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| <i>For Office Use Only</i> |
| APPLICATION NO. _____ |
| DATE FILED: _____ |
| DECISION DATE: _____ |
| DECISION: _____ |

**CITY OF BRISTOL, CONNECTICUT
APPLICATION FOR REVISION TO AN APPROVED SITE PLAN**

The undersigned Applicant hereby applies for approval of a revision to a previously approved Site Plan.

Address or Location of the Property: _____

Assessor's Map No.: _____ Assessor's Lot No.(s): _____ Zone of the Property: _____

Title of approved Site Plan: _____

Date of original Site Plan approval: _____

Nature of proposed revision:

Reason for proposed revision:

Other comments:

NOTE: Section 8-3(g) of the Connecticut General Statutes requires that, if an application for a Site Plan involves an activity regulated under the Inland Wetlands and Watercourses provisions of the statutes, the applicant shall submit an application for a wetlands permit to the local Inland Wetlands Agency no later than the day the Site Plan application is filed.

APPLICANT (If more than one, list on Page 2)

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ *Signature – (Printed/Typed)* _____

CHECK ONE: [] owner [] other (specify): _____

OWNER(S) OF RECORD (If other than Applicant; if more than one, list on Page 2)

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ *Signature – (Printed/Typed)* _____

The following shall be included as part of this application:

- filing fee – \$310 (includes \$60 State fee) – make checks payable to "City of Bristol"
- six paper copies and one digital copy of the revised Site Plan
- any other data and drawings as may be required

THIS APPLICATION MUST BE FILED IN PERSON NO LATER THAN 12 NOON ON THE DEADLINE DAY FOR APPLICATION SUBMISSION – NO EXCEPTIONS!

**CITY OF BRISTOL, CONNECTICUT
SUPPLEMENTARY INFORMATION**

For Office Use Only
APPLICATION NO. _____

Address or location of property: _____

ADDITIONAL INFORMATION/COMMENTS (click inside the box below and begin typing)

ADDITIONAL APPLICANT

Name: _____ CHECK ONE: [] owner [] other: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

ADDITIONAL OWNER(S) OF RECORD

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

(OPTIONAL) SEND COPIES OF ALL CORRESPONDENCE TO:

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

**CITY OF BRISTOL, CONNECTICUT
SUPPLEMENTARY INFORMATION**

For Office Use Only
APPLICATION NO. _____

Address or location of property: _____

ADDITIONAL INFORMATION/COMMENTS (click inside the box below and begin typing)

ADDITIONAL APPLICANT

Name: _____ CHECK ONE: [] owner [] other: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

ADDITIONAL OWNER(S) OF RECORD

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

(OPTIONAL) SEND COPIES OF ALL CORRESPONDENCE TO:

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Stormwater Permit Information for Developers and Contractors

If your project disturbs more than one acre of land, regardless of phasing, you are responsible for the requirements of the Connecticut Department of Energy & Environmental Protection (DEEP) *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* (“Construction Stormwater General Permit”).

If your project is greater than 5 acres, you are required to submit a registration for the Construction Stormwater General Permit at least 60 days prior to the planned commencement of the construction activity. A copy of your Stormwater Pollution Control Plan shall be provided to the City upon request.

If your project is between one and five acres, you must adhere to the erosion and sediment control land use regulations of the City of Bristol which can be found in the Code of Ordinances, Zoning Regulations and Inland Wetland and Watercourses Regulations, as well as the Connecticut Guidelines for Soil Erosion and Sediment Control and the Connecticut Stormwater Quality Manual. No registration or plan review and certification is required for such construction activity provided a City of Bristol land-use commission (i.e. Planning, Zoning, or Inland Wetland) reviews and issues a written approval of the proposed erosion and sediment control measures, pursuant to the requirements of section 22a-329 of the Connecticut General Statutes.

More information can be obtained by calling the DEEP at 860-424-3000 or visiting their Construction Stormwater General Permit webpage at:

http://www.ct.gov/deep/cwp/view.asp?a=2721&q=558612&DEEPNav_GID=1654

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Manisha Juthani, MD
Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

Environmental Health & Drinking Water Branch

DWS Circular Letter #2021-86

TO: Councils of Government, Municipal Planning Commissions, Municipal Zoning Commissions, Municipal Planning and Zoning Commissions, Municipal Zoning Boards of Appeals and Municipal Inland Wetland Agencies

FROM: Lori Mathieu, Public Health Branch Chief, EHDW

Handwritten signature of Lori J. Mathieu '21 in blue ink.

DATE: October 14, 2021

SUBJECT: Statutory Requirement to provide Electronic Notification to the Connecticut Dept. of Public Health (DPH) for project applications within Drinking Water Watersheds or Aquifer Protection Areas

The Connecticut Department of Public Health (DPH) Drinking Water Section (DWS) is asking all municipalities and Councils of Government to review the following sections of Public Act 21-121, signed by the Governor on July 6, 2021.

Effective October 1st, 2021, Sections 3 and 4 of Public Act 21-121 revise the notification processes of Sections 8-3i and 22a-42f of the Connecticut General Statutes (CGS) to require electronic notifications (rather than mail as previously required) to DPH whenever an application, petition, request or plan is filed with the zoning commission, planning and zoning commission, zoning board of appeals or inland wetland agency for any regulated activity or project on any site that is within the aquifer protection area or the watershed of a public water supply. The applicant is required to provide the electronic notice not later than seven days after the date of the application.

A form and mapping application have been provided online to assist applicants in complying with these requirements. The form is available at: [DPH Project Notification Form](#) and the mapping application is available at: [DPH Project Notification Form Mapping Application](#).

