



# City of Milford, Connecticut

Founded 1639  
70 West River Street ♦ Milford, Connecticut ♦ 06460-3317  
[www.ci.milford.ct.us](http://www.ci.milford.ct.us)

Department of Permitting  
and Land Use

David B. Sulkis, A.I.C.P.  
City Planner

## Amendment #22-4

**TO:**  South Central Regional Council of Governments  
 Greater Bridgeport Regional Planning Council  
 City Attorney, City of Milford  
 State of CT DEEP  
 City of West Haven, City Clerk  
 Town of Stratford, City Clerk  
 Town of Orange, City Clerk

**FROM:** David B. Sulkis, City Planner

**DATE:** 3/4/2022; revised for scrivener's error 04/11/2022

**RE:** Proposed Changes to the City of Milford Zoning Regulations Article VII – Site Plan Procedures Section 7.1.1.1; Section 7.1.1.2; Section 7.1.1.3

In accordance with Milford Zoning Regulations §10.3 and CT General Statutes §§8-3b and 22a-104, the distribution of the following proposed regulation change is submitted for your agency's review and comment. Please provide this office with acknowledgment of your receipt of this memorandum and provide your comments or approval within 35 days of the above date.

**EXISTING TEXT:**

**ARTICLE VII – SITE PLAN APPROVAL**

**SECTION 7.1.1 SITE PLAN PROCEDURES**

7.1.1.1 Application: Each application for a Site Plan Review approval shall be submitted to the City Planner, Assistant City Planner, or other authorized persons as designated by the City Planner; henceforth, designated as Reviewing Officer, on a form prescribed by the Planning and Zoning Board, and shall be accompanied by ten (10) copies of the Site Plan, eight (8) if a Health Department report is not required. The applicant shall have all zoning related plans reviewed by the Reviewing Officer at the Planning and Zoning Board Office prior to the applicant distributing said plans to the various City Departments as required by the Reviewing Officer. If a subsequent review of the application by a City Department reveals the need to revise a plan, such revisions shall be noted on the title block of the revised plan, with a note indicating the nature of the revision; and then be re-circulated through the Reviewing Officer's office prior to proceeding

back to the department requiring the revision. When the applicant receives all required department approvals, the Reviewing Officer will then accept an application form and fee, and will determine whether such application can be certified, i.e., that the proposed building construction and uses are in conformance with all applicable provisions of these Regulations and those requirements of this Section regarding Site Plan Review.

7.1.1.2 Acceptance by Board: The Board shall accept certified applications in the next regular meeting after certification provided the information provided by the applicant under Section 7.1.2 is complete to its satisfaction. In the event any application is not accepted, the applicant shall be notified in writing within 10 days.

7.1.1.3 Board Action: In reviewing the application, the Board shall consider the objectives and standards set forth in Section 7.1.3 herein. The Board shall approve, modify\* and approve, or disapprove the Site Plan within 65 days of the date of acceptance of said application, unless an extension of time is granted by the applicant. Failure to act within such time shall be deemed approval. Any disapproval shall include written findings on any Site Plan element found contrary to either the provisions or intent of these Regulations.

\*See Section 9.2.3 Variances of Planning & Zoning Board stipulations are prohibited.

**PROPOSED TEXT: (Changes indicated in **BOLD** italicized text and/or strikethrough text)**

7.1.1.1 Application: Each application for a Site Plan Review approval shall be submitted to the ~~City Planner, Assistant City Planner, or other authorized persons as designated by the City Planner~~ ***Director of Permitting and Land Use***; henceforth, designated as Reviewing Officer, on a form ***and in the manner*** prescribed by the ***Director of Permitting and Land Use or by the*** Planning and Zoning Board ~~and shall be accompanied by ten (10) copies of the Site Plan; eight (8) if a Health Department report is not required.~~ The applicant shall have all zoning related plans reviewed by the Reviewing Officer ~~at the Planning and Zoning Board Office~~ prior to the applicant distributing said plans to the various ~~City Departments~~ ***municipal, State of Connecticut or Regional Planning Agency*** as required by the Reviewing Officer. ~~If a subsequent review of the application by a City Department reveals the need to revise a plan, such revisions shall be noted on the title block of the revised plan, with a note indicating the nature of the revision; and then be re-circulated through the Reviewing Officer's office prior to proceeding back to the department requiring the revision. When the applicant receives all required department approvals, the Reviewing Officer will then accept an application form and fee, and will determine whether such application can be certified, i.e., that the proposed building construction and uses are in conformance with all applicable provisions of these Regulations and those requirements of this Section regarding Site Plan Review.~~ ***If the applicant or the property owner is a limited liability company, the applicant shall file with the application the names of the members of the limited liability company. If the applicant or property owner is a trustee of an undisclosed trust, the applicant shall file with said application a sworn statement disclosing the name of the equitable owner of such real property or the beneficiary of the trust in accordance with C.G.S. 8-7c.***

***Duties and obligations of the Reviewing Officer. The Reviewing Officer:***

- (1) Shall perform one (1) complete and comprehensive review of said plans and application materials and reply to the applicant in writing within a commercially reasonable timeframe, but in no event later than ten (10) business days after submission.***

If a subsequent review of the application by a City Department, ***State of Connecticut Department or Regional Planning Agency*** reveals the need to revise a plan, such revisions shall be noted on the title block of the revised plan, with a note indicating the nature of the revision; and then be re-circulated through the Reviewing Officer's office prior to proceeding back to the department requiring the revision.

