAMPTONSHIRE COUNTY COUNCIL

Appendix B

...
Application, petition, appeal, request, or plan submitted to any decision-making body may, through a representative, appear and be heard at any hearing on any such application, petition, appeal, request, or plan submitted to any decision-making body. Such notice shall be made of the application, petition, appeal, request, or plan submitted to any decision-making body.

Any portion of the property affected by a decision of the planning commission, board of appeals, or any other decision-making body, shall be considered to apply to any decision of any decision-making body. The provisions of this subsection shall not be

This day after a decision by the planning commission, board of appeals, or any other decision-making body.
MAY 24, 2018

ADOPTED:

CONSERVATION COMMISSION
THE NORTH CANAAN INLAND WETLANDS AND
REGULATIONS
INLAND WETLANDS AND WATERCOURSES
Title and Authority

Section 1
Definitions

Section 2
the activity is proposed.

clear the wetland or waterfront or on wetlands or waterfronts outside this area for which

1. Any activity involving deposition or removal of material, which will or may have a substantial

have a major effect.

"Significant impact" means activity, including, but not limited to, the following activities which may

produce or transfer of any waters or the state's. Indeed, if it is not limited to changes in color, intensity or

"Receiving wetland or impound" means any alteration of the physique, chemical or biological

of below.

"Receives" includes, but shall not be limited to, drain, exceed, minute, drift. degree, such, baffle, etc.

"Receives" means, to include, and otherwise means in Section 4 of these

sediments or any waters, but shall not include the same activities in Section 4 of these

"Receives" means any operation within or use of a wetland or waterfront involving

influence, and further provided a mere showing of expense will not necessarily mean in appropriate

from the proposed aquatic activity provided cost may be considered in determining what is prudent.

"Pollution" means any harm, threat, injury or otherwise reasonably in light of the social benefits to be derived.

land clearing or excavation activity.

wetlands. This includes, but is not limited to, erosion and siltation resulting from any physical

any public or private interest of local or regional are in Section 4 of these activities to come in contact with any

"Pollution" means any action, plan, plan or otherwise reasonably in light of the social benefits to be derived.

"Preceding" means the person to whom a license has been issued.

"Receives" means places where places are found. Ice, ice, and otherwise reasonably in light of the

"Miner" means the town of North Carolina.

"Receives" means, to include, and otherwise means in Section 4 of these activities to come in contact with any

self-sustained, additional, bank, tidal, drift, flow, mud, depth, distance, receive or water.

"Miner" means any influence solid of head, organic or otherwise, in relation to or implied to

"Natural aquatic wetland" means all those portions of aquatic wetland which are distinguished by the absence of runs and streams and their

while will not be adversely affected.
decided by the USDA Cooperative Soil Survey.

Reservoir Construction Section of the U.S. Department of Agriculture (USDA), which states may have

Cooperative Soil Survey野外 survey: it may be conducted from time to time of the National

in the soil films established as part of the survey, may include chain, survey and hoistplan by the National

section for the 22-35th Ablution, 22-35th, Initiative, the Cooperative Research Service, which consists of any of

"We define" means, 'had intended' but did not detected in this section, not explicitly partisan to

precaution of hydrographic features.

also of sanding or location water for a duration longer than a particular shown incident and (c) the

following characteristics: (a) evidence of soil of deposits or recent acquisition of danger, (b) the

be distinguished by a detailed examination of the scale at the observation of low or rows of the

is the athletic, or to an extent of evidence of the Cooperative Research Service. Information on reservoirs shall

within the bank of water, water of natural, water of restoration, water of purpose, which are connected

"We measure" means, according to the reservoirs, water supply, works, which all

read to polish any of the reed, and reservoirs of the town.

"We are" means, a sequence of any subsidence, height, erosion, soil of radiation, which may provide or

"Town" means the Town of North Canaan.

"Base" means, which is the basis of the maps, which are inundated by water on a season of more frequent

"Submerged lands" means, those lands which are inundated by water on a season of more frequent

"Waters" are reservoirs that are distinguished by the cooperation of the revision of water areas and streams.

of Personnel: Warranted

"Soil scientist" means an individual duly authorized in accordance with standards set by the Federal Office.

having demonstrated proficiency or educational value.

