

Report of the Kimball Implementation Team
To the Board of Aldermen and Mayor
Of the City of Milford, Connecticut

September 2009

Index

I.	Executive Summary	1
II.	Introduction	1
III.	Department of Permitting and Land Use	3
IV.	Organizational Chart	6
V.	Building Division	6
VI.	Land Use Division	18
VII.	Space Planning	24
VIII.	Budgetary Analysis	25
IX.	Conclusion	28
	Department of Permitting & Land Use Floor Plan	30

I. Executive Summary:

It is the purpose of this report to review the findings and recommendations of the 2008/2009 Kimball Report and the 2004 Bernstein Study of the Planning and Zoning office, and suggest concrete initiatives which put those, and additional, recommendations to work immediately.

The goal is to reform the permitting process by providing faster and better service for the applicant and greater efficiencies for the city staff, while maintaining high standards of code and regulation enforcement.

The implementation plan has the following components:

- Hire a Director of Permitting and Land Use who will manage the process and personnel and provide maximum assistance to all applicants.
- Consolidate the Building, Zoning and Wetland Offices to facilitate coordination and cooperation. Utilize professional staff for their skills and cross train support staff.
- Modify the office spaces to make them more open to the public and co-workers. Create a central office for the Director and the Customer Service staff in order to coordinate and oversee Building, Zoning and Wetland divisions.
- Initiate electronic information systems to improve work flows, permit tracking and customer service.
- Institute policies and procedures that move the process more quickly and efficiently.
- Insure that all fees and revenue are fairly assessed and collected, and that economic development is supported.
- Establish performance goals and systems of review, both for the process and personnel.

II. Introduction.

The Kimball Report Implementation Team (“KRIT”) was established by the Mayor and the Board of Aldermen of the City of Milford to address the deficiencies noted in the Kimball Reports of December, 2008 and January, 2009 (together, the “Kimball Report”). Our function is to suggest concrete steps to the Mayor and the Board of Aldermen for the implementation of one or more of the recommendations contained in the Kimball Report. Although we were not asked to comment on the accuracy of the Kimball Report, we believe that its conclusions were, and are,

correct. In addition, our assessment and analysis of existing permit processes confirm that the issues identified in the Kimball Report still exist and that all processes can, and must, be improved. After assessing current permit practices in the various city departments involved with land-use and building permits, the members of KRIT believe that implementation by the Board of Aldermen and the Mayor of the various recommendations in this report will have several positive effects; notably, the permitting process will no longer be fragmented and will be more focused and applicant friendly as well as more efficient from the perspective of both the applicants and the city.

Our report comes with two significant observations. First, the proposed reorganization of the planning and zoning, inland wetlands and building offices into a unified and cohesive Department of Permitting and Land Use (“DPLU”) will take time; it must be started at once. The sooner it is begun, the sooner the reorganization will yield tangible benefits. Second, the proposed reorganization will not, per se, make the permitting process more applicant friendly and efficient. That will require not only a streamlining of the processes but also the adoption and implementation of a more applicant friendly attitude. KRIT believes this can best be facilitated by a combination of (i) better coordination of the various aspects of the application process from start to finish, (ii) the availability of better information for applicants and (iii) direct daily oversight and supervision of the entire process by a department head directly accountable to the chief elected official with responsibility for the entire process. The task of the Director of Permitting and Land Use will be to assure a permitting process which assists citizens to achieve their goals with a minimum of delay and expense while assuring compliance with applicable codes and regulations established for the public’s health and welfare. A fundamental tenet of the recommended changes is that they create a more user (applicant) focused process with primary emphasis on efficiency, consistency, fairness and lack of subjectivity. Land-use and building application, permitting and inspection processes should provide for the maximum possible flexibility and accommodation of the public consistent with state and local statutes, regulations and codes for the protection of the public health, safety and welfare.

We did not come to this task with the preconception that organizational restructuring is the proper solution to the existing situation; however after discussions with past and present applicants, and with various city employees as well as with their counterparts in other Connecticut municipalities, we have come to the conclusion that while the implementation of newer technologies is an important part of the overall solution, improved use of technology alone will not solve the problems experienced by applicants. We believe a fundamental restructuring of the land use, building and wetlands divisions of the city is essential for the city to meet its responsibilities both to the public and to its own employees. We believe that one of the results of the present fragmented, poorly coordinated system is not only frustrated applicants but also frustrated city employees. We further believe that the proposed restructuring offers opportunities for cost savings and efficiencies which will result in the city providing better service for no, or little, additional cost. We

have attempted to keep our recommendations revenue neutral in recognition of the economic realities of the day, but did not allow cost to trump improvement of the process.

It is not the role of KRIT to make specific employment recommendations; however in a city the size of Milford we recognize that our suggested implementation of the Kimball Report has direct implications for specific individuals in specific departments. Nonetheless, we felt it was important to suggest these detailed changes in order to quickly enable the city to improve the status quo. Inherent in our recommendations is the critical assumption that employee performance will be closely monitored with respect to goals and standards and that staff changes will be made as necessary to enhance customer service, achieve objectives and uphold desired enforcement while taking advantage of improved efficiencies and opportunities. For example, there has been a significant lack of coordination and cooperation between the planning and zoning office and the building office which has resulted in delays for applicants and additional, unnecessary work for the Zoning Enforcement Officer. The consolidation of the two offices under a common director will alleviate these problems and increase efficiencies. KRIT is also recommending that the staff of both departments be cross trained to better understand the process and to be better able to assist each other and the public.

The Kimball Report notes that state statutes and city ordinances were given as reasons why permit applications are processed as they are, but KRIT has found no such impediments to the changes suggested by the Kimball Report. It is significant that many of the findings and recommendations contained in the Kimball Report are also set forth in a comprehensive evaluation of the Planning and Zoning Department in January, 2004 by Sim Bernstein Associates (copy attached). KRIT thanks the Chairman of the Planning and Zoning Board for making us aware of the Bernstein Study. The fact that the Bernstein Study in 2004 provides an assessment similar to that of the Kimball Report in 2008/2009 underscores the fact that change is not self-implementing or easily accomplished. Rather, a concrete effort must be made by all involved under the direction of a “champion,” i.e. an individual with strong management and administrative skills with a clear mandate, and the authority, to get the job done. Without such a “champion,” the present permit process is unlikely to improve.

III. Department of Permitting and Land Use.

It is clear that the City of Milford has the authority to establish, by ordinance, a new department and to reorganize/restructure existing departments. Accordingly, we recommend and urge the formal merger and restructuring of the planning and zoning, inland wetland and building permit offices into a new department, the Department of Permitting and Land Use, with all personnel, both professional and administrative, in those offices reporting directly to the new Director of Permitting and Land Use (the “Director”). The City should hire an individual for the position of Director with the skills and experience to organize, supervise and administer the new

department. The new Director should be accountable for the overall operation of the building, planning and zoning, and inland wetlands offices, for coordinating the permit process from start to finish and for coordinating departmental training programs. The new department will have two divisions, the Land Use Division which will encompass the present planning and zoning and inland wetlands offices and the Building Division which will encompass the present building office.

The Director will coordinate the hours of the two Divisions and the schedules of all DPLU staff, the times during which permits will be issued, and more closely integrate the operations of the two offices, including cross training of the staff and possible rotation of administrative staff between offices and/or divisions.

The Director will be responsible for and will establish and delegate daily tasks and functions, develop, implement and modify, as experience and change dictate, paperwork and process flow systems, set priorities and provide daily supervision and oversight, for the entire DPLU. The Director will also be responsible for preparing and adhering to a budget, will represent the Department within the city and will coordinate and interface with other department heads.

The Director, with the assistance of the city's director of human resources, the Planning and Zoning Board and the Inland Wetlands Agency must develop updated, accurate job descriptions for the staff of the DPLU, both professional and administrative.

The Director, in coordination with the directors of the relevant city agencies, must develop and implement a method to transmit both land use and building permit application materials promptly to the proper individuals in the other relevant agencies (including, but not limited to, police, fire, public works, health department) and relieve each applicant of this chore.

The Director must improve communication between the Building Division and the Tax Assessor's Office to minimize the amount of time between issuance of a certificate of occupancy and revaluation of a property. The result of improved communications should be increased tax revenues for the city.

Supervision Received.

The Director receives executive direction from the office of the chief elected official (Mayor).

Supervision Exercised.

The Director directs professional and office support staff within the DPLU, as assigned.

Examples of Duties.

The Director of DPLU shall be responsible for the overall operation and function of the DPLU. His or her duties include but are not limited to the following. The Director of DPLU (i) directs the staff and operations of the Department of Permitting and Land Use (“DPLU”), (ii) schedules, assigns, over-see and reviews work of staff, (iii) provides staff training and assistance for all staff members, (iv) coordinates and manages the activities of the DPLU, (v) conducts staff performance evaluations, (vi) makes recommendations on development of policies, procedures, program priorities and funding, (vii) compiles annual budgets, determines priorities and plans office work, (viii) establishes and maintains office procedures.