To review the entire Public Act 21-121 please see the following link:

<https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00121-R00HB-06666-PA.PDF>

c: Deputy Commissioner Heather Aaron, MPH, LNHA, Department of Public Health



Phone: (860) 509-7333 • Fax: (860) 509-7359
Telecommunications Relay Service 7-1-1
410 Capitol Avenue, P.O. Box 340308, MS#12DWS
Hartford, Connecticut 06134-0308
www.ct.gov/dph/publicdrinkingwater

Affirmative Action/Equal Opportunity Employer



Article IV - Procedures and Administration

Section 16. Permits and Site Plans

16.1 Zoning Permit Requirements and Procedures

- A. No building or structure shall be constructed, altered, enlarged or occupied; no Building Permit, including a permit for a building foundation, shall be issued; and no use of an existing building or premises shall be changed until the Zoning Enforcement Officer has issued a Zoning Permit which certifies conformance of the building, structure or use with these Regulations or with a variance granted by the Zoning Board of Appeals.
- B. Application for a Zoning Permit shall be made to the Zoning Enforcement Officer at least two business days prior to application for a Building Permit or for a change of use not involving a Building Permit. No Building Permit shall be issued without the prior issuance of a Zoning Permit.

16.2 Special Permit Requirements and Procedures

16.2.1 Purpose

Uses for which conformance to additional standards is required by these Regulations shall be deemed to require a Special Permit from the Commission, subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements of these Regulations. Uses requiring a Special Permit are declared to possess characteristics of such unique and special form that each specific use shall be considered on its individual merits on a case-by-case basis.

16.2.2 Application Requirements

- A. A Special Permit application shall be submitted in accordance with this Section for any activity designated in the regulations as requiring a Special Permit.
- B. Six paper copies and one digital copy of the full Special Permit application shall be provided for the original submission. Subsequent submissions on the same application may be provided digitally. When submitted with a Site Plan application, a total of six paper copies and one digital copy of the combined application is required.
- C. All applications for a Special Permit shall be submitted in writing to, and in a form prescribed by, the Commission. The Commission shall adopt administrative procedures therefor, including but not limited to application forms, map submission requirements, number of copies, and filing deadlines. Failure to comply with the application submission requirements of these Regulations shall be grounds for the Commission to deny such application.
- D. Each application for a Special Permit shall be accompanied by written narratives or reports that address all off-site and on-site impacts, requirements, improvements and considerations including but not limited to: building location, traffic, storm drainage, sanitary sewerage, water supply, parking and circulation, landscaping, and environmental and aesthetic considerations. Sufficient information to address these major impacts shall be provided by the applicant, but such information may be generalized or shown in preliminary form except as hereafter noted. Detailed plans for facilities, structures and improvements shall not be required at this time.
- E. Each application for a Special Permit shall be accompanied by a Site Plan conforming to the requirements of Section 16.3 of these regulations unless the City Planner finds that there are no physical changes proposed to the site or any building or structure and the submission of a Site Plan application is not necessary for the Commission to evaluate the proposal.

Section 16. Permits and Site Plans

- F. The Commission may require the submission of such additional information as the Commission deems necessary to make a reasonable review of the application.
- G. A complete Special Permit application must be submitted a minimum of ten days before a regular meeting in order for the Commission to determine that the application is complete and schedule a public hearing thereon. Nothing in this section shall be construed to extend the time limits for action as specified in the CGS.
- H. Any additional information required by the Commission or provided by the applicant shall be submitted a minimum of ten days prior to the public hearing to enable the Commission, staff, public and any consultants contracted by the Commission have adequate time to review the information before the expiration of the time limits set forth in the CGS.
- I. The Commission may choose not to accept any modifications to an application after it has been received and may determine that modifications are significant and require a new application.
- J. Nothing in this section shall prohibit an applicant from submitting reply reports in response to documents submitted by the public, staff, consultants or other sources during the proceeding on the application.
- K. The Commission may deny an application without prejudice where application information or revisions have been received so late in the process as to deny or curtail the opportunity for thorough review and comment by the public, City staff, or other public agencies.

16.2.3 Special Permit Uses Involving High Traffic Generators

- A. All applications for a Special Permit involving the construction of more than 50 dwelling units, 100 parking spaces, or 25,000 square feet of gross floor area, or any development which, in the Commission's judgment, would generate high levels of traffic, shall be accompanied by a traffic study evaluating the impact of the proposal on streets serving and/or affected by the development.
- B. At a minimum, the study shall include data and information on existing and projected average daily vehicle trips on nearby roads, peak hour traffic, adequacy of rights-of-way and travelways, existing roadway capacity, traffic accidents, the traffic impact of the proposed development, traffic generation data, the location of existing roads within 300 feet of the development site, traffic lights and intersections, and recommendations for safe pedestrian and vehicular circulation, including provisions for safe sidewalks and crosswalks for pedestrians. Where applicable, the applicant shall include the written recommendations of the Connecticut Department of Transportation.

16.2.4 Additional Information

At any time during its consideration of an application for a Special Permit, the Commission may require the submission by the applicant of such additional information as the Commission deems necessary to determine compliance of the proposed use with these Regulations, including but not limited to information regarding soils, storm drainage, sanitary sewerage, water supply, streets or traffic circulation.

