



City of Milford, Connecticut

Founded 1639

TO: Ordinance Committee Members

FROM: Frank Smith, Chairman

DATE: April 30, 2014

SUBJECT: ORDINANCE COMMITTEE MEETING AND PUBLIC HEARING
Monday, May 5, 2014 – CITY HALL AUDITORIUM

There will be a meeting of the Ordinance Committee of the Board of Aldermen on **Monday, May 5, 2014, at 7:00 pm.** in the City Hall auditorium regarding the following Ordinance:

AGENDA

1. An ordinance amending Chapter 6, Buildings and Building Regulations, Article 1, In General; Demolition §§6-5, 6-7 And 6-10.
2. An ordinance establishing Chapter 18, Article VII, Section 18-90.2 of the Code Of Ordinances of the City of Milford (Planning And Zoning Board - Consultants).
3. An ordinance establishing Chapter 18, Article XII, Section 18-166.2 of the Code of Ordinances of the City of Milford, (Inland Wetlands Agency - Consultants).

Copies of said proposed Ordinance(s) are on file open to public inspection at the office of the City Clerk. Any individual with a disability who needs special assistance to participate in the meeting should contact the Director of Community Development (783-3230) five (5) days prior to the meeting, if possible.

Distribution:

Mayor Benjamin G. Blake
Philip Vetro, Chairman, Board of Aldermen
Linda Stock, City Clerk
Jonathan D. Berchem, City Attorney
Christopher Saley, Public Works Director
Peter Erodici, Finance Director
Julie Nash, Community Development
Director
A. Dennis McBride, Health Director

Joseph Griffith, DPLU Director
Paul Piscitelli, Recreation Director
Tania Barnes, Personnel Director
Christine Angeli, Library Director
Chief Douglas Edo, Fire Department
Chief Keith Mello, Police Department
Kathy Huber, Recording Secretary

include a copy of the notice of intent and shall contain the word "DEMOLITION" in capital letters no less than two inches in height. Signs required hereunder shall remain posted on the property for fourteen (14) days.

Sec. 6-10. Waiting period.

A waiting period of ninety (90) days following the date upon which the Building Department receives a permit application shall be imposed on the demolition of a designated structure which is subject to the provisions of this Ordinance. Any objections to the issuance of the permit shall be in writing and received by the Building Division not later than thirty (30) days following the date of mailing of the required notice of intent. Objections shall state the architectural, historic and cultural importance of the subject building or structure. Objections which do not provide such information shall not be considered. In the event that no objections meeting the requirements of this section are received within the time prescribed herein, the Building Official may issue the permit. The City Historian shall have the authority to waive the waiting period provided by this Section. Any such waiver must be in writing and submitted to the Building Division.

**AN ORDINANCE ESTABLISHING CHAPTER 18, ARTICLE VII, SECTION
18-90.2 OF THE CODE OF ORDINANCES OF THE CITY OF MILFORD
(Planning and Zoning Board - Consultants)**

WHEREAS, Connecticut General Statutes §8-1c provides that municipalities may by ordinance, establish reasonable fees for the processing of applications by a municipal zoning commission; and

WHEREAS, it has been determined that it is in the best interest of the City to pass such an ordinance.

NOW THEREFORE, to ensure that fees are adequate to pay for the costs of processing applications, be it ordained and enacted by the Board of Aldermen of the City of Milford that Chapter 18, Article VII, Section 18-90.2 of the Code of Ordinances of the City of Milford is hereby established as follows:

Sec. 18-90.2. Consultants.

- (a) The Director of Permitting & Land Use or his designee, in consultation with the City Planner, shall make a determination whether one or more outside consultant(s) are needed to analyze, review and report on areas requiring technical review. Such consultant(s) may include, but shall not be limited to, engineers, surveyors, soil scientists, traffic consultants and information technologists.
- (b) The Planning and Zoning Board may also make a determination that one or more outside consultant(s) are needed. However, prior to making such a determination, the Planning and Zoning Board shall ascertain that evidence in the record of the proceedings has been produced or is likely to be produced that requires the hiring of such consultant(s); that the Department staff will be unable to perform the technical review; and that adequate time exists for the applicant to review and respond to such consultant(s)' report(s).
- (c) If such determination is made, the Director, or his designee, shall assess the reasonable cost for such consultant(s) to the applicant based upon a preliminary estimate from the consultant(s). The Director, or his designee, shall collect one hundred fifty percent (150%) of the estimate from the applicant, which amount shall be held in escrow until the technical review(s) are completed. Any amount in excess of the actual cost(s) shall be refunded to the applicant. This payment shall be considered an integral component of the application. The failure by the applicant to make this payment shall render the application incomplete.

**AN ORDINANCE ESTABLISHING CHAPTER 18, ARTICLE XII, SECTION
18-166.2 OF THE CODE OF ORDINANCES OF THE CITY OF MILFORD
(Inland Wetlands Agency - Consultants)**

WHEREAS, Connecticut General Statutes §22a-42a(e) provides that Inland Wetlands Agencies may require a filing fee to be deposited with the agency. The amount of such fee shall be sufficient to cover the reasonable cost of reviewing and acting on applications and petitions, including, but not limited to, the costs of certified mailings, publications of notices and decisions and monitoring compliance with permit conditions or agency orders.

WHEREAS, it has been determined that it is in the best interest of the City to pass such an ordinance

NOW THEREFORE, to ensure that fees are adequate to pay for the costs of processing applications be it ordained and enacted by the Board of Aldermen of the City of Milford that Chapter 18, Article XII, Section 18-166.2 of the Code of Ordinances of the City of Milford is hereby established as follows:

Sec. 18-166.2. Consultants.

- (a) The Director of Permitting & Land Use or his designee, in consultation with the Inland Wetlands Compliance Officer, shall make a determination whether one or more outside consultant(s) are needed to analyze, review and report on areas requiring technical review. Such consultant(s) may include, but shall not be limited to, engineers, surveyors, soil scientists, wetland biologists and hydrologists.
- (b) The Inland Wetlands Agency may also make a determination that one or more outside consultant(s) are needed. However, prior to making such a determination, the Inland Wetlands Agency shall ascertain that evidence in the record of the proceedings has been produced or is likely to be produced that requires the hiring of such consultant(s); that the Department staff will be unable to perform the technical review; and that adequate time exists for the applicant to review and respond to such consultant(s)' report(s).
- (c) If such determination is made, the Director, or his designee, shall assess the reasonable cost for such consultant(s) to the applicant based upon a preliminary estimate from the consultant(s). The Director, or his designee, shall collect one hundred fifty percent (150%) of the estimate from the applicant, which amount shall be held in escrow until the technical review(s) are completed. Any amount in excess of the actual cost(s) shall be refunded to the applicant. This payment shall be considered an integral component of the application. The failure by the applicant to make this payment shall render the application incomplete.