

ARTICLE VII. COMMISSION ON INLAND WETLANDS AND WATERCOURSES*

***Note:** Copies of the inland wetlands and watercourses regulations adopted on June 24, 1974, and as amended, which are continued in full force and effect, may be obtained in a separate publication at the town clerk's office.

Sec. 14-70. Establishment.

There is hereby established and created a commission on inland wetlands and watercourses, pursuant to the authority granted in section 22a-42 of the General Statutes.

(Code 1961, § 13.04.01; Ord. No. 74-2, 3-4-74)

Sec. 14-71. Membership.

The commission shall be composed of nine (9) members and two (2) alternates to be appointed by the town council. At least one (1) of said members should have expertise in soil science or related areas.

(Code 1961, § 13.04.02; Ord. No. 74-2, 3-4-74; Ord. No. 81-13, § 1, 9-8-81; Ord. No. 86-8, § 1, 11-17-86)

Sec. 14-72. Terms of members.

Both the regular commission members and alternates shall serve a term of four (4) years commencing on the first Monday of April of each year. All members and alternate members currently serving in terms to expire April, 1987, April, 1988, April, 1989, and April, 1991, are reappointed to so serve until the expiration of their respective terms. In the event no successor member or alternate member is appointed on the expiration of any term, the term shall automatically be extended until that member's or alternate member's successor is appointed and qualified.

(Code 1961, § 13.04.03; Ord. No. 74-2, 3-4-74; Ord. No. 81-13, § 2, 9-8-81; Ord. No. 86-3, § 1, 2-3-86; Ord. No. 86-6, § 2, 11-17-86)

Sec. 14-73. Filling vacancies; removing members.

The town council shall fill all vacancies in the membership of the commission in the same manner as provided for in section 6-1 of the town charter for the filling of vacancies and may remove any member in the manner provided in section 6-3 of the town charter.

(Code 1961, § 13.04.04; Ord. No. 74-2, 3-4-74)

Sec. 14-74. Organization and procedure.

The commission shall elect from its members a chairperson, a vice-chairperson, a secretary and such other officers as the commission shall determine are necessary or as state law may require. It shall keep records of its meetings and shall hold meetings at the call of the chairperson and at such other times as the commission may determine in accordance with Public Act No. 155, 1972, as amended by Public Act No. 73-571 of the Connecticut General Assembly.

(Code 1961, § 13.04.05; Ord. No. 74-2, 3-4-74; Ord. No. 81-13, § 3, 9-8-81)

Sec. 14-75. Duties.

In carrying out the purposes and policies of said statutes and any amendments thereto, and of this article, the commission shall:

- (1) Inventory or index the wetlands and watercourses in such form as deemed best suited to effectuate the purposes hereof;
- (2) Promulgate such regulations as are necessary to protect the wetlands and watercourses or any of them individually or collectively, including the regulation of activities affecting such wetlands or watercourses, and the manner in which the boundaries of wetland areas or watercourses shall be established and amended or changed.
 - (a) Such regulations shall be promulgated in conformity with the regulations promulgated by the commissioner of environmental protection for the state.
 - (b) In promulgating such regulations, the commission shall give due consideration to the standards set forth in section 14-77.
- (3) Retain and employ consultants and assistants on a contract or other basis for rendering legal, financial, technical or other assistance and advice in furtherance of any of the purposes hereof, specifically including, but not limited to, soil scientists for the purpose of (a) completing a town soils survey, and (b) making on-site interpretations, evaluations and findings as to soil types.
- (4) Exercise all incidental powers necessary to enforce rules and regulations and to carry out the purposes of said statutes.

(Code 1961, § 13.04.06; Ord. No. 74-2, 3-4-74)

Sec. 14-76. Powers.

The commission shall have the following powers:

- (1) It may recommend that the town council acquire wetlands and watercourses within the territorial limits of the town by gift or purchase, in fee or lesser interest, including, but not limited to, lease, easement, or covenant, subject to such reservations and exceptions as it deems advisable.
- (2) It shall not incur any expense in excess of the funds appropriated by the town council for its operations.

(3) It may cooperate to the extent necessary with abutting municipalities to carry out the policies and purposes thereof.

(4) It may consult, exchange and cooperate to the extent necessary with the commissioner of environmental protection, and may request from such commissioner technical and other assistance in carrying out the purposes and policies hereof.

(5) It shall have such additional powers as may from time to time be granted to it by the town council.

(Code 1961, § 13.04.07; Ord. No. 74-2, 3-4-74)

Sec. 14-77. Minimum standards.

In all matters relating to the regulating, licensing and enforcing of the provisions hereof, the commission shall take into consideration all relevant facts and circumstances, including but not limited to:

(1) The environmental impact of the proposed action;

(2) The alternative to the proposed action;

(3) The relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity;

(4) Irreversible and irretrievable commitments of resources which would be involved in the proposed activity;

(5) The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened; and

(6) The suitability or unsuitability of such activity to the area for which it is proposed.

(Code 1961, § 13.04.08; Ord. No. 74-2, 3-4-74)

Sec. 14-78. Effect as to other boards.

Nothing contained in this article shall be construed to limit or otherwise restrain the existing authority of any other boards or commissions of the town.

(Code 1961, § 13.04.09; Ord. No. 74-2, 3-4-74)

Secs. 14-79--14-90. Reserved.