16.2.5 Referrals

- A. To assist with its consideration of an application for a Special Permit, the Commission may refer such application to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
- B. Where so indicated in these Regulations, a Special Permit use shall be referred to the Planning Commission for a report and recommendation at least 35 days prior to the date assigned by the Zoning Commission for a public hearing to be held thereon. A recommendation indicated herein as "non-binding" shall be only advisory to the Zoning Commission and shall not otherwise affect its vote on the application. A recommendation indicated herein as "binding" shall, if negative, necessitate a two-thirds affirmative vote of the Zoning Commission for approval of the application.
- C. The Zoning Commission may engage the services of an outside consultant to assist in its review of a Special Permit application. If such services are engaged, the Commission will procure an estimate for

those services and the applicant shall submit a deposit for the full amount of the estimated fee to the City prior to opening of a public hearing on the application. An application will be denied as incomplete if the deposit is not submitted.

16.2.6 Public Hearing

The Commission shall hold a public hearing on an application for a Special Permit in accordance with the provisions of the Connecticut General Statutes.

16.2.7 Standards for Approval

Except as otherwise provided herein, a use allowed by Special Permit shall conform to all requirements of the zoning district in which it is proposed to be located and the standards contained herein. The Commission may grant a Special Permit after considering the health, safety and welfare of the public in general and the immediate neighborhood in particular, as well as the following factors:

- A. Plan of Conservation and Development – Whether the proposed use or activity is in accordance with or facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended.
- B. Purposes of Regulations – The proposed use or activity is consistent with the purposes of the Regulations.
- C. Environmental Protection and Conservation – Appropriate consideration shall be given to the protection, preservation, and/or enrichment of natural, scenic, historic, and unique and environmental resources and features.
- D. Suitable Location for Use – with respect to:
 - 1. The size of the lot;
 - 2. The nature and intensity of the activities involved in or conducted in connection with the use;
 - 3. The streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the neighborhood in which it is located; and,
 - 4. The impact on neighboring properties and residences or the development of the district.
- E. Appropriate Improvements
 - 1. The design elements shall be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future density of development and intensity of uses of the neighborhood.
 - 2. The location, nature and height of buildings, walls, fences, planned uses, and the nature and extent of landscaping on the lot shall not hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof.
 - 3. The proposed use shall have no material adverse impact upon the neighborhood.
- F. Suitable Transportation Conditions
 - 1. The design, location, and specific details of the proposed use or activity shall not:
 - a. adversely affect safety in the streets;
 - b. unreasonably increase traffic congestion in the area;
 - c. interfere with the pattern of vehicular circulation in such a manner as to create or increase unsafe traffic conditions.
 - 2. Parking area or areas shall:
 - a. be of adequate size for the particular use,
 - b. be suitably screened from adjoining residential uses, and
 - c. have entrance and exit drives laid out so as to prevent traffic hazards and nuisances.
 - 3. Streets and other rights-of-way shall be of such size, condition capacity, width, grade, alignment and visibility to adequately accommodate the additional traffic to be generated by the particular proposed use.

Section 16. Permits and Site Plans

G. Adequate Public Utilities and Services

1. The provisions for water supply, sewage disposal, and storm water drainage shall:
 - a. conform to accepted engineering practices,
 - b. comply with all standards of the appropriate regulatory authority; and
 - c. not unduly burden the capacity of such facilities.
2. The proposed use or activity shall:
 - a. provide ready accessibility for fire apparatus and police protection, and
 - b. be laid out and equipped to further the provision of emergency services.

H. Nuisance Avoidance

The use shall be appropriate for the area, shall not create a nuisance, and shall not hinder the public health, safety, convenience, and property values.

I. Long Term Viability

Adequate provision shall be made for the sustained maintenance of the proposed development including structures, streets, and other improvements.

16.2.8 Decision Considerations

- A. On a Special Permit application involving an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the Commission shall:
 1. Wait to render its decision until the Inland Wetlands and Watercourses Agency has submitted a report with its final decision; and
 2. Give due consideration to any report of the Inland Wetlands and Watercourses Agency when making its decision.
- B. On a Special Permit application involving notice to adjoining municipalities or notice to water companies, the Commission shall give due consideration to any report or testimony received.
- C. Before the Commission approves a Special Permit application, the Commission shall determine in its sole discretion that the application:
 1. Has satisfied the Special Permit criteria in Section 16.2.7 of these regulations;
 2. Conforms with all other applicable provisions of these regulations; and
 3. Is in harmony with the purposes and intent of these regulations.
- D. Before approving a Special Permit, the Commission shall determine that any accompanying Site Plan application is in conformance with the applicable provisions of these regulations. In approving a Special Permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote:
 1. Public health, safety or welfare;
 2. The environment;
 3. Improved land use, site planning and land development, and sound planning and zoning principles;
 4. Property values; or
 5. Better overall neighborhood compatibility.
- E. Any condition or safeguard attached to the approval of a Special Permit shall:
 1. Continue in full force and effect regardless of any change in ownership of the lot; and
 2. May only be modified through approval by the Commission of an application to modify the Special Permit.

16.2.9 Conditions and Safeguards

In granting a Special Permit, the Commission may attach such conditions and safeguards as may be required to protect the public health, safety and general welfare and to ensure continued compliance with these Regulations. Such conditions and safeguards may include, but shall not be limited to:

Section 16. Permits and Site Plans

- A. Hours of operation;
- B. Periodic review and renewal of the Special Permit by the Commission to determine continuing compliance therewith;
- C. A date of expiration of a Special Permit associated with a Site Plan that is consistent with the Site Plan expiration date;
- D. Conservation restrictions necessary to protect and permanently preserve unique natural site features;
- E. Soil erosion and sediment control measures in accordance with the provisions of Section 15.1; or,
- F. A bond in accordance with the provisions of Section 16.3.16.

