

TOWN OF WATERTOWN, CONNECTICUT
ORDINANCE NO. 10-1-07-280

AN ORDINANCE ESTABLISHING FEES
FOR PLANNING AND ZONING

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WATERTOWN, CONNECTICUT THAT THE TOWN OF WATERTOWN CODE OF ORDINANCES IS AMENDED AS FOLLOWS:

1. Purpose

This ordinance is adopted pursuant to the authorization of Section 8-1c of the General Statutes of the State of Connecticut which authorizes any municipality by ordinance to establish a schedule of reasonable fees for the processing of applications by a municipal planning and zoning commission, zoning board of appeals, and inland wetlands agency. It is the stated policy of this ordinance to affect the following:

- 1.1. To establish a schedule of fees whereby town costs for reviewing, evaluating and processing land use applications are financed by fees. This standard shall be applied to land use applications as a group and not to a single application or class of applications. Costs of Planning and Zoning, Zoning Board of Appeals, Inland Wetlands Agency, Building Inspection, and Public Works Engineering that are directly related to reviewing, evaluating, and processing land use applications are to be considered when establishing land use application fees, including Building Inspection fees. Town costs related to land use applications exempt from application fees pursuant to Section 3.3 of this ordinance, shall not be considered when establishing fees.
- 1.2. To ensure a system of fees that does not include municipal expenses incurred in negotiating with applicants for agreements, conveyances, conditions, modifications or any other concession desired by the town during the application process.
- 1.3. To encourage applicants to (a) become familiar with Watertown zoning, subdivision, wetlands, and building inspection regulations; (2) submit applications which comply with applicable regulations, and (3) submit plans and proposals with no errors and omission; thereby reducing costs.
- 1.4. To ensure third party consulting services authorized by the Commission are completed in a timely manner.
- 1.5. To ensure Commission Attorney fees for review of documents resulting from Commission approved applications are paid directly by the applicant to the Commission Attorney.

2. Definitions

- 2.1. Subdivision Application – Any application to the Planning and Zoning Commission (herein after “Commission) filed in accordance with town subdivision regulations or Connecticut General Statutes relating to subdivisions, including but not limited to an application for a subdivision or re-subdivision, or application for amendment or revision to same.
- 2.2. Zoning Application – Any application to the Commission filed in accordance with town zoning regulations or Connecticut General Statutes relating to zoning, including but not limited to an application for zoning or amendment or revision to same.
- 2.3. Review, Evaluation, and Processing – Review, evaluation, and processing includes all functions directly performed for an application to the Planning and Zoning Commission, Inland Wetlands Agency, Zoning Board of Appeals, and consultants approved by a land use board to review, evaluate, and process an application. Costs may include:
 - 2.3.1. Legal advertisements such as public hearing notices, decisions of the Commission, and other matters requiring publication in a newspaper
 - 2.3.2. recording and preparing Commission meeting minutes that are directly related to a land use application
 - 2.3.3. staff hourly wages and apportioned fringe benefits directly related to processing land use applications. Staff may be from Departments of Planning and Zoning, Building Inspection, and/or Public Works.
 - 2.3.4. consultant expenses for technical and regulatory review not paid directly by applicant
 - 2.3.5. Commission attorney fees not paid directly by applicant
 - 2.3.6. Commission office expenses apportioned to application processing
- 2.4. Applicant – Any person, corporation, partnership, or other entity who submits an application to the Commission or Commission staff for a permit or request for land use approval pursuant to Watertown Subdivision Regulations or Zoning Regulations.

3. Fees Charged for Land Use Applications

3.1. Planning and Zoning Fees	
3.1.1. Application fee for each residential lot and non-residential lot to be created	
First and second lots	\$250 per lot
Third or more lots	\$500 per lot
3.1.2. Site Plan Review	
Residential	\$ 250
Multi-family dwellings or Non-residential use	
Value less than \$100,000	\$ 500

Value \$100,000 to \$500,000 Value more than \$500,000	\$1,000 \$1,000 plus \$200 for each \$100,000 value
3.1.3. Special permits or special exceptions (in addition to application fee and site plan review fee) Residential Non-Residential Excavation of fill material Less than 1,000 cubic yards 1,000 to 49,999 cubic yards 50,000 to 99,999 cubic yards 100,000 or more cubic yards	\$175 \$175 \$500 over \$500,000 value \$ 500 \$1,000 \$2,000 \$4,000
3.1.4. Legal Fees Review of documents following Commission application approval	Paid by applicant directly to Commission attorney
3.1.5. Third party reviews and appraisals approved by Commission	Paid by applicant directly to Commission's third party consultant. Prior to commencing consulting work there shall be a written agreement executed by Commission, applicant, and Commission consultant
3.1.6. Notification to land owners	Paid by applicant
3.1.7. Recording on Watertown Town Clerk records	Paid by applicant directly to Watertown Town Clerk
3.1.8. Zoning Permits (includes accessory structures, and signs) Construction cost estimate approved by Zoning Enforcement Officer: Under \$1,000 \$ 1,000 to \$ 4,999 \$ 5,000 to \$ 9,999 \$ 10,000 to \$ 19,999 \$ 20,000 to \$ 39,999 \$ 40,000 to \$ 79,999 \$ 80,000 to \$119,999 \$120,000 to \$239,999 Above \$240,000	\$ 50 \$ 60 \$ 70 \$ 80 \$ 90 \$100 \$120 \$170 \$220
3.1.9. Application to Zoning Board of Appeals	\$250

3.1.10. Change in zoning district boundaries, zoning regulations, or subdivision regulations	\$500
3.1.11. Home occupations	\$200
3.1.12. Change in use	\$200
3.1.13. Inspection fees required by land use boards regulations	Paid by applicant

3.2. The Commission may at its discretion waive all or part of land use application fees and authorize refunds of fees for applications if one or more of the following are true: (a) an application is re-filed and accepted for review by the Commission within one year of application withdrawal, (b) the activity applied would, in the Commission's determination, result in a substantial public benefit, or (c) the Commission determines there has been an error applying fees to a land use application. The Commission shall state on the record the basis for actions under this Section 3.2.

3.3. The Town of Watertown including its Boards, Commissions, and Departments, and the Watertown Fire District are exempt from fees under this ordinance.

4. Severance Clause

This ordinance and the various parts hereof are declared to be severable. If any part, sentence, section, or clause is adjudged to be invalid, it is hereby provided that the remainder of the ordinance shall not be affected and shall remain in full force and effect.

5. Repeal

All ordinances or parts of ordinances adopted prior to this ordinance inconsistent with the provisions of this ordinance are hereby repealed to the extent of their inconsistency.

6. Effective Date

The ordinance shall be effective after approval by the Watertown Town Council and twenty-one days following publication of this ordinance in a newspaper having substantial circulation in Watertown.

Dated at Watertown, CT this 1st day of October, 2007

Joseph Pawlak, Chairman
Watertown Town Council

Introduced: 09/17/2007
Public Hearing: 10/01/2007
Approved: 10/01/2007
Published: 10/11/2007
Effective: 11/01/2007