- (2) Will determine whether such application is zoning compliant*** i.e., that the proposed building construction and uses are in conformance with all applicable provisions of these Regulations and those requirements of this Section regarding Site Plan Review.

***The Reviewing Officer's decision on zoning compliance notwithstanding, an applicant may proceed to the Planning and Zoning Board and be placed on the agenda at its own discretion once it receives all other municipal, State of Connecticut or Regional Planning Agency comments; and***

- (3) Shall prepare and provide a written administrative summary to the applicant within ten (10) business days of receipt of the plans and application materials.***

When the applicant receives all ***other*** required ~~department~~ ***municipal, State of Connecticut or Regional Planning agency comments***, ~~approvals, the Reviewing Officer will then accept an application form and fee, and will determine whether such application can be certified,~~ ***the application shall be placed on the next available agenda taking into consideration all notice requirements.***

***The intent of this review process is to efficiently identify substantive deficiencies without unnecessarily delaying an application. Therefore, an applicant may file an application and fee and be placed on the agenda at any time after the initial review by the Reviewing Officer and receipt of municipal, State of Connecticut or Regional Planning Agency comments.***

7.1.1.2 Acceptance by Board: ***Once the application is filed***, the Board shall accept ~~certified~~ applications in ***accordance with C.G.S. §§8-3(g)(1) and 8-7d(c)*** at the next regular meeting ~~after certification provided the information provided by the applicant under Section 7.1.2 is complete to its satisfaction.~~ In the event any application is not accepted, the applicant shall be notified in writing ***stating a specific reason for the rejection*** within ten (10) ***business days of the date the application was filed.***

7.1.1.3 Board Action: In reviewing the application, the Board shall consider the objectives and standards as set forth in Section 7.1.3 herein. The Board shall approve, modify\* and approve, or disapprove the Site Plan within 65 days of the date of acceptance of said application, unless an

extension of time is granted by the applicant. Failure to act within such time shall be deemed approval. Any disapproval shall include written findings on any Site Plan element found contrary to either the provisions or intent of these Regulations.

~~\*See Section 9.2.3 Variances of Planning & Zoning Board stipulations are prohibited.~~

**FINAL TEXT:**

7.1.1.1 Application: Each application for a Site Plan Review approval shall be submitted to the persons designated by the Director of Permitting and Land Use; henceforth, designated as Reviewing Officer, on a form and in the manner prescribed by the Director of Permitting and Land Use or by the Planning and Zoning Board. The applicant shall have all zoning related plans reviewed by the Reviewing Officer prior to the applicant distributing said plans to the various municipal, State of Connecticut or Regional Planning Agency as required by the Reviewing Officer. If the applicant or the property owner is a limited liability company, the applicant shall file with the application the names of the members of the limited liability company. If the applicant or property owner is a trustee of an undisclosed trust, the applicant shall file with said application a sworn statement disclosing the name of the equitable owner of such real property or the beneficiary of the trust in accordance with C.G.S. 8-7c.

Duties and obligations of the Reviewing Officer. The Reviewing Officer:

- (1) Shall perform one (1) complete and comprehensive review of said plans and application materials and reply to the applicant in writing within a commercially reasonable timeframe, but in no event later than ten (10) business days after submission.

If a subsequent review of the application by a City Department, State of Connecticut Department or Regional Planning Agency reveals the need to revise a plan, such revisions shall be noted on the title block of the revised plan, with a note indicating the nature of the revision; and then be re-circulated through the Reviewing Officer's office prior to proceeding back to the department requiring the revision.

- (2) Will determine whether such application is zoning compliant i.e., that the proposed building construction and uses are in conformance with all applicable provisions of these Regulations and those requirements of this Section regarding Site Plan Review.

The Reviewing Officer's decision on zoning compliance notwithstanding, an applicant may proceed to the Planning and Zoning Board and be placed on the agenda at its own discretion once it receives all other municipal, State of Connecticut or Regional Planning Agency comments; and

- (3) Shall prepare and provide a written administrative summary to the applicant within ten (10) business days of receipt of the plans and application materials.

When the applicant receives all other required municipal, State of Connecticut or Regional Planning Agency comments, the application shall be placed on the next available agenda taking into consideration all notice requirements.

The intent of this review process is to efficiently identify substantive deficiencies without unnecessarily delaying an application. Therefore, an applicant may file an application and fee and be placed on the agenda at any time after the initial review by the Reviewing Officer and receipt of municipal, State of Connecticut or Regional Planning Agency comments.

