

## **Section 140-040      Excavation Permit Application Requirements**

1. An application for a permit to excavate and remove any of said products shall be made to the Commission by the property owner or his legally authorized agent with power of attorney.
2. Any such application shall be accompanied by a map or maps and other documentation, giving the following information:
  - a. Location of the premises, names of owners, within five hundred feet (500') of the perimeter, and an estimate of the amount of material to be excavated and/or removed.
  - b. Grading plan showing existing contours in the area to be excavated and proposed contours in the area after operations have been completed. Such plans shall include the area to be excavated, as well as the surrounding area within fifty feet (50') of the excavation, and shall be drawn to a convenient scale with contours shown at intervals of not more than five feet (5').
  - c. To determine the type of material, the results of deep hole tests, at least three (3) per acre, to a minimum depth of ten feet (10'), certified by an engineer licensed to do business in the State of Connecticut, shall be submitted to the Commission.
  - d. Existing and proposed drainage of the site and the protection of the same.
  - e. Proposed truck and other access to the site.
  - f. The location and type of any temporary buildings or temporary machinery to be erected or otherwise brought onto the site.
  - g. An estimate of the number and type of trucks and other equipment to be used on the site.
  - h. Details of final grading and planting of the site to prevent erosion and otherwise stabilize and restore the premises.
  - i. Written authorization to the Commission for inspection of the site at any reasonable time by a duly authorized representative of the Commission.
  - j. An affidavit to be filed with the Commission, stating that notice of the proposed excavation operation has been given to the holders of any mortgages or other encumbrances on the property to be excavated.
  - k. Any application calling for a public hearing would require the petitioner, at his expense, to send notice of same, via certified mail, return receipt requested, to all owners of record of any abutting properties and also those properties that lie opposite the parcel across any street or thoroughfare. The above notice shall be mailed at least fifteen (15) days prior to the date set for said public hearing. At the time of the public hearing, a copy of the notice sent, together with return receipts, shall be presented to the Zoning Commission to show compliance. An honest effort to reach the owner of record at his last known address would suffice with postal regulations governing. The property shall also be placarded with a sign of three by four feet (3' x 4') minimum, set back no more than ten feet (10') from the

front lot line or on the front face of any building or structure that is closer to the front lot line. Said sign shall be visible to the public and composed of letters with a minimum height of four inches (4"). The message shall read: "A public hearing dealing with these premises is to be held in the New Milford Town Hall at (time) on (day), (month, day, year) dealing with an application for etc." Said sign shall be placed at least fifteen (15) days prior to the public hearing and removed immediately after the hearing is closed. The wording of the required sign may be changed at the discretion of the Zoning Commission to suit the circumstances involved.

1. Before a permit is issued, both owner and operator shall submit to the Commission a letter signed by them, which authorizes the Commission, if in its sole judgment Section 140-050-2.F is not complied with, to call any and all bonds posted for this permit and to use such funds to have the site entered upon and restored. (*Amended Effective: June 20, 1985*)