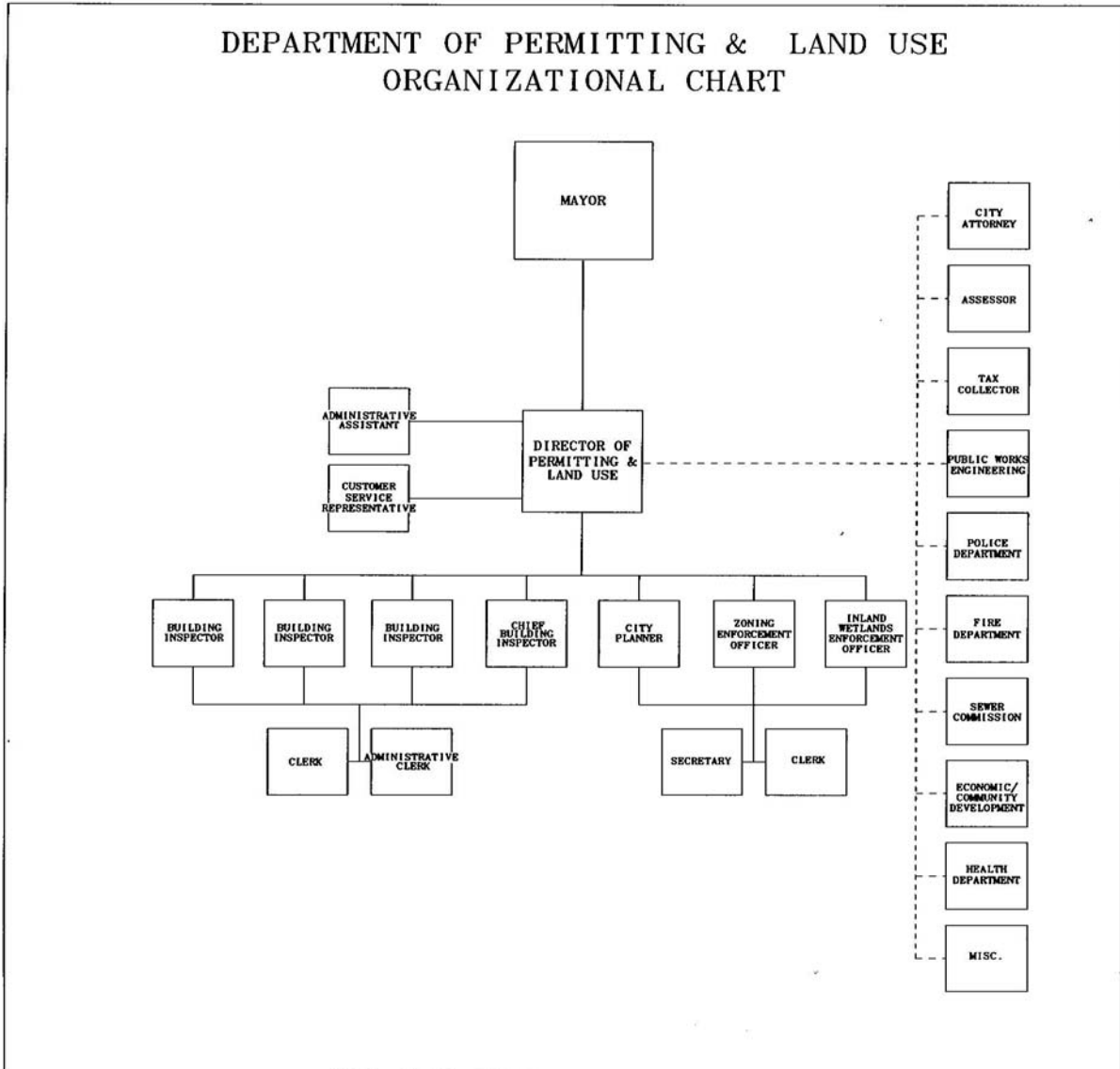
In addition, he or she (i) determines appropriate staff levels, (ii) determines priorities for expenditures of financial and other related resources, (iii) maintains contact with, and provides assistance to, the Planning and Zoning Board, the Zoning Board of Appeals, the Inland Wetlands Agency, and, to a more limited extent, the Sewer Commission, (iv) facilitates communication within and outside of the DPLU with entities and officials who might have a role in determining policy, (v) acts as liaison to other operating departments and officials regarding the policies and procedures of the DPLU, (vi) oversees all requests for land use approvals, and building and demolition permits within the city limits by property owners, building trade contractors and other city departments prior to the issuance of applicable permits, (vii) oversees inspection of permitted work to ensure compliance with sound judgment and prescribed specifications, (viii) verifies proper completion of permit work for release of bonds, (ix) ensures preparedness of the DPLU to satisfactorily respond to emergency situations, (x) prepares reports and correspondence and other related duties.

Requisite Minimum Qualifications, Knowledge, Skill and Ability.

The successful candidate for Director should have considerable knowledge of, and ability to apply, management principles and techniques, with particular emphasis on customer relations; considerable knowledge of city, state and federal laws, statutes, ordinances and regulations; ability to read and interpret blueprints, specifications and plans; knowledge of inspection practices; considerable interpersonal skills; considerable oral and written communication skills.

The successful candidate for Director should have a basic knowledge and understanding of building, development and land use processes. Ideally, the successful candidate would be certified (or certifiable) as a building official under the state statutes; however, while helpful, it is not an essential prerequisite for the position that he or she be either a building official, a certified land use planner or a certified zoning enforcement officer.

IV. Department of Permitting and Land Use Organizational Chart.



V. Building Division.

The primary objective of the Building Division of the DPLU is to assure compliance with applicable statutes, regulations, and codes in order to assure the safety of all structures within Milford. The Building Division should seek to do this in the most efficient and customer-friendly way reasonably possible, recognizing that flexibility and accommodation in favor of the applicant are to be allowed and encouraged provided they do not compromise the primary objective.

The concept of efficiency is to be measured in terms of the eyes of the applicant, the City of Milford (in terms of fiscal impact), and in terms of time-management for members of the Building Division (and DPLU in general).

The State Building Code (ref: Interpretation No. I-24-08, Question "A2") specifically states: "The code is silent on the operating policies and procedures regarding...how to process the applicant's permit. These procedures are governed by each of the individual local municipalities..." The December 4, 2003 memo from Chris Laux (State Building Inspector) amplifies this fact, while also stressing the importance of "customer service" (his words). Milford's Chief Building Inspector explicitly told us that he considers the public to be "applicants" – not "customers". He informed the KRIT that he considered the public to be "applicants who are deserving of a permit only if they have filled everything out correctly". We found this statement to be of interest and illustrative of an attitude which is not user friendly and which should not set the tone for the Building Division.

Provided state regulations regarding Workers' Compensation and the State Building Code are followed, it is clear that practices, procedures, staffing, and working arrangements are dictated by the City of Milford – not the State of Connecticut. In addition, the City of Milford Charter (Article 5, Section 2) provides that the Mayor appoints each department head, except for police and fire. This is similar to the provisions of Article XVIII of the City Ordinance which presently provides that the City Planner reports to the Mayor. For these reasons, and others, we believe that Milford has "legislative authority" to change procedures, staffing, and responsibilities (subject, perhaps, to negotiation of the impacts, if any, under applicable Collective Bargaining Agreements).

We understand that many of our suggested changes involve modifications to existing staffing and also create different responsibilities for some city employees. There is no doubt that immediate implementation is needed to avoid grid-lock. Current and past practices have been inefficient, frustrating for applicants, and harmful to the financial health of the city. Moreover, like the Planning and Zoning Department, the building office does not currently have a reputation for interfacing well with applicants. We consider this adverse reputation well deserved.

The faster the current practices and attitudes can be changed, the better. There is more to lose by slow or "half-way" implementation than by trying to implement several improvements at once. We understand that job descriptions need to be changed – but there is no reason to delay implementing these changes. In the past four months, during a period when the heads of the planning and building offices knew we actively sought their input, virtually no significant input or substantive information was supplied by either despite the fact that the Kimball Report highlighted these two offices as areas for improvement. Neither office gave us any factual or substantive information or reasons as to why the Kimball Report was inaccurate. As a result, we had to rely upon our own research. The current system is still broken, and the two individuals supervising the most impacted offices have

not shown a willingness to fix the relevant problems. Time will not help the process – only dilute implementation.

Please see the proposed Organizational Chart prepared as part of this report. Our terminology differentiates between the current building office, inland wetlands office and planning and zoning office, with the proposed Divisions within a larger DPLU encompassing multiple specialties and aspects of the entire permitting process.