16.2.10 Limit of Special Permit

A Special Permit shall authorize only the particular use or uses specified in the Commission's approval.

16.2.11 Effective Date

No Special Permit shall become effective until it has been filed in the City land records in accordance with the provisions of the Connecticut General Statutes.

16.2.12 Duration of Special Permit

Unless otherwise established by the Commission, a Special Permit, along with any conditions and safeguards attached thereto, shall remain with the property.

16.2.13 Non-Compliance with Special Permit

Failure to strictly comply with the documents, plans, terms, conditions and/or safeguards approved by the Commission as a part of the Special Permit shall be a violation of these Regulations. The Zoning Enforcement Officer shall notify the applicant in writing of the specifics of the non-compliance and shall provide a reasonable time period for compliance therewith. Unless there is full compliance within such time period, the Commission may, following a duly advertised public hearing, rescind and revoke such Special Permit.

16.2.14 Amendments or Modifications

An approved Special Permit may be amended or modified, provided that application shall be made in the same manner as the original application and subject to the same procedures for approval. Amendments to the Special Permit which would substantially alter the Special Permit or increase the existing building coverage or gross floor area of the use by 10% or more may be approved by the Commission only after a public hearing.

16.3 Site Plan Requirements and Procedures

16.3.1 Purpose

The Site Plan approval process is intended to assure that all aspects of industrial, commercial and multi-family residential development in the City, as well as other specialized uses, comply with the requirements and standards of these Regulations and that adequate provision is made in such developments for vehicular and pedestrian access and circulation, parking, landscaping, buffers, signage, lighting, drainage, utilities, and other aspects of the proposed development and use of the land.

16.3.2 Authority

- A. Site Plan approval shall be obtained from the Zoning Commission prior to the establishment, expansion or change of any use of land and/or structure which requires a Special Permit or involves an environmental remediation project that is subject to Section 15.6 of these Regulations. Site Plan approval shall be obtained concurrently with or subsequent to the granting of the Special Permit.
- B. Site Plan approval shall be obtained from the Planning Commission prior to the establishment, expansion or change of any use of land and/or structure which is permitted by right and requires Site Plan approval.

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Such Site Plan approval shall be obtained prior to the issuance of a Building Permit, including a permit for a building foundation.

- C. References to "Commission" in the remainder of this Section shall mean the applicable Commission as determined by paragraphs A. and B. immediately above.

16.3.3 Pre-Application Procedure

- A. Pre-Application Conference – Prior to submission of a formal Site Plan application, the applicant shall meet with City staff to discuss the application requirements and review pre-application plans.
- B. Pre-Application Plan – A pre-application plan may be submitted to the Commission and/or to City staff for the purpose of preliminary discussion. The plan may be general in nature but should be sufficiently clear to indicate all proposals. As stipulated by CGS Section 7-159b, any comments or suggestions on the pre-application plan by the Commission or City staff shall not be construed as a form of approval and shall not be binding upon the Commission should a subsequent application for the site be officially filed.

16.3.4 Application Procedure

- A. All applications for Site Plan approval shall be submitted in writing to and in a form prescribed by the Commission. The Commission shall adopt administrative procedures therefor, including but not limited to application forms, map submission requirements, number of copies, and filing deadlines. Failure to comply with the application submission requirements of these Regulations shall be grounds for the Commission to deny such application. Six paper copies and one digital copy of the full Site Plan application shall be provided for the original submission. Subsequent submissions on the same application may be provided digitally.
- B. Exceptions – Upon written request by the applicant, the Commission may waive or modify one or more of the map submission requirements of the Site Plan application if:
 - 1. The proposed improvement or development will not affect existing parking, circulation, drainage, building relationships, landscaping, signs, lighting or any other consideration of Site Plan approval; or,
 - 2. The information required is unnecessary for the particular application and the lack of such information would not impair the Commission's determination as to the Site Plan's conformance with these Regulations.

16.3.5 Site Plan Requirements

All Site Plans shall be prepared in accordance with the following general requirements:

- A. The Site Plan shall be based upon an accurate and up-to-date Class A-2 survey of the property prepared in accordance with the standards as defined in the Code of Recommended Practice for Standards of Accuracy of Surveys and Maps, as prepared and adopted by the Connecticut Association of Land Surveyors, Inc., on September 13, 1984, as may be amended. The survey map shall be certified, signed and sealed by a registered land surveyor licensed to conduct business in Connecticut. If a separate survey map is used, a copy shall be attached to the Site Plan.
- B. The Site Plan shall be prepared, signed and sealed by an engineer, architect and/or landscape architect, whichever shall be appropriate. Each such professional shall be registered and licensed to conduct business in Connecticut.
- C. The Site Plan shall indicate all existing and proposed features of the property and shall contain such information as required by these Regulations and by the Commission. The Commission shall establish administratively a checklist of information to be included on all Site Plans, including but not limited to the following: general information concerning the property and the Site Plan; topography and other natural features; buildings, structures and uses; parking, loading and circulation; utilities; signs and lighting; and landscaping.

