



Town of Preston

Development Guide Planning and Zoning Commission

April 2025

Development Guide

Planning and Zoning Commission

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Town of Preston Land Use Offices

This package has been created by the Planning and Zoning Commission to illustrate the development process in the Town of Preston. The process may change depending upon the application. If there are any questions regarding the process or about any application, please do not hesitate to contact the Town Planner, Kathy Warzecha, at 887-5581 ext. 109 or the **Planner's Assistant, Kimberly Lang, at ext. 118.**

Pre-Application Planning Meetings are **STRONGLY** recommended to clarify plans, prioritize steps, and ensure smooth processing of the application.

Title	Name	Office days	Office Hours	Phone
Town Planner	Kathy Warzecha	T, W, Th	9:00 to 1:30 or by appointment	887-5581 ext. 109
Planner's Assistant	Kimberly Lang	T and F, 12-6:30 Th	9:00 to 4:30	887-5581 ext. 118
Zoning Enforcement Officer	Jennifer Lindo	By appointment	Generally, Tues. AM	475-275-7661
Fire Marshal	Keith Wucik	By appointment	N/A	860-222-5970
Public Works Manager	Jarred Harris	By appointment	N/A	860-887-5581 ext. 150
Building Official	Doug Colter	By appointment	Generally, Thurs. AM	860-941-3938
Building Assistant	Casey Dilzer	T - Th	9:00 – 4:30	887-5581 ext. 103
Wetland Enforcement Officer	Len Johnson	By appointment	N/A	860-303-2879
Sanitarian – Uncas Health District	Donovan Moe	By appointment	Office is in Norwich	860-823-1189 ext. 113

1. Planning and Zoning Land Use Permits:

a. Planning and Zoning Commission

- i. Subdivisions
- ii. Site Plan (Section 19 of the Zoning Regulations)
- iii. Special Exception (Section 18 and specific districts)
- iv. Zoning Permit (PZC)
 1. Accessory apartments (Section 16.6)
 2. Home occupation (Section 16.8)
 3. Wind Energy Conversion Systems (16.14)
 4. Special flood hazard area (Section 16.15)
 5. Wireless Communication Systems (Section 16.17)
 6. Short Term Rentals (Section 16.19)
- v. Thames River District Floating Zone (Section 11)
- vi. Coastal Site Plan Section 17**
- vii. Subdivision or Zoning Regulation Text Amendment or Map amendment
- viii. Affordable Housing Development District (Section 14)

b. Zoning Board of Appeals

- i. Variance
- ii. Certificate of Location
- iii. Appeal of ZEO
- iv. Coastal Site Plan**

c. Administrative Zoning Permits - Permits issued by the Zoning Enforcement Officer (ZEO):

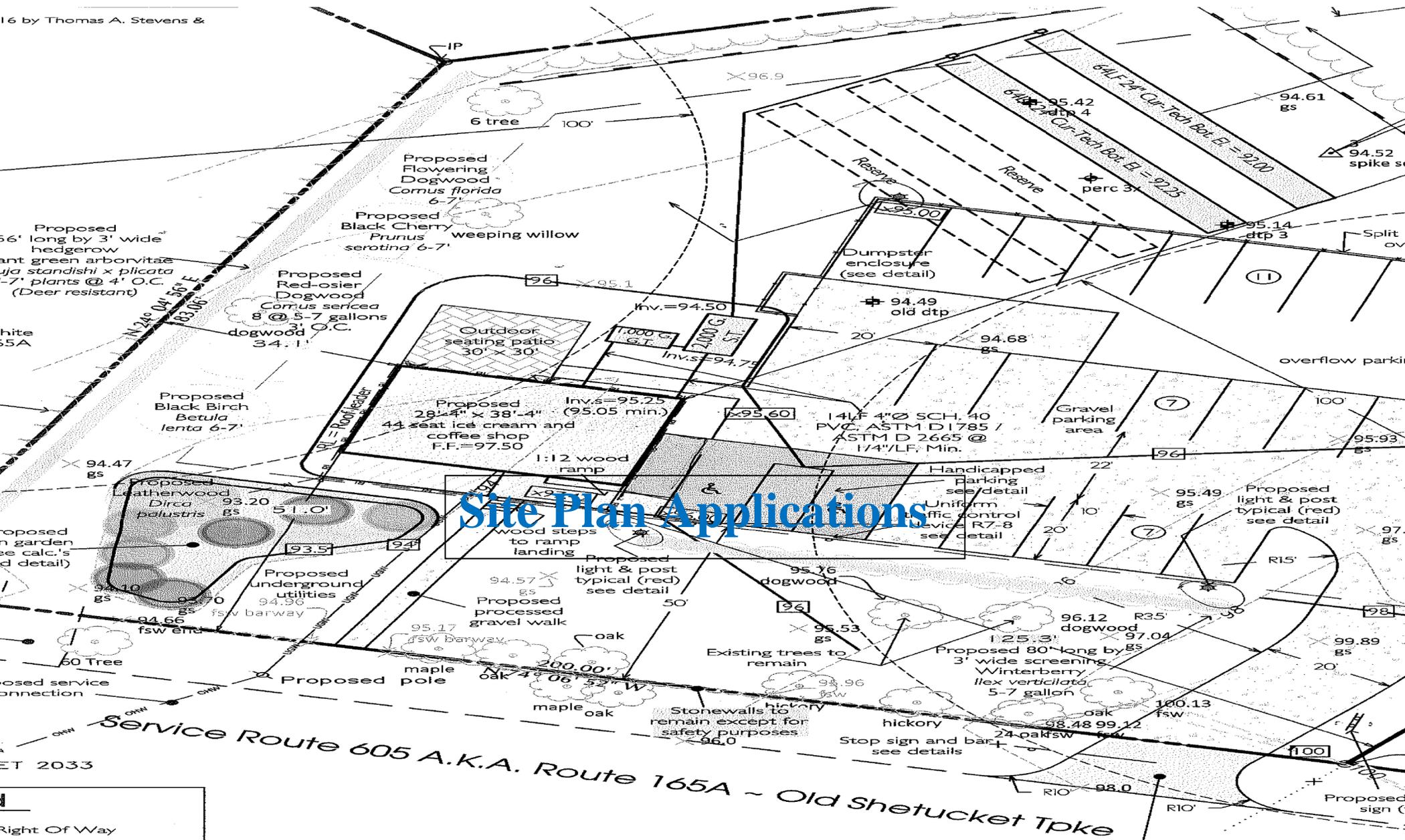
- i. Zoning Permit (ZEO)
 1. Single family structures
 2. Addition to a single-family home or 2-family home
 3. Small additions to commercial structures
 4. Agricultural buildings
 5. Accessory buildings
 6. Reconstruction of non-conforming use (Section 19.2)
 7. Commercial zoning permit after application approved by PZC

** Coastal site plans applications are required by Section 22a-105 of the Connecticut General Statutes for any application that is submitted with its parcel within the designated Coastal Area. Maps of the coastal area are available in the Planning and Zoning Office. There are exemptions from Coastal Site Plan applications listed in Section 14.4 of the Zoning Regulations.