Work-flow, job definitions, and operating practices should reflect the following items:

Staffing, Training, Reviews, and Reporting Structure:

- To maximize the efficiency of the Building Division (just as is being suggested for the Land Use Division), staff should handle the highest-level tasks appropriate. Technical staff must minimize the time they spend on tasks that can be handled by others who may not have their specific technical qualifications. By way of example, the daily operations of the Division including management, allocation of daily tasks and functions, and decisions relating to development and implementation of paperwork and process-flow systems (and changes) should be handled by the Director of the DPLU. If the Director chooses to delegate to others, we strongly recommend that functions administrative in nature not be delegated to professionals whose time can be better spent performing technical functions. The Director sets priorities and schedules for all staff of the Building Division, or delegates this task to others. The Chief Building Inspector need not, and should not supervise others (unless he or she is also the Director or unless directed to do so by the Director).
- “Free-up” the building inspectors, including the Chief Building Inspector, to maximize the time they can devote to job functions which require, by statute, their technical credentials. Examples include plan review, building inspections, and providing technical help and assistance to applicants. Faster plan review has a profound impact on reducing cycle-time, and helps improve the tax base of the city for projects that have been approved from a land-use perspective. This will parallel the changes in the Land Use Division of the DPLU where we recommend a parallel structure. The City Planner is a specialist who should focus on tasks that require his/her skills and should not manage the Land-Use Division. Similarly, the Chief Building Inspector should not be involved with management or supervision of other employees.
- Parameters of job performance are not just an expectation or a desire, but a standard against which employees are to be measured, reviewed, and benchmarked. The Chief Building Inspector reports to and should be accountable to the Director, as are all other building inspectors. Even if not

part of the functioning policies of other city departments, the Director should have periodic reviews measuring performance of all subordinates against benchmarks and objectives. At a minimum, annual written reviews of staff are to be conducted. If the Director wishes guidance from the KRIT as to our suggestions for initial benchmarks, we are available to assist with the initial roll-out.

- All budgetary, paperwork, human resources, and similar functions should be handled by the Director of DPLU. This would also allow a more “omnibus” view of budgeting, appropriate fee schedules, and other issues that would have a beneficial impact on the city’s revenue stream.
- Although certainly not required, it may be preferable for the Director of the DPLU to also serve as the Chief Building Official provided he or she has the qualifications, or can quickly obtain the qualifications.
- Cross train clerical staff so that they can functionally solve problems. The “best practice” communities employ staff with dual knowledge, sometimes even moving between offices (or if in different offices, making a difficult process more “seamless” for the applicant). Specific examples cut-across the DPLU. By way of example, the Zoning Enforcement Officer is expected to become cross-trained with the Wetlands Enforcement Officer (ultimately, and with time, allowing for two “enforcement officers”, each of whom can handle more functions in the field). Likewise, one member of the administrative staff of the Building Division should, as soon as possible, move into the Director’s office – and another current member of staff should be rotated into the Building Division in order to improve cross-training. It is probably advisable to move the (currently) most highly skilled member of the Building Division administrative staff into the Director’s office, but that is a (final detail) decision that should be left to the new Director. It is critical to start this cross-training, and eventual job rotation as soon as is convenient for the Director. This rotation should probably only involve one of the two current staff (non-licensed) positions in the Building Division.
- The (non-rotating) member of the Building Division’s administrative staff should be considered “quasi-permanent” and encouraged to pass the lower levels of the State Building Exam, if they are so inclined, for professional advancement and office efficiency. Other Towns (ref: Fairfield) have taken this approach, allowing “an administrative position” to handle a broader range of functions. The training is modest, and even if requiring a modest bump in the pay-grade for this administrative position, the benefits will outweigh any modest incremental costs.

Management Information Systems:

The building office still operates in a manual fashion, and has not implemented many of the off-the-shelf tools made available by the city (see below). The more technical tools, like CarteGraph, have not been implemented at all. This is mostly likely the result of the current management problem within the building office. Milford's MIS department offers these tools to all city departments, and they are utilized in other departments. It is not the roll of MIS to automate any one department. Rather, it is the role of each city department (usually with one departmental employee as the "champion of the cause") to use available tools to improve departmental efficiency. The MIS department then can help to train and coordinate like it has done with other departments seeking to move forward with technology (ex: Police, Health, Recreation, etc). Mr. Raucci informed us that he thinks a large scale technological solution would be beneficial (perhaps like CityView, used in Danbury and proposed for Greenwich), but yet the building office has not been able or willing to attend city offered training sessions on existing tools, like CarteGraph, (that are attended by other departments). A larger-scale (and far more complex) system of automation would be very expensive, and probably would be underutilized by the Building Division (or possibly even make the process worse) until its basic systems are streamlined. Any request to install large-scale (multi-department) software implementation that comes from the planning and zoning or the building offices would be a "mask" for the underlying problems. The successful implementation of these large-scale systems in other municipalities required years of hard work to implement in towns where the staff wanted it to happen. Some of the best processes we observed were created using some of the simplest systems that were implemented in small "bites" creating stand alone improvements in efficiency (ref: Fairfield, Farmington, Shelton, and even simple web-site improvements embraced by small communities like Orange).

A flexible attitude towards processes and dealing collaboratively with other departments (ex: planning with building) is the first step. Once the Director is ready to implement changes (which we suggest should be done quickly), then:

- The Building Division must start using the existing tools, available to all city departments, to improve communication with the public. By way of (just one) example, Recreation, Health, and Police use "First Class" to convert paper forms and information into Adobe (through Virtual Town Hall). This could immediately help with the highest frequency questions. Examples include specifications and permit issues for windows (wind), decks, sheds, pools, etc – the items that often cause confusion because applicants think it is "easy" and don't recognize the (code) complexities. An outline of paperwork requirements, the process itself, and contacts (resources) should be incorporated. The KRIT is willing to assist the Director to help transition into these changes.
- A simple computerized record-keeping system (a DBMS "Database Management System") should be employed to track the status of all permitting

and inspection functions. This could be as simple as an Excel spreadsheet, or more complex like the Mitchell Humphrey program. Various city officials must have access to (“visibility” into) this database, even if only on a “view” basis without the ability to change records (changes should be made by the Permitting Office). We would suggest walking before we run – and not moving immediately towards an enterprise-wide solution as the costs (and delays) of planning and implementing such a City-Wide system will likely take several years (ref: Greenwich & Danbury). Moreover, any steps taken to streamline the process with a simple DBMS in the short term will expedite future movement and migration towards an Enterprise (City-Wide) integrated management information system in the intermediate to long-term.

- At the present time the permit process in the building office is manual. Permits are manually typed instead of being printed from a “fill-in-the-blank” form (a template) on a screen in the building office. The folder or card is manually marked and updated (with a date) at every stage. Each inspection requires multiple physical “touches” of the records – once to review before the inspection, and then once to update after the inspection. These are literally records in file cabinets – just as they have been for 40 years. By way of example, for a single-family home, the permit file, plans, and subsequent cards could be pulled, researched, filed, viewed, or otherwise touched 10 – 20 times during the permitting and construction process. An addition to a home (lets say a simple addition, like a deck or a porch) could involve 6–12 times that the manual files are touched. That is a lot of time spent searching, filing, and recording. The City’s Tax Assessor literally has to go through the permit cards (and other paper forms) to update that department’s records relating to valuations (sometimes more than once during the process as construction advances).
- What should happen is the establishment of a master “record number”. This could be the tax parcel number, the street name, number and unit, or perhaps the Map/Block/Lot/Unit, etc. Whatever the index (and it should be the reference least likely to change over time), the record should have a cross reference to the others, if possible. This will facilitate building a database which the city will undoubtedly need as it moves towards higher forms of MIS sophistication. Instead of a paper record being located, updated and refiled, the computer record should be used. Much of this can be done, real-time, and from the field once inspectors have communication tools (see below). Issuance of Certificates of Occupancy (“CO”), or Certificates of Zoning Compliance (“CZC”), can then (eventually) be done “from the desk” in much less time than what is currently involved.
- It would be very beneficial to have this simple data-base (tracking permit process) include any precursor steps involving zoning and land-use permitting, as well as the final CZC and CO sign-offs. A system where this DBMS line-

item creation of any new records is a direct byproduct of the “fill-in-the-blank” templates used by Staff (PDF or WORD).

- Transmission to the Tax Assessor’s Office based upon “status change” appropriate fields for any records in the data-base lead to more efficient assessments (ex: inspections when a foundation is complete, a shell is enclosed, etc). The final CO is an obvious “double-check” for the Assessor and would fulfill his suggestion that appropriate automation within the Building Division could help improve accurate property assessment revisions.
- Database should allow query by permit number (and sub-type if applicable), street number address, tax map number, or tax account – even if all of this information is not currently populated, its future use should be anticipated, and provided for within the initial record layout definition unless the DBMS allows on-the-fly ad-hoc “field” or parameter indexing.
- The database might/should be able to help prepare more accurate summaries (city annual report and management analysis). Permit volume, revenue levels, and the value of permitted work have exhibited inconsistencies in previous ‘spreadsheet’ summaries by the building office.
- Our field visits to other towns confirmed that automated permit calculation software rather than the manual process currently used in the building office would minimize any “skipped” revenue opportunities for the city. Errors are almost never in favor of the city. An automated system, like that used elsewhere, would also allow a more nuanced fee-schedule. This could include (as is done elsewhere) differences by type of permit (trades versus general, and commercial versus residential).
- Improve coordination between the Tax Collector’s office and the Building Division. There is no current flaw with the practices of the Tax Collector, and they appear to function extremely well in efficiently providing any required certification (or waiver) relating to payment of taxes in the context of the permitting process. The KRIT understands the concern of the Tax Collector’s office vis-à-vis relinquishing statutory authority, and also the training involved in the job function. However, just as other cities are starting to eliminate this duplicative step, the KRIT strongly suggests that this step (multi-office visit by applicants) be eliminated as technology advancements and training allow. Although elimination of this step would improve efficiency, it is not the highest priority for a rework of the permitting process. As commentary, the KRIT would like to point out that there is little fiscal impact if an error is made, provided tax status is confirmed prior to issuance of the CO. We also suggest that the Tax Collector and the Tax Assessor each add a “flyer/notation” to their City Hall web-page entitled “Applying for a Building Permit?” This could, at a minimum then link to instructional information to remind applicants that taxes must be paid prior to pulling a permit. We also suggest the Director

work with the Mayor and Director of Finance to determine those permits where tax status need not be current. It may be advisable to ignore the enabling statute, which is not a mandated requirement, for minor mechanical permits. (Example: permit plumber to replace fixtures in bathroom of a commercial establishment that may not be current on all taxes). It may be in the public interest to encourage the work, despite the delinquency.

