



PLANNING AND ZONING COMMISSION

225 Center Road - Easton, Connecticut 06612

**SPECIAL PERMIT
APPLICATION PACKET**

Effective 09/12/2022

Dear Applicant:

This Special Permit Application Packet has been compiled to help you comply with the Zoning Regulations and obtain a timely decision on your proposal.

In Easton, a special permit application is processed through the Planning & Zoning Commission. All Special Permit uses are declared to possess characteristics of such unique and distinct form that each specific use shall be considered as an individual case.

You must submit a complete application and appropriate fee to the Zoning Enforcement Officer (ZEO) or agent. An incomplete application may be denied by the Commission. In the event the Commission denies a special permit application, it shall not be required to hear an application relating to the same request or substantially the same request, more than twice in a twelve-month period. A change in ownership of property or any interests therein shall not be deemed a substantial change.

In accordance with Connecticut General Statutes, the date of receipt of such application shall be the next regularly scheduled meeting of the Commission or 35 days after submission, whichever is sooner. The meeting schedule can be found on the Town's website at eastonct.gov. A public hearing shall be held within sixty-five (65) days following receipt of the application. The hearing shall be closed within thirty-five (35) days. At the close of the hearing, the Commission shall have sixty-five (65) days to render a decision on the application. You may request one or more extensions of time if necessary or withdraw your application any time prior to action by the Commission. The total time extension can't exceed 65 days.

The Commission may refer any application to any department, agency, or official it deems appropriate and may request any such department, agency, or official to submit a report to the Commission on matters that are of concern. Upon request you may obtain a copy of department comments prior to the public hearing. You should be prepared to present your proposal and supporting data at the public hearing.

The enclosed items are designed to act as a detailed resource for your use throughout the application process. This packet includes the forms and checklists required by the Commission. If you have additional questions after reading this packet, Zoning Department staff are available to help you Monday through Friday from 8:30am to 3:30pm at the Easton Town Hall, by telephone at 203-268-6291, or by e-mail through the Town website at eastonct.gov.

The following items are enclosed for your use in completing this application:

- Special Permit Application
- Required Items Checklist
- Summary of the Special Permit Application Process
- Template for written "Statement of Proposed Use"
- Application for Wetland Determination



PLANNING AND ZONING COMMISSION

225 Center Road - Easton, Connecticut 06612

SPECIAL PERMIT APPLICATION

Description of Request: _____

Location of Property

Property Owner: _____ Telephone: _____

Address: _____

Assessor's Map#/Block#/Lot#: _____

Parcel No.: _____

Applicant: _____ Telephone: _____

Address: _____

Surveyor _____

Type of Sewage Disposal _____ Type of Water Supply _____

Zoning District _____

Number of Feet of New Road Construction (if required) _____

Has an Inland Wetlands Determination been completed by the Inland Wetland Agency?
_____ YES _____ NO

Notice: If a wetland permit is required, this application will not be acted upon until the wetland permit is obtained. Please complete the attached Application for Determination of Wetland Impact.

This applicant understands that this application is to be considered complete only when all information and maps are submitted in accordance with Section **8400** of the Zoning Regulations of the Town of Easton, Connecticut. Failure to submit a complete application and maps may result in denial of the application by the Commission.

Signature of Record Owner _____ Telephone _____

Signature of Applicant _____ Telephone _____

Application & Documents Submitted: _____
P&Z staff: _____ Date _____

REQUIRED ITEMS CHECKLIST

- Fees
 - Application Fee (Project Value < \$1,000,000) – \$200 plus \$1.50 per \$1,000 of value
 - Application Fee (Project Value ≥ \$1,000,000) – \$200 plus \$1.00 per \$1,000 of value
 - CT State Fee – \$60
 - USPS Certified Mailing Fee – \$(TBD)
- Complete Application Form, signed by the applicant/authorized agent AND property owner
- Complete written “Statement of Proposed Use” (Word file of template available on request)
- Complete Wetland Determination Form (reviewed/signed by Wetland Enforcement Officer)
 - If a permit is required, proof of submission of said permit must be provided
- Existing Site Survey (10 copies) as may be required depending on your proposal
- Proposed Site Survey (10 copies) as may be required depending on your proposal
- Engineering Plans/Reports (10 copies) as may be required depending on your proposal
- Architectural Plans (10 copies) as may be required depending on your proposal
- Other material or information (10 copies) as may be required depending on your proposal
- Notification to Abutting Property Owners
 - List of abutting property owners within 250ft of property line
 - Notification Letter to be sent to abutting property owners explaining proposal
 - Addressed Envelopes & Certified Mail/Return Receipt Requested slips from USPS
- Notification to Abutting Municipalities/Regional Planning Agencies as required
 - List of abutting municipalities within 500ft of subject property and those municipalities impacted by traffic, sewer, drainage, or stormwater runoff
 - Notification to METROCOG required if list includes Monroe, Trumbull, Bridgeport, or Fairfield
 - Notification to WESTCOG required if list includes Westport, Weston, or Redding
 - Notification Letter to be sent to abutting municipalities explaining proposal
 - Addressed Envelopes & Certified Mail/Return Receipt Requested slips from USPS
- Notification to the Water Company and the Department of Public Health (DPH) as required
 - If any portion of the property is within an Aquifer Protection Area or Public Water Supply Watershed the notification is required to the Water Company and DPH
 - If notification is required, two additional sets of all submitted surveys, plans, reports, materials, and information are required to provide to the Water Company and DPH
- Notification to the Department of Energy and Environmental Protection (DEEP) as required
 - If any portion of the property contains potential habitat for endangered, threatened, and special concern species or important natural communities in Connecticut, as identified in the most current Natural Diversity Database (NDDB) map, then notification is required to NDDB as prescribed by DEEP
 - A report of their findings from this request shall be submitted with the application
 - The application shall be considered incomplete if this this report is not provided
- PDFs for all documents listed above

