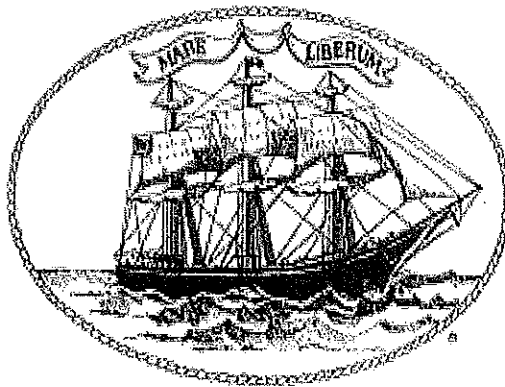


Zoning Board of Appeals Application Guidebook



CITY OF NEW LONDON
PLANNING, ZONING & WETLANDS DIVISION
181 STATE STREET NEW LONDON, CT

Updated February 5th, 2018

INTRODUCTION

This application guide has been developed to assist applicants through the land use process of the City of New London's Zoning Board of Appeals. This guide has been established to assist an applicant from the initial phase of developing an application through completion and decision by the ZBA. Please note that this guide is focused on the procedure for obtaining approval(s) from the New London Zoning Board of Appeals. While the Office of Development & Planning strives to keep this document up-to-date, various amendments to the regulations do impact how the process works.

The City of New London has high expectations of its land use applications, which are firmly grounded in both the Subdivision and Zoning Regulations as well as the Connecticut General Statutes. The applicant needs to be aware of the various requirements of the regulations and will be required to meet the applicable Zoning

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Commonly Used Acronyms & Abbreviations

ZR=Zoning Regulations

SR=Subdivision Regulations

ZBA=Zoning Board of Appeals

IW/CC-R = Inland Wetlands/Conservation Commission Regulations

PZC = Planning & Zoning Commission

IWCC = Inland Wetland & Conservation Commission

2017 ANNUAL MEETING SCHEDULE

The Zoning Board of Appeals of the City of New London will hold its regular meeting and public hearings on the last Thursday of each month, except in November and December. All meetings will start at **6:00 p.m.** and will be held in City Hall Council Chambers located at 181 State Street, New London, Connecticut, unless otherwise noted on the bulletin boards of the Office of Development & Planning and the City Clerk's office.

<u>MONTH</u>	<u>MEETING DATE</u>	<u>MEETING DEADLINE</u>
January	January 25, 2018	January 10, 2018
February	February 22, 2018	February 7, 2018
March	March 29, 2018	March 14, 2018
April	April 26, 2018	April 11, 2018
May	May 31, 2018	May 16, 2018
June	June 28, 2018	June 13, 2018
July	July 26, 2018	July 11, 2018
August	August 23, 2018	August 8, 2018
September	September 27, 2018	September 12, 2018
October	October 25, 2018	October 10, 2018
November	November 29, 2018	November 14, 2018
December	NO MEETING	

*This meeting is the 3rd Thursday of the Month rather than the last Thursday of the month

PURPOSE & AUTHORITY

The City of New London's ZBA has been established to provide for flexibility in the interpretation and application of the Zoning Regulations and to review and act upon specific applications authorized by the Connecticut General Statutes. The City of New London's ZBA is authorized to consider only the following types of applications:

- ⇒ To hear and decide appeals where it is alleged that there is an error in any order(s), requirement(s) or decision(s) made by the Zoning Enforcement Official (ZEO). Any appeal must be taken within thirty (30) days of the action of the ZEO.
- ⇒ To determine and vary the application of the zoning by-laws or regulations where a literal enforcement of the regulation would result in exceptional difficulty or unusual hardship.
- ⇒ The variance would be in harmony with the general purpose and intent of the Zoning Regulations and would conserve the public health, safety, convenience, welfare and property values

HARDSHIP

Before granting a variance on the basis of unusual difficulty or unreasonable hardship there must be a finding by the ZBA that all of the following conditions exist:

1. If the owner complied with the provisions of the Zoning Regulations, he or she would not be able to make any reasonable use of the property;
2. The difficulties or hardship are peculiar to the property in question, in contrast with those of other properties in the same district or zone;
3. The hardship was not the result of the applicant's own voluntary action;
4. The hardship is not merely financial or pecuniary (of or pertaining to money); and
5. The variance would be in harmony with the general purpose and intent of the Zoning Regulations and would conserve the public health, safety, convenience, welfare and property values.

