

SECTION 8: PUBLIC HEARINGS

- 8.1 The Commission shall not hold a public hearing on an application unless the Commission determines that the proposed activity is a significant activity as defined in these regulations, a petition signed by at least twenty-five (25) persons who are eighteen years of age or older and who reside in the municipality in which the regulated activity is proposed, requesting a hearing is filed with the Commission not later than fourteen (14) days after the date of receipt of such application, or the Commission finds that a public hearing regarding such application would be in the public interest. The Commission may issue a permit without a public hearing provided no petition provided for in this section is filed with the agency on or before the fourteenth day after the date of receipt of the application. Such hearing shall be held no later than sixty five (65) days after receipt of such application. All applications and maps and documents relating to the hearing shall be open for public inspection. At such hearing any person may appear and be heard and may be represented by agent or by attorney.
- 8.2 Notice of the public hearing shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days and not fewer than ten (10) days, and the last not less than two (2) days before the date set for the hearing in a newspaper having a general circulation in each town where the affected wetlands and watercourse or any part thereof, is located.
- 8.3 In the case of any application which is subject to the notification provisions of Section 7.12 of these Regulations, a public hearing shall not be conducted until the clerk of the adjoining municipality(ies) has received notice of the pendency of the application. Proof of such notification shall be entered into the hearing record. Such adjoining municipality(ies) may, through a representative, appear and be heard at any hearing on the application.
- 8.4 Any public hearing on an application shall be held no later than sixty-five (65) days after receipt of any application. Where possible, public hearings shall be completed in a single session. However, the hearing may be continued (to a date certain) where necessary for the full development of the evidence, or for the full and adequate participation of the parties, or for such other substantial purposes, provided that the public hearing shall be completed within thirty five (35) days from the date of its commencement. Action shall be taken on applications within thirty-five (35) days of completion of the public hearing. The applicant may consent to one or more extensions of the periods specified in this section for the holding of the hearing and for action on such application, provided the total extension of all such periods shall not be for longer than sixty five (65) days, or may withdraw such application. Failure of the Commission to act within any time period specified in this section, or any extension thereof, shall not be deemed to constitute approval of the application. An application deemed incomplete by the Commission maybe be withdrawn by the applicant or shall be denied by the Commission.
- 8.5 For any application involving a public hearing the applicant is required, at his expense, to placard the property with a sign of three (3) feet by four (4) feet minimum, set back no more than ten (10) feet from the front line. Said sign shall be visible to the public and composed of letters with a minimum height of four (4) inches. The message shall read: "a public hearing

dealing with this property is to be held in the (list location) before the Inland Wetlands Commission at (time), (month, day, year), dealing with an application for (type of activity).” Said sign shall be in place at least fifteen (15) days prior to the public hearing and removed immediately after the public hearing is closed.

- 8.6 For any application involving a public hearing the applicant is required, at his expense, to send notice of said public hearing, via certified mail, return receipt requested, to the owner(s) of record, as indicated on the property tax map or on the last completed grand list, of the abutting land and also those properties that lie opposite the parcel across any street, thoroughfare or easement, no less than fifteen (15) days prior to the day of the public hearing. This notice shall include a brief description of the proposed activity and the date, time and place of the public hearing. Documentation of such notification shall be provided to the Commission at the start of the public hearing.