

**TOWN OF FAIRFIELD
CONSERVATION DEPARTMENT
INLAND WETLANDS**



PERMIT APPLICATION

CERTIFICATE OF WETLANDS CONFORMANCE



Town of Fairfield Conservation Department

725 Old Post Road · Fairfield, CT 06524 · (203) 256-3071

Certificate of Wetlands Conformance

FOR OFFICE USE ONLY

Date Submitted: _____ Received By: _____
Publish Date: _____ 15-day Appeal Expires: _____
Eligible Activity Category: (i) (ii) (iii) (iv) (v) Fee Paid: _____
Certificate Number: _____ Wetlands Map Number: _____
Certificate Expiration: _____

REASON:

New Permit Permit Extension Permit Modification Corrective Action

I. **PROJECT NAME:** _____

II. **PROPERTY LOCATION:** _____

Assessor's Map/Block/Lot: _____

Land Records Book: _____ Page: _____

III. **APPLICANT/AGENT:** _____

Address: _____

Phone: _____ Cell: _____

Email: _____ Fax: _____

Applicant's interest in the property: Owner Lessee Lessor Agent Other _____

IV. **PROPERTY OWNER (If not Applicant):** _____

Address: _____

Phone: _____ Cell: _____

Email: _____ Fax: _____



V. **SITE MONITOR/SOIL SCIENTIST (If Applicable):** _____

Address: _____

Phone: _____ Cell: _____

Email: _____ Fax: _____

VI. PROPOSED REGULATED ACTIVITY

a. Please circle all applicable proposed regulated activities being proposed for this permit:

Addition Demolition Deck Garage New Residence Stormwater Detention Generator Pool

Septic Fence Sports Shed Patio Site Work Environmental Remediation Planting

Corrective Action Drainage Other _____

b. Brief Project Description: _____

c. Project Alternatives: _____

d. Once approved, project start date: _____

e. Once project started, approximate duration/end date: _____

f. Will fill be needed on-site (circle one)? Yes / No

If yes: estimated _____ cubic yards and source of fill _____

g. Proposed area of upland review area to be disturbed: _____ ft² or _____ acres

h. Proposed area outside of upland review area/setback to be disturbed: _____ ft² or _____ acres

i. Proposed area of inland wetlands/watercourse to be disturbed: _____ ft² or _____ acres

j. Total area of wetlands and upland review area on the parcel: _____ ft² or _____ acres

k. Proposed additional impervious surface to be constructed as part of this project: _____ ft² or _____ acres



VII. PROPERTY DETAILS

a. Existing conditions in the regulated area being proposed:

b. The property contains (check one or more):

INLAND WETLANDS___ WATERCOURSE___ FLOODPLAIN___ LAKE/POND___ OPEN SPACE___

EASEMENT(S)___ TIDAL WETLANDS___ UPLAND REVIEW AREA___ OTHER_____

c. Property Serviced By (check one or more): PRIVATE WELL(S)___ MUNICIPAL WATER___

PRIVATE SEPTIC SYSTEM___ PUBLIC SEWER___ OTHER_____

d. Description of soil types: _____

e. Description of wetland vegetation: _____

f. Name of Professional Soil Scientist (PSS) and date of soil survey (If Applicable): _____

g. The property is located within the _____ watershed and a
_____ foot setback/upland review area applies.

h. Are there any known or suspected vernal pools located on or adjacent to (within 500-feet) the proposed disturbance? Yes / No

i. Is any portion of the property occupied by a Natural Diversity Database or Critical Habitat? Yes / No

j. In your opinion, is there a significant presence of invasive plant species in the proposed area to be disturbance?

Yes / No /Unknown

k. Will the proposed regulated activity occur within 500-feet of an adjacent Town boundary? Yes / No

If yes, list Town(s): _____



- I. Does the proposed regulated activity fall within the jurisdiction of the Harbor Management Commission per CGS 22a-113p and Fairfield Town Code § 24-14? Yes / No

VIII. PROPERTY HISTORY

- a. Are you aware of any wetland permits (past or present) on this property? Yes / No

If yes, please explain: _____

- b. Are you aware of any wetland violations (past or present) on this property? Yes / No

If yes, please explain: _____

- c. Are you aware of any corrective/enforcement actions (past or present) on this property? Yes / No

If yes, please explain: _____

IX. AUTHORIZATION

The Applicant affirms that the information and supporting information supplied in this application is accurate to the best of his/her knowledge and belief. As the applicant, I hereby certify that I am familiar with the information provided in this application and I am aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information.

