

**TOWN OF BOZRAH**  
**REGULAR MEETING**  
**BOARD OF SELECTMEN**  
**BOZRAH TOWN HALL**  
April 19, 2022

**Item 1:** First Selectman Glenn Pianka called a Regular Meeting of the Bozrah Board of Selectmen (BOS) to order at the Bozrah Town Hall on April 19, 2022 at 7:00 p.m.

**Members Present:** First Selectman Glenn Pianka and Selectman Bill Ballinger

**Members Absent:** Selectman Jeremy Tarasevich

5 Members of the Public

**Item 2:** Public Comments

No public comment.

**Item 3:** Approval of Minutes - Regular Meeting March 15, 2022

**MOTION 1:** B. Ballinger made a motion to approve the minutes from the Regular Board of Selectmen meeting on March 15, 2022. G. Pianka seconded the motion.

Vote unanimous - **MOTION CARRIED**

**Item 4:** Monthly Reports

a. Fire Marshal

Attachment 1 - January  
Attachment 2 - February  
Attachment 3 - March

b. Food Bank

Attachment 4

c. Senior Services Coordinator

Attachment 5 - February  
Attachment 6 - March

d. State Police - No report

**Item 5: Land Use Application Fees - Revision/Update to Ordinance 2012-1**

Attachment 7 - 2012-1

Attachment 8 - 2022-x

G. Pianka presented the approved draft ordinance to be reviewed by the Board of Selectmen.

**MOTION 2:** B. Ballinger made a motion to approve the draft ordinance dated March 29, 2022 and to bring it to a town meeting. G. Pianka seconded the motion.

Vote unanimous - **MOTION CARRIED**

**Item 6: Uncas Health District Representative**

Nancy Renshaw 243 Bashon Hill Road to replace Dr. Michael Betten

**MOTION 3:** B. Ballinger made a motion to appoint Nancy Renshaw to replace Dr. Micheal Betten as the Uncas Health District Representative. G. Pianka seconded the motion.

Vote unanimous - **MOTION CARRIED**

**Item 7: Commission Appointments**

## a. Bozrah Cemetery Commission

Mark Rollinson 159 Scott Hill Road 860-428-2497

Term: 07/20/2021 - 07/20/2023

**MOTION 4:** B. Ballinger made a motion to appoint Mark Rollinson to the Bozrah Cemetery Commission for the term 07/20/2021 through 07/20/2023. G. Pianka seconded the motion.

Vote unanimous - **MOTION CARRIED**

## b. Bozrah Utilities Commission (Re-Appointment)

Seymour Adelman

Term: 04/30/2022 - 04/30/2025

**MOTION 5:** B. Ballinger made a motion to reappoint Seymour Adelman to the Bozrah Utilities Commission for the term 04/30/2022 through 04/30/2025. G. Pianka seconded the motion.

Vote unanimous - **MOTION CARRIED**

**Item 8: First Selectman Updates:**

## a. Underground Storage Tank

G. Pianka noted the project will begin the 3rd week of June when school is out. He noted a possible change from stairs on the storage tank to a pump system.

b. Town Ordinance Book

G. Pianka noted they are moving forward with the creation of an organized book listing all town ordinances.

c. Parade Committee

G. Pianka noted some parade donations and the positive interest in the parade.

d. Speed Monitoring Signs

G. Pianka noted the first speed monitoring sign has been placed on South Road.

e. Town Clerk Status

G. Pianka noted the Town Clerk is working a few hours daily, including Monday and Friday.

f. Maples Farm Park Pavillion

G. Pianka noted the groundbreaking for the pavilion is expected any day. He noted Jack Santo's bid was approved and Steve Coit is donating excavation services.

g. Thank you From Bill Brown (DPW)

G. Pianka read aloud a thank you letter from retired DPW employee Bill Brown.

**Item 9: Such Other Business as the Board May Vote to Hear**

No other business.

**Item 10: Public Comment**

Bill Ballinger, Lake Road, commented on the USDA application.

Ev Brown, Fitchville Road, commented on attachments for the meeting.

Carolyn Dziengiel, Bashon Hill Road, commented on the pavilion at Maples Farm Park, Linda from the food pantry and temporary sign usage in town.

Patricia Goff, Salem Turnpike, commented on the Charles Long sign at the Rec Field, dump costs and zoom meetings.