REQUIRED PERMITS NEEDED	Submission Date	Fees	With Public Improvements	Without Public Improvements	Legal Notice Fee (will be included after action is taken by the Commission or Board)	State Fee	Total Fee Required
Subdivision	15 business days prior to meeting date	\$100 per lot or \$200 (whichever is greater)	Town Engineer provides an estimate after reviewing the plan*150% of his estimate is required to be paid for public improvements , such as a new road, 6% of the estimated cost of the Public Improvements	\$100 per lot plus Engineering fees, and 150% of engineer's public improvement estimate	Advertised Legal Notice fees	\$60	
Re-subdivision	15 business days prior to meeting date	\$100 per lot or \$200 (whichever is greater)	Town engineer provides an estimate after reviewing the plan*	Engineering fees. 150% of engineer's estimate is required to be paid	Advertised Legal Notice fees	\$60	
Site Plan Application	15 business days prior to meeting date	\$250 for structures under 5,000 sq ft \$500 for structures 5,000 and over			Advertised Legal Notice fees	\$60	Application Fee plus Engineering <i>or</i> other consultant fees
Special Exception Application	15 business days prior to meeting date	\$150			Advertised Legal Notice fees	\$60	\$210 plus Engineering <i>or</i> other consultant fees
Zoning or Subdivision Text Amendment Application	15 business days prior to meeting date	\$300			Advertised Legal Notice fees	\$60	\$360
Variance or Appeal of the ZEO	4 weeks prior to meeting date	\$300			Advertised Legal Notice fees	\$60	\$360
Zoning Map Change Application	15 business days prior to meeting date	\$150			Advertised Legal Notice fees	\$60	\$210
Zoning Permits to the PZC**	15 business days prior to meeting date	\$20			Advertised Legal Notice fees	\$60	\$80
Zoning Permit to the ZEO	Staff Administrative	\$20				\$60	\$80
Inland Wetlands & Watercourses	7 days prior to the meeting date	\$35			Advertised Legal Notice fees	\$60	\$95

*If the town engineer increases the cost estimate, the applicant shall pay the additional fee prior to the Commission considering the application.

**



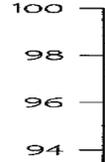
Site Plan Applications

- Right Of Way
- Elevation Contour
- Spot Elevation
- Elevation Contour
- Spot Elevation
- Monument
- Rebar
- (Barbed Wire)
- Formerly

N/E
Robert S. & Vicky L.
Giordani
22 Route 165A

SNET 2034

SNET 2035



Existing grade



Site Plan Application—General Flow Chart

Meeting *Prior* to Submitting Application. This is to review the application and the process with various invited staff members.

Application to IWWC for action prior to PZC, if applicable.

Approved

Town Planner & Staff review & comment on Site Plan. Comments are forwarded to applicant

Modifications to the Site Plan are made by Applicant then the changes are reviewed with Town Planner.

Denied

Approved or Approved with Modifications

PZC reviews plan within 65 days review period. IWWC Application will be acted upon prior to PZC action.

Application placed on PZC Agenda

Denied

PZC may schedule Public Hearing and conclude the hearing within 35 days.

Denied

Commission has 65 days to review, record, and act on the Site Plan application.

Approved or Approved with Modifications

Bond is filed and modifications are met. Mylars and paper copies are submitted within 35 days to the P & Z office and signed by the Chairman. Mylar plans are filed in the Town Clerk's Office within 90 days

Approved

Building Permit Submitted to the Building Official

Approved

Construction with periodic inspections by the Building Official, ZEO, and Town Planner —until construction is completed

Denied (only if the application does not match the plans approved by the ZEO)

Denied

The Applicant submits a separate Zoning Permit to the ZEO

Certificate of Occupancy approved by Building Official

Approved

Certificate of Zoning Compliance—Zoning Enforcement Officer

Information shared with Assessor for taxing purposes.

Denied

Site Plan Application Procedure – See Section 16 of the Regulations for requirements:

A site plan application is required for all buildings and uses **other than** single-family detached dwellings, agricultural buildings (except Specialized Agricultural Buildings as defined in Section 2 of these Regulations), additions, minor accessory buildings on residential lots as determined by the ZEO, and minor additions to commercial/industrial development as defined in Section 19.10 of these regulations. Such applications are submitted to the Planning and Zoning Office for processing. The Planning and Zoning Commission will review and act on the applications. If there are any questions regarding the procedure, please contact the Town Planner at (860) 887-5581 ext. 109.

- d. **Pre-application meetings** are recommended to be held with the Town Planner to assist in the process, especially for larger development projects. This meeting will include, but is not limited to the Building Official, Zoning Enforcement Officer, Town Planner, Uncas Health Representative, Public Works Manager, Fire Marshal, any member of the Board of Selectmen.
- e. **Wetlands:** If the site contains land designated as wetland soil by a qualified Soil Scientist, and work is proposed within 100 feet of the wetland, including grading and drainage, an application must be submitted to the Inland Wetland and Watercourses Commission (IWWC). According to the Connecticut General Statutes the IWWC application must be submitted before or on the same day as the application is submitted to the PZC. IWWC action is required prior to PZC taking action.
- f. **Application deadline and submission requirements:** *Site Plan Applications* are due 15 business days prior to the regularly scheduled Planning and Zoning Commission meeting. Please be sure to provide all required documentation with your application because it will hasten the process. Items to be submitted are as follows:
 - i. **Application** signed by the applicant and the landowner(s).
 - ii. **Application fee and engineering fee.** At the time of submission only the application fee is submitted, which is \$110.00 (\$50 plus \$60 state fee). The plans are forwarded to the town engineer for a cost estimate for engineering fees. The Planning and Zoning Office will notify the applicant of the fee, which must be paid prior to the town engineer's review of the application. Any of the engineering fees that is unused will be returned to the applicant.
 - iii. **Copy of current deed.**
 - iv. **Letters from any agency having jurisdiction over the property.**
 1. **Copy of letter from DOT**, if applicable. If the site is located on a state highway, please submit the plan to the Department of Transportation or the State Traffic Commission, as applicable, for review. They will not issue a permit without local approval, but they will review and provide comments.
 2. **Uncas Health District approval for septic design and well location.**
 - **If State Department of Health or the Department of Energy and Environmental Protection (DEEP) approval is required for the septic system or well, this APPROVAL MUST BE ACQUIRED PRIOR TO THE COMMISSION TAKING ACTION.**
 - **If the project entails the use of Public Water or Sewer, approval will be required by the entity overseeing the public utility, i.e. Norwich Public Utilities, Preston Plain Water Company; their approval will be required prior submission of the application.**