Section 16. Permits and Site Plans

- D. The Commission may, in accordance with the requirements of these regulations, require the submission of additional information as deemed necessary to make a reasonable review of the application.
- E. If a Site Plan application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands and Watercourses Agency not later than the day such application is filed with the Commission.
- F. In addition to the submission requirements above, the applicant shall submit in digital format (PDF or JPEG, as deemed appropriate by Land Use staff) all application materials and public hearing exhibits, or, in the absence of a public hearing, any supplemental information received up to final action by the Commission. These materials shall include, but not be limited to, the application form, cover letter, plan narrative, Site Plan and architectural plans, reports, easements or deeds to roads, and any other information submitted to support an application. The Commission may waive this requirement upon request by the applicant showing good cause.
- G. A complete Site Plan application must be submitted a minimum of ten days before a regular meeting in order to be considered by the Commission at that meeting. Nothing in this section shall be construed to extend the time limits for action as specified in the CGS.
- H. For any Site Plan application where a public hearing is required, all additional information required by the Commission, or provided by the applicant shall be submitted a minimum of ten days prior to the public hearing to enable the Commission, staff, public and any consultants contracted by the Commission, adequate time to review the information before the expiration of the time limits set forth in the CGS.
- I. The Commission may choose not to accept any modifications to an application after it has been received except those modifications specifically requested by the Commission (or without confirming with the Commission such modification could be handled as a condition of approval).
- J. Nothing in this section shall prohibit an applicant from submitting reply reports in response to documents submitted by the public, staff, consultants or other sources during the proceeding on the application.
- K. The Commission may deny an application without prejudice where application information or revisions have been received so late in the process as to deny or curtail the opportunity for thorough review and comment by the public, City staff, or other public agencies.

16.3.6 Architectural Plans

The Commission may require the applicant to submit preliminary architectural drawings that show the building height relative to the ground plane, exterior wall elevations, roof lines, and facade materials of proposed buildings and structures.

16.3.7 Phasing Plan

In cases where the development of the property is proposed to be undertaken in stages, the applicant shall submit a phasing plan which indicates the extent of each phase of the development.

16.3.8 Off-Site Information

The Commission may require the applicant to submit off-site information including but not limited to the location of: buildings, parking areas and curb cuts on adjoining properties, including those across the street; traffic lights and controls, public trees, catch basins, manholes, hydrants, utility poles and utility lines located in adjacent streets; and zoning district boundary lines.

16.3.9 Impact Analysis

In those cases where the Commission believes that public facilities or the environment may be adversely affected by the proposed development, the Commission may require the applicant to submit an impact analysis of the development upon storm drainage, sanitary sewerage, traffic, site conditions and/or water, air or noise pollution.

16.3.10 Additional Information

During its consideration of an application for Site Plan approval, the Commission may require the submission by the applicant of such additional information as the Commission deems necessary to determine compliance of the proposed Site Plan with these Regulations.

16.3.11 Referrals

- A. To assist with its consideration of an application for Site Plan approval, the Commission may refer the plan to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
- B. The Zoning Commission may engage the services of an outside consultant to assist in its review of a Site Plan application. If such services are engaged, the Commission will procure an estimate for those services and the applicant shall submit a deposit for the full amount of the estimated fee to the City prior to opening of a public hearing on the application. An application will be denied as incomplete if the deposit is not submitted.

16.3.12 Procedure

The Commission may hold a public hearing on an application for Site Plan approval in accordance with the provisions of the Connecticut General Statutes.

16.3.13 Standards for Approval

In reviewing and acting upon an application for Site Plan approval, the Commission shall take into consideration the health, safety and welfare of the public in general and the immediate neighborhood in particular, as well as the following factors:

- A. The general conformity of the Site Plan with the intent of the Plan of Conservation and Development; however, the Plan of Conservation and Development shall not take precedence over specific provisions of these Regulations;
- B. The arrangement of buildings, structures and uses on the site;
- C. The adequacy of design of the interior vehicular circulation system to provide safe and convenient access to all structures, uses, parking spaces and loading spaces;
- D. Provision for safe pedestrian movement within and adjacent to the site;
- E. The adequacy of access for fire, police and ambulance services;
- F. The adequacy of design of the storm drainage system to accommodate any increase in storm water runoff and to minimize soil erosion and sedimentation;
- G. The adequacy of water, sewer and other public facilities to accommodate the development;
- H. The location, intensity and direction of outdoor lighting and the proposed times for its use;
- I. The size, location and type of any outdoor storage facilities, including dumpsters;
- J. The size, location and type of signs, and their appropriateness to the neighborhood; and,
- K. The adequacy of the landscaping treatment, including any buffers and other screening.

16.3.14 Conditions and Safeguards

In granting Site Plan approval, the Commission may attach such conditions and safeguards as may be required to protect the public health, safety and general welfare and to ensure continued compliance with these Regulations.

16.3.15 Phasing

In cases where the development of the property is proposed to be undertaken in phases, the Commission may grant Site Plan approval limited to each phase of development. Each phase shall be capable of independent existence without the completion of succeeding phases. Buffer and setback requirements shall not apply to the common line between phases of development.

