

An Ordinance Concerning Fees
for the
Processing of Land Use Applications

Section 1: Authorization and Purpose

- 1.1 Pursuant to the provisions of Connecticut General Statutes, Section 8-1c, the Town of Clinton does hereby establish a schedule of reasonable fees for the purpose of funding the approximate actual municipal administrative cost of reviewing, evaluating and processing of applications by the Town of Clinton land use regulatory Commissions.

Section 2: Definitions

- 2.1 Land use regulatory commission: The Clinton Planning and Zoning Commission, the Clinton Zoning Board of Appeals and the Clinton Inland Wetlands Commission, which are herein referred to individually as "Commission".
- 2.2 Land use application: Any application to a land use regulatory Commission within its statutory jurisdiction, which is herein referred to as "application".
- 2.3 Review, Evaluation and Processing: All functions performed in connection with or associated with a land use application by a land use regulatory Commission, including but not limited to fees and expenses relating to the administrative handling of the application, consultant expenses in direct connection with the technical review of the application, including both pre-approved and post approval costs associated with the application such as engineering review of construction plans and inspections of improvements during construction to assure compliance.

Section 3: Fee Schedule

- 3.1 The base fees as set forth in this Ordinance are due and payable to the Town of Clinton upon submission of a land use application, unless another date for payment is specified herein.

3.3.1 Planning and Zoning Commission

Zoning

- 1) Zoning Permit\$15.00
- 2) Zoning Permit (Issued after Construction)
- (a) First Occurrence per offense (by person or entity)\$250.00
- (b) Second Occurrence per offense (by person or entity)\$500.00
- (c) Third Occurrence per offense (by person or entity)\$750.00

- (d) Fourth Occurrence per offense (by person or entity)\$1,000.00
- 3) Certificate of Zoning Compliance.....\$40.00**
- 4) CAM (Coastal Area Management) Application
 - (a) Residential.....\$25.00
 - (b) Commercial\$45.00
- 5) Amendment Request for Regulation or Zone Change\$100.00
 - (a) Plus actual cost of legal notices in excess of \$50.00
- 6) Gravel Excavation or Dumping (Special Permit)
 - (a) Month Permit (Per month if less than one year)\$25.00
 - (b) Year Permit (Per year).....\$150.00
 - (c) Renewals or Extensions (Per year)\$150.00
- 7) Special Exception, Planning and Zoning Commission\$100.00
 - (a) Plus, per each square foot of building**\$0.15**
 - (b) Plus, per parking space\$5.00
- 8) Special Exception, Multi-unit structure, e.g. Elderly House, Hospitals, Motels, Hotels, Schools, Nursing Homes, etc.\$100.00
 - (a) Plus, per bedroom\$15.00
 - (b) Plus, per parking space\$5.00
- 9) Site Plan Application\$75.00
 - (a) Plus, per each square foot of building**\$0.10**
 - (b) Plus, per parking space\$5.00
- 10) Re-noticing due to applicant error, withdrawal, or postponement (at applicant's request) to be paid by applicant at cost.
- 11) Additional Fees Per Application**
 - (a) Microfilming.....\$10.00**
 - (b) Department of Environmental Protection.....\$30.00**

Subdivision

- 1) Subdivision Application\$100.00
 - (a) Plus, per lot\$150.00
 - (b) Plus, per linear foot of road\$1.00
- 2) Re-Subdivision Application\$150.00
 - (a) Plus, per lot\$150.00
 - (b) Plus, per linear foot of road\$1.00

3) Additional Fees Per Application

- (a) Microfilming\$10.00**
- (b) Department of Environment Protection.....\$30.00**

3.3.2 Zoning Board of Appeals

- 1) Zoning Board of Appeals Application for Variance\$100.00
- 2) CAM (Coastal Area Management) Application
 - (a) Residential.....\$25.00
 - (b) Commercial\$45.00
- 3) Special Exception\$100.00
 - (a) Plus, per each square foot of building\$0.15**
 - (b) Plus, per parking space\$5.00
- 4) Appeal of Decision of Zoning Enforcement Officer\$100.00
- 5) Re-noticing due to applicant error, withdrawal, or postponement (at applicant's request) to be paid by applicant at cost.

