

9.9. Procedural Details

9.9.A Application Submittal Requirements

1. Applications to the:
 - a. Planning and Zoning Commission shall be submitted to the City Planner.
 - b. Zoning Board of Appeals shall be submitted to the Zoning and Building Official.
2. Applications shall be submitted on forms obtained from the City Planner or the Zoning and Building Official or agent for the type of application being submitted.
3. Applications shall be accompanied by the appropriate fee(s) except that the Commission or the City of Groton shall be exempt from any application fee.
4. Applications shall be submitted with such supporting plans, materials, and other information as required by these Regulations.
5. Applications shall be signed by the applicant or an authorized agent.
6. Applications shall be signed by the owner of the property affected unless the application is for a text change or is a map change initiated by the Commission.
7. Applications should be submitted at least fourteen (14) days prior to the monthly Commission meeting.
8. If the application involves land located within an area designated in these Regulations as a village district, the applicant shall submit a narrative describing compliance with the guidelines of Section 8.4.F of these Regulations.

9.9.B Date of Receipt

For the purposes of calculating statutory timeframes for processing applications, the date of receipt of an application to the Commission or the Board shall be:

1. The day of the next regularly scheduled meeting of the Commission or the Board immediately following the day of submission of the application ; or
2. Thirty-five (35) days after submission, whichever is sooner.

9.9.C Incomplete Applications

1. Each application shall be reviewed to determine whether the application is substantially complete.
2. An application requiring approval from the Commission or Board shall not be considered actually complete until all of the information as required by these Regulations, the Commission, or the Board has been received by the Commission or the Board.
3. An incomplete application or an application submitted without the requisite fee may be denied.

9.9.D Sequence of Hearings

Where a proposed development or activity requires multiple applications, the Commission or the Board may conduct any public hearings simultaneously or in the order they deem appropriate.

9.9.E Consultations

1. On any application, the Commission or Board may seek the advice and opinion of other officials, boards, or commissions to assist it in evaluating applications.
2. In accordance with any ordinance adopted in accordance with CGS Section 8-1c, the Commission or Board may also, at the applicant's expense, retain a civil engineer, a traffic engineer, an environmental professional, an architect, a landscape architect, a professional land use planner, and/or other consultant(s) to review, comment, and guide its deliberations on any application.
3. The Zoning and Building Official or the City Planner may make a preliminary determination of the need for such technical assistance to be provided by non-City personnel following a review of the application provided that such preliminary determination shall be subject to review by the Commission or the Board.
4. Prior to actually retaining such outside consultant(s), the Commission or the Board shall make findings that the nature and intensity of the proposal may have a significant impact on Groton and that:
 - a. City staff will not be able to complete a technical review of the application in a timely fashion; or
 - b. That the proposal is of such a nature as to require expertise not available from staff.

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5. The Commission, Board, Zoning and Building Official, or City Planner shall estimate the projected expenses for reviewing, evaluating and processing the application based upon information received from the potential consultant(s) and shall notify the applicant of such supplemental fee estimate.
6. The applicant shall submit funds sufficient to cover the basic application fee plus the cost of the consultant review within fifteen (15) calendar days of being notified by the Zoning and Building Official or the City Planner and the application shall be deemed incomplete until the fee(s) have been submitted.
7. Should the estimate of supplemental funds prove inadequate, the Commission, Board, Zoning and Building Official, or City Planner shall recalculate the projected expenses for reviewing, evaluating and processing the application and notify the applicant of such supplemental fee estimate.
8. The applicant shall submit funds sufficient to cover the supplemental fee estimate within fifteen (15) calendar days of being notified by the Zoning and Building Official or the City Planner and the application shall be deemed incomplete until the fee(s) have been submitted.
9. Any portion of the estimated processing fee not expended by the City on the project shall be refunded to the applicant upon completion of the review, evaluation and processing of the application.
10. In accordance with any ordinance adopted in accordance with CGS Section 8-1c, the Commission or Board shall bill the applicant for any costs incurred by the City of Groton in processing the application in excess of the estimated processing fee(s) paid by the applicant and this bill shall be paid by the applicant within fifteen (15) calendar days of such notice regardless of whether the application is approved, denied, or withdrawn.
11. No permits shall be issued until all processing fees are paid.

