

Special Meeting Agenda
Planning & Zoning Commission

21 Tolland Green, Tolland, CT
Monday, June 20, 2016 at 7:00 P.M.
6th floor – Council Chambers

1. **Call to Order**
2. **Public Comment** - Any Tolland resident wishing to ask a question, make a comment or put forward a suggestion not related to an agenda item.
3. **Approval of Minutes** – Approve meeting minutes of June 13, 2016.
4. **Applications**
 - 4.1 **216 Merrow Road – Sign**
 - Zoning Permit #16-43 – free standing sign. *Continued from May 23, 2016 meeting.*
 - 4.2 **P&Z App. #441 – 131 Mountain Spring Road** – Review of Annual Map submission for Burgundy Hill Quarry. Applicant: Vincent DeFillipo.
 - 4.3 **P&Z App. #853 – 97 Gerber Drive** – Soil Erosion and Sediment Control Plan and Review of Site Plan. Ground-Mounted Solar Photovoltaic Project. Applicant: WR-TGC Solar Generation IX, LLC. Represented by: Woodard & Curran. Property Owner: Town of Tolland. Zone: Tolland Business Park
5. **Liaison Reports**
 - 5.1 Town Council Liaison
6. **New Business**
 - 6.1 Engineering Review Fees
 - 6.2 Update on legal matters related to Zoning in Connecticut
 - 6.3 Plan of Conservation & Development update process
7. **Town Staff Updates**
 - 7.1 Zoning Enforcement Report
 - 7.2 Planning Update
8. **Correspondence**
9. **Public Participation**
10. **Adjournment**

NOTE: ALL PUBLIC BUSINESS WILL BE CONDUCTED BY 11:00 p.m. UNLESS WAIVED BY A VOTE OF THE COMMISSION.

Any party needing an accommodation please contact the Development Group at 860-871-3669.

Where to Find Materials for Each Agenda Item

Item 4.1 216 Merrow Road, Free Standing Sign

- See Free-Standing Sign application from May 23, 2016 Packet
 - Additional plan submitted for Free Standing Sign in this packet
-