- v. **Eight (8) sets of plans and a digital copy, including an A-2 survey.** All plans must be prepared by a land surveyor and engineering design must be prepared by a professional engineer; both must be licensed in the State of Connecticut. Wetlands must be mapped by a qualified soil scientist.
 - vi. **2 sets of drainage calculations prepared by a licensed engineer.**
 - vii. **2 copies of the cost estimate for the site work and for the erosion and sediment control.**
 - viii. **List of abutting property owners.**
 - ix. **List of any waivers**, if requested, from the site plan ingredients outlined in Section 19.3 of the Zoning Regulations.
 - x. **Elevation drawings and floor plans** of all buildings that are being constructed.
 - xi. **Coastal Site Plan Application**, if applicable (*see page 33 for the coastal boundary map.*).
- g. **Staff Review.** The application and plan will be sent by the town planner to the various town staff for review and comment. Once completed, comments will be forwarded to the applicant's engineer or land surveyor. If there are any questions regarding any of the comments, please contact the Town Planner (*see page 11 for the planner's checklist.*).
- h. **Revised Plan and Town Planner meeting.** After the plans have been revised to address staff comments, a meeting will be held with the town planner and the applicant's engineer or land surveyor to review the revised plans. The town planner will prepare a list of recommended modifications to the plan, as necessary, for the Commission to consider at the meeting.
- i. **Agenda.** The application will be placed on the Commission's agenda for consideration. Statutorily, the Commission has 65 days to review and act on the application, but if the plan is complete, the Commission will act on it sooner.
- i. **Public Hearing.** The Commission has the **option** to schedule a hearing within sixty-five (65) days. The hearing must be concluded within 35 days, unless an extension is agreed upon by both the Commission and the applicant. If a hearing is conducted, items in the file will be added into the record. At this time, the applicant will provide the Commission with certification that the abutters have been notified of the project. An applicant must notify abutters 12 days before the hearing of the pending project. This does not include the day of the mailing and the day of the hearing (*see page 14 for the notice to abutter letter.*).
 - ii. The Chairman will allow the applicant to speak first; they are allowed time to thoroughly explain the application to the Commission. At the completion of the applicant's presentation, the town planner provides the commission with an overview of the departmental reviews and a list of recommended modifications. The public will then be permitted to speak. Rebuttals are permitted. The Chairman has the right to limit comment time, depending upon the number of people at the meeting. After all comments are received and everything is added into the record, the Chairman will close the hearing.
 - iii. The Commission has 65 days to review the plan and record after the close of the hearing.
- j. **Commission Action.** The Commission has 65 days to review the plan if a public hearing is not scheduled. At the time plans are completed, the Commission will approve, modify and approve or deny the application. A letter explaining the Commission's action will be forwarded to the applicant, with copies to the applicant's engineer or land surveyor, explaining the action the Commission took and any modifications that were required. This letter will be sent out within fifteen days of the Commission's action.

- k. Mylar Copies of the Plans.** Mylar plans, along with 5 paper copies, of the completed modified plan are to be provided to the PZC office within 35 days.
- l. Bonding.** All projects that require improvements are required to post a bond in the amount acceptable to the town engineer. The cost estimate for the site work is prepared by the applicant's engineer and reviewed, modified as necessary, and approved. This is generally done during the review period. If a Certificate of Occupancy is required for the project, a bond valued at 50 percent of the cost estimate is required or 100% of the cost for the erosion and sediment control. If the project entails only site work, the bond is 100 percent of the cost of the site work. A bond, either an insurance bond or bank bond, in format approved by the Town Attorney is required to be posted before the mylars are signed by the chairman.
- m. Filing the Plans.** Once the bond is posted, the Chairman will sign the plans and mylars. The mylars will be given back to the applicant and are to be filed with the town clerk within 90 days.

Zoning Permit. The applicant will contact the Town Planner who will schedule the meeting with the interested town staff members. A preconstruction meeting is required prior to any site disturbance. After the meeting a Zoning Permit can be issued by the ZEO and a Building Permit from the Building Official, once all building requirements have been met, then site construction can begin.

- n. Construction Period.** Periodic inspections of the project will be conducted as outlined in the Commission's approval letter.
- o. Bond Reductions/releases and Project Completion.** As work is completed, the applicant may request bond reductions, a total release of the bond will not be given until the project is completed. The reduction/release requests are made to the Commission and should be made at least 2 weeks prior to the regular PZC meeting; this will give the staff time to inspect the site. As-built plans are required after the completion of the project and prior to the total bond release. Also, digital AutoCAD file of the project shall be provided that includes all dimensions, property lines, addresses, acreages, wetland flag locations, easements, or r.o.w.s and major infrastructure improvements. This is for GIS purposes.

Site Plan No. _____

Date _____

PLANNING AND ZONING DEPARTMENT
SITE PLAN REVIEW CHECKLIST

Section 16 of the Zoning Regulations require that site plans submitted to the Planning and Zoning Commission for approval shall indicate or include the information listed below. Please note that the size of all plans shall be 24" x 36".

1. Scale, north arrow, date of drawing or its revision date, and name of person preparing the plan.
2. The subject lot and all buildings on adjacent lots within one hundred (100) feet of the lot lines of the subject lot.
3. Photographs, floor plans and scale drawings of all buildings and signs located or to be located on the subject lot.
4. Location of all existing and proposed buildings and outdoor signs.
5. Title Block containing the following information: legal name of owner; project name; zoning district of lot; use proposed; street address; and scale of plan.
6. Location of driveways, parking and loading areas, showing the number of stalls provided therewith (minimum requirements: parking spaces - 9' x 20' or 10' x 18'; loading spaces - 10' x 25').
7. Existing and proposed storm drainage, sanitary sewerage, water supply facilities, easements, and grading.
8. Location and dimensions of buffer strips and screening where necessary, and locations of all existing trees ten (10) inches or more in diameter.
9. Where the applicant wishes to develop in stages, an overall site plan indicating development shall be presented for approval.
10. In the case of uses requiring approval of any department of the State or City, the approval of said department shall be obtained. Simultaneous applications may be submitted to the Zoning Board of Appeals and the Inland Wetlands Watercourses Commission.
11. A key map, at a scale of 1"=800' or 1"=1000', showing the zoning and street pattern within five hundred (500) feet of the site.
12. Proper provisions for pedestrian traffic including sidewalks and/or easements where required by the Commission.