6) Additional Fees Per Application

- (a) Microfilming\$10.00**
- (b) Department of Environmental Protection.....\$30.00**

3.3.3 Inland Wetlands Commission

- 1) Regulated Activity (within 0' to 50' of or in wetlands or watercourses)
 - (a) Residential uses\$125.00
 - (i) Plus per lot\$40.00
 - (b) Commercial and Industrial Uses.....\$300.00
 - (c) Significant Activity Fee (Section 2.20.1)\$250.00
- 2) As-of-Right (Logging, farm ponds, agricultural).....\$35.00
- 3) Activity Within 100 feet of wetlands (Commission Permit)
 - (a) New Residential Structure\$75.00
 - (b) New Commercial or Industrial Lot\$100.00
 - (c) Addition to existing structure on residential lot\$50.00
 - (d) Addition to existing structure on commercial or industrial lot\$75.00
- 4) Activity within 100 feet of wetlands (Wetland Enforcement Officer Permit): Issued for the following activities within 51' to 100' from the wetlands: decks, porches, residential additions, sheds, pools, fences, minor driveway work, stone walls and test holes).
 - (a) Residential Lot.....\$35.00

- (b) Commercial or Industrial Lot.....\$50.00
- (c) Deep Test Pits, per lot.....\$20.00

- 5) Boundary Change/Verification of Inland Wetlands Official Map
 - (a) New Subdivisions (residential or industrial)\$250.00
 - (b) New Commercial or Industrial Development\$250.00
 - (c) Existing residential lot.....\$25.00
 - (d) Existing Commercial/Industrial Lot\$100.00

- 6) Modification of Previous Approval:
 - (a) Residential Lot.....\$25.00
 - (b) Commercial or Industrial Lot.....\$50.00

- 7) Additional Fees per Application
 - (a) Microfilming\$10.00
 - (b) Department of Environmental Protection.....**\$30.00**

- 8) Re-Noticing due to applicant error, withdrawal, or postponement (at applicants request) to be paid by applicant.

Section 4: Consultants Expenses

- 4.1 Prior to or contemporaneous with the filing of an application, the applicant shall advise the Commission in writing as to the professional evidence by way of testimony or certification that it intends to submit as part of or in support of said application. Such written statement shall include the specific areas of expertise (e.g. traffic, hydrology) in which the Commission may require the technical assistance of consultants.

- 4.2 A Commission may charge fees in addition to the base fees above set forth in order to obtain additional technical assistance in reviewing and evaluating an application where the Commission determines, based upon information provided or required to be provided by the applicant, that the nature, size or intensity of the land use application shall require services of consultants not provided for within the fees set forth in Section 3.

- 4.3 The Commission shall determine the amount of the fee in addition to the base fee required for the review, evaluation and processing of the subject application based on the following criteria:
 - 4.3.1 For subdivision or re-subdivision applications, said additional fee shall not exceed a unit cost per lot of \$350.00 for each expert required to review and evaluate said application;

 - 4.3.2 For site plan applications, said additional fee shall not exceed an additional \$1.00 per square foot of building proposed; and

4.3.3 For special exception applications, said additional fee shall not exceed an addition \$1.50 per sq. ft. of building proposed.

4.4 In addition to the foregoing limitations, a Commission shall not charge an applicant for a unit of service from the following providers in excess of the following dollar amounts:

<u>Expert</u>	<u>Per Hour</u>
Attorney	\$150.00
Civil Engineer	\$100.00
Soil Scientist	\$100.00
Hydrologist	\$100.00
Environmental Review	\$100.00
Traffic Engineer	\$100.00
Geologist	\$100.00

4.5 An applicant may provided the written statement required under Section 4.1 and request a determination by the Commission as to whether additional technical assistance will be required and the amount of the additional technical assistance will be required and the amount of the additional fee prior to submission of the application. Payment of the additional fee shall be made upon submission of the application or within 30 days of the determination of the required additional fee by the Commission, whichever shall later occur.

4.6 Failure to provide the statement required under Section 4.1 or to pay the additional fee required hereunder may render the application incomplete under the Commission regulations.

Section 5: Duplication of Review

5.1 In making a determination as to whether additional technical assistance will be required, each Commission shall give due consideration to and shall use to the extent feasible the technical assistance that may have been engaged by another Commission in reviewing the same application so as to eliminate duplication of consultant review fees.

Section 6: When Fee Not Required

6.1 A Commission may by resolution determine that base fees, or portions thereof, are not required in particular cases of resubmission of a disapproved application or an application to revise an approved application, or in cases where the application changes are minor. Boards, Commission and Departments of the Town of Clinton are exempt from fee requirements.

Section 7: Effective Date

- 7.1 This Ordinance shall be effective thirty days after publication in a newspaper having circulation in the Town of Clinton.