- On-Line PDF fill-in-the blank templates for “trade” permits and “single-shot” permits such as roofing, siding or windows should be made available. In the event that cut-sheets are required as part of the permit application, they must be scanned and sent (using the same Adobe format as the application). This is not a technical hurdle for the applicant, since these on-line PDF applications will mostly be utilized by professionals. For the immediate future, the KRIT expects that this type of PDF application should be available only to licensed contractors who are “high volume” (parameters to be determined by the Director of DPLU).

- West Haven, Fairfield, and other cities use a package called “Mitchell Humphrey”. Although we do not specifically recommend this or any other software package, it does allow inspectors to update the inspection results automatically into a database – rather than manually write the information on a card. This obviously would save time, increase revenue for the City, and improve efficiency. Although we recognize that the new Director will not be able to implement this type of system on “day one”, it need not be years into the future. These are simple technologies that have existed for years. Some towns use a PDA, like a Palm or a small “Windows” hand-held, and upload to their computers at the end-of-day. Some towns use a real-time (wireless) remote system using current technologies. The future is wireless – and the cost has dropped radically. This is the future, so if Milford is to automate this process, we suggest a direct movement towards wireless updating of inspection records. A small net-book (at \$400 and minor upgrade to telecommunications data-plans by the City for 5 or 6 employees) could create real-time (and immediate) functionality in the field. The KRIT is sensitive to the development of an inherent tendency of inspectors to overload the system with large data images to correlate inspection notes with images, but this is a matter of management – and some image capture (in the field) will inherently be part of future “best practices” – particularly for violations. Real-time MIS implementation for “field work” is critical. By way of example, if work is inspected at 1:00 PM, and an owner calls at 2:00 PM for status (if not at inspection), telephone tag ensues since the inspector is normally not back in the office until 4:00 PM. KRIT recommends that such information should eventually be real-time (wireless) and on the web – and available for public viewing. This is another example where existing and available technology can be used to create a faster process with no adverse impact to the quality of the inspections themselves – and in fact, it will reduce clerical burden for the inspectors.

- In field availability (same technology as above) as to code reference by inspectors. Allows issues/disputes to be addressed with the builder/applicant in the field by allowing the inspector to provide factual reference in the event that there is a “code dispute”.
- Once the basic work-flow and communication suggestions have been implemented, it may be beneficial for the Director of DPLU to look at automated inspection scheduling systems. By way of example, Greenwich currently has such a system which is voice-prompt based. Although there are pro’s and con’s of automated systems, the newer versions will undoubtedly be stand-alone web-based modules, allowing customers to directly book their inspections (from previously determined “openings”, as managed by the Director). Such a system would eliminate thousands of calls into the Building Division each year, while still allowing the Permit Office to maintain complete control.

Paperwork Flow: Steps to Improve Efficiency, Responsiveness & Customer Service:

- The same form can be used (dual sign-off) for final CZC and CO – with a required 24 hour processing by each – since sign-off occurs only after all inspections have been made. Mandatory “backup” signature processes to avoid delays when the normal signatory is on vacation, out sick, or otherwise indisposed.
- Milford is somewhat unique in that CO’s “pile-up” when the current Chief Building Inspector is out of the office. Standby plans should always be in place – being utilized automatically if the primary authorized signer is out for more than one day. These “standing instructions” are commonplace in other towns. The city’s business and property owners cannot be “held hostage” by the schedule or health of any one city employee. This is particularly easy to implement in Milford since we have more than one employee who has the technical certification required by the State to sign COs.
- File “cards” moved from the current location to the central work area, and eventual abandonment of using card notations as the DBMS is implemented (or Mitchell Humphrey or alternatives). This step will have significant time savings for staff.
- Insurance – follow best practices (Greenwich) – abandon process of requiring specialized certificates-of-insurance naming Milford as an “additional insured”. A proof of insurance or a simple affidavit (if the certificate is not in hand) is sufficient and complies with state requirements. Some towns (like Greenwich) go one step further – if the applicant does not have the insurance certificate

with him or her and cannot fill out the affidavit in the office, they allow a notarized form attesting to the fact that the insurance is (and will be) in force.

- As further additional customer service, every office member of the Building Department in Greenwich is a Notary Public. This also avoids the problem of expiration dates falling in the middle of a project (but after the certificate was produced at the time the permit was pulled). We suggest the City allow applicants to provide a certificate of insurance, an affidavit, or to fill out the notarized exception form, and that at least several members of the DPLU become notaries.
- Specifically encourage the use of a “sticky-note” system on permit applications that are incomplete due to any one of the missing (standard) pieces of paperwork: the payment, Insurance Certificate, Tax Certificate (assuming not resolved in the Building Division), or the Applicant’s License. Sort open files by street, then number, and indicate date of initial submission. Discard after 30 days (after a courtesy warning call to the applicant). This system is only to be used for applications where the cure is ‘administrative’ – in other words where the technical part (building plans and adherence to codes) was correct – otherwise reject as is currently done. These incomplete (but only for 1 of the 4 reasons) files are to have the permit filled out and left in the file, with a sticky note on the file informing a viewer to immediately know which of these four items is needed to complete the process. Administrative staff should be authorized to release the permit upon submission of the missing information.
- Work the Line. The KRIT suggests that a member of the staff routinely check with waiting applicants to see what “needs” or “issues” can be fast-tracked. This is akin to the Tax Collector’s Office trying to segregate the wait-lines according to function so as to ‘fast-track’ those applicants with a simple task (dropping off missing items, etc). We expect that this would include, but not be limited to, the four “problem areas” listed in the paragraph immediately above. We suggest the Director consider establishing “all-day” permit submission hours on one day of the week, and that “trade” or “single-shot” permits be available both mornings and afternoons.
- Plan drop off should be allowed if not for “trade” or “single-shot” permits, provided applicant completes an information header sheet with contact information or other information that might not be supplied on a standard application. Payment to be provided at drop-off, even if it is an initial estimate prior to confirmation of exact and final permit fees. The permit fee can often be calculated at the time the plans are dropped off. Drop would also include a copy of professional license (verified again at time permit picked up).
- Plan revisions go to the top of the pile (head of the line) unless reviewer believes there has been intentional disregard of normal knowledge and

protocol by the applicant (errors shouldn't be punished, but repeated errors or intentional disregard of policies should be).

- Eliminate requirement for the ZEO to stamp every page of the building plans. Only the top page, site plans, elevations, floor plans and other sheets involving relevant land-use matters should be signed. Milford seems to be the only municipality where the ZEO has to sign mechanical plans. We received no reasonable explanation as to why this policy was enacted.

General Improvements:

- Public should have full access to information showing the status of all pending permits, not just theirs, and allow benchmarking.
- Develop adequate signage within the Parsons Building to direct people to the Director's office, land-use, and building offices and other relevant offices. Since the inland wetlands office will be merged with the existing planning and zoning office to create the Land-Use Division (similar to most other communities we visited), it should be labeled as such.
- Modify the interior of the Building Division (also the Land Use Division) in conformance with the plan produced by KRIT. Specific benefits include better work area for plan reviews, more free space for open plans, and improved sight lines to desks of the inspectors.
- Develop adequate signage, and clear, simple directions within the DPLU describing the basic steps for obtaining a building permit, and where the various offices are located.
- Outside wall of Permitting Office to have help sheets for the major hotspots (pools, decks, sheds, windows, wind regulations, etc., see Greenwich, by way of example). Make sure pre-ambles requirements are well documented so applicants don't waste time by failing to understand, at the outset, that taxes need to be paid, zoning sign off may be needed, etc. Signage should be prevalent, including suggestions to applicants that they are well-served to ask their contractors for proof of liability insurance (which is not a requirement under state law for most types of work).
- Handouts – high frequency matters – akin to Greenwich – on web-site as well. This could easily be done by an intern (architecture or other field) in one summer, and the City has the tools available for web-publishing.
- Web-site for process explanation, requirements, and down-loadable forms. Even if the City requires (as a first step) that the forms be handed into the Building Division in-person, they must be available on-line along with all requirements. Greenwich, Farmington, Danbury, New Haven, West Haven,

and even smaller neighboring towns like Orange are examples of where we can start. This could be implemented in under a week by one member of the Division using existing tools. The KRIT is absolutely flabbergasted that management of the current building office has undertaken none of these steps that are used by most of the surrounding towns.