16.3.16 Bonding Requirements

- A. Posting of Performance Bond
 - 1. As a condition of Site Plan approval, the Commission may require that the applicant post with the City a performance bond to guarantee satisfactory completion of landscaping and stormwater site improvements (excluding buildings) and public improvements shown on the approved Site Plan.
 - 2. An itemized estimate of the cost of the site improvements shall be prepared by the applicant, including a separate inflation factor for the estimated construction period, and shall be submitted to the City Engineer and the City Planner for approval.
 - 3. The bond shall be posted with the City for an initial period of 18 months unless an extension of time shall be requested by the applicant and granted by the Commission.
- B. Reduction of Performance Bond – Upon the completion of at least 25%, 50% and/or 75% of the cost of the bonded site improvements, the applicant may request in writing a reduction of the bond. The Commission shall cause the site to be inspected by the Zoning Enforcement Officer, the City Engineer, and/or other appropriate City officials to determine if the portion of the required site improvements for which the reduction is being requested has been satisfactorily completed in accordance with the approved Site Plan. Based upon these findings, the Commission may authorize the reduction of such bond.
- C. Release of Performance Bond/Posting of Maintenance Bond – Before the release of a performance bond, the Commission:
 - 1. Shall require the applicant to submit "as-built" drawings in accordance with Section 16.3.22;
 - 2. May require that the applicant post a maintenance bond to be retained for a period of one year after vegetative cover and plantings have been installed in order to guarantee the survival of landscaping and to ensure any other relevant improvements.
- D. Form of Bond – Performance and maintenance bonds required under this Section shall:
 - 1. Be in a form and with surety satisfactory to the Commission; and,
 - 2. Be in the form of: cash, or a check payable to the City of Bristol, to be placed on deposit with the City; a surety bond from a surety company licensed to conduct business in the State of Connecticut; or an irrevocable letter of credit from a bank chartered to conduct business in the State of Connecticut.

16.3.17 Expiration of Site Plan

All site improvements in connection with an approved Site Plan shall be completed within the time period specified in the Connecticut General Statutes and the Commission shall state the expiration date under the statutes applicable at the time of its decision in its written decision. Failure to complete all site improvements within such period shall result in automatic expiration of the approval of such Site Plan.

16.3.18 Amendments

All site improvements shall be carried out in strict compliance with the Site Plan approved by the Commission. Minor amendments to the approved Site Plan may be approved only in writing by the City Engineer and the City Planner upon the written request of the applicant. All other amendments or modifications to the Site Plan shall require the approval of the Commission.

16.3.19 Continuance

All conditions and improvements shown on the approved Site Plan shall remain with the site and continue in force as long as the use indicated on the approved Site Plan shall be in operation, regardless of any change in ownership of the property.

16.3.20 Certificate of Zoning Compliance

- A. A Certificate of Zoning Compliance shall be issued by the Zoning Enforcement Officer after all the site improvements have been completed in accordance with the approved Site Plan.
- B. If the site improvements cannot be completed because of weather, or if an alteration does not require the vacating of the premises, or if a portion of a building or development is ready for occupancy before the completion of the entire building or development, or for other pertinent reasons, a conditional Certificate of Zoning Compliance may be issued by the Zoning Enforcement Officer for a period not to exceed 180 days, provided that a portion of the posted bond shall be retained in an amount sufficient to cover the cost of completing the remaining site improvements or, if necessary, a new bond shall be posted. Upon satisfactory completion of the remaining site improvements and the written request of the applicant, the Commission shall release the bond.

16.3.21 Certificate of Occupancy

A Certificate of Occupancy shall not be issued by the Building Official until the Zoning Enforcement Officer has determined that the site improvements have been completed in accordance with the approved Site Plan and has issued a Certificate of Zoning Compliance.

16.3.22 As-Built Drawings

- A. No Certificate of Zoning Compliance or Certificate of Occupancy shall be issued until "as-built" drawings have been submitted to the Zoning Enforcement Officer and City Engineer and are determined by them to be in substantial compliance with the approved Site Plan.
- B. The "as-built" drawings shall:
 - 1. Be prepared at the same scale as the Site Plan by an engineer and/or surveyor, as appropriate, registered and licensed to conduct business in Connecticut;
 - 2. Show the actual installation of all site improvements, the exact location of buildings, and other required items at a level of detail at or exceeding that of the approved Site Plan;
 - 3. Include a certification as to substantial compliance with the approved Site Plan; and,
 - 4. List or show all deviations from the approved Site Plan.
- C. The Zoning Enforcement Officer shall submit all "as-built" drawings which substantially deviate from the approved Site Plan to the Commission for its determination of acceptance or need for plan amendment.

Section 17. Administration and Appeals

17.1 Administration

17.1.1 Interpretation of these Regulations

In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and welfare. These Regulations are not intended to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of law or ordinance, or any rules, regulations, or permits previously adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of lots, buildings or structures; nor are these Regulations intended to interfere with, abrogate or annul any easements, covenants or other agreement between parties, provided, however, that where these Regulations impose a greater restriction upon the use or height of buildings or structures, or require larger yards, courts, or other open spaces than are imposed or required by existing provisions of law or ordinance, or by such rules, regulations or permits, or by such easements, covenants or agreements, the provisions of these Regulations shall control.

17.1.2 Enforcement

- A. These Regulations shall be enforced by the Building Official, Zoning Enforcement Officer, or such assistant ZEO as may be appointed who is hereby empowered to cause any building, structure, place or premises to be inspected and examined as permitted by law and to order in writing the remedying of any condition found to exist therein or thereon in violation of any provisions of these Regulations or to issue in writing a cease-and-desist order to be effective immediately.
- B. The owner or agent of a building or premises where a violation of any provision of these Regulations has been committed or exists; or the lessee or tenant of an entire building or an entire premises where such violation has been committed or exists; or the owner, agent, lessee or tenant of any part of a building or premises in which such violation has been committed or exists; or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation exists shall be subject to penalties in accordance with the provisions of Section 8-12 of the Connecticut General Statutes, as may be amended from time to time.