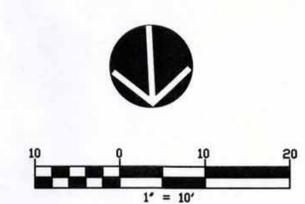
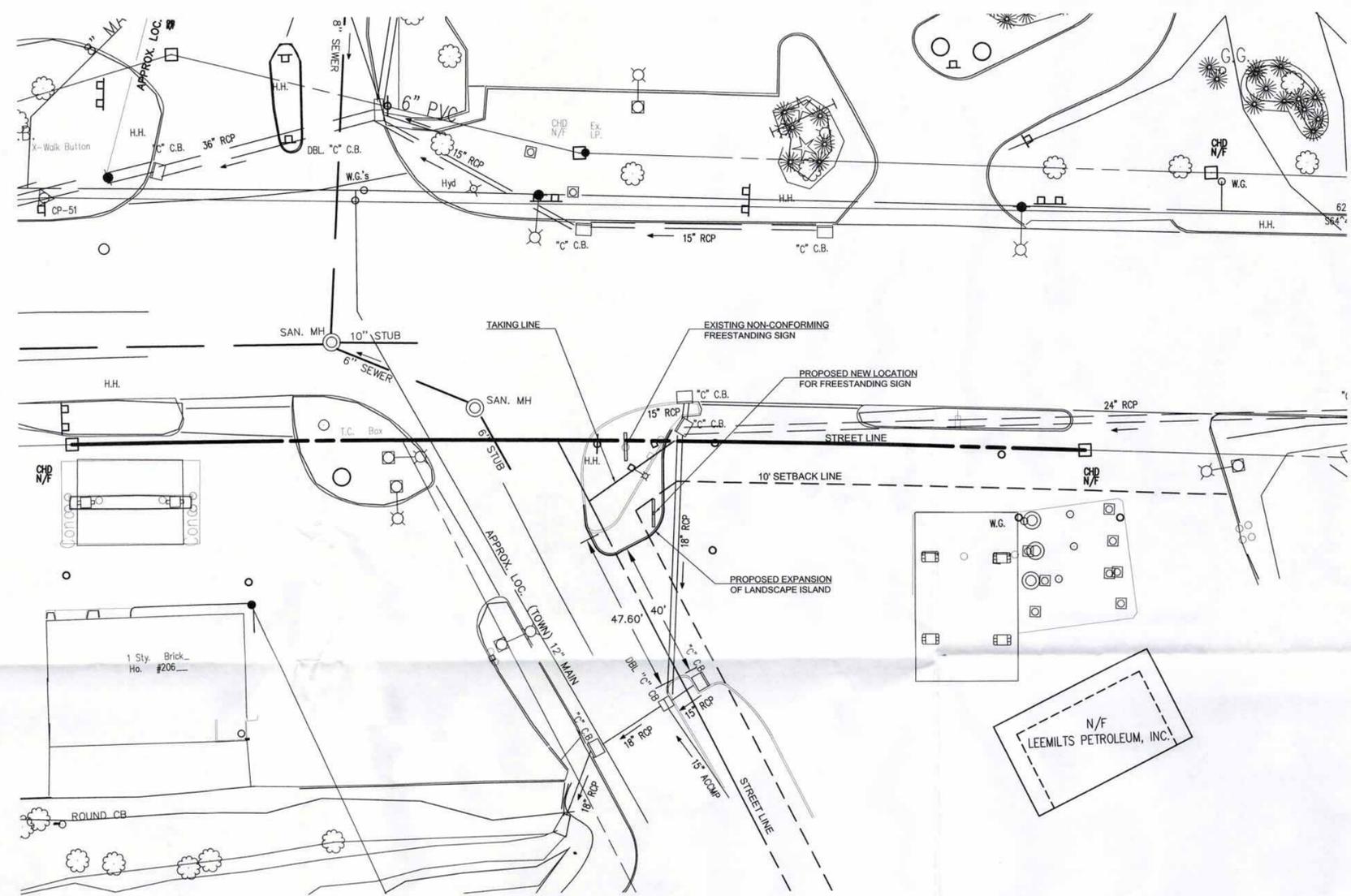
Item 4.2 131 Mountain Spring Road Annual Map Submission for Quarry

- Applicant's letter and plans handed out to Commission at June 13 meeting (no electronic version submitted)
 - June 2, 2016 letter to Applicant from Director of Planning handed out at June 13 meeting
 - June 14, 2016 memo from Director of Planning to Planning and Zoning Commission included in this agenda packet, with attachments
-

Item 4.3 97 Gerber Drive, Solar Photovoltaic Project

- Project narrative and plans provided at previous meeting. Electronic link can be found at:
http://www.tolland.org/sites/tollandct/files/uploads/2016.05.06_tolland_planning_and_zoning_permit_application.pdf
 - June 6, 2016 memo from town peer review engineer provided in this agenda packet
-

Item 6.1 See memo in packet



PLAN REFERENCE

SURVEY INFORMATION FROM PLAN ENTITLED:
 "STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION,
 MAJOR WIDENING AT ROUTE 195 & 1-84 EASTBOUND, IN THE
 TOWN OF TOLLAND, PROJECT # 142-146" SCALE: 1"=40', DATED:
 SEPT. 2002, BY: CT DOT DISTRICT 1
 SUPPLEMENTAL INFORMATION FROM AERIAL PHOTOS AND
 ASSESSOR'S MAPS AND FIELD CARD.