The undersigned Applicant hereby consents to necessary and proper inspection of the above mentioned property by the Town of Fairfield Conservation Department, Inland Wetlands Agency and/or its agents at reasonable times both before and after the permit in question has been granted or denied by the Department/Agency for the purpose of evaluation the permit application, monitoring, implementation or curtailing or correcting any violation of the IWWR brought about through the actions or inactions of the applicant or permittee.

Printed Name: _____ Date: _____

Signature: _____

Please note:

The Applicant must publish a legal notice (provided by the Conservation Department) in the legal section of newspaper having general circulation in the Town of Fairfield and incur the cost(s) of publication.



INSTRUCTIONS FOR CWC APPLICATION

The following instructions are to complete a Permit Application for a Certificate of Wetlands Conformance (CWC) in the Town of Fairfield. Please contact the Conservation Department at (203) 256-3071 or visit us during counter hours (08:30-10:30) Monday through Friday with any questions or for guidance. For definitions and explanation of terms, refer to *the Town of Fairfield Inland Wetland and Watercourse Regulations*, available on the Town website.

Submitting a complete permit application is the responsibility of the applicant and the Department will **reject** incomplete applications.

I. PROJECT NAME

If applicable, provide the name of the project (i.e. Smith's swimming pool or ABC Shopping Center).

II. PROPERTY LOCATION

Provide the physical address/location of the property where the proposed activity will occur. Be sure to include the parcel identification (map/block/lot) and land records information using information provided on the field card by the Tax Assessor's Office (or Vision Government Solutions online database [<https://gis.vgsi.com/fairfieldct/>]).

III. APPLICANT/AGENT

Provide the contact information for who is submitting the permit application. This may be the property owner or an agent (consultant/contractor) or other stakeholder. Check the box to indicate the applicant's interest in the property.

IV. PROPERTY OWNER

Provide the contact information for the owner of the property, as recorded at the Tax Assessor's office.

V. SITE MONITOR/SOIL SCIENTIST

If applicable, provide the contact information for the site monitor or professional soil scientist involved with this permit application, as the Department may wish to discuss technical matters or questions. A site monitor is a local professional with credentialed experience in wetlands, soil science, sediment & erosion control practices who is expected to oversee, correct (if necessary) and report on the project from beginning to end.

VI. PROPOSED REGULATED ACTIVITY

- a. Circle all applicable regulated activities being proposed for this permit.
- b. In a few words, summarize the proposed project for this permit.
- c. Provide information of all alternatives considered. List all alternatives which would cause less or no environmental impact to wetlands or watercourses and state why the alternative as set forth in the application was chosen.
- d. Provide the anticipated start date of the project.
- e. Provide the anticipated completion date or the duration of the project. A CWC is valid for 5 years.
- f. State whether **ANY** fill (including stone and gravel) will be imported to the property for the proposed project, estimated volume of material (cubic yards) and the origin of the material (i.e. quarry, wholesaler, etc.).
- g. Provide the area of upland review area proposed for disturbance in this project.



- h. Provide the area outside of the upland review area proposed for disturbance in this project.
- i. Provide the area of inland wetlands proposed for disturbance in this project (this number MUST be zero for a CWC to be applicable).
- j. Provide the total area of wetlands and upland review area on the parcel.
- k. Provide the total area of any proposed additional impervious surface in this project.