17.1.3 Penalties

Any person who, (1) having been served by the Zoning Enforcement Officer with an order to discontinue any such violation, fails to comply with such order within 10 days after such service; or, (2) having been served with a cease and desist order with respect to a violation involving grading of land or removal of earth, fails to comply with such order immediately; or, (3) continues to violate any provision of these Regulations in the manner named in such order shall be subject to penalties in accordance with the provisions of Section 8-12 of the Connecticut General Statutes, as may be amended from time to time.

17.1.4 Zoning Amendments

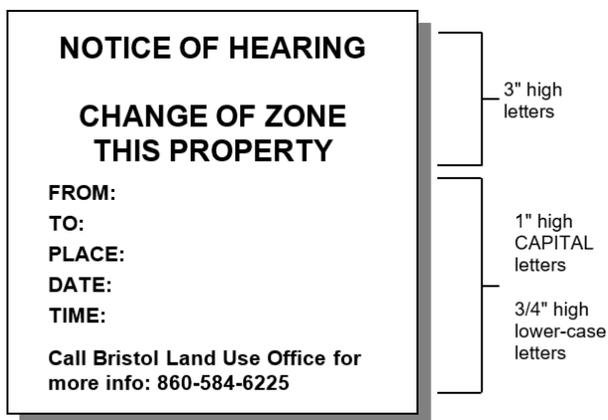
- A. Authority – The Commission, either on its own initiative or by the petition of others, may amend these Regulations or the Zoning Map, in accordance with the provisions of the Connecticut General Statutes.
- B. Application – All petitions requesting an amendment to the Zoning Regulations and/or Zoning Map shall be submitted in writing to and in a form prescribed by the Commission. The Commission may deny a zoning petition for incomplete information having been submitted.
- C. Referrals
 - 1. Any proposed amendment to the Zoning Map or Zoning Regulations shall be referred to the Planning Commission for a report at least 35 days prior to the date assigned by the Zoning Commission for a public hearing to be held thereon, as required by the Connecticut General Statutes.

Section 17. Administration and Appeals

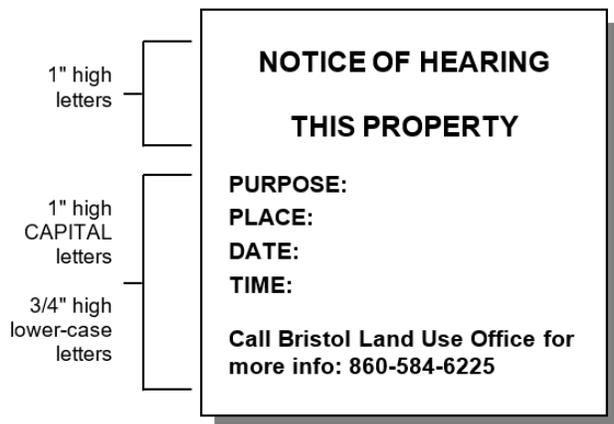
2. Any proposed amendment to the Zoning Map or Zoning Regulations affecting the use of a zoning district any portion of which is within 500 feet of the City line shall be referred by the Commission to the appropriate regional planning agency, as required by the Connecticut General Statutes.
 3. To assist with its consideration of any petition to amend these Regulations or the Zoning Map, the Commission may refer such petition to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
- D. Public Hearing – The Commission shall hold a public hearing on all proposed amendments to these Regulations or to the Zoning Map, shall decide thereon, and shall give notice of its decision as required by the provisions of the Connecticut General Statutes.

17.1.5 Posting of Property

- A. Except as otherwise specified in Section 17.1.5D below, a "notice of hearing" sign or signs shall be posted on any property which is the subject of a public hearing before the Commission or Zoning Board of Appeals.
1. A minimum of one such sign shall be posted facing each street on which the subject property has frontage. Signs shall also be so posted approximately every 200 feet apart along the street frontage of the subject property. There shall be a minimum of two signs posted on corner and through lots, one facing each street. In those cases where the subject property does not have frontage on or is not otherwise readily visible from a street, the sign shall be posted in a location deemed suitable by the Zoning Enforcement Officer.
 2. Such sign or signs shall be posted no more than five feet from the street line and shall be visible and readable from the street for the entire time of the required posting.
 3. Such sign or signs shall be posted at least 12 days before the hearing and shall be removed within 5 days after completion of the hearing.
 4. Such sign or signs shall be prepared and posted by the applicant, agent, or property owner. The cost of the sign or signs shall be borne by the applicant, agent, or property owner.
- B. Signs posted on any property which is the subject of a zone change shall be a minimum size of four feet by four feet. Printed lettering shall be black on a yellow background. The wording and size of lettering shall be as follows:



- C. Signs posted on any property which is the subject of an application to come before the Commission or the Zoning Board of Appeals for other than a zone change shall be a minimum size of two feet by two feet. Printed lettering shall be black on a yellow background. The wording and size of lettering shall be as follows:



D. Appeals to the Zoning Board of Appeals in accordance with Section 17.2.1A shall not require the posting of a sign.

17.1.6 Reasonable Accommodations for Persons with Disabilities

- A. All setback, coverage, location, and use requirements of these regulations may be modified by the Zoning Enforcement Officer for the alteration, construction, and/or modifications necessary to provide access for persons with disabilities or such other modifications of these regulations as may be necessary to meet the requirements of the Americans with Disabilities Act and Fair Housing Act. Once the reasonable modification is no longer required, all improvements to land, buildings, and structures not in compliance with these regulations shall be removed within 90 days.
- B. Responsibilities of applicant: The applicant for such modification shall publish a legal notice in a newspaper having substantial circulation within the City of Bristol containing:
 - 1. A description of the building, use or structure that has received a modification and the nature of such modification;
 - 2. The location of the building, use or structure; and
 - 3. A statement that any aggrieved person may appeal such modification to the Zoning Board of Appeals within 30 days of such publication.
- C. Additionally, the applicant shall record the Zoning Enforcement Officer letter granting the modification on the Land Records in the Office of the Town Clerk within 14 days after the thirty-day publication period referred to in Section 2(a)(iii) above has expired.