Prepared by:
benesch
 Alfred Benesch & Company
 90 National Drive
 Glastonbury, Connecticut 06033
 860-833-8341

Prepared for:
GLOBAL PARTNERS LP
 800 South ST Suite 200
 PO BOX 9161
 Waltham, MA 02454-9161

RECEIVED
 JUN 13 2016
 BY:
 TOLLAND, CT
**PROPOSED SIGN
 RELOCATION
 SITE 10014**
 216 MERROW ROAD

DATE:	REVISION:

PROJECT NO.: 70331.14
 SCALE: 1"=10'
 DATE: 6.03.2016

DRAWN BY: LAW
 CHECKED BY: ROS

**Sign Relocation
 Plan**



TOWN of TOLLAND/ 21 Tolland Green, Tolland, Connecticut 06084

MEMO

TO: Planning & Zoning Commission

FROM: Heidi Samokar, AICP, Director of Planning & Development

DATE: June 14, 2016

RE: **P&Z Application #441, 131 Mountain Spring Road**

CC: Applicant, Applicant's Engineer, Applicant's Attorney
Rick Conti, Town Attorney

Background

The purpose of the Annual Map submittal is to show compliance with applicable regulations and to provide information on past and planned quarrying activities. At its June 8, 2015 meeting, the Planning and Zoning Commission voted to suspend the Special Permit for quarrying at this site due to lack of compliance with the 2010 Special Permit.

In order to lift the suspension of the Special Permit for the quarry, the applicant must demonstrate to the Planning and Zoning Commission that the site and proposed activities comply with:

- The conditions of the 2010 Special Permit granted by the Tolland Planning and Zoning Commission, and
- The Connecticut Superior Court December 16, 2014 Stipulation for Interim Order

Both are attached. Submitting an updated Annual Map is the first step in the process to possibly lift the suspension. Section 16-2.R.1 of the Zoning Regulations outlines the requirements of the Annual Map submittal.

Please remember that quarrying activity on a portion of the site is "grand-fathered" in because the activity occurred prior to today's regulations for excavation. However, the activities must comply with the conditions outlined in the above documents and any new activities outside of the portion of the grandfathered portion, may require a special permit.

Application Status

The applicant submitted plans on May 17, 2016. Based on a review of the plans, additional information is necessary. My June 2, 2016 letter to the applicant outlined outstanding information. As of the date of this memo, we are awaiting a complete submission. Once we have a complete submission, a review will be conducted to determine if current and proposed activities comply with all requirements.

Engineering Review Fees

Our consulting engineer will need to review the plans to determine compliance for those items related to drainage and other aspects for which outside expertise is necessary. The Planning and Zoning fee schedules allows for:

Subdivision and Special Permit/Site Plan application fees may include additional costs incurred by the Town of Tolland including but not limited to, the expense of retaining experts to analyze, review and report on areas requiring a detailed, technical review in order to assist the Planning and Zoning Commission in its deliberations. Said costs will be estimated by the Commission, based on preliminary estimates from such experts, and said estimate of costs times 150% will be paid over to the Commission prior to proceeding on the application. Upon completion of the technical review and a determination of the costs incurred, any excess will be refunded to the applicant. Applicant shall not be responsible for costs incurred in excess of 150% of the Commission's estimate.

Based on the Commission's concurrence that engineering review is necessary and once we have completed plans, I will obtain the cost estimate by our consulting engineering firm.

Wetlands Report

At its May 19, 2016 meeting the Inland Wetlands Commission approved a wetlands permit to stabilize fill adjacent to the driveway and remove material stored on site. The approval included conditions that:

- Slopes must be top-soiled and hydro-seeded
- The track pad must be maintained at all times
- Erosion and sediment controls must be maintained as outlined in the application / plan
- Wetlands Agent inspection of the property must be permitted with advance notice

Please be aware that the wetlands permit does not apply to additional quarrying activity. The applicant would likely need to submit another application.