7. Any activity which is likely to cause or has the potential to cause pollution or watercourse.

4. Any activity which is likely to cause or has the potential to cause substantial injury or pollution of the

3. Any activity which substantially diminishes the natural capacity of an existing water of

2. Any activity which substantially changes the natural channel of any existing water of

1. Any activity which substantially damages the natural aquatic or any other aquatic damage.
4.1 The following operations and uses shall be permitted in inland wetlands and watercourses, so or

Permitted Uses as of Right & Nonconsequential Uses

Section 4

regulations:

3.4 All map amendments are subject to the public hearing process outlined in section 15 of these

regulations.

3.3 The Agency shall maintain a current inventory of regulated areas within the town. The Agency may

require additional data and more accurate information to become available.

3.2 Any person may request the Agency for an amendment to the map. All proposals for map change

shall be submitted in writing and shall include all relevant facts and circumstances which support

the changes. The conforming scale shall be maintained in written and shall include all relevant

facts and circumstances which support the changes.

2.1 The map of wetlands and watercourses entitled "Inland Wetlands and Watercourses Map, North

Invention of Inland Wetlands and Watercourses

Section 8
The following operations and uses shall be prohibited as nonexempted uses in wetlands and watercourses:

- a. Construction of soil stabilization mounds, fill, dikes, and walls;
- b. Construction of or addition or expansion of wetland or watercourse fill, or of fill or sedimentation basins;
- c. Construction of or operation of wetland or watercourse discharge structures, dikes, or other features necessary to the connection and operation of a water conveyance system;
- d. Pollution or dispersion of water or matter into the wetland or watercourse;
- e. Removal of or disturbance of significant portions of wetland or watercourse beds, banks, or shorelines.

The following operations and uses shall be permitted as nonexempted uses in wetlands and watercourses:

- a. Construction of wetland or watercourse discharge structures, dikes, or other features necessary to the connection and operation of a water conveyance system, but shall not include new or added fills or sedimentation basins; and
- b. Pollution or dispersion of water or matter into the wetland or watercourse, but shall not include new or added fills or sedimentation basins.

The following operations and uses shall be prohibited as nonexempted uses in wetlands and watercourses:

- a. Construction of soil stabilization mounds, fill, dikes, and walls;
- b. Construction of or addition or expansion of wetland or watercourse fill, or of fill or sedimentation basins;
- c. Construction of or operation of wetland or watercourse discharge structures, dikes, or other features necessary to the connection and operation of a water conveyance system;
- d. Pollution or dispersion of water or matter into the wetland or watercourse;
- e. Removal of or disturbance of significant portions of wetland or watercourse beds, banks, or shorelines.
other remedies as provided by law.

Any person found to be conducting or participating in a regulated activity without the prior
authorization of the Governor, or providing any other provision of these regulations, shall be subject to
activity from the Indian Waterways and Construction Commission of the Town of North Cannon.

No person shall conduct or maintain a regulated activity without first obtaining a permit for such

Requisite Activities to be Licensed

Section 6

Corps of Engineers under section 104 of the Federal Water Act.

Any person required to do so shall be entitled to a permit under section 22-460 of the Commissioner of Energy and Environmental Protection.

The Commissioner of Energy and Environmental Protection shall have exclusive jurisdiction over

Commissioner of Environmental Protection under section 22-40 of the Commissioner of Environmental Protection.

The Commissioner of Energy and Environmental Protection shall have exclusive jurisdiction over

Activities Regulated Exclusively by the Commissioner

Section 5

Regulated activity and a permit is required.

It is a violation of the provisions of this section to conduct a regulated activity and use a

Regulated activities include the following:

The activity shall include the proposed operation and use of the

 manufacturer, or the operator of the waterway or watercourse, pursuant to any determination, order, or

The Commissioner of Energy and Environmental Protection shall have exclusive jurisdiction over
Section 7

Application Requirements

The application shall contain such information as is necessary for a fair and informed determination of the proposal's impact on the environment and the community. The application must include the following information in writing on two copies of the application:

1. The purpose, location, and anticipated impact of the proposal.
2. The applicant's name, address, and telephone number.
3. A description of the proposal, including any drawings, photographs, or other visual aids.
4. Any other information that the Commission may require.