SITE PLAN REVIEW CHECKLIST (Continued)

13. A boundary survey prepared by a land surveyor, showing exact distances and either bearings or interior angles, whenever considered necessary by the Commission. An A-2 survey or reference to an A-2 must be provided. The plan must be certified as to its accuracy by a land surveyor for filing purposes.
14. Such other information that may be required by the Commission includes the information noted below.
15. Utility mains and services.
16. Limits and details of paving and bituminous lip curbing.
17. Location and detail of lighting standards.
18. Location of garbage dumpsters or cans. Refuse areas must be screened from public view. A concrete pad should be provided.
19. Building setback lines (front, side, and rear yards).
20. Zoning district boundary lines.
21. Seal and signature of Connecticut P.E. and L.S. - original signatures must be provided.
22. Curb cuts with standard ramps.
23. Overall measurements and square foot areas of all buildings.
24. Short distances from buildings to all property lines.
25. Estimate for bond for all site work.
26. Sediment and erosion control plan.
27. A legend giving the "Required" and "Provided" figure for each of the following: lot area; lot width; front yard setback; side yard setback; rear yard setback; lot coverage (%); building height (stories); parking spaces; and truck loading spaces.
28. Indication of any variance and/or special exception obtained from the Zoning Board of Appeals, and dates when obtained.

SITE PLAN REVIEW CHECKLIST (Continued)

29. Location of floodplain.
30. Location of inland wetlands. Name of qualified soil scientist who mapped wetland area.
31. Location within coastal area.
32. Symbol identification.
33. If property is located on a State of Connecticut highway, review by the Connecticut Department of Transportation is required.
34. If blasting is necessary for the development, a pre-blast survey will be required. If neighboring property owners do not allow the developer to enter onto the property this requirement may be waived.
35. Landscape plan; a variety of plantings must be provided. Plantings that are to be installed must be suitable for the on-site conditions and must be a hardy variety.
36. Design of signs should be aesthetically pleasing.
37. Building facades must be aesthetically pleasing and must complement the neighborhood in which the building is located. Provide colors and materials to be used.
38. Indicate building/lot street number on site plan per Public Works Dept. requirement.
39. Please provide State Plane Coordinates for each property corner.
40. Please note on plan that as-built plans will be required provided, and will include the following information: location of buildings and limits of parking area.
41. Provide an AUTOCAD file of the project shall be provided on a CD that includes all dimensions, property lines, addresses acreage, wetland flags, easements or R.O.W.s and any notable infrastructure. This should be done after approval by the Commission.
42. Additional comments.

Certified Mail

**Notice to Abutters
of pending
Site Plan Application
in the Town of Preston**

Date
Name
Address
Preston, CT
Zip

Dear Neighbor:

In accordance with the requirements of the Preston Zoning Regulations, I hereby notify you, as an abutting property owner, of my submission of Site Plan application #

_____ *on my property located on*
_____ and more specifically identified as **Lot #** _____ on **Map #** _____, of the Preston Assessor’s Maps.

The Commission will consider this application at a **Public Hearing** to be held on _____ at _____ at the Preston Town Hall, 389 Route 2. You may appear at the public hearing and be heard, and written communications may be forwarded to the Planning and Zoning Commission.

Copies of this application are available for review at the Preston Town Hall between 9:00 a.m. and 4:30 p.m. Tuesday through Friday in the Planning and Zoning Office, 389 Route 2, Preston, CT 06365.

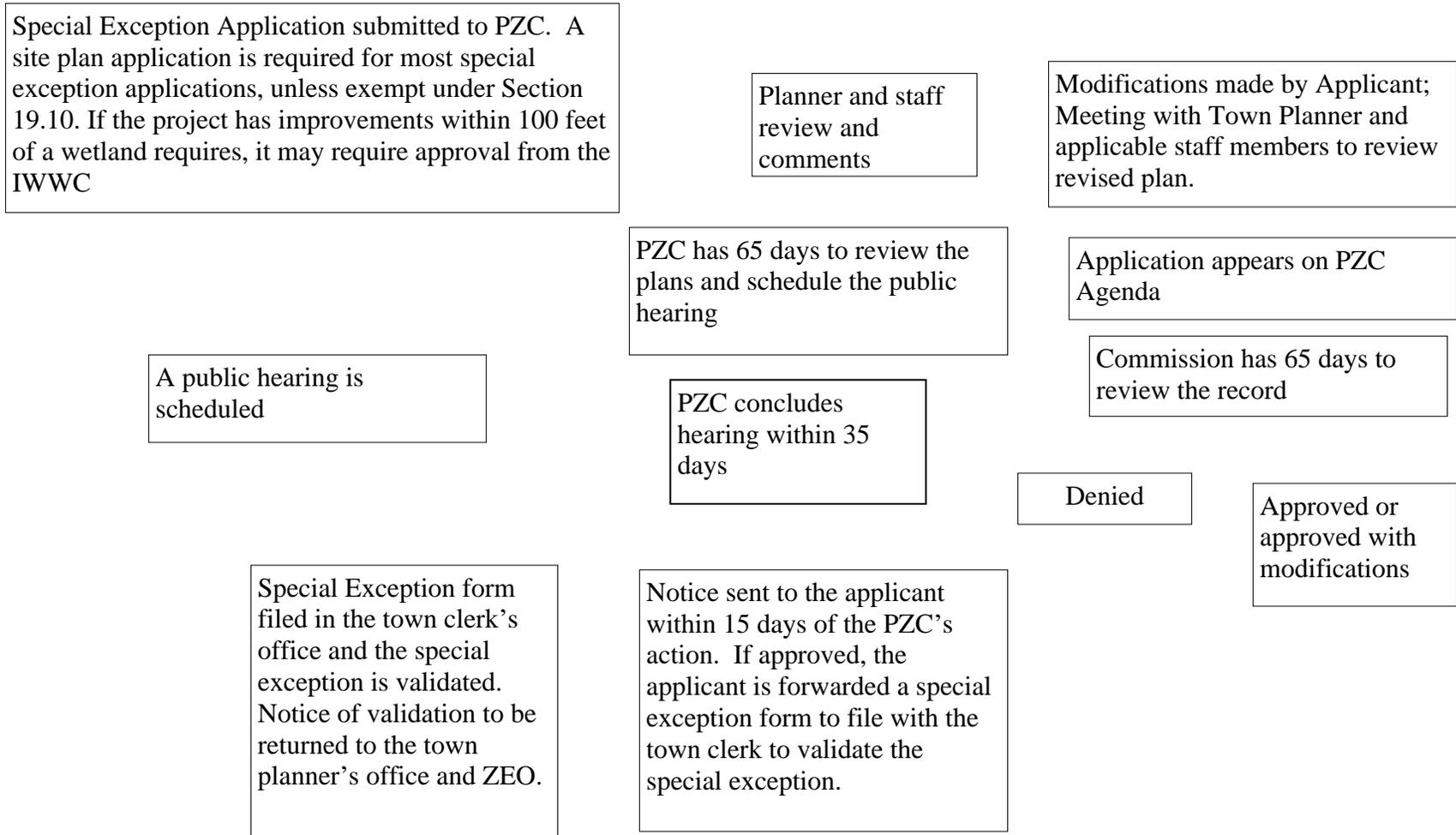
Sincerely,



Special Exception Applications



Special Exception Application—Flow Chart



2. Special Exception Applications Procedure – See Section 15 of these Regulations:

Special exceptions are those with use permitted, provided with special conditions of the Zoning Regulations as outlined in Section 18, or other specific sections of the Regulations are met. They are generally accompanied by a *Site Plan Application* as described previously, unless exempt from site plan application pursuant to Section 16.11.