Raymond Barber, Goshen Road, commented on the Wetlands Enforcement Officer and the Zoning Enforcement Officer salaries.

**Item 11: Adjourn**

**MOTION 6:** B. Ballinger made a motion to adjourn the meeting at 7:56 p.m. G. Pianka seconded the motion.

Vote unanimous - **MOTION CARRIED**

Respectfully submitted for the Board,

Heather Provost  
Recording Secretary

---



**OFFICE OF THE FIRE MARSHAL  
TOWN OF BOZRAH  
TOWN HALL  
1 RIVER ROAD  
BOZRAH, CT. 06334  
Telephone: (860) 889-2689 • Fax: (860) 887-5449**

03/15/2022

Glenn Pianka, First Selectman  
Town of Bozrah  
1 River Rd  
Bozrah CT 06334

Glenn,

The following are activities conducted by the Fire Marshal's Office between 01/10/2022 thru 02/09/2022:

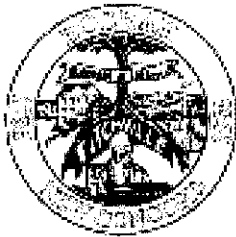
- Review of communications from the State of Connecticut DEMHS
- Data entry into fire department data base
- Fire Investigation Hillendale Farms
- Inspection of building modification Elmbrook Village
- Discussion with Hillendale Farms on Avian Flu operations modification
- Answered request for information on 99 Stockhouse Rd

Annual Fire Safety Inspections

- Revelation Church
- Connecticut Institute for the Blind
- Gilman Brothers
- Gilman Corporation
- Moose Lodge
- Gorin's Furniture
- Inner Peace

Submitted,

Thomas E Main Jr., Fire Marshal  
Town of Bozrah



**OFFICE OF THE FIRE MARSHAL  
TOWN OF BOZRAH  
TOWN HALL  
1 RIVER ROAD  
BOZRAH, CT. 06334  
Telephone: (860) 889-2689 • Fax: (860) 887-5449**

03/15/2022

Glenn Pianka, First Selectman  
Town of Bozrah  
1 River Rd  
Bozrah CT 06334

Glenn,

The following are activities conducted by the Fire Marshal's Office between 02/10/2022 thru 03/09/2022:

- Review of communications from the State of Connecticut DEMHS
- Data entry into fire department data base
- Discussion with Ramon Pons, CWPM Safety Coordinator on Sterling Superior transfer station
- Meeting with Glen Gorin on building modification 28 Haughton Rd
- FM continuing education class 3/2/2022
- FM continuing education class 3/3/2022
- Discussion and follow-up with Patrick McCormick on relocation of Fitchville Home resident relocation.
- Discussion with Beverly McGowen on Fitchville Home heating system repair and resident relocation
- FM continuing education class 3/7/2022
- Contact with Sam Alexander in regard to fire apparatus turning radius plan for Coit project Stockhouse Rd

Submitted,

Thomas E Main Jr., Fire Marshal  
Town of Bozrah



**OFFICE OF THE FIRE MARSHAL  
TOWN OF BOZRAH  
TOWN HALL  
1 RIVER ROAD  
BOZRAH, CT. 06334  
Telephone: (860) 889-2689 • Fax: (860) 887-5449**

04/18/2022

Glenn Pianka, First Selectman  
Town of Bozrah  
1 River Rd  
Bozrah CT 06334

Glenn,

The following are activities conducted by the Fire Marshal's Office between 03/10/2022 thru 04/09/2022:

- Review of communications from the State of Connecticut DEMHS
- Data entry into fire department data base
- FM Continuing Education training 3/10/22
- Discussion with Kathy Schoepfer on fire alarm system St. John's Church
- Discussion with Scott Graves on egress change/remodel Core Credit Union office
- Discussion with Sam Alexander on Coit project 3/11/22
- Discussion with Sam Alexander on Coit project 3/16/22
- Elmbrook Village new locking arrangement acceptance testing 3/16/22
- FM Continuing Education training 3/22/22
- Meeting at Town Hall on Coit Project Stockhouse Rd
- Spoke with Gary Arms on conditions found at 317 Fitchville Rd during annual inspection
- FM Continuing Education training 3/31/22
- FM Continuing Education training 4/5/22
- Communication with and updated fire hydrant water supply map with Insurance Services Organization
- Town Hall meeting on Avian Influenza response
- Meet with Brad Wainman, 6 Commerce Park on new tenant requirements
- Online Avian Influenza meeting with DEMHS