- Web-site for common problems/solutions/resources/warnings of code changes (by way of example, the areas where an applicant often does not understand the complexity of code requirements for what appear to be “simple” projects like decks, wind pressure, pools, etc.)
- Tighter windows for inspection (AM or PM, and split – 3 hour window such as 8-11, 9-12, 10 -1, etc).
- The office of the Chief Building Inspector should never be locked if it contains plans or work-papers currently under review. Records subject to privacy can be protected in other ways.
- Approvals can and should be granted “with conditions” in the event the application is materially (and otherwise) correct. By way of example, if a permit application for new construction is submitted, and the applicant fails to specify parameters for windows (wind), even though the window is a well known brand, currently the application would be rejected. The KRIT suggests that this application should be approved, with the explicit condition that windows shall not be installed prior to sign-off by the Building Division. This is less work for the Building Division than a complete “re-review”, helps the applicant, and improves the tax-base for the city. To the best of KRIT’s research and knowledge, this type of flexibility is not prohibited by state Building Codes, makes common sense, and would rectify a current (uncooperative) practice of the building office.
- Permits by foundation (multiple units) within a building – provided owner recognizes CO must follow in uniform fashion, and no “going back” for the owner – will reduce paperwork. Zero risk to city. Multiple CO’s can be issued upon completion. Example, assume there is a foundation which covers 8 condominium units. If owner so elects (and no vacillating) electrical inspection for all 8 units can take place at once. This would require owner to be at same stage of inspection (construction) for all units – but if so, far more efficient for City (1 trip not 8, 1 piece of inspection paper-flow, not 8, etc). Ultimate CO’s must be individual (obviously), but no reason why multiple and different CO’s can’t refer (trace) back to the same inspection reports and even initial permits.
- We believe that the Building Division can radically reduce their insistence on cut-sheets for things like sheds and windows – provided the plans state conformance to codes, and are stamped by a licensed professional. In other words, if an architect specifies a window on a plan with make and model

number, and also specifies that it adheres to any required codes (for wind, in a coastal area), cut-sheets should not be required. The current practice is for the reviewer to note the cut-sheet is not supplied and kick-out the plan. This requires a second visit, and a second review, when in fact, the specifications of that window (or whatever) have not changed. The KRIT is not, in any way, suggesting that code review be relaxed. Quite the contrary. The KRIT suggests that the Building Division rely upon the professional licensure of the person producing the plans in order to make sure that the code is followed – but not to ask for duplicative paperwork (cut-sheets) to “prove” that a licensed architect or engineer has used a specification that does, in fact, meet the code.

- Minor missing information should be added to the plan and initialed, rather than requiring resubmission, otherwise (the current practice) the reviewer does his job twice, and the applicant goes through the process twice.
- Work with zoning office for collaborative resolution to problems – not back – and-forth when a minor revision is needed.
- No ZEO sign-off required for CO’s (once construction is complete) on building permits unless a footprint was expanded or other land-use issues were considered as part of the original application (examples of when ZEO signoff is necessary: accessory apartment, no kitchen in finished basement, etc.).
- We expect that the DPLU, through the Building Division, will follow any new ordinances relating to demolition delays on historic (or potentially significant) structures. We suggest that this involve coordination with the Tax Assessor’s records so that the Building Division can quickly determine if the structure meets the age test (presumed to be 75, or more likely 100 years)

VI. Land Use Division.

Staff from the present planning and zoning office and inland wetlands office should be combined into the Land Use Division of the DPLU. The city should retain the critical position of City Planner and staff that position with a certified, experienced land use planner. Historically, the City Planner has worn many hats, including the management and supervision of the other professional and clerical staff assigned to the planning and zoning office. However to maximize the efficiency of the Division (just as is being suggested for the Building Division) that management and supervisory function should now be exercised by the new Director of Permitting and Land Use.

By City Ordinance the City Planner reports to the Mayor (See Article XVIII). That ordinance would need to be changed to require him or her to report directly to the Director of Permitting and Land Use. The City Planner would continue, as is presently the case, to provide professional advice and assistance to the elected Planning and Zoning Board. However, relieving the City Planner of various

administrative duties and supervisory functions will allow him or her to devote 100% of his or her efforts and time to performing the professional tasks for which he or she is specifically trained and uniquely qualified, thereby improving both the timeliness and thoroughness of plan reviews (KRIT has received reports that those reviews are frequently neither timely nor thorough). As is being suggested for the Building Inspectors, the City Planner (and likewise the Zoning Enforcement Officer and the Wetlands Enforcement Officer) should only perform work requiring their technical expertise as much as possible.

As noted in the latest Plan of Conservation and Development, Milford is a mature, largely developed community with little undeveloped open space. Most of Milford's future growth and development is expected to involve redevelopment of presently developed land. Accordingly, the city would benefit from the cross training of both professional and administrative staff in the new DPLU. For example, some have questioned whether Milford presently requires a full-time, professional inland wetlands officer based upon the number of present permit applications and compliance issues. However, the city does have need for an additional zoning enforcement officer to assist with issuing permits and code enforcement. Accordingly, given the city's need for both environmental and zoning enforcement, and given the background and experience of the current wetlands enforcement officer (who enjoys a reputation for providing high-quality customer service), KRIT recommends that, in addition to continuing her present duties, the present wetlands enforcement officer be cross trained as an assistant zoning enforcement officer to assist the present zoning enforcement officer. Similarly, the present zoning enforcement officer, in addition to continuing her present duties, should be cross trained in wetlands enforcement. Since the environmental background to review impacts to inland wetlands and coastal resources is similar and since the two programs share similar policies and goals, the wetlands enforcement officer would also be uniquely qualified to review applications under the coastal area management program.

A major responsibility of the zoning enforcement officer is to issue zoning permits, the first step in applying for a building permit; therefore, having a second person trained as a ZEO to review applications and issue zoning permits will improve that process. A cross trained wetlands enforcement officer would also enhance enforcement of the zoning regulations and assist residents with applications for variances.

Presuming the implementation of the foregoing, KRIT believes that the availability of the current City Planner to devote 100% of his attention and time to planning and to commercial plan review, together with the cross training of the present Wetlands Enforcement Officer as an assistant zoning enforcement officer, makes the position of Assistant City Planner (who is presently devoting substantial time to code enforcement and the issuance of zoning permits, both of which are typically performed by a Zoning Enforcement Officer) unnecessary at this time

resulting in a significant annual savings without a loss of efficiencies. (See section on Budgetary Impacts.)

We also recommend that to the limited extent the Sewer Commission is involved with the land use and building permitting processes, that involvement be integrated into the DPLU. This will improve permit processing and coordination by the DPLU staff and obviate the need to replace the clerk working for the Sewer Commission who retired. We are not recommending any DPLU involvement with the other functions and responsibilities of the Sewer Commission.

Application Review Process.

We have heard from various parties that Milford's present process to apply for site plan, special permit or special exception approval is not user friendly. Applicants complain that it is often overly long and expensive; however, most lack the time, finances or inclination to challenge the process for fear that their own application will be further delayed. Connecticut General Statutes 8-7d provides clear guidance on this crucial issue. KRIT is unaware of any other municipality whose application process is inconsistent with CGS 8-7d and recommends that Milford's procedures be changed to comply with the statute. CGS 8-7d (copy attached) provides a concrete, efficient and reasonable timeframe for processing and deciding land-use applications. Connecticut General Statutes Section 8-7d defines when an application is received. In cases where a public hearing is either required or held, the statute requires: (i) the hearing start within 65 days of receipt of a land-use application, (ii) the hearing be finished within 35 days, and (iii) a decision be made within 65 days of the completed hearing. In other words, by statute, the application process, from start to finish, typically may not exceed 165 days, or approximately 5 1/2 months. The applicant may consent to one or more extensions of time, but not for more than an additional 65 days. For applications where no public hearing is required or held, i.e. site plan approval, the statute typically requires a decision within 65 days of receipt of a land-use application. Again, the agency may request, and the applicant may grant, an extension up to 65 additional days. Milford's present application process does not follow those formula which should be implemented by the Director of DPLU in conjunction with the Planning and Zoning Board. The statutory time frames are maximums and, obviously, hearings should be held sooner and decisions should be made in less time as circumstances reasonably permit. Adherence to Connecticut General Statutes Section 8-7d would dramatically reduce the length of time necessary to complete the plan review process without impairing the integrity and function of the Zoning Regulations. This is essentially the same application review process which the Milford Inland Wetlands Agency has used successfully for many years.

Coordinated Plan Review.