P&Z App. #441 – Burgundy Hill Associates – Midwood Quarry

The conditions of the Special Permit for a quarry approved on February 25, 1991 were modified on June 28, 2010 due to new technical information received and issues raised in the past 19 years as follows:

1. The submission of the annual map requirement can be waived if less than 25,000 yards of stone or stone related products has been blasted and/or excavated in the calendar year, but the annual map must be submitted if over 50,000 yards of stone or stone related material has been blasted and/or excavated since the last map submission. The submission of documentation on material must be provided to the Planning Office upon request of waiver. An updated Erosion and Sedimentation Control Plan should be submitted as determined by the Wetlands Agent, Town Engineer and Wetlands Commission. The date of renewal is June 23rd.
2. The maximum depth of excavation and blasting shall be average ground water level, to be determined by the applicant's engineers and verified by the Town Engineer. A suitable number of bench marks must be established for purposes of monitoring depth.
3. A final grading plan must be submitted for approval and verified by the Town Engineer (and/or consultants) one year prior to cessation of operations that would reflect the general guidelines established as noted on the Cross Section Plan, dated 3-1-07, revised to 3-26-07 which noted a Typical Terrace Detail of:
 - 40' maximum rock faces
 - 15' typical benches
 - 3' minimum boulders barrier with a 2' maximum spacing at the top. Boulders are currently in place.
4. A detailed narrative reclamation plan must be submitted for review and approval by the Town's consulting engineers, within 60 days, which plan must accomplish the reclamation of completed areas of quarry operation within one growing season of completion and which plan must provide for the final overall reclamation of the site. The goal should be replanting areas to prevent invasive plants from becoming established and to provide erosion control.

5. The Soil Erosion and Sedimentation Control Plan shall be updated as required by the Wetlands Agent, Town Engineer and Wetlands Commission. The applicant shall determine the need to secure a DEP general permit for the discharge of stormwater by October 1, 2010. Copies of the general permit application and all appended documents shall be submitted to the Town Planning Office. The sedimentation basin should continue to be inspected on a quarterly basis by the Wetlands Agent. If, at the time of the yearly renewal the Wetlands Agent determines the sedimentation basin to be stable, this provision may be waived by the Planning and Zoning Commission.
6. The quarry entrance drive should be maintained with a 50' anti-tracking pad, repaired potholes and the paved portion shall be maintained as free of dirt and stones. A maintenance log of sweeping and dust control shall be submitted to the planning department on the first of each month. This log shall indicate the sweeping and dust control practices taken, as often as necessary, to maintain a clean entrance driveway.
7. Hours of operation shall be Monday – Friday, 8:00 a.m. to 6:00 p.m. All trucks shall comply with DEP idling regulations at all times, no idling trucks shall wait in either access road at any time within 250 feet of the Town road, and no equipment shall operate on the site except in the event of an emergency at any time other than the prescribed hours of operation.
8. The applicant shall test up to four private well samplings to be coordinated with the planning office for pre and post blast inspections. These should be evaluated and continued as deemed appropriate by the Planning & Zoning Commission on a yearly basis. If the private well testing is found to produce analytical results that do not meet or exceed State action levels for any constituent identified in the DEP Guidance Document for Evaluating Potential Hydrogeologic Development Concerns, the Planning and Zoning Commission may waive this requirement for the next permit year. Surface and groundwater monitoring may be required by the Planning & Zoning Commission if deemed necessary.
9. Aboveground fuel tanks must be held in 110% capacity containment devices.
10. All blasting undertaken shall comply with applicable state regulations and codes and shall further comply with the recommendations of the Guidance Document for Evaluating Potential Hydrogeologic Concerns, from the Connecticut Department of Environmental Protection, and Gary Robbins, draft report, dated November 6, 2008.

11. Offsite materials may not be brought in for processing
12. All fixed and moveable equipment must be operated and maintained in such a way as to minimize noise. Product must be handled to minimize noise. All fixed equipment and product storage must be 400 feet from any property line.
13. The applicant must provide the Town with a Hold Harmless Agreement and a Certificate of Insurance.
14. Both roadway accesses to the excavation operation shall be barred by appropriate gate not less than 6 feet in height.
15. Failure by the permit holder to comply with any of the above mentioned conditions may result in the town seeking a temporary injunction for remedy.