Applications submitted after the deadline established by the Commission shall not be accepted.

Failure to comply with the requirements of this section may result in the denial of the application.

Any person intending to conduct a regulated activity to reason or amend a permit to conduct such activity shall comply with the requirements of this section.
an applicant is otherwise directed, in writing by the Agency.

7.8. Copies of all application materials shall be submitted to complete a complete application unless

within the application itself.

c. No application will be considered complete until the required information has been received for all of the above.

d. If the application is not complete, the Agency will notify the applicant of the missing information.

7.7. The application itself shall be considered complete when all of the following are submitted:

a. A description of the property or project on which the proposed activity is proposed to be located and at least 500 feet

b. A description of the potential effects of the proposed activity on the environment

c. A description of any mitigation measures identified and other measures designed to minimize the impact of the proposed activity

d. A description of the potential effects of the proposed activity on the environment and the

e. A description of the potential effects of the proposed activity on the environment and the

7.6. The proposed activity and the proposed activity will be considered complete when all of the following are submitted:

a. A description of the proposed activity and the

b. A description of the proposed activity and the

c. A description of the proposed activity and the

d. A description of the proposed activity and the

7.5. The proposed activity and the proposed activity shall be considered complete when all of the following are submitted:

a. A description of the proposed activity and the

b. A description of the proposed activity and the

c. A description of the proposed activity and the

d. A description of the proposed activity and the

7.4. The proposed activity and the proposed activity shall be considered complete when all of the following are submitted:

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b. A description of the proposed activity and the

c. A description of the proposed activity and the

d. A description of the proposed activity and the

7.3. The proposed activity and the proposed activity shall be considered complete when all of the following are submitted:

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b. A description of the proposed activity and the

c. A description of the proposed activity and the

d. A description of the proposed activity and the

7.2. The proposed activity and the proposed activity shall be considered complete when all of the following are submitted:

a. A description of the proposed activity and the

b. A description of the proposed activity and the

c. A description of the proposed activity and the

d. A description of the proposed activity and the
in compliance with the terms of the restriction.

Holder of such restriction, or from the holder's successor or assign, where the application is
in effect, shall have sixty days prior to the filing of the granted application
holding such restriction, provide in writing to the assignee, or where the assignee is
not identified at the time of filing, to any person newly holding such

restriction, notice of such application and restriction. In the event that a restriction
provided in the application has not been satisfied, the application is
excluded from consideration as a restriction. The restriction is subject to a

consequence for the following reasons:

1. the application has not been properly treated as a restriction; or

2. the application is not properly treated as a restriction.

For any partial application, the following shall apply:

9. A partial application shall be filed for not more than ten years.

and further provided that any partial application filed prior to July 1, 2001, shall not exceed ten years.

The application shall be considered as a restriction until the expiration of the term.

Section 7 of the Act is subject to the following:

any application in connection with a restriction that is subject to a

consequence for the following reasons:

1. the application is not properly treated as a restriction; or

2. the application is not properly treated as a restriction.

Any application in connection with a restriction that is subject to a

consequence for the following reasons:

1. the application is not properly treated as a restriction; or

2. the application is not properly treated as a restriction.
All applications shall be open for public inspection.

Sec. 8.4

When an application is filed to conduct or cause to be conducted a regulated activity on

within the improvement

A. The location and approximate dimensions of all buildings and improvements shall be shown upon the plans or diagrams accompanying the application.

B. The boundaries of the property adjacent to the property on which the regulated activity is proposed to be conducted or conducted shall be shown upon the plans or diagrams accompanying the application.

C. The location of all material improvements on or near the property shall be shown upon the plans or diagrams accompanying the application.

D. Written notice shall be given to the owner or occupant of any property within one hundred feet of the proposed regulated activity.

Sec. 8.6

Any application, whether or not submitted with the application for any permit, shall be made by certified mail, return receipt requested, and shall be mailed within thirty days of the date of receipt of the application, accompanied by the fee prescribed by the Commission.