SUMMARY OF THE SPECIAL PERMIT APPLICATION PROCESS

**** The following is offered only as a guide and you are strongly encouraged to review in depth the Easton Zoning Regulations. You bear the burden of demonstrating that the applicable special permit criteria in Section 8440 and all other requirements of the regulations are met. ****

APPLICATION

1. Applications must be submitted to the Land Use Office in the Easton Town Hall during regular business hours, Monday - Friday 8:30am to 3:30pm.
2. The application will be reviewed for completion (see "Required Items Checklist") by the Land Use staff upon receipt. Staff will notify the applicant whether the application appears substantially complete in accordance with the Zoning Regulations.
3. If it was determined that an Inland Wetland Permit is required the applicant must begin that process simultaneously with the submission to the Land Use Office. A required Inland Wetland Permit must be obtained prior to approval of the special permit application.

REVIEW

1. After the application has been received by the Commission, they have up to sixty-five (65) days in which to hold the public hearing. During this time the application is reviewed by Land Use staff, other town departments, adjoining towns, Regional Planning Agencies, and others as required.
2. An accepted application may require more information or revisions to be completed, including the opportunity to inspect the proposal/location prior to the public hearing.
3. The applicant may obtain a copy of review comments prior to the public hearing upon request at the Land Use Office.
4. You may request from the Commission an extension of time for this review period before holding the public hearing if you feel it is necessary to provide additional information to support your application. Please note that the total extension of any period of time for this process (review, public hearing, and/or decision periods) shall not exceed sixty-five (65) days.

NOTICE OF PUBLIC HEARING

1. The Commission staff will notify abutting property owners using the envelopes and certified mail receipts you provided at time of application.
2. The Commission staff is responsible for publication of the legal notice in the newspaper, and for notification of any other parties, as required.

PUBLIC HEARING

1. The applicant is required to give a formal presentation of the proposal at the beginning of the public hearing for application consideration.
2. If an Inland Wetland Permit is required, the granted permit along with any attached condition must be entered into the records.
3. The Commission will note for the record all comments received from the public including departments, agencies and outside consultants regarding the application.
4. The public hearing must be completed within thirty-five (35) days.
5. You may request from the Commission an extension of time for this public hearing period before the hearing is closed if you feel it is necessary to provide additional

information to support your application. Please note that the total extension of any period of time for this process (review, public hearing, and/or decision periods) shall not exceed sixty-five (65) days.

DECISION

1. A decision on the application must be made within sixty-five (65) days of the close of the public hearing. If an Inland Wetland Permit is required and a final decision by the Inland Wetland Agency has not been made, the decision period for the special permit application will be extended for up to thirty-five (35) days after the decision on the Inland Wetlands permit has been made so the Commission can be given due consideration when making its decision.
2. The Commission shall approve, disapprove, or approve with conditions the proposed special permit and shall state upon its record the reason(s) for its decision.
3. As part of an approval, the Commission may require a performance guarantee (i.e. bond), based upon a cost estimate of improvements provided by the applicant, to ensure completion of site improvements other than buildings.

FOLLOWING APPROVAL

1. Within 15 days of approval of the special permit, the Commission will send you a copy of the decision and publish such decision as required.
2. You are required to file on the Easton Land Records a certified copy of the special permit granted with all attachments/enclosures provided therewith within one year from the date of approval or the special permit will expire.
3. You are required to file on the Easton Land Records mylar prints of the final approved plan(s), complete with all modifications, signed/sealed by the appropriate professionals that created the plan(s), and endorsed by the Chairman of the Commission within one year from the date of approval or the special permit will expire. You may request from the Commission an additional 6 months to file the approved plans.
4. You must provide two copies of all plan(s), complete with all modifications, signed/sealed by the appropriate professionals that created the plan(s), to be filed with the Building Official and Zoning Enforcement Officer.
5. If required, you must post a bond in accordance with the approval within one year from the date of approval or the special permit will expire. Posting and release of such bond shall be in accordance with Section 8870 of the Regulations.

