

# Town of Windsor Locks

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Town Hall Office Building  
50 Church Street  
Windsor Locks CT 06096

**TO:** DEEP  
**FROM:** Jennifer V. Rodriguez, Wetland Agent  
**RE:** Recommended Text Amendment Fee Structure  
**Date:** March 4, 2020

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Dear Commissioner:

The current wetland regulations, specifically section 18.5 and 18.3 conflict, related to whether or not the municipal fee can be waived. The IWWC proposes a regulation amendment, deleting Section 18.5 and Section 18.6 will become 18.5 to be consistent with 18.3.

## Current Language:

### SECTION 18 Fees

18.1 Method of Payment. All fees required by these regulations shall be submitted to the "Agency" by certified check or money order payable to The Town of Windsor Locks at the time the application is submitted.

18.2 Definitions as used in this section:

"Residential Uses" means activities carried out on property developed for permanent housing or being developed to be occupied by permanent housing.

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

"Other Uses" means activities other than residential and commercial uses.

18.3 The "Agency" shall collect the following fees to help defray the costs and expenses of carrying out its duties under these regulations. No application shall be granted or approved by the "Agency" unless the correct application fees have been paid, or a waiver of such has been granted.

### Fee for Activities

\$ 15.00	Determination of Permit Need (DPN) (Jurisdictional Ruling)
\$ 75.00/lot	Residential Use plus Fee from Schedule A
\$150.00	Commercial Use plus Fee from Schedule A
\$150.00	Other Uses Plus Fee from Schedule A (DPN fee will be deducted, if a "permit" is deemed necessary.)
\$100.00	Renewals, Extensions or Amendments to Existing Permits
\$300.00	Wetlands Map or Regulation Revisions

The following may be added to the above fees:

\$250.00 Drainage Basin Review  
\$125.00 for each proposed additional point of impact to wetlands  
(Temporary Soil and Erosion Control Points of Contact will be exempt.)

The following will be added to the above fees for each application:

\$ 60.00 State DEEP Permit Fee (effective 10.1.09 per CGS)  
(to be made out to "Town of Windsor Locks" ~~as a separate check~~)

Schedule A

For the purpose of calculating the permit application fee, the area in Schedule A is the total area of "wetlands" and "watercourses" and "upland review area" upon which "regulated activity" is proposed.

SQUARE FEET OF AREA

a. Less than 1,000	\$75.00
b. 1,000 to 5,000 "a" plus	\$20.00/1,000SF
More than 5,000 "b" plus	\$14.00/1,000SF

Boards, Commissions, Agencies, and Departments of the Town of Windsor Locks are exempt from all fee requirements.

18.4 As a condition of any "permit", the "Agency" may require that the applicant engage and pay for an independent consultant to report to the "Agency" the results of project monitoring and/or inspections. The consultant must be pre-approved by the "Agency", and said consultant shall monitor and/or inspect on a schedule determined by the "Agency".

The consultant shall send written reports on performance on a schedule determined by the "Agency" simultaneously to the "Agency" and the Building Department, Town of Windsor Locks, 50 Church Street, Windsor Locks, Connecticut, and to the applicant.

~~18.5 The application fee may not be waived and is not refundable.~~

18.65 The "Agency" shall state upon the record the basis for all actions under this section.

Please let us know if you have any questions or concerns.

Respectfully submitted,

Jennifer V. Rodriguez, AICP

Director of Planning and Development

Wetland Agent

# Town of Windsor Locks



**TO:** DEEP  
**FROM:** Jennifer V. Rodriguez, Wetland Agent  
**RE:** Recommended Text Amendment Certificate of Mailing  
**Date:** March 4, 2020

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Dear Commissioner:

The current wetland regulations include the requirement for abutter notices to be sent by the applicant by Certified Mail. The Connecticut General Statute requires a certificate of mailing. The Windsor Locks IWWC wishes to amend this section of the regulations. The relevant sections is below for your review.

#### **Current Language:**

**Windsor Locks IWWC Regulations: Sec. 9.3** Notice of the public hearing shall be mailed to persons who own land that is adjacent to the land that is the subject of the hearing by the applicant no more than fifteen days and no less than ten days prior to the day of the hearing. Notice of the public hearing shall be sent by certified mail, return receipt requested. The "person" who owns land shall be the owner indicated on the property tax map or on the last-completed grand list as of the date such notice is mailed. The applicant shall provide documentation that the owner(s) of adjacent land were duly notified pursuant to the regulations by submitting a copy of return receipts to the "Agency". If an adjacent property is held in common ownership all unit owners shall be notified individually.

**Recommended language:** ~~text to be deleted are in strike marks~~ [added text is in brackets]

**Windsor Locks IWWC Regulations: Sec. 9.3** Notice of the public hearing shall be mailed to persons who own land that is adjacent to the land that is the subject of the hearing by the applicant no more than fifteen days and no less than ten days prior to the day of the hearing. ~~Notice of the public hearing shall be sent by certified mail, return receipt requested.~~ [Proof of mailing shall be evidenced by a certificate of mailing.] The "person" who owns land shall be the owner indicated on the property tax map or on the last-completed grand list as of the date such notice is mailed. ~~The applicant shall provide documentation that the owner(s) of adjacent land were duly notified pursuant to the regulations by submitting a copy of return receipts to the "Agency".~~ If an adjacent property is held in common ownership all unit owners shall be notified individually.

Please let us know if you have any questions or concerns.

Respectfully submitted,

Jennifer V. Rodriguez, AICP

Director of Planning and Development

Wetland Agent

**Sec. 22a-42a. Establishment of boundaries by regulation. Adoption of regulations. Permits. Filing fee.** (a) The inland wetlands agencies authorized in section 22a-42 shall through regulation provide for (1) the manner in which the boundaries of inland wetland and watercourse areas in their respective municipalities shall be established and amended or changed, (2) the form for an application to conduct regulated activities, (3) notice and publication requirements, (4) criteria and procedures for the review of applications, and (5) administration and enforcement.

(b) No regulations of an inland wetlands agency including boundaries of inland wetland and watercourse areas shall become effective or be established until after a public hearing in relation thereto is held by the inland wetlands agency. Any such hearing shall be held in accordance with the provisions of section 8-7d. A copy of such proposed regulation or boundary shall be filed in the office of the town, city or borough clerk as the case may be, in such municipality, for public inspection at least ten days before such hearing, and may be published in full in such paper. A copy of the notice and the proposed regulations or amendments thereto, except determinations of boundaries, shall be provided to the commissioner at least thirty-five days before such hearing. Such regulations and inland wetland and watercourse boundaries may be from time to time amended, changed or repealed, by majority vote of the inland wetlands agency, after a public hearing in relation thereto is held by the inland wetlands agency, in accordance with the provisions of section 8-7d. Regulations or boundaries or changes therein shall become effective at such time as is fixed by the inland wetlands agency, provided a copy of such regulation, boundary or change shall be filed in the office of the town, city or borough clerk, as the case may be. Whenever an inland wetlands agency makes a change in regulations or boundaries it shall state upon its records the reason why the change was made and shall provide a copy of such regulation, boundary or change to the Commissioner of Energy and Environmental Protection no later than ten days after its adoption provided failure to submit such regulation, boundary or change shall not impair the validity of such regulation, boundary or change. All petitions submitted in writing and in a form prescribed by the inland wetlands agency, requesting a change in the regulations or the boundaries of an inland wetland and watercourse area shall be considered at a public hearing held in accordance with the provisions of section 8-7d. The failure of the inland wetlands agency to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the petition.