Linda Farmer - July 1, 2010

DOCKET NUMBER: TTD-CV14-5005887-S

TOWN OF TOLLAND, ET AL. : SUPERIOR COURT

VS. : JUDICIAL DISTRICT OF
TOLLAND AT ROCKVILLE

MIDWOOD QUARRY AND
CONSTRUCTION, INC. : December 16, 2014

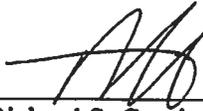
STIPULATION FOR INTERIM ORDER

The parties hereto, through counsel, hereby stipulate that the following order shall issue, subject to the approval of the Court:

1. This order shall issue without prejudice, and shall not constitute any admission of liability by any party either in this action or in any other action.
2. Defendant is hereby ordered to perform the following actions:
 - a. On or before December 26, 2014 install silt fencing, in addition to the silt fencing previously installed, along the lines drawn on the attached map marked as "Exhibit A" hereto.
 - b. On or before December 26, 2014 install anti-tracking material between the end of the paved portion of the access driveway, as shown on "Exhibit A" extending one hundred (100) feet in length by twelve (12) feet in width.
 - c. Immediately cease and desist, by itself or through parties it hires or contracts with, bringing in any material of any sort (including, but not limited to, fill) which is not permitted by the special permit granted for the subject quarry.

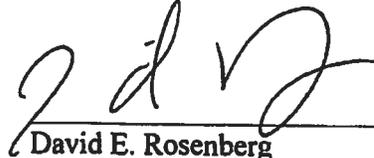
- d. Following designation of not more than six (6) locations by the Town Engineer, plaintiff Bill Dwinells, have performed within two weeks of such designation (at defendant's cost) soil testing of material brought onto the site to for the presence of metals, pesticides, herbicides, solvents, petrochemicals and PCB's, by an approved commercial environmental laboratory listed by the State of Connecticut Department of Public Health at the following web site: www.ct.gov/dph/environmentallabs.
 - e. File an application with the Tolland Inland Wetlands Commission on or before January 14, 2015 regarding any regulated work done in any inland wetlands or upland review area(s) on the site.
 - f. Do no regulated work on any inland wetlands or upland review areas without prior approval of the Tolland Inland Wetlands Commission.
 - g. Do no further work (which has not been previously approved) in the area regulated by the current special quarry permit without prior approval by the Tolland Planning and Zoning Commission.
3. Time is of the essence with respect to the dates set forth herein.
 4. Any violation of this order shall subject the defendant to any penalty deemed appropriate by this Court.

PLAINTIFFS



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DEFENDANT



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david@rosenbertattorneys.com

ORDER

The foregoing proposed order, having been presented to the Court, is hereby entered in accordance with the stipulation.

The Court

By: _____
Judge/Asst. Clerk

Horsley Witten Group

Sustainable Environmental Solutions

294 Washington Street • Suite 801 • Boston, MA 02108
857-263-8193 • horsleywitten.com



June 6, 2016

Heidi Samokar, AICP
Director of Planning and Development
Town of Tolland
21 Tolland Green
Tolland, CT 06084

**Re: 97 Gerber Drive – Ground Mounted Solar Photovoltaic Project
Stormwater Peer Review Services**

Dear Ms. Samokar:

The Horsley Witten Group (HW) is pleased to provide this peer review of the Site Plan Application (SPA) submitted by Woodard and Curran (W&C) on behalf of WR-TGC Solar Generation XVI, LLC (Applicant). The 8.35-acre project site is located at 97 Gerber Drive in Tolland, CT and is part of a 16.88-acre parcel owned by the Town of Tolland (Town). The proposed project consists of the construction of a 3.4-acre solar field to be located on the southern half of the property. The project area is primarily woodlands with relatively steep (>10%) topography. The proposed project includes the installation of erosion control measures, construction of the 3.4-acre solar farm with a concrete pad for electrical equipment, gravel access drive, associated site grading, installation of a security fence around the new solar farm, and construction of drainage swales with check dams, installation of two catch basins with beehive grates, a sediment forebay, and an organic filter.