9.9.F Notice by Newspaper

1. When a public hearing is required by these Regulations or scheduled by the Commission or Board, the City shall cause notice of the hearing to be published in a newspaper having a substantial circulation in Groton.
2. Such notice shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days before the date of the hearing.

9.9.G Notification to Property Owners

1. When required by these Regulations, the applicant (other than the Commission which is exempt as per PA 06-80) shall notify owners of property within two hundred (200) feet of the subject property (including owners of all condominium units both on and adjacent to the subject property), whether inside or outside Groton, of a pending application by mailing a notice at least seven (7) days prior to the first scheduled hearing.
2. At a minimum, such notice shall consist of:
 - a. A description of the proposed activity;
 - b. Notification of the date, time, and place of the first scheduled hearing.
3. Proof of mailing forms from the United States Postal Service shall serve as evidence that the notice was given in accordance with this Section.
4. The most recent Assessor's records on file in the Assessor's Office shall be utilized to determine the owner of each property for the purpose of this mailing.
5. The applicant shall certify to the Commission or the Board prior to or at the public hearing that the required notices were mailed to all parties identified in Section 9.9.G.1.
6. Prior to the first scheduled hearing regarding the application, the applicant shall submit the following to the City or the application shall be considered incomplete:
 - a. A copy of the complete package of information sent to abutters;
 - b. A list of the abutters to whom the notices were sent; and
 - c. Proof of mailing from the United States Postal Service.

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9.9.H Posting of Sign

1. When required by these Regulations, the applicant shall post one or more signs at his or her expense, in conspicuous locations on the property or properties affected by the application.
2. In the event any such property has frontage on or access to more than one street, there will be posted a minimum of one sign on each street on which the property has frontage or access.
3. The sign shall be no smaller than two feet by two feet and shall be no larger than four feet by eight feet.
4. The sign shall:
 - a. Give information as to the type of application;
 - b. Give information as to the time, date and location of the public hearing pertaining to the application;
 - c. Be clearly legible from the street, and
 - d. Be posted at least five (5) days prior to the public hearing.
5. The applicant shall file a written statement with the Commission at the time of the public hearing certifying that the required signs were posted as required by these Regulations.
6. Failure to post and maintain the signs as required by this Section shall constitute grounds for continuation of the public hearing or denial of the application.
7. Any signs shall be removed following the close of the public hearing.

9.9.I Notification to Abutting Municipalities

1. In accordance with CGS Section 8-7d(f), the Commission or Board shall notify the clerk of an adjoining municipality of any application concerning any project on any site in which:
 - a. Any portion of the property affected by a decision is within five hundred (500) feet of the boundary of the adjoining municipality;
 - b. A significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site;
 - c. A significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 - d. Water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.

2. Such notice shall be made by certified mail, return receipt requested and shall be mailed within seven (7) days of the day of the submission to the City of the application, petition, request or plan.
3. No hearing shall be conducted on any such application unless the adjoining municipality has received the notice required under this Section.
4. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

9.9.J Notification to Water Companies

1. In accordance with CGS Section 8-3i, an applicant shall provide written notice to a water company and the Commissioner of Public Health when an application is filed with the Commission or Board concerning any project on any site that is within:
 - a. An aquifer protection area provided such area has been delineated in accordance with CGS Section 22a-354c; or
 - b. The watershed of a water company, provided such water company or said commissioner has filed a map with the Commission or the Board and on the Groton land records showing boundaries of the watershed.
2. Such notice shall be made by certified mail, return receipt requested and shall be mailed not later than seven days after the date of the day of the submission to the City.
3. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the City or the application shall be considered incomplete:
 - a. A copy of the complete package of information; and
 - b. Proof of mailing.
4. Such water company and the Commissioner of Public Health may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

