

wetlands

ORDINANCE ESTABLISHING A WETLANDS COMMISSION, REPEALING SECTION 2 OF THE MARCH 1, 1982 ORDINANCE DESIGNATING THE PLANNING & ZONING COMMISSION AS SAID WETLANDS COMMISSION AND DESIGNATING SEVEN MEMBERS AND THREE ALTERNATES AS PROVIDED.

At the annual Town Meeting held on June 5, 1989 the voters of the Town of Chaplin have ordained that:

Section 1. Section 2 of the March 1, 1982 ordinance establishing a Wetlands Commission, etc., for the Town of Chaplin, which section designates the Planning & Zoning Commission of the Town of Chaplin as said Wetlands Commission, is hereby repealed, but the remaining sections of the March 1, 1982 ordinance shall remain in full force and effect.

Section 2. The Wetlands Commission shall hereafter consist of seven members and three alternates, to be chosen as follows:

- (a) The original seven members and three alternates shall be those persons designated therefor by the Town Meeting of June 5, 1989 from a list of fifteen names or more, to be submitted by the Board of Selectmen, with minority party representation as required by law.
- (b) Initially, of the original seven members, two shall be elected for the period from the date of said Town Meeting to the regular Town Election in 1989, two for the period from the date of said Town Meeting to the regular Town Election in 1991, and three for the period from the date of said Town Meeting to the regular Town Election in 1993; and thereafter each new member shall be elected for a term of six years, the election of new members to be at regular Town Elections and in the same manner for electing regular Town Officers with minority party representation as required by law.
- (c) Initially, the three alternate members shall be elected one for the period of the date of said Town Meeting to the regular Town Election in 1989, and one for the period from the date of said town meeting to the date of the regular Town Election in 1991, and one from the date of said town meeting to the date of the regular Town Election in 1993, and thereafter each new alternate member shall be elected for a term of six years, the election of said alternate members to be at regular Town Elections and the same manner for electing regular Town Officers, with minority party representation as required by law.
- (d) Any vacancies occurring among the seven members or three alternate members of the wetlands commission herein provided for shall be filled by the Board of Selectmen for the unexpired portion of such unexpired term.

This appeared in The Chronicle on June 9, 1989 and became effective fifteen days after.

Attest: Joan E. Gerdson
Town Clerk

ORDINANCE RELATING TO SALARY AND FEES OF THE TOWN CLERK

At a special Town Meeting held on October 11, 1989 the voters of the Town of Chaplin have ordained that:

Pursuant to Section 7-34b of the General Statutes, it is hereby ordained that all fees or compensation provided by the General Statutes to be paid to the Town Clerk of Chaplin shall be collected by such Town Clerk and shall be deposited in accordance with such provisions of law as govern the deposit of monies belonging to this Town. Effective January 1, 1990, the Town Clerk shall receive a salary in lieu of all fees and other compensation, which salary shall be appropriated by the legislative body of this Town.

This appeared in The Chronicle on November 16, 1989 and became effective January 1, 1990.

Attest: Judith M. Orcutt
Town Clerk

**TOWN OF CHAPLIN
ORDINANCES
SUPPLEMENT NO. 9
March 1, 1980**

An Ordinance Establishing a Wetlands Commission and Authorizing it To Promulgate Regulations Protecting the Wetlands and Water Courses of The Town.

BE IT RESOLVED BY TOWN MEETING IN SESSION CONVENED, that the following ordinance be adopted pursuant to the provisions of The Inland Wetlands and Water Courses Act (1972, Public Act 155) and amendments to said Act in P.A. No. 73-571.

Section 1. The Wetlands and water courses of the Town are an indispensable and irreplaceable but fragile natural resource with which the citizens of the Town have been endowed. The wetlands and water courses are an interrelated web of nature essential to an adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to the recharging and purification of ground water and to the existence of many forms of animal, aquatic and plant life.