**Annual Fire Safety Inspections**

- Fitchville Home
- 314 Fitchville Rd
- 317 Fitchville Rd
- Pledge Properties 2 Stockhouse Rd
- Pledge Properties 192 Fitchville Rd
- Pledge Properties 193 Fitchville Rd
- Pledge Properties 195 Fitchville Rd
- Pledge Properties 197 Fitchville Rd

Submitted,

Thomas E Main Jr., Fire Marshal  
Town of Bozrah

## **Bozrah Food Pantry March 2022 Monthly Report**

The Bozrah Food Pantry (BFP) continues to be well stocked and the schedule of participants submitting requests by Wednesdays and pickups on Thursdays 3:00 - 6:00 PM is working well. The BFP provided surplus stuffing to the St. Vincent's Soup Kitchen in Norwich. Molly Lathrop will be replacing Linda Blinn-Smolen as a BFP Coordinator in April.

### **Food Requests:**

The BFP had seven weekly food requests from families for pickups prepared and given out. Each pickup is about one week's worth of food for each person. (9 adults 0 children)

### **Donations:**

Molly Lathrop and several anonymous Bozrah residents dropped food off at the Town Hall.

### **BFP Financials:**

#### **Purchases with debit card:**

- No purchases

#### **Purchases with gift cards:**

- Shoprite gift card beginning balance \$156.03
- \$37.48 (meatballs and mayo)
- Ending balance \$118.55
  
- Stop& Shop gift card beginning balance \$185.65
- \$25 gift card from Dorothy Lathrop
- \$25 gift card from Janet Cosenza
- \$24.94 (snacks, juice)
- Ending balance \$210.71

Sincerely,

Tom Ververis (BFP Coordinator)

Molly Lathrop (BFP Coordinator)

(Apr 7 2022)



## **FEBRUARY 2022 SENIOR REPORT**

-Masks are no longer mandated, so they are now optional. The TVCCA café lunch program is being served w/soup each week, but the soups will be ending soon. Coffee and snacks are also served in the morning when they arrive.

-We have roughly 12-14 seniors coming each Friday. For February we made sun catchers one day, bingo, and played LRC.

-As Municipal Agent I receive phone calls almost daily, looking for help and/or information. I signed up 3 new people for medical ride transportation. I also suggested that the link for the ECTC website be added to the Towns website on the senior page. This will allow those that use the internet to easily browse the information to learn about what services are available through ECTC.

-The Senior Center received a donation for Senior activities (bowling day) in the amount of \$50 in memory of one of our members who loved to bowl. Once the weather improves we will arrange a trip to go bowling. The Senior account balance is \$1931.65.

-Pamela Contino  
Director/Municipal Agent

## **MARCH 2022 SENIOR REPORT**

-The TVCCA café lunch program is being served w/soup each week, but the soups will stop at the end of March. Coffee and snacks are also served in the morning when they arrive.

-About 12-14 seniors are coming each Friday. In March we were happy to have a speaker come in again. TVCCA Dietitian came to discuss eye health and how our diets can affect our eyesight. We also had some entertainment. I hired Bill Dougal to come sing and play "Songs of the West" on his guitar. The seniors enjoyed this very much! I shared this on the Bozrah Community Forum on Facebook hoping to spread the word and get more members. We also made bird feeders from pine cones, and played bingo. Also, a special meal for St. Patty's day of corned beef and cabbage w/Irish soda bread was served.

-As Municipal Agent I continue to receive several phone calls weekly, looking for help and/or information. Not only from seniors, family members looking for info, but from some local businesses looking to offer services.

-The Senior Center was rented early in the month for a surprise birthday party. The Senior account balance is \$1981.65.

-Pamela Contino  
Director/Municipal Agent



## TOWN OF BOZRAH

TOWN HALL

1 RIVER ROAD

BOZRAH, CT. 06334

Telephone: (860) 889-2689 • Fax: (860) 887-5449

## Ordinance 2012-1

At a Town Meeting held on 10 July 2012 in the cafeteria at Fields Memorial School the following ordinance was adopted

### **An Ordinance Concerning Land Use Application Fees in the Town of Bozrah**

Pursuant to the provisions of Section 8-1c of the Connecticut General Statutes, the Town of Bozrah adopts the following schedules for applications to the Planning & Zoning Commission, the Zoning Board of Appeals, the Inland Wetland & Conservation Commission, and the Town of Bozrah in any land use regulatory capacity. The term "Commission" in this ordinance shall mean any of the aforementioned authorities.