VII. PROPERTY DETAILS

- a. Briefly describe the existing conditions (i.e. wooded, lawn, paved, constructed, etc.) in the area proposed for disturbance.
- b. Check one or more of the natural features that currently exist on the subject property.
- c. Check one or more of the types of services (drinking water and wastewater) provided to the property.
- d. Briefly describe known soil types on the subject property in the area of proposed disturbance (a professional may be required or USDA-NRCS Web Soil Survey is available online [<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>]).
- e. Briefly describe known wetland plant species (only OBL or FACW are necessary) adjacent and within the area of proposed disturbance (a professional may be required).
- f. If applicable, provide the contact information for the Connecticut Professional Soil Scientist(s) involved with the proposed project.
- g. Provide the name of the Town watershed in which the subject property is located and the designated setback distance (see Town of Fairfield Wetland Soils and Setbacks Map, available at the bottom of the Conservation Department's homepage <https://www.fairfieldct.org/conservation>).
- h. Determine if there are any known or suspected vernal pools located on or adjacent to (within 500-feet) the property (defined by the USACE and other Agencies as "*depressional aquatic resource basins that typically go dry in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending upon landscape position and parent material(s). Pools usually support one or more indicator species, including: wood frog, spotted salamander, blue-spotted salamander, marbled salamander, Jefferson's salamander, and fairy shrimp; however, they should preclude sustainable populations of predatory fish*"). A professional may be required.
- i. Determine if any of the subject property is located within a CTDEEP Natural Diversity Database or Critical Habitat area (see <https://portal.ct.gov/DEEP/Endangered-Species/Natural-Diversity-Data-Base-Maps> and the CTECO Simple Map Viewer <http://www.cteco.uconn.edu/viewers/index.htm>).
- j. Determine if a significant/dominant presence of invasive plant species exist in the area proposed for disturbance (a professional may be required).
- k. Determine if the proposed regulated activity will occur within 500-feet of an adjacent Town boundary and provide the Town(s) which abut.
- l. Determine if the proposed regulated activity fall within the jurisdiction of the Harbor Management Commission per CGS 22a-113p and Fairfield Town Code § 24-14.

VIII. PROPERTY HISTORY

- a. To the best of your knowledge, state whether you are aware of any wetland permits (past or present) on this property, including prior ownership. If yes, briefly explain.
- b. To the best of your knowledge, state whether you are aware of any wetland violations (past or present) on this property, including prior ownership. If yes, briefly explain.
- c. To the best of your knowledge, state whether you are aware of any corrective/enforcement actions (past or present) on this property, including prior ownership. If yes, briefly explain.



IX. AUTHORIZATION

Date, print and signature of the applicant/authorized agent of the permit application to be submitted. See note regarding notice to publish in a local newspaper.

CERTIFICATE OF WETLANDS CONFORMANCE (CWC)

For definitions and explanation of terms and fees, refer to *the Town of Fairfield Inland Wetland and Watercourse Regulations* which are available on the Town website.

“Addition” means a proposed structure, or structures that are not greater than 50% of the square footage of the existing foundation area (or that are not more than half of the square footage of the existing structure foundation area).

“New Structure” means a proposed structure or structures, that are greater than 50% of the square footage of the existing foundation area (or that are more than half of the square footage of the existing structure foundation area).

“Demolition” shall be destruction and removal of a structure, or portion of a structure, including the foundation or slab.

“Commercial” or “Commercial, Industrial, Non-residential, etc.” includes any site that is not entirely residential.

“Unit of Construction” each separate proposed lot, as in a subdivision;

OR, each structure on one lot with its own distinct foundation, or subsurface sewage disposal system, such as a pool or guest house

OR, each addition requiring a separate foundation

OR, each separate proposed building as in a multi-unit condominium development

OR, each separate building structure on one lot or proposed lot such as detached garages, sheds, etc.

OR, for commercial, industrial, or non-residential (and Assisted-Living type) structures, each 5,000 square feet of the building foundation footprint, or portion thereof, shall be considered a unit of construction, and each parking area shall be a unit of construction.

“Unit of demolition” shall be each separate structure whether or not on a separate lot.