7.1.1.2 Acceptance by Board: Once the application is filed, the Board shall accept applications in accordance with C.G.S. §§8-3(g)(1) and 8-7d(c) at the next regular meeting. In the event any application is not accepted, the applicant shall be notified in writing stating a specific reason for the rejection within ten (10) business days of the date the application was filed.

7.1.1.3 Board Action: In reviewing the application, the Board shall consider the objectives and standards as set forth in Section 7.1.3 herein. The Board shall approve, modify and approve, or disapprove the Site Plan within 65 days of the date of acceptance of said application, unless an extension of time is granted by the applicant. Failure to act within such time shall be deemed approval. Any disapproval shall include written findings on any Site Plan element found contrary to either the provisions or intent of these Regulations.

**REASON FOR CHANGE:**

- Current regulations violate the letter and intent of the time requirements imposed by C.G.S. §§8-3(g) and 8-7d(c).
- Delays caused by failure to comply with the statutory time requirements results in a process that is no longer functional or stainable causing commercially unreasonable delay, lack of trust in the process, unnecessary cost and overall loss to the City, property owners and stakeholders.
- Will allow City Planner to focus on planning (as opposed to plan review) in response to the myriad of changes to state law by the legislature in the past 12 months, including an affordable housing plan as required by PA 21-29 sHB 6107.
- Change acknowledges other agencies involved in the process; clarifies duties and obligations of the Reviewing Officer.
- Allows DPLU greater flexibility in addressing application and information flow through DPLU to the applicants and the Board.
- Providing names of LLC members will help to avoid conflicts of interest.
- Providing equitable owner of trust aligns regulations with current state law.

A petition for substantially the same change in regulations has previously been filed:

Yes \_\_\_\_\_ No X if yes, date of hearing: \_\_\_\_\_ (date)

## Susan LaFond

---

**From:** Gaucher, John <John.Gaucher@ct.gov>  
**Sent:** Thursday, March 10, 2022 5:19 PM  
**To:** Susan LaFond  
**Subject:** RE: Proposed Text Amedment #22-4

**Importance:** Low

Susan,

We have reviewed the above-referenced text amendment proposal for consistency with Connecticut Coastal Management Act (CCMA)[CGS Section 22a-90 through 22a-112, inclusive] policies and have no comments for the Planning & Zoning Board's consideration. Please let me know if you have any questions or if you need any additional information.

Also, can you please email me the applicant's information?

Thank you.

John Gaucher  
Environmental Analyst III  
Land & Water Resources Division  
Bureau of Water Protection and Land Reuse  
79 Elm Street  
Hartford, CT 06106

Phone 860.424.3660  
fax 860.424.4054



---

**From:** Susan LaFond <SLaFond@milfordct.gov>  
**Sent:** Thursday, March 10, 2022 4:23 PM  
**To:** Beverly Hayes <BHayes@milfordct.gov>; brian@beklaw.com; Chris Angeli <CAngeli@Milfordct.gov>; Christopher Saley <CSaley@milfordct.gov>; City of West Haven <planning@cityofwesthaven.com>; David Sulkis <DSulkis@milfordct.gov>; Debra S. Kelly <DKelly@milfordct.gov>; Deirdre Thomas <ThomasD@Milfordct.gov>; Elivshits@scrcog.org; Gregory H. Pidluski <GPidluski@milfordct.gov>; Jeremy Grant <JGrant@milfordct.gov>; Jim Quish <jquish@ibsgreen.com>; Gaucher, John <John.Gaucher@ct.gov>; Jonathan Berchem <JBerchem@milfordct.gov>; Joseph Griffith <JGriffith@milfordct.gov>; Julie Nash <JNash@Milfordct.gov>; Justin Rosen <JRosen@milfordct.gov>; Karen Fortunati <kfortunati@milfordct.gov>; Marcus Irrek <MIrrek@milfordct.gov>; MaryRose Palumbo <MPalumbo@milfordct.gov>; Mayor-Ben Blake <Mayor@milfordct.gov>; Meg E. Greene <MGreene@milfordct.gov>; Patrick Carleton <pcarleton@ctmetro.org>; posullivan@orange-ct.gov; Rosann Farrell <RFarrell@milfordct.gov>; spawluk@townofstratford.com; Stephen H. Harris <SHHarris@milfordct.gov>; Steven Johnson

<StevenJohnson@milfordct.gov>; Taft Clark <TClark@milfordct.gov>; Toni Weeks <TWeeks@milfordct.gov>

**Cc:** Joseph Griffith <JGriffith@milfordct.gov>; David Sulkis <DSulkis@milfordct.gov>; 'Kevin Curseaden'  
<kjcurseaden@cmctlaw.com>

**Subject:** Proposed Text Amedment #22-4

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon,

Please find attached, for your review, a proposed text change to the Milford Zoning Regulations.

If you have any questions or comments, please respond to me via email within 30 days.

Thank you.

*Sue*

Susan R. LaFond  
Administrative Assistant  
City of Milford  
Department of Permitting and Land Use  
70 West River Street  
Milford, CT 06460

203-783-3374

[slafond@milfordct.gov](mailto:slafond@milfordct.gov)