Sec. 8.7

The owner of any property on any site in which any regulated activity is proposed to be conducted or conducted shall be notified of the application at least ten days prior to the date of the hearing or meeting at which the application will be considered.
and other areas of the provisions thereof, the Agency shall take into consideration all relevant facts.

Inquiries of the Commissioners: Section 24B. Submission of proposed regulations or ordinances to the

10.2 Criteria for Decision: In carrying out the purposes and powers of sections 22A.40 to 22A.47,

.. For an application for which a public hearing is held, public commission evidence and

... and above within the jurisdiction herebefore referred to and not within the jurisdiction of the

11.3 The Agency may also consider comments on any application from the Litchfield County Soil

... 3 Health Officer

Health Commission

1. Planning Commission of Planning and Zoning commissioners

Town of North Canaan

10.1 The Agency may consider the following in making its decision on an application:

Considerations for Decision

Section 10

The affected woodland and watercourse is located:

before the date set for the hearing in a newspaper having a general circulation in each town where

the first notice shall be sent out. A second notice shall be sent out not less than two days, and the last notice shall be sent not less than two days

Notice of the public hearing shall be published at least once in newspapers of two different newspapers of general circulation in each town where

such application is filed. An application and all documents relating to the application shall be open for public inspection. All

hearing shall be held no later than five days after the receipt of such application. All

inquiries or questions of the public should be directed to the Secretary of the Agency. All

Official Action of the Public Hearing: Section 9

The hearing shall be held in public, and no record of the proceedings shall be made until after the hearing is closed, and no record of the proceedings shall be made until after the hearing is closed.

10.1 The Agency may consider the following in making its decision on an application:

Considerations for Decision

Section 10

The affected woodland and watercourse is located:

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the first notice shall be sent out. A second notice shall be sent out not less than two days, and the last notice shall be sent not less than two days.

Notice of the public hearing shall be published at least once in newspapers of two different newspapers of general circulation in each town where
In the case of an application which the applicant has provided with notice pursuant to

10.8

In reaching its decision on any application after a public hearing, the Agency shall base its
determination of the public interest in the Agency's decision on the facts of the particular

10.7

characteristics of such winds or watercourses.

The Agency, in determining the public interest will give due consideration to the

10.6

short term and long term impacts of the proposed regulated activity on winds or watercourses;

10.5

for purpose of this section, a "winds or watercourses" includes aquatic plant or animal

10.4

inhabitants of the proposed regulated activity.

The Agency, in arriving at its decision in the application, shall consider the facts

10.3

which may have an impact on winds and watercourses.

In the case of an application which has been submitted to the Agency, the Agency shall

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in its decision, shall be based on the record in the Agency.

In certifying the statement of non-wind damage, the Agency shall, in arriving at its
decision, shall be based on the record in the Agency.

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certification, shall be based on the record in the Agency.

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in its decision, shall be based on the record in the Agency.

In certifying the statement of non-wind damage, the Agency shall, in arriving at its
decision, shall be based on the record in the Agency.
applicable or consented by the Agency.

Application: An application is deemed to be complete when the Agency shall have written proof that the application is complete. Any application that is not complete shall be returned to the applicant. If the application is not complete, the Agency shall make written notice of the incompleteness to the applicant and afford the applicant an opportunity to correct the deficiencies. The application shall be deemed complete when the deficiencies have been corrected.

A decision shall be made on the application within sixty-five (65) days of the date of receipt of the application. The decision shall be in the form of a written notice to the applicant and may be expressed in any of the forms prescribed by the Agency. The decision shall be provided in writing to the applicant.

No later than sixty-five (65) days after receipt of application, the Agency may hold a public hearing on the application. A notice shall be provided to any person or persons that appear and shall be heard.

II. Decision Process and Policy

Section 11

The Agency, in accordance with the provisions of this Act, may authorize any person to make a decision on the application for the Agency, subject to the provisions of this Act.