#### **A. Fee Schedule – Administrative.**

The following fees shall be due at the time the application is filed. The failure to submit any such fee shall render the application incomplete and shall be grounds for the relevant commission or board to refuse to process the application or to deny the application.

The State of Connecticut General Statutes Section 22a-27j requires a fee, which shall be in addition to the following fees.

*Proposed fee schedule identifies this as \$60 but notes it may be subject to change, per CT DEEP*

#### **APPLICATION TYPE/FEE**

##### **Planning & Zoning**

Subdivision/Resubdivision Application: \$100.00/Lot with \$250.00 minimum plus \$450.00 if public hearing is required. \$150 notice fee + \$200/new lot. \$500 hearing fee if needed

Subdivision Regulation Amendment: \$450.00 public hearing fee.

*Proposed fee schedule: \$150 notice fee + \$200/new lot + \$500 hearing fee*

Engineering review of design of new or rebuilt roads, drainage and other site improvements: \$1.00/linear foot with a \$400.00 minimum. Site improvements includes but is not limited to the construction of water and/or sewer lines, the setting aside of open space and recreation areas, planting of trees or other landscaping, the installation of retaining walls and other structures. *Proposed fee schedule: Engineer review and supervision/ inspection handled case-by-case*

**Supervision &** Inspections of Sedimentation & Erosion Control Measures: 5% of estimated costs of materials and installation.

Amendment to the Plan of Conservation and Development: \$450.00 public hearing fee.

*\$450 + \$150 + \$150 ~ this is likely to never happen*

Zoning Regulation text amendment or Zoning Map change: \$450.00 public hearing fee.

*\$450 hearing + \$150 notice + \$150 review*

Special Exception Application: \$450.00 public hearing fee.

*\$450 hearing fee + \$150 notice fee + \$100 per page of site plan; or \$150 if no plan*

Site Plan Application: \$100.00

*\$150 notice fee + \$100 per page of site plan*

Other Zoning Permits:

Commercial Applications - \$100.00

Residential – New Construction (single-family) - \$50.00 \$75

Residential (Multi-family) - \$100.00

Other (Additions, sheds, pools, signs, etc.) - \$25.00 \$50

Inland Wetland & Conservation Commission

Permitted uses as of right and non-regulated uses: NO CHARGE. \$50

Residential Uses (These are activities carried out on property developed for permanent housing or being developed to be occupied by permanent housing): \$50.00 per lot plus an additional \$250.00 for applications containing more than 2 lots. *\$150 notice fee + \$150 per lot review*

All Other Uses: (These are activities carried out on property developed for industry, commerce, trade, or business or being developed to be occupied for such purpose for profit): \$200.00 per lot. *\$150 notice fee + \$250 per lot review*

Significant Activity Fee, which is in addition to all other applicable fees: \$450.00

*\$150 notice fee + \$250 per lot review + \$500 hearing*

**Supervision &** Inspections of Sedimentation & Erosion Control Measures: 5% of estimated costs of materials and installation.

Regulation or Map amendment petitions: \$450.00

*\$150 notice fee + \$500 hearing*

Permit modification or renewal: \$50.00

*\$150 notice fee*

## Zoning Board of Appeals

Variance Application, Appeal of Decision, or Certificate of Location: \$450.00 public hearing fee. *\$450 hearing + \$150 notice + \$150 review*

*Certificate of Location: \$150 notice + \$150 review*

### **B. Consultant Fees and Expenses.**

Fees for costs incurred directly by the Commission or the Town of Bozrah in the processing of land use application(s), exclusive of the fixed fees in Section A of this Ordinance, shall be reimbursed by the applicant and shall include the cost of materials and/or services performed. Services may include, but are not necessarily limited to, scientific, engineering, and legal consultants, to review the application or to provide monitoring services with the purpose of protecting the public health, safety, and welfare. Such services/providers shall be determined by the Commission. The payment of such fees for reimbursement of such costs shall not prohibit Commissions from requiring performance bonds to ensure the successful completion of all work as may be prescribed in the Commission's regulations or Town Ordinances. The refusal of the applicant to pay any required fees shall render the application incomplete and shall be grounds for denial of the application. The failure to pay such fees when due shall be grounds for revocation of the permit or approval.