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9.9.K Notification of DEEP

1. If any portion of the property which is the subject of the application is located within a “shaded area” identified on the most current Natural Diversity Database maps for Groton, the applicant shall notify the Connecticut Department of Energy and Environmental Protection (DEEP) of the pending project.
2. A report from DEEP shall be a required for any application for a Site Plan or a Special Permit for property located within a “shaded area” identified on the most current Natural Diversity Database maps for Groton.
3. Any application submitted without a DEEP report shall be considered incomplete (see Section 9.9.C).
4. Additional information is available on the DEEP website (www.ct.gov/deep).

9.9.L Performance Guaranty

1. Where a performance guaranty is required by any Section of these Regulations, an itemized estimate of the cost of the site improvements shall be prepared by the applicant, including a separate inflation factor for the estimated construction period, and shall be submitted to the Commission's Engineer for approval.
2. The performance guaranty shall be posted with the City for an initial period of 18 months unless an extension of time shall be requested by the applicant and granted by the Commission.
3. Where a performance guaranty is required by any Section of these Regulations, it shall be in one (1) of the following forms and the City Planner shall require evidence of compliance with the following standards before accepting any performance guaranty:
 - a. Cash deposited with the City.
 - b. Certified bank check to the order of the City when the amount of the check is fully insured by the FDIC.
 - c. Bank deposit (such as a passbook savings account or a statement savings account) assigned irrevocably and solely to the City when the amount of the deposit is fully insured by the FDIC.

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- d. Irrevocable letter of credit naming the City as sole beneficiary provided that:
 - i. Such letter of credit shall be issued by, and drafts thereunder presentable at, a branch of a bank in Connecticut provided that;
 - ii. Such bank is included in the most recent list issued by the Securities Valuation Office of the National Association of Insurance Commissioners (or any successor office or organization, "NAIC") as a bank meeting NAIC standards for issuing letters of credit for reinsurance purposes; or
 - iii. The long-term unsecured debt of such bank (or the long-term unsecured debt of its holding company) is rated BBB or better by Standard & Poor's rating service or Baa or better by Moody's rating service.
 - iv. The terms and conditions of such letter of credit shall be acceptable in form and substance to the City; and
 - v. If and when such letter of credit shall, through the passage of time, have less than thirty (30) days remaining until its expiration or lapse date, and such date shall not have been extended, the City may draw under said letter of credit the full amount thereof and the proceeds may be retained by the City as the bond.
 - e. Other form of bond (such as a performance bond) acceptable in form and substance to the City.
4. Upon the completion of at least 25%, 50% or 75% of the cost of the bonded site improvements, the applicant may request in writing a reduction of the bond. The Commission shall cause the site to be inspected by the City Planner, the Commission's Engineer, and/or other appropriate City officials to determine if the portion of the required site improvements for which the reduction is being requested has been satisfactorily completed in accordance with the approved Site Plan. Based upon these findings, the Commission may authorize the reduction of such bond.
 5. No portion of any required performance guaranty shall be released by the Commission or the City Planner until:
 - a. A release has been requested, in writing, by the applicant;
 - b. The applicant's engineer or surveyor has certified to the City, in writing, that an appropriate level of improvements in relation to the requested release have been satisfactorily completed in accordance with approved plans;
 - c. If such release is a final release, the applicant's engineer or surveyor has submitted a set of detailed "Record" plans on mylar, that all improvements and other work are in accordance with approved plans; and
 - d. the City Planner has confirmed, in writing, that the appropriate level of improvements in relation to the requested release have been satisfactorily completed and that all conditions and requirements of the Commission's approval have been satisfied.