This review of the submitted materials is based on requirements in the Town of Tolland Low Impact Development and Stormwater Management Design Manual and the Connecticut Stormwater Quality Manual (CSQM), as well as standard engineering practices.

The following documents and plans were submitted by W&C and reviewed by HW:

- Site Plan Application for TGC – Gerber Drive Solar Project, dated May 2016;
- Topographic Survey for Town of Tolland, CT, 97 Gerber Drive, Sheets 1 and 2 of 2, dated March 3, 2016;
- Topographic & Erosion & Sedimentation Control Plan, Tolland Business Park, Lots 9, 10, & 11, revised November 19, 2007; and
- Plan set entitled “TGC Solar 2, 97 Gerber Drive, Tolland, CT 06084,” May 2016, which includes:
 - Cover Sheet
 - Existing Conditions Plan & Legend C-100
 - Site Plan, Grading and Erosion Control C-101
 - Detention Basin Plan C-102
 - Details - 1 D-200
 - Details - 2 D-201

Stormwater Review

HW offers the following comments concerning the stormwater management design as per the requirements listed in Section 4.0 of the Town of Tolland Low Impact Development and Stormwater Management Design Manual (Design Manual) revised July 1, 2011 and the State of Connecticut 2004 Stormwater Quality Manual (CSQM).

1. Environmental Site Design (ESD) - Requirement #1:

- a. The Applicant has provided documentation of wetland resource areas and soil delineations and surveys, vegetation types, and pre-construction site and drainage conditions (Section 2.2.1 and Appendix C: Wetland Reconnaissance letter dated January 11, 2016). The Applicant has utilized Low Impact Development (LID) strategies in the site design by minimizing impervious surfaces, minimizing land disturbance, maintaining the majority of the existing topography, and designing drainage swales with check dams, a sediment forebay, and an organic filter to manage the stormwater impacts. The Applicant appears to have complied with Requirement #1.
- b. The 8.35 acres of land which the Applicant intends to clear is primarily woodlands. It is not clear from the submission if the Applicant intends to remove the stumps of the trees. The slope of the parcel is relatively steep and the stumps if intended to remain may alleviate the potential erosion.

2. Groundwater Recharge Volume (GRv) – Requirement #2

- a. The Applicant has provided Groundwater Recharge Volume calculations in Section 2.2.2 and Appendix G: Stormwater Figures and Calculations, of the Application. The proposed organic filter appears to provide infiltration and recharge of stormwater exceeding the required level. The Applicant appears to have complied with Requirement #2.
- b. HW did not receive any soil test pit data in the vicinity of the filter and therefore recommends that the Applicant verify that there is the necessary separation between the bottom of the filter and the estimated seasonal high ground water table beneath the basin. Furthermore the Applicant has utilized an exfiltration rate of 2.410 inches/hour typically utilized for hydraulic soil group (HSG) A type soils. The soil maps provided in Appendix C of the Application indicates that the soils at the site are HSG B. HW recommends that the Applicant conduct test pits to confirm that the naturally occurring material at the organic filter is consistent with HSG A or revise the HydroCAD model utilizing a HSG B rate.

3. Water Quality Volume (WQv) – Requirement #3

- a. Water Quality Volume calculations have been provided in Section 2.2.3 and Appendix G: *Stormwater Figures and Calculations* of the Application. The proposed stormwater basin will provide infiltration and treatment of stormwater.