Fees incurred by the Commission or the Town of Bozrah, in excess of any fixed fee in Section A, shall be billed to an applicant upon being incurred, and after 30 days from such billing interest shall accrue on any unpaid balance at 18% per annum. In anticipation of processing any land use application, the Commission may require payment in advance based on reasonable estimates, made at the time an application is filed or at any time during such processing. Any balance remaining from any such payment following the payment of all bills for services and/or materials furnished to the Commission or Town of Bozrah shall be refunded to the applicant, but otherwise no payment for a fee in accordance with this ordinance shall be refundable.

Waiver: All boards and agencies of the Town of Bozrah, including the Fire Company, shall be exempt from the payment of the fixed fees established pursuant to this ordinance. A Commission may in whole or in part exempt an applicant from the payment of any or all fees if said application is for a non-profit organization/use as stipulated by Section 501(c)(3) of the Internal Revenue Code. When exempting an application a Commission shall state in the minutes of the meeting at which the application was received the fee type exempted, and the reasons for granting the exemption. This exemption shall not prohibit a Commission from requiring consultant reports or services.

### **C. Bond**

A bond may be required in an amount and in a form satisfactory to the authorizing Commission to guarantee satisfactory completion of all proposed work.

The applicant shall provide a cost estimate of improvements to be bonded, together with a description of the basis for the estimate.

No permit shall be issued until the bond is received.

The Town Treasurer shall hold the bond until the authorizing Commission votes its release. The Commission shall not release the bond until it receives certification by an assigned inspector that all of the requirements stipulated in the issuance of the permit have been met.

<p>[blue = new or revised language]          [highlight = attention needed]          [brown = notes, not part of ordinance]</p>
---

## **Ordinance 2022-X**

**At a Town Meeting held on XX-XX-2022 in the cafeteria at Fields Memorial School, the following ordinance was adopted**

### **An Ordinance Concerning Land Use Application Fees in the Town of Bozrah**

Pursuant to the provisions of Section 8-1c of the Connecticut General Statutes, the Town of Bozrah adopts the following schedules for applications to the Planning & Zoning Commission, the Zoning Board of Appeals, the Inland Wetlands & Conservation Commission, and the Town of Bozrah in any land use regulatory capacity. The term "Commission" in this ordinance shall mean any of the aforementioned authorities.

This ordinance supersedes and replaces Ordinance 2012-1, adopted July 10, 2012.

#### **A. Fee Schedule - Administrative.**

The following fees shall be due at the time the application is filed. The failure to submit any such fee shall render the application incomplete and shall be grounds for the relevant commission or board to refuse to process the application or to deny the application.

The Connecticut General Statutes Section 22a-27j requires a fee, which shall be in addition to the following fees. At the time of adoption of the ordinance the fee required under Section 22a-27j is \$60. In the event that Section 22a-27j is amended to require a different fee amount, the Town of Bozrah shall charge an amount consistent with the statute. If Section 22a-27j is repealed, no additional fee shall be due.

Please note that public hearings are required for certain applications. Where a public hearing is required, costs associated with the public hearing are reflected in the fee. The various land use commissions may choose to hold a public hearing on any application. If a commission determines that a public hearing is necessary due to the nature the application, the applicant shall be assessed an additional fee of \$500, which shall be due prior to the commencement of the public hearing.

Waiver: All boards and agencies of the Town of Bozrah shall be exempt from the payment of the fees established pursuant to this ordinance. A Commission may in whole or in part exempt any application from the payment of any or all fees. When exempting an applicant, a Commission shall state in the minutes of the meeting at which the application was received the fee type exempted and the reasons for granting the exemption. This exemption shall not prohibit a Commission from requiring consultant reports or services under section B. *This section moved from section B to section A.*

