

## Chapter 114

### FEES

[HISTORY: Adopted by the Town of Somers as follows: Art. I, 5-22-1989 by the Board of Selectmen, effective 6-7-1989. Amendments noted where applicable.]

#### GENERAL REFERENCES

Subdivision of land -- See Ch. 213.

#### ARTICLE I

##### Subdivision Applications

[Adopted 5-22-1989 by the Board of Selectmen, effective 6-7-1989]

~ 114-1. Purpose; statutory authority.

The purpose of this Article is to:

A. Establish a schedule of fees, pursuant to Section 8-1c of the Connecticut General Statutes, which requires new subdivision applications to fund the approximate actual municipal administrative costs of reviewing, evaluating and processing such applications and ensures that fees do not cause such applications to subsidize municipal expenses which are not related to reviewing, evaluating and processing such applications.

B. Ensure that the system of fees does not fund municipal expenses for negotiating with subdivision applicants for agreements, conveyances, conditions, modifications or any other concessions desired by the municipality in the review process.

C. Improve the services provided subdivision applicants by recouping municipal expenses for reviewing, evaluating and processing land use applications.

D. Encourage subdivision applicants to become familiar with and review municipal development regulations, to submit subdivision applications which comply with municipal regulations and to submit plans and proposals with fewer errors and omissions. [Amended 4-29-1996 by the Board of Selectmen, effective 5-23-1996]

~ 114-2. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

**APPLICANT** -- Any person or entity who or which submits a subdivision application, or a successor in interest.

**REVIEW, EVALUATION AND PROCESSING** -- Includes all functions performed in connection with or association with a subdivision application by the Planning Commission and any other department of the Town of Somers or any consultant hired by the town to review, evaluate or process subdivision applications.

**SUBDIVISION APPLICATION** -- Any subdivision application to the Planning Commission, including but not limited to an application for any of the following: subdivision or resubdivision or application for amendment or revision to the same.

~ 114-3. Fees established.

A. The subdivision applicant shall pay a base application fee of two hundred fifty dollars (\$250.) which is intended to cover a portion of the town's costs for processing and administrative handling of a subdivision application, including but not limited to legal advertisements regarding hearings, decisions of the Commission and other matters requiring publication in a newspaper; recording and transcribing public hearings and minutes of Commission meetings relative to the application; staff salaries and overhead expenses for the Town Planner, Town Sanitarian and other town officials and consultant expenses in direct connection with the technical and regulatory review; and Town Attorney fees in direct connection with legal advice and review of documents directly related to the subdivision. To this base subdivision application fee shall be added the following surcharges and fees to cover engineering review of construction plans and inspection of improvements during construction:

(1) A surcharge of eighty-five dollars (\$85.) for every one hundred (100) feet, or any part thereof, of new roadway proposed to be constructed as part of the subdivision and intended to be deeded to the town as a public right-of-way.

(2) A surcharge of fifty-five dollars (\$55.) for every one hundred (100) feet, or part thereof, of existing or previously approved public rights-of-way for town or state roadways abutted by the boundaries of the land contained in the proposed subdivision.

(3) A subdivision lot fee for each new lot to be created by the subdivision filed with the Planning Commission as follows:

<b>Number of Lots</b>	<b>Fee</b>
1 to 20	\$150
21 to 50	125
51 to 100	100
Each over 100	75

(4) An inspection fee of fifty dollars (\$50.) per lot to cover a portion of the town's cost of inspections and administrative actions to ensure compliance with approved plans for sedimentation and erosion control measures in connection with the approved subdivision application.

B. All applicable fees and surcharges must be paid in full at the time the subdivision application is filed with the Planning Commission.