

LEGAL NOTICE

The Inland Wetlands and Watercourses Agency of Middletown, Connecticut has scheduled a public hearing on Wednesday, March 1, 2006 at 7:00 p.m. in the Council Chambers of the Municipal Building, 245 DeKoven Drive, Middletown, Connecticut for the following items:

1. Application for filling and grading of wetlands and regulated areas to create a future building pad for site to be located at 612 Middle Street. Applicant/agent Members Only Development, LLC (06-01)
2. Proposed Wetland Code text amendment to modify Sections 02.33 "Regulated Area" and 02.32 "Regulated Activity". IWWA Proposed Text Amendments are as follows:

Amendment #1

Existing Language:

02.33 "Regulated area" is the area where a regulated activity occurs, whether within a wetlands or not and includes all wetlands and watercourses as defined herein and all areas within fifty (50') setback.

Proposed Language

02.33 "Regulated Area" is the area in which regulated activity(ies) occur. It includes all wetlands and watercourses as defined herein plus all adjacent non-wetland, non-watercourses (upland review) areas measured from the established wetland or watercourse boundaries to a distance of one hundred feet (100').

The above defined upland review or regulated area will be extended by the Agency, on a case-by-case basis, if the Agency determines that the proposed activities are likely to impact or affect a wetland or watercourse.

Amendment #2

Existing Language

02.32 "Regulated activity" means any operation within or use of a wetland or watercourse involving removal or deposition of material or any obstruction, construction, alteration or pollution of such wetlands or watercourses but shall not include the activities specified in Section 6 of these regulations.

Proposed Language

02.32 "Regulated Activity" means any operation within or use of a wetland or watercourse involving removal or deposition of material or any obstruction, construction, alteration or pollution of such wetlands or watercourses, but shall not include the activities specified in Section 6 (C.G.S. 22a-40) of these regulations.

Furthermore, the following are defined as regulated activities: clearing; grubbing; earth-moving, filling; grading; paving; excavating; constructing, including the underground installation of fuel tanks; discharging of stormwater or the clear cutting of trees within the regulated area.

The Agency may rule that any other activity located within such regulated area or in any other non-wetland or non-watercourse area that is likely to impact or affect a wetland or watercourse is a regulated area.

Joseph Carta
Chairman

P.O. No. 2003-01283, Account No. 067419

The above legal notice to appear in the Hartford Courant TWICE

Friday, February 17, 2006
Friday, February 24, 2006