- a. **A pre-application meeting** should be conducted to review the application and to answer any questions regarding the process and the regulations. This meeting will include the Town Planner and any Town staff member that has a vested interest in the project.
- b. **Wetlands.** If a project involves a regulated wetland area, and not a site plan application, an application must be submitted to the Inland Wetland Watercourses Commission on or before the application is submitted to the Planning and Zoning Commission.
- c. **Applications.** *Special Exception Applications* are due 15 business days prior to the regularly scheduled Planning and Zoning Commission meeting. Applications must be signed by the owner(s) of the property and the applicant. Such applications must be submitted along with the following information and items, five (5 copies of the plans and a digital copy shall be provided):
 - i. Application fee of \$210.00 (\$150.00 plus \$60.00 State of Connecticut fee). Those applications that also require a *site plan application* can be submitted and reviewed simultaneously.
 - ii. Copy of current deed.
 - iii. List of abutting property owners.
 - iv. Letters or approvals from any agency having jurisdiction over the property and any portion thereof.
 - v. If the application requires a site plan, follow the above procedure, if not, a minimum of a plot plan (an A-2 survey may be required) should be submitted with the application showing any structures, the use, parking and any other minor improvements to be made to the site or existing conditions.
 - vi. Provide a narrative describing how the application complies with the “General Evaluation Criteria” listed in Section 15.4 of the Regulations and any specific use regulations, i.e., Section 15.8 *Antique Shops*.
- d. **Staff Review.** The application will be forwarded to the various town staff members. A meeting may be conducted with the Town Planner after receiving the comments to review the comments with you and answer any questions, **as necessary**.
- e. **Agenda.** The application will appear at the next regularly scheduled meeting of the Commission. The Commission must schedule a Public Hearing within 65 days of receipt of the application; however, they generally schedule the hearing for the next regular meeting, unless another agency, such as the IWWC, is reviewing the application or unless there are other important pending matters.
- f. **Public Hearing.** At least 12 days prior to the public hearing (not including the day of the mailing and the day of the meeting), a *notice to the abutters* must be sent certified mail, to all abutters, including across the street (*see page 19 for the abutter’s letter*). If proper notification is not completed, the Commission will not hold the public hearing. At the public hearing, items in the file will be added into the record. The Chairman will allow the applicant to speak first; they are allowed time to thoroughly explain the application to the Commission. At the completion of the applicant’s presentation, the town planner provides the Commission with an overview of the departmental reviews. The public will then be permitted

to speak. Rebuttals are permitted. The Chairman has the right to limit comment time, depending upon the number of people at the meeting. After all comments are received and everything is added into the record, the Chairman will close the hearing. The Commission has 35 days to complete the hearing.

- g. Review Period.** The Commission has a 65-day review period that allows them to review information added into the record of the public hearing. The Commission must act on the application prior to the end of the 65-day review period unless an extension is agreed upon by both the Commission and the applicant.
- h. Commission action.** Once the Commission decides on the application, a letter will be sent to the applicant regarding their decision and if approved, along with the letter there will be a special exception form. This form must be filed with the town clerk in order for the special exception to be valid. After filing, the application is complete.

Section 18.2 a. of the Zoning Regulations: “Not less than ten (10) days prior to the hearing, copies of the legal notice of the hearing shall be mailed by the applicant to the owners of record at the last addresses known to the tax collector of properties abutting and directly across the street from the subject property. The applicant shall provide the Commission with evidence of mailing of such notices at the public hearing.”

Below is a sample Notice to Abutters letter for Special Exception. If you would like this letter sent to you as an email attachment, please contact the Planning Department at 860.887.5581 x118 or x109.

Certified Mail

**Notice to Abutters
Request for a
Special Exception in the Town of Preston**

Date
Name
Address
Preston, CT
Zip

Dear Neighbor:

In accordance with the requirements of the Preston Zoning Ordinance – Section 15.2.1, I hereby notify you, as an abutting property owner, of my intent to request a **Special Exception**

_____ **on my property located on**
_____ and more specifically identified as **Lot #** _____, of the Preston Assessor’s Maps.

The Commission will consider this application at a **Public Hearing** to be held on _____ at _____ at the Preston Town Hall, 389 Route 2. You may appear at the public hearing and be heard, and written communications may be forwarded to the Planning and Zoning Commission.

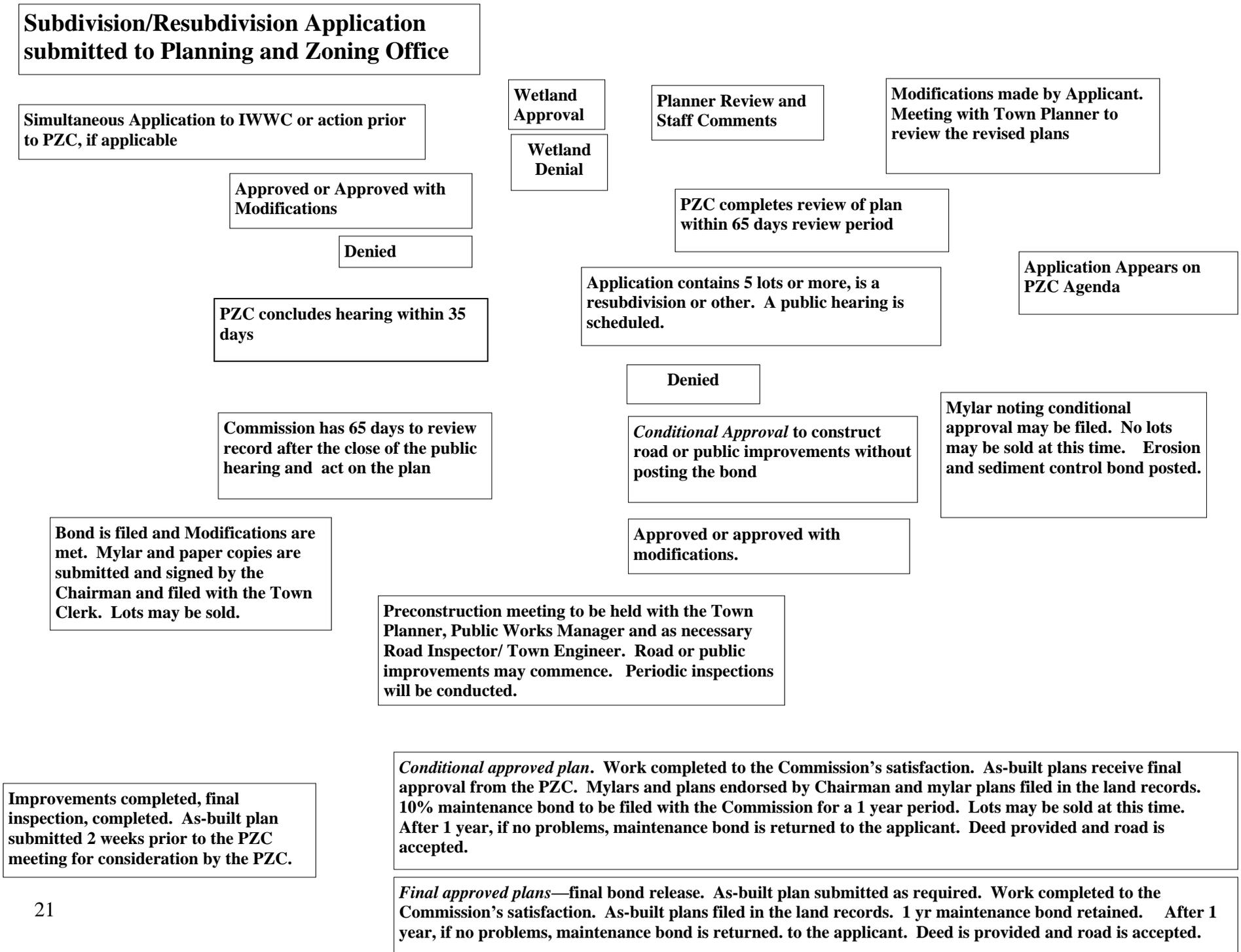
Copies of this application are available for review at the Preston Town Hall between 9:00 a.m. and 4:30 p.m. Tuesday through Friday in the Planning and Zoning Office, 389 Route 2, Preston, CT 06365.