**A.I Planning & Zoning Commission**

**Subdivision of Land and Modification of Lot Boundaries**

---

**Commission Review and Approval Required:**

	<u>Notice Fee</u>	<u>Review Fee</u>	<u>Public Hearing Fee</u>	<u>Additional Fees</u>
<u>Subdivision</u>	\$150	\$200/new lot;	Commission Discretion*	Consultant Review** Supervision & Inspection***
<i>Per-lot fee modeled after Franklin. More realistic representation of cost of staff review.</i>				
<i>Notice Fee represents cost of legal ad (see Meeting #1 memo with legal ad breakdown).</i>				
<i>Using this formula, a 2-lot subdivision is assumed to require 2.5h staff time (probably underestimating), but an 11-lot subdivision is assumed to require 25h staff time (probably quite accurate).</i>				
<u>Resubdivision</u>	\$150	\$200/new lot;	\$500, Required	Consultant Review** Supervision & Inspection***
<i>Public hearing fee increased to \$500 (see Meeting #1 memo with legal ad breakdown).</i>				
<u>Subdivision or Resubdivision</u>	\$150	\$200/lot affected by modification;	\$500, IF required or held	Consultant Review** Supervision & Inspection***
<u>Modification</u>				
<i>Review fee is on a "per lot affected by modification" basis. This seems fair.</i>				
<u>Subdivision or Resubdivision Renewal</u>	\$150			

**Staff Review and Approval Required**

	<u>Review Fee</u>
<u>Lot Boundary Line Revision</u>	\$200
<i>Idea was to apply the "per new lot" price to these. I don't believe we charged for this in the past. Perhaps the residential certificate of zoning compliance fee was used (I have put the question in to Tom)</i>	
<u>"Free Split"</u>	\$200

\* The Commission may hold a public hearing at its discretion and charge the applicant a hearing fee.

\*\*See Consultant Review, section B.I.

\*\*\*See Supervision & Inspection section B.II.



Site Plans, Special Exceptions, and other Zoning Approvals

Planning & Zoning Commission Applications

	<u>Notice Fee</u>	<u>Review Fee</u>	<u>Public Hearing Fee</u>	<u>Additional Fees</u>
<u>Commercial or Residential Site Plan</u>	\$150	\$100/page;	Commission Discretion*	Consultant Review** Supervision & Inspection***
<i>Per-page fee added. Other possible ways of doing this "per 1k square feet", "per XXXXsf developed area". Notice Fee covers legal ad. Average site plan in Bozrah is 4 pages (\$800) (10 staff hours).</i>				
<u>Special Exception with Site Plan</u>	\$150	\$100/page;	\$500, Required	Consultant Review** Supervision & Inspection***
<i>This would be most special exceptions.</i>				
<u>Special Exception without Site Plan</u>	\$150	\$150;	\$500, Required	
<u>Site Plan Modification</u>	\$150	\$100/page;	\$500, IF required or held	Consultant Review** Supervision & Inspection***
<i>This would also apply to Special Exceptions for which a site plan is a required component.</i>				
<u>Site Plan Renewal</u>	\$150			
<u>Home Occupation</u>	\$150	\$100	Commission Discretion*	
<i>Home occupations typically take little time and effort.</i>				

Certificates of Zoning Compliance (Staff Approval)

	<u>Review Fee</u>
<u>Commercial</u>	\$100
<u>Single-family Residential</u>	\$75
<u>Multi-family Residential</u>	\$100
<u>Other (additions, sheds, pools, etc)</u>	\$50
<u>Signs</u>	\$50
<i>These fees reflect a 50% increase over existing, except for "Other", which is 100% increase. I broke out signs as a separate category.</i>	

\* The Commission may hold a public hearing at its discretion and charge the applicant a hearing fee.

\*\*See Consultant Review, section B.I.

\*\*\*See Supervision & Inspection section B.II.

**Regulation, Map, and Plan Amendments**

---

	<u>Notice Fee</u>	<u>Review Fee</u>	<u>Public Hearing Fee</u>	<u>Additional Fees</u>
<u>Zoning Regulation Amendment</u>	\$150	\$150;	\$500, Required	
<i>This seems reasonable. I think this will be the hardest fee in which to capture actual staff time since it varies so widely.</i>				
<i>GotSpace, for instance, demanded a lot of time just related to their regulation amendment application. The vast majority of regulation amendments will not take much staff time, just a simple report of my opinions.</i>				
<u>Zoning Map Amendment</u>	\$150	\$150;	\$500, Required	
<i>I suppose the fee could be scaled on a per-lot basis, but map amendments would actually require less staff time on average than regulation amendments, so it doesn't seem right to make that fee higher.</i>				
<u>Subdivision Regulation Amendment</u>	\$150	\$150;	\$500, Required	
<u>Plan of Conservation and Development Amendment</u>	\$150	\$150;	\$500, Required	
<i>This would rarely if ever happen. It would really only apply to major projects.</i>				
<i>A report I make to the Commission on this type of application would be pretty detailed.</i>				

**A.II Inland Wetlands & Conservation Commission**

The Inland Wetlands & Conservation Commission determines its jurisdiction relative to any submitted application and classifies all activities.