KRIT agrees with both the Kimball Report and the Bernstein Study and recommends implementation of regular, frequent, coordinated plan review meetings

among the various city departments required to review a proposed site plan application. Specifically, for site plan, special permit and special exception applications, the city should hold mandatory plan review meetings at least twice a month, or upon the request of the Director of DPLU for a specific proposal as warranted. In a plan review meeting, representatives of the various city departments with a need to comment upon a specific land-use proposal (i.e. fire, police, health, public works, consulting engineer, and wetlands) would be required to meet with the City Planner, the applicant and the Director of DPLU to formally review the applicant's proposal and provide written comments. The suggested approach provides a single forum for an applicant to meet with, and obtain in a timely fashion, the comments of all interested municipal agencies. Such a meeting saves time, avoids a series of separate meetings between an applicant and city personnel, improves communications and avoids (or at least makes all interested parties aware of) inconsistent agency recommendations, and minimizes the number of times an applicant would be asked to revise its plans (often an expensive and time-consuming process).

Similarly, the Director of DPLU must be authorized to call such a meeting among interested parties with respect to an application for a building permit (i.e. building inspector, fire marshal and health dept).

This change will involve the cooperation of the various department heads (i.e. Chief of Police, Fire Chief, Public Health Director, Director of Public Works) all of whom have voiced their support for improving the permitting process.

Each Division or Department (including the Land Use Division of DPLU) must promptly issue a written report (or comments) after a plan review meeting to both the Director of DPLU and the applicant explaining its findings and listing any unresolved issues so that both the applicant and the other municipal agencies involved are aware of what is being requested.

Suggested Steps to Improve Efficiency, Responsiveness and Customer Service.

Additionally, borrowing heavily from the Kimball Report and the Bernstein Study, we make a number of specific recommendations for improving workflow in the new Land Use Division (we have also suggested priority of implementation):

- ◆ Each application to the Planning and Zoning Board should be assigned a number upon receipt to assist in tracking and to keep track of the various timeframes set forth in Connecticut General Statutes Section 8-7d. The City's existing MIS systems have the ability to track applications electronically (for immediate implementation).
- ◆ Staff must be allowed to accept applications and material submitted in support of an application to the Planning and Zoning Board without first

having to obtain the approval of the review professional (for immediate implementation).

- ◆ A checklist for the various applications should be created, similar to the checklist used by the Inland Wetlands Agency, and all new applications should receive a prompt review for missing or incomplete items and that fact promptly communicated to the applicant (for immediate implementation).
- ◆ Staff must be allowed to schedule appointments with the public for the City Planner, Zoning Enforcement Officer and Wetlands Enforcement Officer/Assistant Zoning Enforcement Officer. Calendars should be on a computer accessible by all staff (for immediate implementation).
- ◆ The Director should confer with the Planning and Zoning Board and the professional staff of the Land Use Division to determine whether certain applications which are typically straight forward and pro-forma should be delegated to the City Planner and/or Zoning Enforcement Officer, as appropriate, for review and approval; i.e. permit for a temporary tent sale, minor amendments to existing site plans. A similar delegation of authority from the Inland Wetlands Agency to the Wetlands Enforcement Officer currently exists (for implementation in the mid-term).
- ◆ Current Planning and Zoning permit fees are well below fees charged by other towns and should be increased to offset the cost of running the Land Use Division. The fees should be set by the Board of Aldermen by Ordinance with input from the Director of DPLU and the Planning and Zoning Board (for immediate implementation). Please note, KRIT does not suggest an increase to the fee charged for issuance of a zoning permit and certain routine, minor matters (i.e. residential CAM application). We do suggest, however, that fees charged for large-scale commercial development need to be increased to more equitably account for the greater levels of staff time (including review by other city departments) required. Presently, some fees do not even, or barely, cover the cost of publishing the legal notice. The fees charged by the Inland Wetlands Agency and the building office appear to be in line with those charged by other communities and KRIT does not believe those fees need to be increased at this time. If the process is streamlined and made user-friendly, KRIT believes that permit applicants will not balk at a reasonable additional charge to defray the cost of permit processing.
- ◆ Initiate use of improved technology to facilitate permit handling and information storage and retrieval with the assistance of the city's MIS department including greater use of the city's GIS system (for implementation in the mid to long term).

- ◆ The Director should examine the historic application review process in consultation with the Planning and Zoning Board, other department heads (i.e. the Chief of Police, Fire Chief, Director of Public Works etc.) and the staff of the Land Use Division to determine what additional changes might make the land use application process more efficient and cost effective (for implementation in the midterm). For example, in the past, the City Engineer would require an applicant to demonstrate the engineering feasibility of a particular site plan and would not require final engineering details (i.e. catch basin inverts) until the plan was approved by the Planning and Zoning Board. Such a conditional approval has the obvious benefit of saving an unsuccessful applicant the time and expense of designing, and the city the time and expense of reviewing, the final engineering details of a site plan which will not be built. Similarly, the Director should consider, particularly for residential applications, not requiring expensive and time consuming A-2 surveys unless there is an obvious need for one.
- ◆ Add better explanations of the land use permit application requirements and timeframes to the City's website, particularly for high volume applications typically done by homeowners; i.e. porches, sheds, pools, replacement windows, roofs and siding. Applications and other downloadable forms should be available on the website (for implementation in the mid term).
- ◆ The website of the new Land Use Division of the DPLU should be updated periodically and used to communicate with the general public (for immediate to mid term implementation).
- ◆ After placing an application on the agenda of the Planning and Zoning Board, the City Planner (or other appropriate staff member) must prepare a written report of his or her findings and recommendations to assist the Planning and Zoning Board and must provide a copy of that report to the applicant a reasonable time before the meeting so that the applicant will be prepared to address any issues and concerns at the Board's meeting. This should make meetings more efficient, shorten the time needed to complete a hearing and avoid last minute surprises (for immediate implementation).
- ◆ On routine matters; i.e. site plans which meet the standards of the Zoning Regulations, the City Planner (or other appropriate staff member) should prepare a suggested motion so that the Planning and Zoning Board may take immediate action if it so chooses (for immediate implementation).
- ◆ Although the Tax Collector's office does a good job of providing applicants with evidence of paid taxes for presentation to the Land Use Division and the Building Division in an efficient manner (evidence of no delinquent taxes is required for issuance of both a zoning permit and a building permit), consideration should be given to eventually making that information available

to the DPLU by computer (thus obviating a trip by the applicant to the Tax Collector's Office and freeing up staff time). In those few cases which may require the exercise of discretion by an official in the Tax Collector's Office, the applicant can be directed to the Tax Collector's Office.

VII. Space Planning.

KRIT recommends converting Conference Room A in the Parsons Building into the Office of the Director of DPLU and a public waiting room (the "Permitting Office"). See attached "Department of Permitting and Land Use" floor plan. This places the Director in close proximity to the existing planning and zoning office (the new Land Use Division, which includes the staff of the Inland Wetlands Office) and the existing building office (the new Building Division) and creates the so-called permit concierge. This suggestion groups the major permitting offices together, which facilitates better communication within the DPLU and is more convenient for the public. Additionally, the proximity of the Director to the offices of both the Land Use Division and the Building Division will enable him or her to provide better day to day supervision and management of staff and allow the Director to take a more "hands on" approach to assisting the public.

- ◆ At least two administrative staff (possibly one from the Building Division and one from the Land Use Division) will be assigned to the Permitting Office to assist the Director and to act as customer service representatives to greet the public, assist them with the proper paperwork and permit sequence, direct them to the appropriate person in the appropriate Division or other municipal agency, and address complaints and problems. The goal is to minimize stress and make the permit process less intimidating and as flexible as fairness, sound practice, public policy and adherence to applicable codes and regulations allow.
- ◆ Both the existing planning and zoning office and the building office are to be reconfigured to provide conference and meeting space, more counter space for staff to serve the public, and to be more open and accessible. While some degree of confidentiality is appropriate in both offices, staff offices should not be behind walls, cut off from the public, and as the Bernstein Study notes, closed doors "...should be the exception, not the rule."
- ◆ Where appropriate or required by law, administrative staff should be given specific basic training in a particular area to better assist the public. For example, the clerk in the inland wetlands office has taken basic wetlands training offered by the State of Connecticut. The same consideration should be given to additional training for clerical staff in both the planning and zoning office (i.e. basic zoning enforcement) and the building office (i.e. training in the Building Code is offered by the state).

- ◆ Comprehensive way-finding signage must be created and installed in the Parsons Building at the various entrances, at critical hallway junctions and adjacent to the key offices to direct the public to the Permitting Office, the Land Use Office and the Building Office. A simple floor plan of the Parson's Building should be prepared and be available at the various offices of the DPLU as well as posted on the City's website to assist people to navigate among the relevant offices.

VIII. Budgetary Analysis.

We believe that full implementation of our proposals will be, at worst, revenue neutral. It is far more likely that the annual budgetary benefit will be significant. This should be the case after both funding the newly created (proposed) position of Director of Permitting and Land Use, and also allowing for yearly amortization of the cost to modify the Parson's Building. We do not believe that these one-time renovation costs will exceed (using an assumed 10 year amortization period) \$5,000 - \$7,500 per year. The following items represent cost savings or revenue enhancements of approximately \$200,000 - \$275,000 per year, within the first few years of implementation. The amounts increase if the level of building activity increases. All comparisons are against current practices, organizational staff structure, and processes, and include an accurate measure for fringe benefits*.