ZBA DIRECTORY OF MEMBERS

FULL MEMBERS (5)

NAME	ADDRESS	TERM EXPIRATION
Ann Keating (R) - Chairwoman	45 Crest Street	6/20/2013
Armand Beaudette (U)	83 Thames Street	6/20/2012
Alan Mayer (U)	26 Friendship St	6/17/2015
Donald Curcuro (R)	11 Bentley Avenue	06/2018
Derron Wood	10 Prospect Street	06/2018

ALTERNATE MEMBERS

Daniel Docker (R)	17 Center Street	06/20/2015
Greg Kotecki (D)	363 Glenwood Ave	07/03/22
Ricky Free	2 Converse Place	07/17/22

CITY COUNCIL LIAISON

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CITY OF NEW LONDON TECHNICAL STAFF

Michelle Johnson Scovish-CZEO, Asst. Planner/Zoning & Wetlands Official	City of New London Office of Development & Planning Planning, Zoning, & Wetlands Division City Hall 2nd Floor 181 State Street New London CT (860) 437-6379
Shelly Briscoe—Land Use Coordinator Sbriscoe@ci.new-london.ct.us	

Statute or Charter Reference: City Charter Article 6, section 7, Page 148

Appointing Authority: City Council

Compensation: None

Meetings held: Last Thursday of the Month

Term: Five Years

Number of members: Five regular, three alternates

DIRECTORY OF CITY STAFF

TITLE	NAME	ADDRESS	TELEPHONE FAX
Mayor	Michael Passero	181 State Street NL	(860) 447-5201 (860) 447-7971 F
Building Official	Kirk Kripas	111 Union Street NL	(860) 447-5240 (860) 447-5255 F
Director of Public Utilities	Joseph Lanzafame	120 Broad Street NL	(860) 447-5221 (860) 447-5266 F
Public Works Director	Brian Sear	111 Union Street NL	(860) 447-5250 (860) 447-5255 F
Assistant Planner Zoning & Wetlands Official	Michelle Johnson Scovish	181 State Street NL	(860) 437-6381
City Planner	Sybil Tetteh	181 State Street NL	(860) 437-6380
Economic Development Coordinator	Ned Hammond	111 Union Street NL	(860) 437-6309
Land Use Coordinator	Shelly Briscoe	111 Union Street NL	(860) 437-6379
Ledgelight Health District	Sanitarian	216 Broad Street NL	(860) 448-4882 (860) 448-4885 F
Fire Chief	Henry Kydd	289 Bank Street NL	(860) 447-5291 (860) 447-5293 F
Fire Marshal	Vernon Skau	289 Bank Street NL	(860) 447-5294 (860) 447-5293 F
Acting Police Chief	Peter Reichard	5 Gov. Win Blvd.	(860) 447-5261 (860) 447-5277 F
Veolia Water	Peter Vetter	100 Trumbull Street NL	(860) 443-4560
Director, Development & Planning	Tammy Daugherty	181 State Street NL	(860) 447-5203

MEETING DATES & DEADLINES

Deadline for Submission of
Application Materials: _____

Date of Meeting: _____

Deadline to Post
Public Hearing Sign _____

CHECKLIST FOR ZBA APPLICATION

The following is a checklist of information that shall be provided by the applicant in addition to the three (3) page application:

- ☐ Please submit fifteen (15) copies (plus the original) collated & stapled sets of your application including all application materials, plans, reports, etc. All plans larger than 11"x 17" shall be folded.
- ☐ Application fee in the amount of \$_____ is due the date the application is filed. In addition some applications may require a recording page for an approval, for this please submit an additional check of \$53.00. All fees are to be payable to, "The City of New London".
- ☐ Location map (500' scale). This may be obtained at www.visionappraisal.com or a staff member can provide you with this document.
- ☐ Floor plan(s) (entrances/exits, windows, shelving, partitions, stairs, bathrooms, storage, hallways, usage of each area, and any other relevant information.)
- ☐ Plot plan – in place of A-2 survey and a Site Development Plan if waiver granted (dimensions of lot, dimensions of proposed structures, adjacent streets/side walks, other existing uses, external lighting, landscaping, dimensions of existing structures, distances from structures to property lines, portion of building to be used, parking for customers/employees, curb cuts, any other relevant information)
- ☐ Façade/Elevation Drawings
- ☐ Other _____

APPLICANTS ARE STRONGLY URGED TO BRING ONE COMPLETE SET FOR A STAFF

APPLICATION SUBMISSION

- A. **Application**—the applicant is required to submit the following documentation and/or items with their application:
- ⇒ Fifteen (15) copies (plus one original) of the ZBA application form(s);
 - ⇒ Application fee as noted on Page _____ of the application checklist;
 - ⇒ Fifteen (15) copies (plus one original) of all plans (A-2 Survey, Site Plans, Elevations etc.);
 - ⇒ Fifteen (15) copies (plus one original) of any other supporting application;
 - ⇒ All sections of the signature page must be completed. A failure to provide the property owner's signature will render your application incomplete. Incomplete applications will be denied by the ZBA.
- B. **Submission**. The application must be delivered to the Office of Development & Planning 181 State Street 2nd Floor New London. Please refer to the list of meeting dates and their corresponding deadlines to ensure that your application is received and can be placed on a ZBA Agenda.
- C. **Review**. City staff will conduct a regulatory & technical review of all applications, any & all comments will be forwarded to the applicant (and/or their designee) prior to the meeting date.
- D. **Public Hearings**. Applications for Variances require public hearings. The ZBA has sixty-five (65) days in which to open a public hearing. Please see the public hearing section below for additional information.

PUBLIC HEARINGS

- A. **Scheduling the Public Hearing**
1. The ZBA has sixty-five (65) days from the Date of Receipt to schedule the public hearing.
 2. Hearings will be scheduled at the convenience of the ZBA.
 3. The applicant may grant the ZBA an extension for the hearing scheduling. Modifications to the State Law impact the applicant's total extension timeframe. The applicant is advised to review these timeframes carefully. (Cite CTGS Section 8-7d).
 4. When the application to the ZBA is submitted to our office we will provide you with a public hearing sign which must be posted no later than fifteen (15) days prior to the date of the meeting. Please refer to either page 3 or page 7 of this document for the deadline to post your public hearing sign.

ZONING BOARD OF APPEALS MEETINGS

ATTENDANCE—A suitable representative is required to attend the ZBA meeting on behalf of the applicant or property owner.

ROBERT'S RULES OF ORDER—The ZBA conducts their business in a manner based on Robert's Rules of Order. At no time shall an applicant engage in direct conversation/discussion with the general public. Please try to maintain a level of decorum when meeting with the Board and refrain from insulting or using derogatory phraseology when referring to members of the Board or the general public.

PROCESS

The ZBA must hold a public hearing on all applications for Variances and Appeals within 65 days of the official receipt of the application. The applicant will be notified by mail of the hearing date. The hearing date will also be advertised by the Office of Development & Planning in a local newspaper having a substantial circulation in the City.

The applicant/appellant must erect a sign on the premises affected by the application at least fifteen (15) days prior to the public hearing. This sign will be provided to the applicant/appellant when the application/appeal along with requisite fee(s) are submitted. The sign shall be installed by the applicant, securely fastened or staked, be clearly visible from the street closest to the affected property and be maintained as such until fifteen (15) days following the public notice of the decision. Failure of the applicant to comply with this requirement may be grounds for automatic denial of the application with consideration being given to cases where weather conditions or acts of vandalism have destroyed a properly posted sign.

It is required that the applicant appear at the public hearing to explain the application and the reasons it should be approved.