*This was recently revised (2/14). Prior, non-regulated, as-of-right, and "not regulated" activities (jurisdictional rulings), were free. A nominal \$50 fee is now applied (see table) for these activities. I can see charging a fee for non-regulated and as-of-right since they involve activity inside of or affecting a wetland/watercourse and a determination is required by law by the Commission. But for activities that are found to be outside of the jurisdiction of the Commission (too far away from a wetland), it's a tough call whether to charge or not. Bozrah does not have an upland review area, so seemingly any and all activity would need to submit to wetlands.*

When the Inland Wetlands & Conservation Commission finds that an activity is a Regulated Activity, it may also determine that such activity is a "Significant Activity". If such a determination is made, the applicant will be charged an additional fee of **\$500**, which shall be **due to the Town prior to the commencement of the required public hearing.**

Review Fees required under this section shall be doubled for any application that proceeds "after-the-fact" and in response to a Notice of Violation and/or Cease and Desist Order or Cease and Correct Order by the Wetlands Agent. *Doubling of wetlands application fees for violators.*

All Inland Wetlands & Conservation Commission Applications

	<u>Notice Fee</u>	<u>Review Fee</u>	<u>Public Hearing Fee</u>	<u>Additional Fees</u>
<u>Jurisdictional Ruling</u>	\$50			
<u>As-of-Right Activity</u>	\$50			
<u>Non-Regulated Activity</u>	\$50			
<u>Residential, Recreation, Conservation, or Agricultural Uses</u>	\$150	\$150/lot;	Commission Discretion*	Consultant Review** Supervision & Inspection***
<i>Added "Conservation" and "Agricultural" under this section. If it's found to be AOR, fee is returned. Per-lot fee is what we currently use, current fee is \$50 (200% increase). We are accounting for Bob Russo's time.</i>				
<i>Some towns have instituted a fee per amount of wetlands area disturbed. This may be a possibility. The town may consider charge a fee based on the greater of: 150/lot or \$XXX/1000sf disturbed wetland/watercourse.</i>				
<u>All other Uses, including Commercial and Industrial</u>	\$150	\$250/lot;	Commission Discretion*	Consultant Review** Supervision & Inspection***
<i>This would ostensibly include other Non-Regulated or AOR uses.</i>				
<u>Permit Renewal</u>	\$150			
<i>200% increase.</i>				
<i>I am unsure if renewal of a significant activity will require a PH. If it does a note will be added in public hearing column.</i>				
<u>Permit Ownership Transfer</u>		\$50		
<i>Nominal fee at the suggestion of Jim and Chuck. Examples include Madison, Old Lyme.</i>				
<u>Significant Activity</u>	\$150	\$250/lot;	\$500, Required	Consultant Review** Supervision & Inspection***
<i>This would apply to Special Exceptions for which a site plan is required.</i>				
<u>Inland Wetlands and Watercourses Regulation Amendment Rare</u>	\$150	\$0	\$500, Required	
<u>Inland Wetlands and Watercourses Map Amendment Rare</u>	\$150	\$0	\$500, Required	

\* The Commission may hold a public hearing at its discretion and charge the applicant a hearing fee.

\*\*See Consultant Review, section B.I.

\*\*\*See Supervision & Inspection section B.II.