We suggest hiring one additional person, but reducing other scheduled staffing by two positions (only one of which requires elimination of an active position), and looking at other areas for revenue enhancement. Specifically, the amortization of office reconfiguration costs and the Director's salary can be more than offset by:

- Elimination of the position of Assistant City Planner (see job efficiencies relating to ZEO and WEO, and Planner's reduction in management activities leading to more time available for planning). Savings of \$92,000**.
- Elimination of one building inspector's position (or at a minimum, significant delay in re-hiring the open position) within the Building Division. In the past, when the building office operated more efficiently (albeit at lower permit volumes), staffing was the Chief Building Inspector, two inspectors, and two clericals. That staffing then increased to a third building inspector, and finally a fourth. It is possible that the reduced volume of the current environment would, in and of itself, eliminate the need for rehiring this open position. We believe that the proposed changes outlined in this report make the elimination of one inspector's position all the more certain. Allowing the current Chief Building Inspector to concentrate on plan review, and inspections will also help output. Savings of \$71,264**.

- Reduction in Building Division's overtime account. Specifically allow and encourage third-party review to reduce the Saturday overtime arising from plan review (much of which has historically been done, when the Department was busy) on Saturdays. Eliminating administrative duties from the Chief Building Inspector should allow more time in the field and for selected plan review by him. Minimization of duplicate "review" within the Building Division by the Chief Building Inspector (after plans have already been reviewed by a licensed professional) will also improve efficiencies. Overtime was \$20,000 last year, and \$60,000 the year before**. Some overtime may arise, but regardless of staffing levels, overtime will be reduced if professionals are freed-up to perform plan review rather than deal with administrative matters. We believe that more than 50% of overtime can be eliminated for the reasons above as well as improved work flow efficiencies. Savings of at least \$10,000 (ignores savings from any avoided fringe benefits).
- Abandonment of the open clerical position in Sewer (Engineering), since office and staff relocation (as well as outsourcing of professional services) make it unnecessary to fill this position. Savings of \$52,200**.
- Based upon our observations in Towns like Danbury, Farmington and others following fast-track best practices, we believe that a minimum of 30 days can be removed from the permitting process if Milford embraces concurrent (versus sequential) review processes. For the larger (and hence more valuable projects), we believe that we are radically understating the reduction in permitting time. If we were to take the years of lowest economic activity for Milford, and use \$15,000,000 as the minimum value of new permitted work (some years it is over \$100,000,000), and using a 70% factor for assessment, and a mill-rate between 18 and 25 depending upon cycles of revaluation, a 30-day improvement in cycle time is worth an extra \$19,000 - \$30,000 to the city, each year at the absolute minimum. This type of analysis is the specific framework for certain municipalities in Connecticut (Danbury being an obvious example) which try to attract new development, or urban redevelopment.
- Although wholly dependent upon future attrition, we believe that one other clerical position may be eliminated in the mid to long term if cross-training and the MIS suggestions are implemented. The KRIT is NOT suggesting elimination of any currently staffed positions other than the Assistant City Planner position. We are not tabulating possible future staff reductions as a savings, but technology can help create these savings – akin to what might happen by tighter integration between the Tax Collector's Office and Building Division of the Permitting Office.
- Permit fees for zoning and land use applications appear to be radically lower in Milford than in other towns. By way of specific reference, for every \$100

collected by the Building Department, only \$2.00 - \$2.60, depending upon the year***, was collected by fees from the planning and zoning office (ignoring fees for zoning appeals to the Zoning Board of Appeals, which we do not propose changing). We also do not propose changing any fees relating to inland wetlands. We suggest increasing the fees that relate to permits for new work (not for Certificates of Zoning Compliance). Doing so would still leave Milford below its peers. The KRIT fully recognizes that the Building Division generates more revenue than it costs to run, and this is typical of every town we have examined. The same is not the case for the Land Use Division; and, although this may also be typical of other towns, the gap between Division expenses and revenue appears to be greater in Milford.

- We unanimously and strongly believe that current applicants would not object to more reasonable land use fees if they felt that the permitting process moved at a more reasonable speed. In fact, several developers and builders volunteered this information, reinforcing what was an obvious (and anachronistic) situation in Milford. An extra \$15,000 - \$18,000 to the city, each year (possibly more).
- If needed, the City could look at fees in the Building Division. Milford building permit fees are roughly in-line with neighboring towns. However, if needed, a slight adjustment in the permit fee schedule for Commercial Work could be considered such as an additional \$50 per Commercial permit (base) or perhaps an additional \$1 per \$100 of value for Commercial permits. (Extra revenue ignored)
- Registration fees for trash haulers (and dumpsters in construction). The KRIT has been informed that Milford has lower fees for these licenses and permits than surrounding towns. We did not explicitly research this issue and only a portion of it relates to the building permit (and construction) process. However, if in fact this is the case, additional revenue might be available. (Extra revenue ignored)

Comments, References & Calculations:

(*) All payroll/staffing savings include a 45% fringe benefit load factor. This number was supplied to KRIT by the City of Milford. Based upon City Financial reports, this derives from (page 9) of \$14,045,076/\$31,954,732. This equates to 43.95%, but as the city's personnel director has pointed out, this does not include all applicable post retirement benefits if funded according to actuarial estimates. As such, KRIT has probably underestimated the fringe benefit load factor.

(**) City of Milford, Connecticut 2009-2010 Board of Alderman Adopted Budget;

(***) Revenue from Planning & Zoning Fees is \$18,000 projected for 2008-2009, and \$757,000 for Building Department (prior year was \$22,446 versus \$1,046,012 respectively).

IX. Conclusion.

We have found that the problems identified in the Kimball Report and the Bernstein Study have not gone away or gotten better. In fact, we are disappointed that none of their recommendations were apparently implemented, or in any way addressed, by either the planning and zoning office or the building office. In particular, the building office has proven to be very inflexible and not user-friendly.

We concur with Kimball that the only viable solution is to integrate the various offices involved with the land use and building permit processes and to designate a “champion” to coordinate and defragment the over-all process and to instill a flexible, customer friendly attitude from the top down; elements which are presently lacking.

We believe implementation of the recommendations of the Kimball Report and Bernstein Study is ultimately cost-effective for the city and will, at worst, be revenue neutral in the short-term. The recommended reorganization results in certain economies of scale and introduces efficiencies inherent in cross-training. Additional efficiencies, in the mid and long term, will be possible through the improved use of information technology. Short term economic benefits include: (i) reduced overtime in the Building Division, (ii) elimination of one position in the Land Use Division (Assistant City Planner) and one position in the Building Division (Building Inspector) and one clerical position in the Sewer Commission office, (iii) increased planning and zoning fees, (iv) additional revenue due to earlier tax assessment as new construction comes on-line earlier and more quickly.

We believe the current permit process, if not streamlined, will continue to have a detrimental effect upon the business climate in Milford, which in turn, has a detrimental effect upon the growth and fiscal well-being of our community. Milford’s economic health is an important component of the public’s health, safety and welfare. (See Article I of the Milford Zoning Regulations and Connecticut General Statutes Section 22a-36.)