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6. In accordance with CGS Section 8-3, if the person posting a performance guaranty requests a release of all or a portion of such performance guaranty, the Commission or the City Planner shall, not later than sixty-five days after receiving such request:
 - a. Release any such performance guaranty or portion thereof, provided the Commission or the City Planner is reasonably satisfied that the improvements for which such performance guaranty or portion thereof was posted have been completed, or
 - b. Provide the person posting such performance guaranty with a written explanation as to the additional work that must be completed before such performance guaranty or portion thereof may be released.

7. Before the release of a performance guaranty, the Commission:
 - a. May require the applicant to submit "as-built" drawings; and
 - b. May require that the applicant post a maintenance performance guaranty to be retained for a period of two years after vegetative cover and plantings have been installed in order to guarantee the survival of landscaping and to ensure any other relevant improvements.

8. Any cost of collecting a performance guaranty, including without limitation, attorney's fees, bank fees, and other collection fees and expenditures, shall be for account of the applicant and may be deducted from amounts released.

9.9.M Beneficiaries of a Trust

Any person who makes an application to the Commission or Board pertaining to real property, the record title to which is held by a trustee of any trust, shall file with said application a sworn statement disclosing the name(s) of the equitable owner (s) of such real property or the beneficiary(ies) of the trust.

Site Plan Requirements

Sheet Size	12" x 18", 18" x 24", or 24" x 36"
Number of Plan Sets	The number of plans submitted shall be determined by the City Planner depending on the number of staff required to review the plan.

When approval of a Site Plan is required under these Regulations, application for approval shall contain:

- A. A written statement of the proposed use of the building structure or use for which the application is made.
- B. Building plans, floor plans, and elevations for all proposed buildings and structures on the site or for alterations of existing buildings and structures on the site, where appropriate.
- C. A location sketch showing the approximate locations and use of structures in any residential zone abutting the site or lying immediately across the street from the site of the proposed use and within 100 feet thereof and the approximate distance of any street intersections within 500 feet of the site of the proposed use.
- D. All applications shall include an accurate Class A-2 survey of the property prepared by a land surveyor registered in the State of Connecticut. All plans shall be prepared, signed, and sealed by a Connecticut registered engineer, architect, or landscape architect, whichever is appropriate. Site Plans shall be prepared at a scale of not more than 40 feet to 1 inch and delineating the following, where appropriate:
 1. Name and address of the applicant, owner of record and all adjoining property owners, as listed on the City's tax rolls.
 2. Date, north arrow, and numerical and graphical scale.
 3. The words "Approved by City of Groton Planning and Zoning Commission" with designated places for the title and signature of the Commission Chairperson and the date.

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4. Location, width, and purpose of all existing and proposed easements, setback lines, yard setback requirements, and dedicated areas on and within 100 feet of the site within the zone.
5. A complete outline of all existing and proposed deed restrictions or covenants applying to the site.
6. Location of all existing wooded areas, watercourses, wetlands, rock outcrops, and other significant physical features on and within 100 feet of the site within the zone. Existing trees with a diameter of 12 inches or more, as measured at the base located on the site.
7. Existing contours with intervals of 5 feet or less referred to USGS MLW Datum. The Commission may, when deemed necessary, permit the applicant to alter the contour intervals.
8. Location, design, and height of all existing and proposed structures, including buildings, signs, fences, and walls on the site. This includes areas for rubbish containers and recyclable containers to be surrounded with complete visual screening from abutting streets and residential zones, as determined by the Commission.
9. Location and design of all existing and proposed uses on the site not requiring a structure.
10. Location and design of all existing and proposed parking and loading areas with the number of stalls thereof, paved areas, streets, curbs, sidewalks, and driveways on the site.
11. Location and design of all existing and proposed sanitary sewer, storm drainage, and water supply facilities, as well as other underground and above-ground utilities on the site.
12. Location and design of all existing and proposed external lights, lighting facilities, and lighted areas on the site.
13. A landscaping plan indicating:
 - a. The location, design, arrangements, and use of open space and/or recreation areas on the site, including a description of facilities and equipment;
 - b. The location, design, type, and size of plant material, fencing, screening devices, or other materials proposed;
 - c. Grading plans, as appropriate.