**A.III Zoning Board of Appeals**

**All Zoning Board of Appeals Applications**

---

	<u>Notice Fee</u>	<u>Review Fee</u>	<u>Public Hearing Fee</u>	<u>Additional Fees</u>
<u>Variance</u>	\$150	\$150	\$500, Required	
<u>Appeal of Decision of the Zoning Enforcement Official</u>	\$150	\$150	\$500, Required	
<u>Location Approval</u>	\$150	\$150		

**B. Consultant Fees and Expenses.**

Fees for costs incurred directly by the Commission or the Town of Bozrah in the processing of land use applications, exclusive of the fixed fees in Section A of this Ordinance, shall be reimbursed by the applicant and shall include the cost of materials and/or services performed. Services may include, but are not necessarily limited to, scientific, engineering, and legal consultants, to review the application or to provide monitoring services with the purpose of protecting the public health, safety, and welfare. Such services/providers shall be determined by the Commission, based on the unique characteristics and context of each application. The payment of such fees for reimbursement of such costs shall not prohibit the Commission from requiring performance bonds to ensure the successful completion of all work as may be prescribed in the Commission’s regulation or Town Ordinances. The refusal of the applicant to pay any required fees shall render the application incomplete and shall be grounds for denial of the application. The failure to pay such fees when due shall be grounds for revocation of the permit or approval.

**B.I Consultant Review**

*This is incorporation of the Salem ordinance and procedure into the existing ordinance.*

By a two-thirds vote of the Commission, the Commission may require the applicant to bear the consultant costs for applications.

The Commission may choose to bear the costs of the first review of a project by the Consulting Town Engineer.

- A. The expenses shall be paid by the applicant on an actual and reasonable cost basis.
- B. The fee shall be determined by the Commission and assessed to the applicant after the administrative fees are paid.
- C. All such applications shall be accompanied by an agreement signed by the applicant specifically agreeing to pay the aforesaid additional project review fees as determined by the Commission. Such agreement shall state the conditions imposed and the obligations of the applicant.

- D. The applicant shall maintain on deposit with the Commission an amount of money estimated to be sufficient to cover the said consultant expenses. The Commission may revise such estimate from time-to-time, and thereupon require additional sums to be deposited to cover such fees. Said agreement shall be signed and initial estimated fees shall be deposited prior to the consultant's review of the application.
- E. No application will be considered complete until such fee or fees have been paid and such agreement has been submitted.
- F. Fees shall be payable in cash, check or money order. Checks or money orders shall be made payable to the Town of Bozrah.
- G. Fees shall be placed in a fund named for the application.
- H. Upon completion of the consultant's review and final action on the application by the Commission, the Commission or its staff shall determine the costs incurred for the consultant review and refund the excess funds to the applicant.
- I. If an applicant withdraws an application, the applicant shall be responsible for the consultant review fees incurred up until the date when the applicant has submitted a written notice of withdrawal to the Commission or its staff.

### **B.II Supervision & Inspection**

*This is incorporation of the Salem ordinance and procedure into the existing ordinance.*

Upon approval of an application by the Commission for which it is determined that substantial supervision and inspection is required to monitor for compliance with permit conditions or Commission orders, the Commission may require, by a two-thirds vote, that the permittee pay the costs associated with that supervision and inspection.

- A. The expenses shall be paid by the permittee on an actual and reasonable cost basis.
- B. The fee shall be determined by the Commission and included in an agreement signed by the permittee specifically agreeing to pay the aforesaid fees. Such agreement shall state the conditions imposed and the obligations of the permittee. Said agreement shall be signed and such estimated fees shall be deposited prior to the beginning of construction.
- C. The permittee shall maintain on deposit with the Commission an amount of money estimated to be sufficient to cover the said consultant expenses. The Commission may revise such estimate from time-to-time, and thereupon require additional sums to be deposited to cover such fees. Fees shall be payable in cash, check or money order. Checks or money orders shall be made payable to the Town of Bozrah.
- D. Fees shall be placed in a fund named for the project.
- E. Upon completion of project construction, the Commission or its staff shall determine the costs incurred for the consultant review and refund the excess funds to the permittee.
- F. A Certificate of Occupancy shall not be issued until the permittee has reimbursed said expenses.

### **C. Bond.**

A bond may be required in an amount and in a form satisfactory to the authorizing Commission to guarantee satisfactory completion of all proposed work.

The applicant shall provide a cost estimate of public improvements and/or required erosion and sediment controls depicted on the plan, together with a description of the basis for the estimate. The Consulting Town Engineer will review the submitted bond estimate. If the Consulting Town Engineer

recommends changes to the estimate, such changes shall be incorporated by the applicant. **No permit shall be issued until the bond(s) is received.**

**The Town Treasurer shall hold the required bond(s) until the authorizing Commission votes its release. The Commission shall not release the bond until it receives certification by an assigned inspection that all of the requirements stipulated in the issuance of the permit have been met.**