Sincerely,

Subdivision Applications



Subdivision Application—Flow Chart



Subdivision/Resubdivision Application submitted to Planning and Zoning Office

Simultaneous Application to IWWC or action prior to PZC, if applicable

Wetland Approval
Wetland Denial

Planner Review and Staff Comments

Modifications made by Applicant. Meeting with Town Planner to review the revised plans

Approved or Approved with Modifications

Denied

PZC completes review of plan within 65 days review period

PZC concludes hearing within 35 days

Application contains 5 lots or more, is a resubdivision or other. A public hearing is scheduled.

Application Appears on PZC Agenda

Denied

Commission has 65 days to review record after the close of the public hearing and act on the plan

Conditional Approval to construct road or public improvements without posting the bond

Mylar noting conditional approval may be filed. No lots may be sold at this time. Erosion and sediment control bond posted.

Bond is filed and Modifications are met. Mylar and paper copies are submitted and signed by the Chairman and filed with the Town Clerk. Lots may be sold.

Approved or approved with modifications.

Preconstruction meeting to be held with the Town Planner, Public Works Manager and as necessary Road Inspector/ Town Engineer. Road or public improvements may commence. Periodic inspections will be conducted.

Improvements completed, final inspection, completed. As-built plan submitted 2 weeks prior to the PZC meeting for consideration by the PZC.

Conditional approved plan. Work completed to the Commission's satisfaction. As-built plans receive final approval from the PZC. Mylars and plans endorsed by Chairman and mylar plans filed in the land records. 10% maintenance bond to be filed with the Commission for a 1 year period. Lots may be sold at this time. After 1 year, if no problems, maintenance bond is returned to the applicant. Deed provided and road is accepted.

Final approved plans—final bond release. As-built plan submitted as required. Work completed to the Commission's satisfaction. As-built plans filed in the land records. 1 yr maintenance bond retained. After 1 year, if no problems, maintenance bond is returned. to the applicant. Deed is provided and road is accepted.

3. Subdivisions Procedure:

A subdivision is the division of land into three or more parts after the adoption of the Subdivision Regulations in May 1962. Any subdivision of land must be submitted to the Planning and Zoning Commission for review and approval.

- i. Pre-application.** A pre-application meeting with the Town Planner and any applicable Town Staff will be invited this recommended to be held for those subdivisions that require public improvements or as requested by the applicant.
- j. Applications.** *Subdivision applications* are due 15 business days prior to the regularly scheduled Planning and Zoning Commission meeting. If the site contains land designated as wetland soil by a soil scientist, an application must be submitted to the Inland Wetland and Watercourses Commission (IWWC). According to the Connecticut General Statutes this application must be submitted before or on the same day as submitted to the PZC. IWWC action is required prior to PZC acting.

Please be sure to provide all required documentation with your application as follows:

- i. Eight (8) copies of the application signed by the applicant and the landowner(s).
 - ii. Copy of current deed.
 - iii. The fee for the subdivision with is \$100.00 per lot or a minimum of \$200.00 plus the engineering fee.
 - iv. Eight (8) copies of the plans prepared by a Connecticut licensed land surveyor and, as applicable, a professional engineer. Provide a digital copy of the plan.
 - v. 2 copies of the cost estimate for public improvements.
 - vi. 2 copies of the drainage calculations.
 - vii. Letters from any agency having jurisdiction over the property and any portion thereof.
 - viii. Copies of permits are issued by other agencies such as the Zoning Board of Appeals or the Inland Wetland Water Courses Commission (if the application has been acted upon by the IWWC at the time of submission).
 - ix. Soil test for each lot. This should be provided with the plan.
 - x. List of names of all abutting property owners.
 - xi. If requesting any waivers to the Subdivision Regulations, a list of waivers.
 - xii. If giving land to relatives, a letter indicating such must be provided for purposes of open space exemption. See attached Open Space Policy.
- k. Town and SCCOG Referral.** If the parcel is within 500 feet of an abutting town the plans will be forwarded to the abutting town for comments. If the site adjoins an abutting town, the plans are referred to the Southeastern Connecticut Council of Governments for review and comment.
 - l. Staff Referrals and review.** The plans will be forwarded to the various town staff members by the town planner. Once comments are received, they will be forwarded to the applicant's land surveyor and/or engineer. The plans must be revised accordingly and submitted to the town planner at the review meeting between the planner and the applicant's land surveyor or engineer, scheduled by the town planner. This meeting will be held prior to the Planning and Zoning Commission meeting (*see pages 25-27 for Planner's checklist*).
 - m. Agenda.** The application will be placed on the next regularly scheduled meeting of the Commission. If the application requires approval from the Inland Wetland Water Courses Commission, their approval must be made prior to the PZC acting on the application. The Commission has 65 days to review the application and/or schedule a public hearing. If a public