Four concurring votes of the ZBA members are required to:

1. Reverse the ZEO's Order, Requirement or Decision; OR
2. Grant variances

The Applicant may consent to an extension of any of the time periods set forth above, as long as the total extension of any period is not longer than the original period.

The ZBA must render a decision on the application within sixty-five (65) days after the close of the public hearing.

The hearing must be completed within thirty-five (35) days after it commences.

No Variance shall be effective until a copy thereof is certified by the ZEO, and is recorded in the land records with the City Clerk. The City Office of Development & Planning will file the appropriate paperwork.

A Notice of Decision of the Board will be mailed to the applicant by certified mail within 15 days of the Board's decision. This decision will also be published by the Office of Development & Planning in a newspaper having a substantial circulation in the City. This decision may be appealed to the Connecticut Superior Court by any aggrieved party within fifteen (15) days of the publication of the decision in the newspaper.

After the Notice of the Board's decision has been filed with the City Clerk, the applicant may proceed to obtain any necessary Zoning Permits, Building Permits or approvals from other Local, State or Federal Boards, Commissions or Agencies.

DECISION TIMEFRAME

LEGAL NOTICE. The Commission has statutorily defined timeframes to make decisions on ZBA applications. Their decision is not final until a legal notice is published in the New London Day. A Notice of Decision is required to be published within fifteen (15) days of their decision. If a meeting is held on a Thursday, decisions are generally published in the Monday newspaper. The applicant has the right to publish the notice, if the Commission fails to do so within the fifteen (15) day timeframe.

APPEALS. The Connecticut General Statutes provide an appeal timeframe for parties aggrieved by a decision made by the ZBA. This timeframe begins at the date the legal notice (of decision) is published and lasts for a period of fifteen (15) days. Staff cannot offer assistance specific to how to an aggrieved party may appeal a ZBA decision. Please note that any construction activity undertaken during this timeframe is done at the applicant's own risk.

APPROVAL STEPS

APPROVAL NOTIFICATION.

A letter will be sent to the applicant following the meeting which will provide the applicant with a written decision of the ZBA. A copy of the ZBA approval will be sent to the applicant which outlines the details of the decision and any stipulations/conditions of this approval.

RECORDING PAGES:

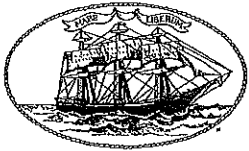
When the ZBA approves a variance it is required to be filed on the City's Land Records with the New London City Clerk. When applications are received staff will collect **\$53.00 recording page fee** which will remain in your file until the application is decided by the ZBA. This will cover the first page of recording this approval on the Land Records. If additional pages are required you will need to submit an additional \$5.00 per page.

RETURN OF PUBLIC HEARING SIGN.

Please do not bring the public hearing sign to the meeting. Public hearing signs **must** remain posted for fifteen (15) following the publication of the Notice of Decision (of the ZBA) which is the State mandated appeal period. The Notice of Decision is generally published on the Monday following the meeting date. Please note that staff will contact you by mail to advise you of the earliest date the public hearing sign may be returned to our office. Once the sign is returned staff will send a request to the Finance Department to return \$25.00 of the \$45.00 deposit for the public hearing sign. Your refund will be mailed to you directly from the Finance Department.

