

SECTION 15: AMENDMENTS

- 15.1 These regulations of the Town of New Milford Inland Wetlands and Watercourse Commission shall be amended in the manner specified in Section 8-7d and 22a-42a of the Connecticut General Statutes, as amended. The Commission shall provide the Commissioner of Environmental Protection with a copy of any proposed regulations and notice of the public hearing to consider any proposed regulations or amendments thereto, except map amendments, at least thirty-five (35) days before the public hearing on their adoption.
- 15.2 The Inland Wetlands and Watercourses Map for the Town of New Milford may be amended by the Commission as new information regarding soils and inland wetlands and watercourses becomes available.
- A. Any person who submits a petition to amend the Inland Wetlands and Watercourse Map for the Town of New Milford shall bear the burden of proof for all requested map amendments. Such proof may include, but is not limited to, professional interpretation of aerial photography and remote sensing imagery, resource mapping, soils mapping, or other information acceptable to the Commission. Petitions requesting changes or amendments to the New Milford Inland Wetlands and Watercourses Map shall contain at least the following information:
1. The applicant's name, address and telephone number;
 2. The owner's name (if not the applicant), address, telephone number, and a written consent to the proposed petition set forth in the application;
 3. Address and description of the land upon which the change is requested;
 4. The applicant's interest in the land, if any;
 5. Map(s) showing the geographic location of the parcel of land affected by the petition and the existing and proposed wetland(s) and watercourse(s) boundaries on such land in accurate detail together with the documentation supporting such proposed boundary locations. The Applicant or property owner shall present documentation by a certified soil scientist showing the soil types and boundaries of the soils types on the map of the parcel of land with the locations of numbered flags designating the boundary between wetland and non wetland soils types according to the National Cooperative Soils Survey. Watercourses shall be delineated by a soil scientist, geologist, ecologist or other qualified individual;
 6. Map(s) showing any proposed development of the land in relation to existing and proposed wetland and watercourse boundaries;
 7. The reasons for the requested action;

8. The name and addresses of adjacent property owners.
 - B. A public hearing shall be held on petitions to amend the Inland Wetlands and Watercourses Map. Notice of the hearing shall be published in a newspaper having substantial circulation in the municipality at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days nor less than ten (10) days, and the last not less than two (2) days, before the date set for the hearing. A copy of such proposed boundary change shall be filed in the office of the town clerk, for public inspection at least ten (10) days before such hearing.
 - C. The Commission shall hold a public hearing on a petition to amend the regulations and the Inland Wetlands and Watercourses Map within sixty-five (65) days after receipt of such petition. The hearing shall be completed within thirty-five (35) days after commencement. The agency shall act upon the changes requested in such petition within sixty-five (65) days after completion of such hearing. At such hearing any person or persons may appear and be heard and may be represented by agent or attorney. The petitioner may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days or may withdraw such petition. Failure of the Commission to act within any time period specified in this subsection or an extension thereof, shall not be deemed to constitute approval of the petition.
 - D. The Commission shall make its decision and state, in writing, the reasons why the change in the Inland Wetlands and Watercourses Map was made.
- 15.3 The appendices referenced within these regulations, except for the Fee Schedule, can be amended by the Commission as necessary. Any changes or alterations to the appendices will become effective immediately.