- b. In accordance with Section 4.4 of the Design Manual, the Applicant has provided the calculation for the minimum WQv for a developed site with little or no impervious areas (0.2 inches over the entire disturbed area). The Applicant appears to be providing greater than 0.139 acre-ft in the sediment forebay and the organic filter and therefore is in compliance with Requirement #3.
- c. The HydroCAD modeling calculations do not appear to have routed the perforated stand pipe accurately. HW recommends that the Applicant revisit the outlet devices listed for Pond 3Pa and insert another device simulating the perforated stand pipe which should then be routed through the primary 6 inch round culvert.
- d. Furthermore there appear to be some inconsistencies with the labeling of the 6 inch drain between the sediment forebay and the organic filter. The detail labels the invert as 666.98, the labels on the plan view for both the inlet and outlet are 669.95, and the slope of the pipe is called out as 0.0019. HW recommends that the Applicant review the plan view and detail for consistency and revise as needed.

4. Pollutant Removal Analysis - Requirement #4

The Applicant has provided an explanation regarding the Pollutant Renovation Analysis in Section 2.2.4 and provided Pollutant Removal calculations in Appendix G: *Stormwater Figures and Calculations* of the Application. The proposed organic filter appears to decrease the pollutant concentrations to the maximum extent feasible. The Applicant appears to be in compliance with Requirement #4.

5. Channel Protection Flow - Requirement #5

Requirement #5 is not applicable to this project. The proposed site has less than 1 acre of impervious area.

6. Conveyance Flow - Requirement #6

The Applicant has provided the HydroCAD modeling of the longest drainage swales for the 10-year storm event. The proposed open drainage system has been designed to meet the conveyance flow requirement. The Applicant appears to be in compliance with Requirement #6.

7. Flood Protection - Requirement #7

The Applicant has provided HydroCAD modeling calculations to illustrate how the post-development design will not increase the rate of runoff over pre-development at three separate study points. Study Points 1 and 2 compare the existing woodland site with the proposed solar farm layout. The surface area flowing towards Study Points 1 and 2 has been reduced

significantly under proposed conditions and the requirement has been met.

In evaluating Study Point 3, the Applicant has provided documentation regarding the detention basin design completed in 2008 in the parcel located south of 97 Gerber Drive. It appears that the detention basin constructed in 2008 was sized to accommodate an industrial site at 97 Gerber Drive with a significant amount of impervious cover. The solar project is proposing a significant decrease in impervious cover over the 2008 design as well as providing additional practices to treat and infiltrate the stormwater runoff. HW is in agreement with the comparison between the 2008 industrial site and the 2016 solar project.

The plan provided in Appendix I illustrates the area contributing to the detention basin design as well as the proposed area bypassing the basin. The 2016 Existing Conditions Plan illustrates the existing drain pipes south of the proposed development, which may discharge into the detention basin. With the information provided HW is not able to determine if the existing drain pipes actually discharge to the detention basin and if they were included as part of the original design constructed in 2008. HW recommends that the Applicant provide an overlay of the plan provided in Appendix I with the existing drainage network discharging to the existing detention basin. HW recommends that the Applicant verify that the detention basin still has capacity to control the proposed development and that additional runoff from other parcels has not been added to the basin over the past 8 years.

8. Water Quality Flow - Requirement #8

The Applicant has provided an explanation regarding the Water Quality Flow in Section 2.2.7 and has provided calculations in Appendix G: *Stormwater Figures and Calculations* of the Application. The proposed organic filter has been designed off-line and the sediment forebay includes a flow diversion to bypass flows greater than the 1-inch storm event. HW recommends that riprap be included in the spillway to avoid potential erosion.