Eligible Activities for Certificates of Wetlands Conformance (CWC)

a. Subject to review and written determination by the agency or its agent that the proposed activity(ies):

IS not reasonably likely to significantly disturb the natural and indigenous character of the land, and that the conduct of such activity would result in no greater than a minimal impact on any wetland or watercourse;

AND, if specified in category i, ii, iv, and v, below, if conducted, are located within one parcel of land, wholly or partially contained within a regulated area, or within a town right-of-way or easement but not located within a wetland soil or within a watercourse i.e., within the wetted perimeter, except for aquatic pesticide application.

OR, if specified in category iii below, if conducted, are located on a parcel of land which parcel is wholly or partially contained within a regulated area, provided the structure, construction activities, on-site storm water detention and related site disturbance activities are all located outside of the regulated area.

THEN, the following activities may be conducted in the following situations, with a Certificate of Wetlands Conformance



CATEGORIES:

(i) The construction of a shed or deck, or demolition of structure (s) 1,000 square feet or less;

OR

The excavation and filling of soil observation holes, test pits and borings used to determine engineering, septic, and related information pertaining to site suitability surveys;

OR

The repair of an existing septic system but not to include the total replacement;

(ii) The construction of an addition to an existing residential dwelling or the construction or renovation of improvements located on a residential lot;

OR

The construction of an addition to an existing commercial, industrial or non-residential building or the construction or renovation of improvements located on a commercial, industrial or nonresidential lot;

OR

The demolition of a residential building or improvement located on the lot of an existing residential dwelling of over 1000 square feet;

OR

The demolition of a commercial, industrial or nonresidential building or the existing improvements located on a commercial, industrial or nonresidential lot of over 1000 square feet.

(iii) The construction of a new residential structure located on a residential lot;

OR

The construction of a new commercial, industrial or non-residential structure located on a commercial, industrial or nonresidential lot.

(iv) Normal routine maintenance by Town of Fairfield agencies that is restricted to the performance of activities incident to maintaining the structural integrity and hydraulic conveyance of existing man-made drainage improvements located in unimproved cross-country easements or rights-of-way, or on private property when all such activities are not located in wetland soil or within the wetted perimeter of a watercourse. Such maintenance work shall be performed so as to cause the least change, modification, disturbance or damage to the regulated area. Every reasonable effort, as determined by the Agency, shall be made to restore the regulated area to its original natural condition by the entity conducting such necessary maintenance (See section 4.2.d.i through 4.2.d.iii).

(v) New or improved drainage projects by Town of Fairfield agencies whether in town rights-of-way or on private property, when all such activities are not located in wetland soil or in a watercourse (See section 4.2.d.i through 4.2.d.iii).

The duration of a Certificate of Wetlands Conformance shall correspond to that of an Inland Wetland Permit.

b. The designated agent may approve, but not immediately issue, a Certificate of Wetlands Conformance, with or without conditions, to any applicant whose proposed activities, as described in the applicant's supporting plans and documents, come within the situations described hereinabove (6.4.a).

c(i). Any person receiving a notice of intent to approve and issue a Certificate of Wetlands Conformance from such designated agent shall, within ten days of the date of notice of such approval, publish, at the applicant's expense, notice of the intent to approve and issue a certificate in a newspaper having a general circulation in



the town wherein the activity is located or will have an effect. Any person may appeal such decision of such designated agent to the Inland Wetlands Agency within fifteen days after the publication date of the notice and the inland wetlands agency shall consider such appeal at its next regularly scheduled meeting provided such meeting is no earlier than three business days after receipt by such Agency or its agent of such appeal. The Inland Wetlands Agency shall, at its discretion, sustain, alter, or reject the decision of its designated agent or require an application for a permit in accordance with sections 6, 7, 8, and 9 of these regulations.

(ii). If approved, the designated agent shall not issue a certificate prior to the expiration of the aforementioned fifteen-day appeal period; and if appealed no certificate shall be issued prior to a ruling on the appeal by the Agency.

(iii). The applicant shall submit proof of publication of the notice of intent to approve and issue at the time it requests issuance of the approved certificate.

(iv). In acting on an application for a certificate the designated agent or agency shall consider the factors set forth in section 10 of these regulations, and shall state upon the record the reasons for its decision in writing.

d. The designated agent or Agency may revoke a Certificate of Wetlands Conformance if, in its judgement, it finds that the activities are inconsistent with the intent of the Certificate or if the purposes of the wetlands regulations would be best served by requiring an application for a wetland permit.

e. The designated agent may annually advise the Agency of the Certificates issued within the preceding year.