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14. The Planning and Zoning Commission may require approval of the Site Plan by any City of Groton agency, department, and/or official, other than the Planning and Zoning Commission or the Zoning and Building Official of said City; however, the approval of such agency, department, and/or official shall be obtained by the applicant.
 15. Where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be submitted.
 16. The Site Plan shall denote the estimated types and quantities of fill to be removed from the site and the final disposition of the same and the estimated types and quantities of fill of all kinds to be transported onto the site.
 17. As part of the Site Plan requirement in all zones, sidewalks shall be provided along all street frontages where such sidewalks are absent. Such walks shall be 5 feet wide and built to City of Groton Highway Department specifications. The Commission shall require such walks to be extended a reasonable distance beyond the site frontage in order to connect to existing walks. Such extensions shall not exceed a total of 100 feet.
 18. A soil erosion and sediment control plan meeting the requirements of the Zoning Regulations.

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Coastal Area Plan Requirements

Sheet Size	12" x 18", 18" x 24", or 24" x 36"
Number of Plan Sets	Three (3) sets

Coastal Site Plan Contents

1. A coastal site plan shall include a plan showing the location and special relationship of coastal resources on and contiguous to the site; a description of the entire project with appropriate plans, indicating project location, design, timing and methods of construction; an assessment of the capability of the resources to accommodate the proposed site; evaluation of the potential beneficial and adverse impacts of the project and a description of proposed resources.
2. "Any person submitting a coastal site plan, as defined above, shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies of Section 22a-92 of the Connecticut General Statutes."
3. Coastal Site Plan Action
4. The Board or Commission reviewing the coastal site plan shall, in addition to the discretion granted in any other sections of the Connecticut General Statutes or in any special act, approve, modify, condition or deny the activity proposed in a coastal site plan on the basis of the criteria listed in Chapter 444, Section 22a-106 of the Connecticut General Statutes. Further, pursuant to Connecticut General Statutes Section 22a-106(e), the reviewing commission must find that the proposed activity is consistent with all applicable goals and policies of Section 22a-92 and incorporate as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.
5. The Board or Commission approving, modifying, conditioning or denying a coastal site plan on the basis of criteria listed above shall state in writing the findings and reasons for its action.
6. In accordance with CGS Section 22a-105, failure to act on a coastal site plan within 65 days of the date of receipt (plus any extensions) shall be deemed a rejection.

ZBA Application Requirements

Sheet Size	Standard letter or legal size sheets of paper although plot plans prepared on larger sheets of paper may be accepted by the Zoning Board of Appeals, provided that such plot plans are duly certified.
Number of Plan Sets	8 plot plans

1. All applications for variances shall show the location of the buildings on abutting property, drawn to the same scale as the plot plan and the specific location of all proposed buildings, if applicable. This does not in any way authorize trespassing for any purpose.
2. No division of a lot, reduction in lot area, reduction in lot width, or relocation of common lot lines shall be considered by the Zoning Board of Appeals unless a certified plot plan is submitted with the application.
3. No division of a lot which would reduce the area of the resulting lots below the minimum required lot area of the applicable zoning district shall be considered by the Zoning Board of Appeals unless the lot abuts a public sewer or the owner obtains a satisfactory sanitation report from the Ledge Light Health District and submits same with the application.
4. All applications for approval of location for new gas stations, motor vehicle dealerships and motor vehicle repair garages shall be accompanied by an approved site plan and an authorized special permit.
5. The Board may waive or modify any or all of the requirements set forth above.
6. Failure of the applicant to meet any of the requirements set forth in Sections 6.22 and 6.23 shall in no event invalidate any decision made by the Board on the merits of such application.