



State of Connecticut -- Dept. of Environmental Protection
Gina McCarthy, Commissioner
www.ct.gov/dep

2007 MUNICIPAL INLAND WETLAND COMMISSIONERS TRAINING PROGRAM SEGMENT 2

Connecticut's Inland Wetlands and Watercourses Act:
A Legal, Administrative, and Resource Management Update

Presentation by
The Attorney General's Office

RECENT COURT CASES

A. Supreme Court Case

- i. AvalonBay Communities, Inc. v. Inland Wetlands and Watercourses Agency of the Town of Stratford, 280 Conn. 405 (2006)

Issue: CEPA intervention by town in inland wetlands agency proceedings

B. Appellate Court Case

- i. None at this time

C. Superior Court Case Subjects of Interest

- i. Expert testimony needed to support technical conclusions
- ii. Reasonable probability / likelihood of impact
- iii. Conduct of hearings / handling evidence
- iv. Finding on the record leads to feasible and prudent alternatives