APPLICATION TIMELINE: WHAT TO DO AND EXPECT DURING THE CWC PROCESS

The following steps outline the overall permit application process following receipt. Please contact the Conservation Department at (203) 256-3071 or visit us during counter hours (08:30-10:30) Monday through Friday with any questions or assistance.

1. The Department staff will conduct an initial site inspection to inspect areas of disturbance, conservation easements, wetlands/watercourses, etc. This inspection may be unannounced, but staff will announce our arrival onto the property.
2. Following site inspection, the Department will issue a draft approval of the application within 65 days, however, we make every effort to issue them as soon as possible.
3. Once you receive draft approval, be sure to review all Conditions and contact the Department with any questions.
4. Notice of the project must be published in a newspaper which circulates in Fairfield and proof of publication must be provided to the Conservation Department.
5. A 15-day waiting period for public comment from the date of publication must lapse. If comments are received, then the permit application will be referred to the Conservation Commission for review.



6. Upon expiration of the comment period, be sure to address those conditions marked with an asterisk in the draft approval. Conditions may include the use of a third-party site monitor and posting of a performance bond.
 - You can expect the performance bond estimate to include the following, but not limited to: stormwater detention, soil & erosion controls, plant survival, site stabilization, site monitoring and an “as-built” survey.
7. Wetlands permit will need to be finalized and the Conservation Department will endorse the Building Permit
8. Complete your project as permitted.
9. The site monitor shall submit final report and recommendation for bond release, if needed.
10. Upon completion of the project and receipt of the documents, an “as-built” survey and site inspection will be required prior to issuance of the Certificate of Occupancy and bond release.

FEE SCHEDULE – APPLICATION FOR CERTIFICATE OF WETLANDS CONFORMANCE

For definitions and explanation of terms and fees, refer to *the Town of Fairfield Inland Wetland and Watercourse Regulations* which are available on the Town website.

A Use Fee per category type is required, as follows:

<u>Category</u>	<u>Use Fee</u>
(i)	\$640.00
(ii)	\$960.00 plus: \$320.00 per additional unit of construction or demolition.
(iii)	\$1,280.00 plus: \$960.00 per additional unit of construction, plus: \$320.00 per unit of demolition, plus: Fee from Schedule A (see below)
(iv) (v)	Town - No fee



Schedule A Fee

The Schedule A fee is based on the regulated area of the parcel in 1,000 ft² or part thereof. (1 acre = 43,560 ft²)

If Regulated Area of Parcel (in 1000 Sq. Ft.) is Over --	But Not Over --	Schedule A Fee is	Times the area (in 1,000 ft²) over --
0	25	_____ \$50/Ksqft	0 ft ²
25	50	\$1,250 + \$40/Ksqft	25
50	100	\$2,250 + \$30/Ksqft	50
100	----	\$3,750 + \$10/Ksqft	100

EXAMPLE: Parcel of 2.1 acres of which 0.75 acre is regulated area. Schedule A fee is calculated as follows:

Regulated area: 0.75-acre X 43,560 ft² per acre = 32,670 ft²

Schedule A fee is \$1,250 + \$40 X 8 (which is 33 less 25) or \$1,570.00

For the purpose of calculating Certificate and Permit application, approval and extension fees, the regulated area in schedule A is the total area of wetlands and watercourses including upland review regulated area on the entire property.

For other uses such as pond maintenance dredging, the Schedule A fee is only calculated on the pond and related disturbance area plus the setback around the pond, i.e., that portion of the total regulated area on the property which is reasonably likely to be disturbed or affected by the proposed activity.

All of the above application fees are due at the time of application.

Upon site disturbance, Schedule A fees per year of disturbance for category (iii) are due.

A Certificate Time Extension Fee of \$160.00/Certificate, plus \$60.00 state fee is required, plus Schedule A fee per year of site disturbance. This fee shall accompany any request for Certificate time extension.