Many wetlands and water courses have been destroyed or are in danger of destruction because of unregulated use by reason of the deposition, filling or removal of material, the diversion or obstruction of water flow, the erection of structures and other uses, all of which have despoiled, polluted and eliminated wetlands and water courses. Such unregulated activity has had, and will continue to have, a significant, adverse impact on the environment and ecology of the Town and has and will continue to imperil the quality of the environment thus adversely affecting the ecological, scenic, historic and recreational values and benefits of the Town for its citizens now and forever more.

The preservation and protection of the wetlands and water courses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the Town.

It is, therefore, the purpose of this ordinance to protect the citizens of the Town by making provision for the protection, preservation, maintenance and use of the wetlands and water courses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and water courses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting the Town's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuses and mismanagement by providing an orderly process to balance the need for the economic growth to the Town and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the Town, the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

Section 2. There is hereby established pursuant to the provisions of Public Act 155 of 1972 a Town Commission which shall be known as the "Wetlands Commission". The Wetlands Commission shall be the Planning and Zoning Commission of the Town of Chaplin and shall have and may exercise all of the authority vested in such commissions by said Public Act 155.

Section 3. (a) The Wetlands Commission is authorized to promulgate such regulations, in conformity with regulations promulgated by the Commissioner of Environmental Protection, as are necessary to protect the wetlands and water courses, as defined by said Public Act 155, within the territorial limits of the Town. Prior to the adoption or amendment of such regulations, the Wetlands Commission shall file, in the office of the town clerk, a copy of its proposed regulations, together with any maps representing areas affected thereby, and shall no earlier than thirty-five (35) days thereafter hold at least seven (7) days prior to the date of such hearing. Such notice shall make reference to the filing of such proposed regulations in the office of the town clerk. Upon adoption by the Wetlands Commission such regulations shall be forwarded to the Commissioner of Environmental Protection, and to the Town Meeting for approval. The regulations thus approved, together with any maps delineating wetlands and water courses made a part thereof, shall be filed in the office of the Town Clerk and shall become effective upon such filing or upon a later effective date specified in such regulation or amendment and notice thereof shall be published in a newspaper having general circulation in the Town.

(b) Amendments to regulations shall be promulgated in the manner provided in paragraph (a) of this section.

Section 4. In exercising the authority granted herein, the Wetlands Commission shall:

(a) Develop comprehensive programs in furtherance of the purposes of this ordinance;

(b) Advise, consult and cooperate with agencies of the Town, state, the federal government, other states and with persons and municipalities in furtherance of the purpose of this ordinance; to this end, all applications for building permits, subdivision plans or other permits which involve or may involve a regulated activity made to any other Town Board or Commission shall be subject to review by the Commission at its request;

(c) Encourage, participate in or conduct studies, investigations, research and demonstrations, and collect and disseminate information relating to the purpose of this ordinance;

(d) 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 its purposes, specifically including, but not limited to, soil scientists of the United States Soil Conservation Service for the purpose of making on-site interpretations, evaluations and findings as to soil types and/or utilize the services of such Town Officials and employees as it may deem appropriate;

(e) Promulgate such regulations as are necessary to protect the wetlands and water courses or any of them individually or collectively;

(f) Inventory or index the wetlands and water courses in such form, including pictorial representations, and list plant species, as the Commission deems best suited to effectuate the purposes of this ordinance; and

(g) Exercise all incident powers necessary to enforce regulations and to carry out the purposes of this ordinance.

Section 5. Any person aggrieved by a decision of the Town, acting through the Wetlands Commission, shall have the right of appeal provided by Public Act 155 of 1972.

Section 6. Any person violating this ordinance or the regulations promulgated thereunder shall be subject to the remedies and penalties provided by Public Act 155 of 1972.

Section 7. This ordinance shall become effective fifteen (15) days after publication thereof in a newspaper having a circulation in the Town of Chaplin, Connecticut.

The above and foregoing ordinance was adopted at a legally warned and held Special Town Meeting on February 21, 1980, was duly published in Willimantic Chronicle, a newspaper having a circulation in the Town of Chaplin on Feb. 26, 1980, and became effective on March 12, 1980 (being the 15th after publication).

Attest: B. M. Church, Town Clerk