17.2 Zoning Board of Appeals

17.2.1 Powers and Duties

The Zoning Board of Appeals shall have all the powers and duties prescribed by Chapter 124, Section 8 and by Chapter 250, Section 14 of the Connecticut General Statutes, and by these Regulations, which powers and duties are summarized and more particularly specified below. None of the following provisions shall be deemed to limit any of the authority of the Zoning Board of Appeals that is conferred by general law.

- A. Appeals – The Zoning Board of Appeals shall have the authority to hear and decide upon any appeal where it is alleged that there is an error in the order, requirements, decision or determination of the Zoning Enforcement Officer.
- B. Variances – The Zoning Board of Appeals shall have the authority to vary or adjust the strict application of these Regulations in only those cases where the unusual size, shape or topography of a lot or other unusual physical conditions pertaining to it or to any building situated thereon make it impossible to strictly apply a specific provision of these Regulations to such lot without resulting in exceptional difficulty

or unusual hardship, so that substantial justice shall be done and the public health, safety and welfare secured.

C. Use Variances

1. No use variance shall be granted by the Zoning Board of Appeals which would permit:
 - a. A use prohibited either implicitly or explicitly by these Regulations;
 - b. The expansion of a non-conforming use;
 - c. The number of dwelling units on a lot to exceed the maximum allowed in the zoning district in which the lot is located; or,
 - d. A use otherwise allowed by Special Permit in the zoning district in which the use is located.
2. Prior to a public hearing on any application for a use variance, the Zoning Board of Appeals shall transmit the application to the Planning Commission for its review and comment. Any report submitted by the Planning Commission to the Zoning Board of Appeals shall be read into the record of the public hearing of the subject application.

17.2.2 General Rules

- A. Appeals – All appeals to the Zoning Board of Appeals from an order, requirement, decision or determination of the Zoning Enforcement Officer shall be taken within such time as is prescribed by a rule adopted by the Zoning Board of Appeals. Such appeals shall be made in writing on a form prescribed by the Zoning Board of Appeals and shall be accompanied by a filing fee to cover the cost of processing the appeal.
- B. Application – All applications for variances shall be submitted in writing in a form prescribed by the Zoning Board of Appeals. The Zoning Board of Appeals may deny an application for incomplete information having been submitted.
- C. Referrals – To assist with its consideration of an appeal or application, the Zoning Board of Appeals may refer such appeal or application to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
- D. Public Hearing – The Zoning Board of Appeals shall hold a public hearing on all appeals and applications for variances, shall decide thereon, and shall give notice of its decision in accordance with the provisions of the Connecticut General Statutes.
- E. No variance shall be granted by the Zoning Board of Appeals unless it finds:
 1. That there are special circumstances or conditions, fully described in the findings of the Zoning Board of Appeals, applying to the lot or structure for which the variance is sought, which are peculiar to such lot or structure and do not apply generally to lots or structures in the neighborhood and which have not resulted from any willful act of the applicant subsequent to the date of adoption of the regulation from which the variance is sought, whether in violation of the provisions herein or not;
 2. That, for reasons fully set forth in the findings of the Zoning Board of Appeals, the aforesaid circumstances or conditions are such that the particular application of the provisions of these Regulations would deprive the applicant of the reasonable use of the lot or structure, that the granting of the variance is necessary for the reasonable use of the lot or structure, and that the variance as granted by the Zoning Board of Appeals is the minimum adjustment necessary to accomplish this purpose;
 3. That the granting of the variance shall be in harmony with the general purposes and intent of these Regulations and the City's Plan of Development and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety and welfare; and,
 4. That the granting of the variance is not based upon the nonconformity of neighboring lots, uses, buildings or structures, nor upon a financial or economic hardship.

Section 17. Administration and Appeals

- F. Whenever the Zoning Board of Appeals grants a variance, it shall include in its minutes as part of the record the reason for its decision, the specific provision of these Regulations which was varied, the extent of the variance and the specific hardship upon which its decision was based.
- G. In exercising any of its authority, the Zoning Board of Appeals may attach any conditions and safeguards as may be required to protect the public health, safety and general welfare, and to ensure ongoing compliance with these Regulations. Violation of such conditions and safeguards shall be deemed to be a violation of these Regulations.
- H. Any variance granted by the Zoning Board of Appeals shall become effective upon its filing by the applicant in the office of the City Clerk and in the City land records.
- I. Any variance granted by the Zoning Board of Appeals which is not recorded within one year from its effective date shall be null and void.
- J. If the Zoning Board of Appeals denies a variance, it shall not be required to hear an application for the same variance or substantially the same variance for a period of six months after the date of denial, unless the circumstances associated with the application have substantially changed. A change in ownership of property or any interests therein shall not be deemed a substantial change.
- K. No appeal or variance shall be granted that would alter, revise or otherwise change any of the conditions attached to the granting of a Special Permit by the Zoning Commission, if such conditions are more restrictive than otherwise provided for in these Regulations or if such conditions do not refer to specified standards in these Regulations.
- L. Prior to the public hearing for any variance, a "notice of hearing" sign shall be posted on the subject property in accordance with the provisions of Section 17.1.5.