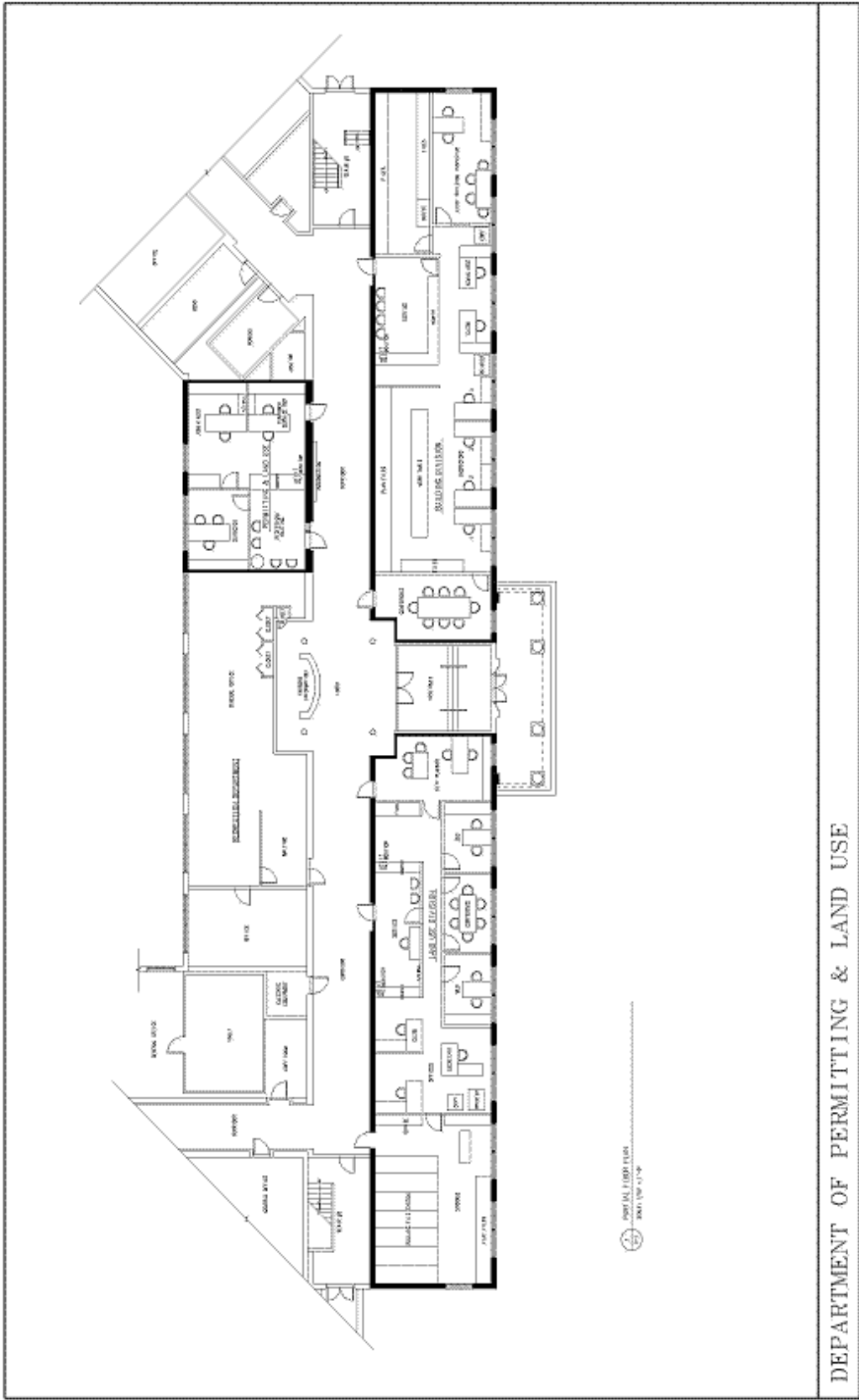
We recommend that the Board of Aldermen immediately adopt appropriate legislation to implement the new Department of Permitting and Land Use, and that while the City conducts a search for a qualified permanent, full time Director, the Mayor immediately hire an interim Director of DPLU to begin implementation of the key recommendations set forth in this report as soon as possible. The members of KRIT are pleased and willing to provide assistance to, and act as a resource for, both the interim and permanent Director with respect to the implementation of specific aspects of this report. We are also willing, if requested, to assist in the hiring process.

We believe it is important to emphasize that a more flexible, user-friendly, streamlined permit process does not assure each applicant receipt of a permit. Applicants must still comply with all applicable codes and regulations in a manner which is consistent with public health and safety, protects the fabric of our community and preserves our quality of life. The role of staff is to regulate land use and building, but not by impeding property owners but by assisting them to achieve their objective in an appropriate manner consistent with the applicable codes and regulations with as little delay, expense, stress and intimidation as possible.

We thank those employees and officials of the City of Milford who provided assistance as well as the employees and officials of Shelton, Farmington, Danbury, Greenwich, Fairfield, Branford and New Haven for sharing their time and insights. We thank the City Attorney, Winthrop Smith, his staff and outside counsel, Lawrence Sgrignari, for their advice, guidance and assistance. We also thank Mayor James Richetelli and Chairman of the Board of Aldermen Benjamin Blake for their proactive approach to this issue and for their critical support throughout the process.

Respectfully submitted,

Douglas Novak
Raymond Oliver
David Rubin
Stephen Studer



DEPARTMENT OF PERMITTING & LAND USE

Connecticut General Statutes

Section 8-7d. Hearings and decisions. Time limits. Day of receipt. Notice to adjoining municipality. Public notice registry. (a) In all matters wherein a formal petition, application, request or appeal must be submitted to a zoning commission, planning and zoning commission or zoning board of appeals under this chapter, a planning commission under chapter 126 or an inland wetlands agency under chapter 440 or an aquifer protection agency under chapter 446i and a hearing is required or otherwise held on such petition, application, request or appeal, such hearing shall commence within sixty-five days after receipt of such petition, application, request or appeal and shall be completed within thirty-five days after such hearing commences, unless a shorter period of time is required under this chapter, chapter 126, chapter 440 or chapter 446i. Notice of the hearing shall be published in a newspaper having a general circulation in such municipality where the land that is the subject of the hearing is located at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for the hearing. In addition to such notice, such commission, board or agency may, by regulation, provide for additional notice. Such regulations shall include provisions that the notice be mailed to persons who own land that is adjacent to the land that is the subject of the hearing or be provided by posting a sign on the land that is the subject of the hearing, or both. For purposes of such additional notice, (1) proof of mailing shall be evidenced by a certificate of mailing, and (2) the person who owns land shall be the owner indicated on the property tax map or on the last-completed grand list as of the date such notice is mailed. All applications and maps and documents relating thereto shall be open for public inspection. At such hearing, any person or persons may appear and be heard and may be represented by agent or by attorney. All decisions on such matters shall be rendered not later than sixty-five days after completion of such hearing, unless a shorter period of time is required under this chapter, chapter 126, chapter 440 or chapter 446i. The petitioner or applicant may consent to one or more extensions of any period specified in this subsection, provided the total extension of all such periods shall not be for longer than sixty-five days, or may withdraw such petition, application, request or appeal.

(b) Notwithstanding the provisions of subsection (a) of this section, whenever the approval of a site plan is the only requirement to be met or remaining to be met under the zoning regulations for any building, use or structure, a decision on an application for approval

of such site plan shall be rendered not later than sixty-five days after receipt of such site plan. Whenever a decision is to be made on an application for subdivision approval under chapter 126 on which no hearing is held, such decision shall be rendered not later than sixty-five days after receipt of such application. Whenever a decision is to be made on an inland wetlands and watercourses application under chapter 440 on which no hearing is held, such decision shall be rendered not later than sixty-five days after receipt of such application. Whenever a decision is to be made on an aquifer protection area application under chapter 446i on which no hearing is held, such decision shall be rendered not later than sixty-five days after receipt of such application. The applicant may consent to one or more extensions of such period, provided the total period of any such extension or extensions shall not exceed sixty-five days or may withdraw such plan or application.

(c) For purposes of subsection (a) or (b) of this section and section 7-246a, the date of receipt of a petition, application, request or appeal shall be the day of the next regularly scheduled meeting of such commission, board or agency, immediately following the day of submission to such commission, board or agency or its agent of such petition, application, request or appeal or thirty-five days after such submission, whichever is sooner. If the commission, board or agency does not maintain an office with regular office hours, the office of the clerk of the municipality shall act as the agent of such commission, board or agency for the receipt of any petition, application, request or appeal.

(d) The provisions of subsection (a) of this section shall not apply to any action initiated by any zoning commission, planning commission or planning and zoning commission regarding adoption or change of any zoning regulation or boundary or any subdivision regulation.

(e) Notwithstanding the provisions of this section, if an application involves an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive, and the time for a decision by a zoning commission or planning and zoning commission established pursuant to this section would elapse prior to the thirty-fifth day after a decision by the inland wetlands agency, the time period for a decision shall be extended to thirty-five days after the decision of such agency. The provisions of this subsection shall not be construed to apply to any extension consented to by an applicant or petitioner.

(f) The zoning commission, planning commission, zoning and planning commission, zoning board of appeals, inland wetlands agency

or aquifer protection agency shall notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which: (1) Any portion of the property affected by a decision of such commission, board or agency is within five hundred feet of the boundary of the adjoining municipality; (2) a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site; (3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of receipt of the application, petition, request or plan. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, appeal, request or plan.

(g) (1) Any zoning commission, planning commission or planning and zoning commission initiating any action regarding adoption or change of any zoning regulation or boundary or any subdivision regulation or regarding the preparation or amendment of the plan of conservation and development shall provide notice of such action in accordance with this subsection in addition to any other notice required under any provision of the general statutes.

(2) A zoning commission, planning commission or planning and zoning commission shall establish a public notice registry of landowners, electors and nonprofit organizations qualified as tax-exempt organizations under the provisions of Section 501(c) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, requesting notice under this subsection. Each municipality shall notify residents of such registry and the process for registering for notice under this subsection. The zoning commission, planning commission or planning and zoning commission shall place on such registry the names and addresses of any such landowner, elector or organization upon written request of such landowner, elector or organization. A landowner, elector or organization may request such notice be sent by mail or by electronic mail. The name and address of a landowner, elector or organization who requests to be placed on the public notice registry shall remain on such registry for a period of three years after the establishment of such registry. Thereafter any land owner, elector or organization may request to be placed on such registry for additional periods of three years.

(3) Any notice under this subsection shall be mailed to all landowners, electors and organizations in the public notice registry not later than seven days prior to the commencement of the public hearing on such action, if feasible. Such notice may be mailed by electronic mail if the zoning commission, planning commission or planning and zoning commission or the municipality has an electronic mail service provider.

(4) No zoning commission, planning commission or planning and zoning commission shall be civilly liable to any landowner, elector or nonprofit organization requesting notice under this subsection with respect to any act done or omitted in good faith or through a bona fide error that occurred despite reasonable procedures maintained by the zoning commission, planning commission or planning and zoning commission to prevent such errors in complying with the provisions of this section.