ZONING/WETLAND & SUBDIVISION FEE SCHEDULE

Zoning Enforcement Officer – Administrative Approval	
Zoning Permit	\$ 25.00
Sign Permit	\$ 25.00
Certificate of Compliance/Letter of Decision	\$ 50.00
Zoning Board of Appeals	
Variance (Non residential)	\$ 350.00
Variance	\$ 200.00
Appeal of Zoning Officer's Decision	\$ 0.00
Inlands/Wetlands Agency (Conservation Commission)	
Minor Impact	
Residential	\$ 280.00 +\$100.00 per lot
Commercial	\$ 630.00
All other uses	\$ 530.00
Significant Impact	\$ 1030.00
Permitted Uses	\$ 25.00
Non-Regulated Uses	\$ 280.00
Planning & Zoning Commission	
Location Approval for DMV	\$ 350.00
Facade Review	\$ 50.00
Temporary Outdoor Entertainment	\$ 25.00
Earth Extraction/Fill	\$ 350.00
Site Plan Review (+\$25.00/1000 sq. ft. or any part thereof for new building, addition, or change of use.)	\$ 200.00
Site Plan Review (w/waivers granted)	\$ 50.00
Site Plan Modification/Extension	\$ 50.00
Special Permit (+\$25.00/1000 sq. ft. or any part thereof for new building, addition, or change of use.)	\$ 250.00
Special Permit Modification/Extension	\$ 50.00
Special Permit –Sign	\$ 250.00
Coastal Site Plan Review	
Single Family Dwelling w/out public hearing	\$ 200.00
Single Family Dwelling w/public hearing	\$ 250.00
Multi-family	\$ 350.00
Commercial/Industrial	\$ 500.00
Subdivision/Resubdivision	\$ 500.00 + \$150.00/lot
Subdivision/Resubdivision Modification	\$ 150.00
Amendment – Zone Map/Zoning Regulation/Subdivision Regulation	\$ 300.00
Sign Deposit (\$25.00 is refundable upon return of sign)	\$ 45.00
Public Act (CGS Section 22a-27j)	\$ 60.00
	(Or as modified by the State of Connecticut)
Recording Fee (Separate from other fees)	\$ 60.00 for 1 st page, +\$5.00 for each additional page.
	(Or as modified by City Council/City Clerk)
Department set fees: Publications/ Documentation/ Copies:	
Copies	\$.50
Zoning Map	2.00
Tax Map	2.00
Sign Regulations	5.00
Subdivision Regulations	5.00
Plan of Development	15.00
Zoning Regulations	15.00
Inland Wetland Regulations	10.00
-Checks should be Made Payable to the CITY OF NEW LONDON-	
CHECK #1 TOTAL AMOUNT OF FEES FOR APPLICATION	\$
CHECK #2 RECORDING PAGE FEE FOR CITY CLERK	\$60.00



CITY OF NEW LONDON

PLANNING • ZONING • WETLANDS DIVISION

181 State Street New London, CT 06320 • Phone (860) 437-6379 •

-Application- Zoning Board of Appeals

The following is an application to the Zoning Board of Appeals for the City of New London. Please see the attached fee list to determine the fees applicable for said application. Also note that this application must be filled out completely and submitted along with **Fifteen (15)** additional copies as well as **Fifteen (15)** copies of any supporting documents for a total of **Sixteen (16)** copies of all submitted documents.

1. For the following activity: (Check the Applicable Type of Application)

- ☐ Variance of the Zoning Regulations – Section/s # _____
- ☐ Reversal of the Zoning Enforcement Officers Requirement/Decision
- ☐ Flood Hazard Variance
- ☐ Other (Specify) _____

2. Address of Activity

3. Please describe the nature of the application, the type and amount of a variance, the requirement or decision being reviewed:

4. In the case of an application for a variance, please describe the exceptional difficulty or unusual hardship for the granting of the variance:

6. Is the subject property within 500 feet of the City Line? YES ☐ NO ☐

If yes, when? _____

10. The following maps/supporting materials could (at the discretion of the Commission/Staff) be required:

- Location Map (500' scale)
- Floor Plan
- Site Plan/Plot Plan
- A-2 Survey
- Elevation/Building Plans
- Photographs

**CITY OF NEW LONDON
ZONING BOARD OF APPEALS
APPLICATION FORM
PAGE 3 OF 3**

APPLICANT (PRINT)

ADDRESS

EMAIL

TOWN/CITY

STATE ZIP

PHONE NUMBER

APPLICANT'S SIGNATURE

DATE

AGENT (PRINT)

ADDRESS

EMAIL

TOWN/CITY

STATE ZIP

PHONE NUMBER

AGENT SIGNATURE

DATE

PROPERTY OWNER (PRINT)

ADDRESS

EMAIL

TOWN/CITY

STATE ZIP

PHONE NUMBER

PROPERTY OWNER SIGNATURE

DATE