Section 12

Notwithstanding the provisions of this Act, the Agency may authorize any person to make a decision on the application for the Agency, subject to the provisions of this Act.
11.9 General provisions in the issuance of all permits:

If any permit is issued in accordance with section 13 of these regulations, the Agency:

8.1.2 No permit shall be issued by the Agency unless a bond of insurance is provided.

If a bond of insurance is required in accordance with section 13 of these regulations, the Agency:

11.7 Written notice of the decision to issue or not to issue the permit shall be served by the Agency on the applicant and the applicant shall have the right to appeal to the Agency or to seek judicial review of the decision under the provisions of section 11 of these regulations.

11.6 Any permit issued by the Agency shall be issued for the development of the land for which the application was made.

Planning and Zoning Commission with perfect days of the date of the decision.

The decision and report on the application shall be issued by the Commission under the provisions of section 8(b)(5) of the Commission shall be made available to the public and the applicant in writing.

If any activity is authorized by an permit, and any permit required to be published.

11.5 The Agency shall promptly publish in the same medium, the decision, and any action related to such notice of the decision.

The decision shall be published in the same medium, the decision, and any action related to such notice of the decision.

11.4 The Agency shall promptly publish in the same medium, the decision, and any action related to such notice of the decision.

11.3 The Agency shall promptly publish in the same medium, the decision, and any action related to such notice of the decision.
The Agency may require as a part of its decision the production of evidence or the disclosure of any facts or circumstances in such manner as it may direct.

Section

1.3.2

The bond or security shall be conditioned on compliance with the provisions of these regulations.

Bond and Insurance

Section

1.3.1

The Agency may require as a part of its decision the receipt of a bond with such security in such amount and in a form approved by the Agency.

Enforcement

Section 1.4

The bond or security shall be conditioned on compliance with the provisions of these regulations.
Section 15

15.4 The Secretary may suspend or revoke a permit if—

(a) the permittee has failed to comply with the conditions of the permit,

(b) the Secretary receives notice of the suspension or revocation of a permit issued to another permittee and the Secretary determines that the permittee is not entitled to the permit,

(c) the Secretary determines that the permittee is not entitled to the permit.

Any such suspension or revocation shall be in writing and shall specify the reasons therefor.

15.5 The Secretary must provide the person to whom the permit was issued with written notice of any suspension or revocation of the permit and the reasons therefor.

15.6 The person to whom the permit was issued may appeal the decision of the Secretary to a court of competent jurisdiction.

Section 16

16.1 The Secretary may revoke a permit if—

(a) the permittee has failed to comply with the conditions of the permit,

(b) the Secretary receives notice of the suspension or revocation of a permit issued to another permittee and the Secretary determines that the permittee is not entitled to the permit,

(c) the Secretary determines that the permittee is not entitled to the permit.

Any such suspension or revocation shall be in writing and shall specify the reasons therefor.

16.2 The Secretary must provide the person to whom the permit was issued with written notice of any suspension or revocation of the permit and the reasons therefor.

16.3 The person to whom the permit was issued may appeal the decision of the Secretary to a court of competent jurisdiction.

Section 17

17.1 Any person who contravenes any provision of this Act or the regulations made thereunder shall be liable on summary conviction to a fine not exceeding $10,000 or imprisonment for a period not exceeding six months, or both.
The reasons for the requested action.

1.5.3. These regulations and the Town of North Canaan, Connecticut, shall comply with the following information:

1.5.4. The provisions of the Act or of this code or section will be effective immediately to enforce such regulations or sections of the code or sections of the regulations of the Town of North Canaan, Connecticut, and thereafter the appropriate local authority shall enforce such regulations or sections of the code or sections of the regulations as the case may be.
If there is a conflict between the provisions of this Act and the regulations made under this Act,

the regulations shall apply, except in so far as they are inconsistent with or contrary to the provisions of this Act.

Section 17

Environmental Protection

No part of any Act may be amended by any Act of the Legislature, in so far as the Act purports to amend or repeal any Act of the Legislature.

Appeals

Section 16

The appeal shall be in accordance with the provisions of the Act, and shall be by a written notice, signed by the person appealing, setting out the reasons why the decision in the appeal

is, or is not, in accordance with the Act.

The appeal shall be made within six months from the date of the decision, and, where the appeal is for change in the decision, within six months from the date of the decision.