APPEAL

1. The applicant or other aggrieved parties may appeal the decision to the Superior Court within Fifteen (15) days of publication of the decision.

TEMPLATE FOR WRITTEN “STATEMENT OF PROPOSED USE”

(Applicant’s Full Name)
(Applicant’s Professional Title/Company if applicable)
(Applicant’s Address)
(Applicant’s Telephone)

(Date)

Town of Easton
Planning & Zoning Commission
225 Center Road
Easton, Connecticut 06612
203-268-6291

To: Planning & Zoning Commission
Re: Statement of Proposed Use
Special Permit Application: Section (Reg. Section #), (Reg. Section Title)
Submitted by/on behalf of (Record Owner Name); (Location of Proposed Use)

(Describe the proposed use here)

This proposed use is consistent with Easton’s Plan of Conservation and Development and conforms to Easton’s Zoning Regulations. The following criteria are offered to support this proposal:

1. Zoning Purposes:
(Statement addressing whether the proposed use or activity is consistent with the purposes of these Zoning Regulations.)
2. Environmental Protection and Conservation:
(Statement addressing whether the use or activity will materially impair the natural environment of the nearby area or the community and whether appropriate consideration has been given to the protection, preservation, and/or enhancement of natural, scenic, historic, or unique resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve natural, scenic, historic, or unique features which enhance the character and environment of the area.)
3. Overall Compatibility:
(Statement addressing whether the proposed use will serve a community need or convenience and whether the proposed use will have a detrimental effect on neighboring properties or the development of the district.)

4. Suitable Location for Use:
(Statement addressing whether the nature, scope, size and intensity of the operations involved with the use or resulting from the proposed use and the location of the site are such that the use will be in harmony with the appropriate and orderly development in the district in which it is located.)
5. Appropriate Improvements:
(Statement addressing whether the design elements of the proposed development (such as location, type, size and height of buildings and other structures, parking, access, landscaping, screening, lighting, signage, etc.) will be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and desirable future character of the neighborhood in which the use is located.)
6. Suitable Transportation Conditions:
(Statement addressing whether the streets, driveways and other travelways are or will be of such size, condition and capacity (width, grade, alignment, sight lines, and visibility) to adequately accommodate the traffic volume and parking demand to be generated by the particular proposed use and not create problems.)
7. Adequate Public Utilities and Services:
(Statement addressing whether the provisions for water supply, sewage disposal, waste management, storm water drainage, and emergency access conform to accepted engineering practices, comply with all standards of the appropriate regulatory authorities, and will not unduly burden the capacity of such facilities.)
8. Long Term Viability:
(Statement addressing whether adequate provision has been made for the sustained maintenance of the proposed development (structures, streets, and other improvements).)
9. Nuisance Avoidance:
(Statement addressing whether the use, configuration, design and/or hours of operation are appropriate in order to control noise, light, odors, parking visibility, unsightly appearance, erosion, water contamination and storm- water runoff on the site and in relation to the surrounding area and whether the proposed activities will unreasonably disturb the peace and tranquility of nearby properties.)
10. Plan of Conservation and Development:
(Statement addressing 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.)
11. Mitigation:
(Statement addressing whether adequate provisions have been made to moderate or mitigate neighborhood impacts by limiting the intensity of use of the property (including, without limitation, such considerations as the area devoted to the use, the number of

APPLICATION
FOR
DETERMINATION OF WETLAND IMPACT

Note: Connecticut General Statutes require that the applicant for a project which involves land regulated as wetland or watercourse shall submit an application to the Town Inland Wetlands & Watercourses Agency, not later than the date of submission of the Zoning application to the Planning and Zoning Commission, to determine the impact of the proposed activity on wetlands and watercourses on or adjacent to the property.

To: Inland Wetlands & Watercourses Agency,
Town of Easton Conservation Commission

Date: _____

Location of Property: _____

Owner(s) of Record: Name: _____
Address: _____
Telephone: _____
E-MAIL: _____

Applicant(s): Name: _____
Address: _____
Telephone: _____
E-MAIL: _____

Description of project

To be completed by Staff only

- No Wetlands or Watercourses on site or within 100' of property line.
- No permit required for this project. However, a wetland permit may be required for any future work.
- An Inland Wetland permit may be required for this project. You are required to have wetlands on the property flagged by a soil scientist, update the survey map with wetland information, and submit a new determination of wetland impact.
- An Inland Wetland Permit is required for this project. See attached.

Inland Wetland & Watercourse Agency/Designated Agent

Date