- hearing is not scheduled, the applicant must notify the abutting landowners (including across the street) at least 10 days prior to the meeting by certified mail. The ten days do not include the day of the meeting and the day the notice is sent out.
- n. **Open Space Policy.** Unless exempt, all applicants are required to either pay an open space fee or provide an open space dedication (*see page 28 for the Open Space Policy*).
 - o. **Notices to Abutters.** For those subdivisions that do not require a hearing, the applicant must notify the abutting landowners 10 days prior to the hearing. The ten days do not include the day of the meeting and the day the notice is sent out (*see page 29 for Notice to Abutters letter*).
 - p. **Public Hearings Notices.** Public hearings are required for 5 lots or more and for resubdivision. The Commission may schedule a hearing on any other application, if they desire. The applicant must notify the abutting landowners 10 days prior to the hearing. The ten days do not include the day of the meeting and the day the notice is sent out (*see page 30 for Notice to Abutters letter*).
 - q. **Public Hearings.** At the hearing, the Chairman will allow the applicant to speak first; they are allowed time to thoroughly explain the application to the Commission. At the completion of the applicant's presentation, the town planner provides the Commission with an overview of the departmental reviews. The public will then be permitted to speak. Rebuttals are permitted. The Chairman has the right to limit comment time, depending upon the number of people at the meeting. After all comments are received and everything is added into the record, the Chairman will close the hearing. The Commission must close the public hearing within 35 days unless an extension is agreed upon. The Commission has sixty-five days to finalize their review of the hearing record and act on the application.
 - r. **Action.** The Commission must approve, modify and approve, or deny the application. The Commission may also *Conditionally Approve* the subdivision. Pursuant to Section 3.12 of the Subdivision Regulations, *Conditional Approval* allows the Commission to approve the application with the condition that the public improvements are completed without posting a bond, except for erosion and sediment control bond. Lots are not allowed to be sold until all the public improvements are completed.
A letter informing the applicant of the Commission action (approval, denial or conditional approval) will be sent within 15 days of the meeting.
 - s. **Bond.** A bond in an amount approved by the town engineer and in a format approved by the town attorney must be posted for all public improvements, unless the plan is conditionally approved in accordance with Section 3.2.14 of the Subdivision Regulation. The bond must be filed prior to the Chairman endorsing the approved and modified plan. In cases when a plan is conditionally approved, an erosion and sediment control bond will be required. Insurance bonds and bank bonds are acceptable.
 - t. **Filing Plans.** The 5 paper copies of the modified plans, 1 mylar set of the plans must be provided to the Commission within 35 days of the Commission's action. The Chairman will endorse the plans. The plans must be filed within 90 days from the date the endorsed plans are delivered to the applicant.
 - u. **Public Improvements.** After the plans are filed, a meeting will be scheduled with the town planner to coordinate the schedule for public improvement. If a road is to be constructed, the town will hire an inspector to inspect the improvements. If the improvements are minor, the inspections will generally be conducted by the Town Planner and the Public Works Manager.
 - v. **Bond release/ reductions.** If the work is completed to the satisfaction of the Town Engineer, Public Works Manager and the Town Planner, the Commission will reduce or release the bond. The applicant must request the bond release 2 weeks

before the PZC meeting for the release to be considered. The Commission will retain a maintenance bond for a one-year period in the amount of 10 percent of the bond filed or cost estimate in the case of “Conditional Approval” pursuant to Section 3.12 of the Subdivision Regulations. All public improvements must be completed within 5 years of the approval date of the subdivision.

- w. **As-built Plan.** After the road is completed, an as-built plan must be submitted to the Commission.
- x. **Road/easement acceptance.** Deeds are provided to the PZC office. The Commission will recommend to the Board of Selectman that the easements and road may be accepted. After acceptance, the town planner will file the deeds in the land records.

SUBDIVISION/RESUBDIVISION CHECKLIST

Noted below is a check list of items that are reviewed by the Town Planner for every subdivision application. This review will be forwarded to the applicant's engineer.

1. Name of subdivider and landowner.
2. Scale, date and revision dates, north arrow, legend.
3. Key map showing all surrounding zoning districts, streets, town boundaries and tracts or parcels within 2,000 feet of the subdivision.
4. Summary map showing at a scale of 1" – 200' showing the subdivision and the existing and proposed streets and lot lines.
5. Names of all property owners and location of all lot lines for properties within 100' of the subdivision.
6. Proposed lot layout, lot numbers, square footage and dimensions of all lots.
7. Existing and proposed rights of ways, easements and encroachments.
8. Location of all watercourses and bodies, wetlands, and areas subject to 100-year flood as defined by the Flood Insurance rate map. A soil scientist must map all wetland areas – provide name of soil scientist with original signature.
9. All soil test results (and locations). Plan should indicate which lots will be required to have septic systems designed by a professional engineer. Additional soil testing may be required.
10. Location of existing natural and historic resources and landmarks including ledge outcroppings, stone walls, wooded areas, trees over 2' in diameter, etc.
11. Proposed/feasible location of septic systems, wells, houses and driveways.
12. Zoning setback lines.
13. Open space areas (dimensions and locations).
14. Topographic information, referenced to U.S. Geological Survey data.
15. Location and type of monuments in accordance with Section 7.1 of the Subdivision Regulations.

SUBDIVISION/RESUBDIVISION CHECKLIST (continued)

16. A copy of the signed approved plan must be provided to the Planning and Zoning Commission. Any alterations to this plan, within regulated areas MUST be forwarded back to the IWWC.
17. Engineer's estimate of cost of public improvements.
18. Connecticut Department of Transportation approval and/or Public Works Director's approval.
19. Environmental impact statement in the form of a narrative indicating what the impact on downstream properties will be because of the subdivision.
20. Submission to Regional Planning Agency (if applicable).
21. Existing roads, buildings, utilities, and other structures.
22. Boundary survey to A-2 standards. Seal and signature of land surveyor registered in the State of Connecticut. An original signature of the land surveyor must be provided.
23. Erosion and sediment control plan.
24. Seal and original signature of Professional Engineer (if applicable).
25. Drainage calculations including design of any required storm water facilities, sealed and signed by a professional engineer.
26. Grading plan – existing and proposed topography (if applicable).
27. Street layout, width, street names, plans and profiles, sidewalks.
28. Public improvement plan.
29. Utility plan (water, sewer, storm drainage, telephone, electric, etc.). Letter from private utility company.
30. All construction details.
31. Note on plan regarding public improvements - completion in five years.