The appeal shall be heard by a Board of Inquiry, or, in the case of appeals from the decisions of the Board of Inquiry, by a Court of Session, and the appeal shall be heard within six months from the date of the decision.

An appeal shall be heard within six months from the date of the decision, and, where the appeal is for change in the decision, within six months from the date of the decision.

A Board of Inquiry shall be constituted by the Attorney General, and the Board of Inquiry shall be comprised of at least one person who is a qualified expert in the field of environmental protection, and who is not a member of the Board of Inquiry.

The Board of Inquiry shall, in the course of inquiring into the appeal, hear and receive evidence, and may, if it thinks fit, do such other things as it considers necessary in the interests of justice.

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Section 19

Application

18.1 The application shall include the following:

- Application Form
- Supporting documentation
- Certificate of Compliance
- Payment of required fees

18.2 The application shall be submitted to the Agency by the applicant or their authorized representative.

18.3 Application fees shall be paid in full at the time of submission.

18.4 Application fees are non-refundable.

18.5 Application is denied if the Agency determines that the proposed activity is not in the public interest.

18.6 The decision of the Agency shall be final and binding.
19.6 Exemption. Boards, commissions, councils and departments of the Town of North Canaan 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 if the Agency determines that:

a. The activity applied for would clearly result in a substantial public benefit to the environment or to the public health and safety and the applicant would reasonably be deterred from initiating the activity solely or primarily as a result of the amount of the application fee, or
b. The amount of the application fee is clearly excessive in relation to the cost to the Town for reviewing and processing the application.
c. The applicant has shown good cause.

The Agency shall state upon its record the basis for all actions under this subsection.

Section 20
Effective Date of Regulations

20.1 These regulations are effective upon filing in the office of the Town Clerk and publication of a notice of such filing in a newspaper having general circulation in the Town of North Canaan.
restrict the power of a local zoning authority under chapter 124.

 prohibited by law, an incidental to such farming operations the production of hay, haylage, or
 a farm and in buildings, sheds, and structures under or devoted land of which other
 restrictions established of or in the operation, management, conservation, improvement, or maintenance of
 property, including buildings, and the raising of livestock, other crop, forest, and other
 the raising, shearing, feeding, caring for, cleaning and caring for livestock, including horses, bees,
 except as otherwise specifically declared, the words "enclosed", "building", "farm", "farmers", "farm
 commerce, includes farm buildings and accessory buildings and structures used
 direct sale. The term "farm" includes farm buildings and accessory buildings and other
 and vessels, not vessels used in fishing and other aquatic operations, the sale of agricultural or
 primarily for the raising and for incident to agricultural farming operations, the sale of
 agricultural commodities. The term "agricultural" means the farming of crops, the raising and
 wildfowl, and the production of protein food, including fish, oysters, clams, mussels, and other
 wildfowl, and the production of protein food, including fish, oysters, clams, mussels, and other
in the public interest. The commission is authorized by law to make such determinations and issue such orders as it deems necessary to achieve the public interest. The commission shall determine the terms and conditions of any agreements entered into in connection with any such determinations. The commission shall make such determinations and issue such orders as it deems necessary to achieve the public interest.

Moreover, the provisions of this section do not apply to any action initiated by any person or corporation, either by appeal or by any other legal process. The commission shall determine the terms and conditions of any agreements entered into in connection with any such determinations. The commission shall make such determinations and issue such orders as it deems necessary to achieve the public interest.

application, petition, appeal, request or plan

The application, petition, appeal, request or plan may, through a representative, appear and be heard at any hearing on any such

application, petition, appeal, request or plan. Such notice shall be made by certifying mail return receipt endorsed, and shall

reach the petitioner the full thirty days prior to the hearing on the application, petition, appeal, request or plan.

Significantly impact the drainage or sewerage system within the adoption municipality or (c) a significant portion of the sewer or water drainage from the project on the site will flow through and

complete project on the site will use streets within the adoption municipality to enter or exit the site;

b) a significant portion of the boundary of the adoption municipality;

e) a significant portion of the drainage

Any portion of the property affected by a decision of such commission, board or agency is within the

zone commission, planning commission, zoning and planning commission, zoning board

continued to apply to any extension, amendment or appeal in application or plan.