SUBDIVISION/RESUBDIVISION CHECKLIST (continued)

32. Street R.O.W. width.
33. Foundation drain outlet. Drains must not outlet into the road or onto abutting property unless approved by the Town Engineer and into a drainage system.
34. Driveways over 8% grade must be paved. No drainage from driveways shall outlet into the road creating potential icing conditions.
35. Total acreage of parcel.
36. Note on plan individual E & S control plans to be provided with the development of each lot.
37. Other applicable Commissions and/or Department approvals.
38. Unexecuted copies of deeds for expansion of existing road right-of-way, proposed new right-of-way, easements, proposed public land (open space), if applicable).
39. Intentions for the use of remaining land. Layout for future development of land, if proposed.
40. Where possible, lot lines shall follow existing stone walls.
41. Certify whether blasting is required. Note on the plan. A pre-blast survey shall be conducted prior to blasting.
42. List of waivers being requested.
43. Adequate sight distance for driveways.
44. Other comments as noted below.
45. Provide digital CAD file of the subdivision for GIS purposes.

OPEN SPACE POLICY FOR SUBDIVISIONS

The requirement for the dedication of open space or fee in lieu of open space to the town is noted in Section 6.11 of the Subdivision Regulations. This policy was developed by the Commission to aid the developer in addressing the open space requirements of the regulations.

Intent: It is the intent of the Commission and the regulations to provide usable open space for the enjoyment of the future residents of the subdivision or to aid in the preservation of significant natural or archaeological resources for public education purposes.

It is the intent to create a policy that can be flexible, responsible, and serve the needs of the town. To ensure an understanding of the intent of the policy, it is strongly recommended that a meeting with the Town Planner be scheduled prior to designing your subdivision. If there are any questions or issues about the dedication of open space or fee in lieu of such, the Planner may refer this matter to the Commission for further review.

Criteria for the Dedication of Open Space or the Payment of the Fee in lieu of Open Space

- a) Land dedication for all Subdivisions: The Commission desires to receive not less than 80,000 square feet of land area if land is to be offered. The dedicated land shall contain slopes with less than a 5 percent grade or land that is not defined as wetland areas. Active recreational equipment may be required to serve the families within the subdivision, such as swing sets, slides and playscapes.
- b) Subdivisions containing significant natural or archaeological resources as identified in the *Preston Plan of Conservation and Development*, by the Preston Conservation Commission, or the State of Connecticut Department of Environmental Protection: The Commission may require the dedication of such resources for open space. In addition to said dedication, the Commission may require that an educational program be developed for the public that may include installation of interpretive signs and walking or hiking trails.
- c) Subdivisions on ridgelines or containing scenic vistas or agricultural resources: The Commission may require the dedication of open space for the protection of scenic vistas or agricultural resources.
- d) All other subdivisions: A fee in lieu of open space should be paid to the town when the subdivision does not meet any of the above criteria.

Process of determining fee in lieu of open space: A list of three appraisers shall be submitted to the Commission with the subdivision or resubdivision application. The Commission will select an appraiser from the list (or approve the applicant to select any of the appraisers on the list). The applicant will be responsible for obtaining the appraisal by the selected appraiser from which the fee in lieu of open space will be determined. The fee will be ten percent of the value of the property before it is subdivided, (if the land is valued at \$100,000.00, the fee would be \$10,000.00) The fee is divided by the number of lots within the subdivision and that fee would be paid as each of the lots are sold (10 lots divided into \$10,000.00 would be \$2,000.00 fee paid per lot).

Public Hearing *not* being held on this application

NOTICE OF INTENT TO SUBDIVIDE LAND
IN THE TOWN OF PRESTON

CERTIFIED MAIL

Date: _____

Dear Neighbor:

In accordance with the requirements of The Town of Preston Subdivision Regulations – Section 3.2.3, I hereby notify you, as an abutting property owner, of intent to subdivide property located at _____ on Map _____, of the Preston Assessor's Maps. The owner of record of the parcel is _____.

The Commission will consider this application at a meeting to be held on _____ at _____ at the Preston Town Hall, 389 Route 2.

Copies of this application are available for review at the Preston Town Hall between 9:00 a.m. and 4:30 p.m. Tuesday through Friday in the Planning and Zoning Office, 389 Route 2, Preston, CT 06365.

Sincerely,

Public Hearing being held on this application

**NOTICE OF INTENT TO RESUBDIVIDE LAND
IN THE TOWN OF PRESTON**

CERTIFIED MAIL

Date: _____

Dear Neighbor:

In accordance with the requirements of The Town of Preston Subdivision Regulations – Section 3.2.3, I hereby notify you, as an abutting property owner, of intent to subdivide property located at _____ on Map _____, of the Preston Assessor's Maps. The owner of record of the parcel is _____.

The Commission will consider this application at a **Public Hearing** to be held on _____ at _____ at the Preston Town Hall, 389 Route 2. You may appear at the Public Hearing and be heard, and written communications may be forwarded to the Planning and Zoning Commission.

Copies of this application are available for review at the Preston Town Hall between 9:00 a.m. and 4:30 p.m. Tuesday through Friday in the Planning and Zoning Office, 389 Route 2, Preston, CT 06365.

Sincerely,

3. Subdivision or Zoning Regulation Text Amendment or Map Amendment

A regulation or map change may be submitted to amend either the *Subdivision Regulations* or the *Zoning Regulations*. The *Subdivision Text Amendment Application*, *Zoning Text Amendment Application* and the *Zoning Map Amendment Application* are submitted with their respective amendments to the regulations or to the map. The map amendments must be prepared by a land surveyor (unless otherwise accepted by the Commission).

After the submission of the application, the Commission will receive the application at the next regularly scheduled meeting. The Commission has 65 days to review the amendment and to request comments from the town staff.

If the amendment modifies a zoning district adjacent to a municipality, it is required to be forwarded to the adjacent town for comments by the adjacent town. In addition, all modifications to the regulations must be sent to the State of Connecticut, Department of Environmental Protection and the Southeastern Council of Governments.

At the public hearing the Chairman will allow the town planner to enter all communications in the file into the record. Then the applicant is permitted to speak on the amendment. The Chairman will then ask for comments from the public. Rebuttal is permitted. The Chairman has the right to limit comments if there is a large crowd at the meeting. Questions are not permitted only comments, and all comments are to be directed to the Chairman. The public hearing must be closed within 35 days of the opening of the hearing, unless an extension is agreed upon.

The Commission has 65 days to review the record and act on the application. No substantive revisions may be made to the regulations. If approved, they must be approved as written along with an effective date. After approved, the regulations are filed by the town planner in the town clerk's office with the effective date. The amendments are not effective until the amendments are filed.

4. Coastal Site Plan Application

If a parcel is located within the coastal area as defined by the State of Connecticut, a *Coastal Site Plan Application* must be submitted simultaneously with any land use application, unless exempt pursuant to Section 14.4 of the Zoning Regulations. If work is proposed within the tidal wetland, the application is to be submitted to the Connecticut Department of Environmental Protection, Long Island Sound Program, rather than the town.

The town planner will assist, as necessary, in preparing the application as they may be a little difficult, if you are unfamiliar with the Coastal Area program.