9. Pollution Prevention - Requirement #9

- a. The Applicant appears to be in compliance with Requirement 9. Pollution prevention measures will be implemented during the construction phase as detailed in the Erosion and Sediment Control Plan and typical maintenance activities will occur as outlined in the Operation & Maintenance Plan.
- b. As noted under Comment#1.b above, it is not clear what the surface of the site beneath the solar panels will be. The Applicant includes numerous statements that the disturbance of the existing site will be minimized as well as statements requiring 4 inches of loam and seed to be spread over all areas disturbed during construction. As the site is currently woodlands it appears that a number of trees will be removed within the area to be disturbed. Section 3.3.4.2 of the Erosion and Sediment Control Plan states that within areas to be mowed tree roots, surface stones, and lumps shall be removed. HW recommends that the Applicant review the site preparation within the limit of work and clarify whether the tree roots will

be removed. The existing site has a relatively steep slope; once the vegetation is removed erosion will become a concern. HW recommends that a process is detailed for removing the trees and immediately providing a means to stabilize the slope prior to the establishment of the grass.

- c. As the functioning of the stormwater system depends on the area beneath the solar panels being maintained as grass, it is critical that the vegetation establishes quickly and any gullies that form before then are repaired as necessary. The Applicant has provided a note on the plans and in the Operation and Maintenance Plan requiring the contractor to water the newly seeded areas for one year and reseed barren areas and repair gullies as necessary.

Conclusion

HW recommends that the Applicant provide written responses to our comments and provide additional information as necessary. The Applicant is advised that addressing these comments does not relieve him/her of the responsibility to comply with all Town of Tolland Bylaws and Regulations, State of Connecticut laws, and federal regulations as applicable to this project. We appreciate the opportunity to provide review comments on the subject site and are available to answer any questions. Please contact Janet Bernardo at 857-263-8193 or at jbernardo@horsleywitten.com if you have any questions regarding these comments.

Sincerely,

HORSLEY WITTEN GROUP, INC.



Janet Carter Bernardo, P.E.
Senior Project Manager



TOWN of TOLLAND/ 21 Tolland Green, Tolland, Connecticut 06084

MEMO

TO: Planning & Zoning Commission

FROM: Heidi Samokar, AICP, Director of Planning & Development

DATE: June 14, 2016

RE: **Agenda Item 6.1, Engineering Fees**

Many land use applications require some level of engineering review. The practice in Tolland has been that the in-house engineer would conduct basic reviews and outside expertise would be obtained for more extensive reviews (e.g., traffic, complex drainage, etc.).

Section A173-9 of the Town Code sets planning and zoning application fees. It includes the provision that:

Subdivision and special permit/site plan application fees may include additional costs incurred by the Town of Tolland, including, but not limited to, the expense of retaining experts to analyze, review and report on areas requiring a detailed, technical review in order to assist the Planning and Zoning Commission in its deliberations. Said costs will be estimated by the Commission, based on preliminary estimates from such experts, and said estimate of costs times 150% will be paid over to the Commission prior to proceeding on the application. Upon completion of the technical review and a determination of the costs incurred, any excess will be refunded to the applicant. The applicant shall not be responsible for costs incurred in excess of 150% of the Commission's estimate.

This provision has been used by the Commission on a number of applications, including the 87 unit multi-family development approved near Merrow Road / Anthony Road.

The town no longer has in-house engineering staff and has retained BSC Group as the on-call engineer for Planning and Development services. Next year's budget has allocated funding for reviews. However, our current situation of relying solely on consulting engineers presents a question –

should applicants cover all costs associated with engineering review or should the town assume all costs?

Option 1: Applicants cover all costs associated with engineering review.

As noted, the Town has used this approach for projects. I surveyed other towns that do not have in-house engineering staff, and most who responded use this approach (6 of the 9 towns that responded). One town did use this approach but found the impact to the everyday-type, smaller applications was too severe. I believe I would be reluctant to seek engineering review of smaller projects due to the impact if we rely solely on the applicants to pay.

Option 2: Town pays for all costs associated with engineering review fees.

One could assume that the cost of an application covers such reviews, but they do not in Tolland. For example, some minor applications may require a few hours of review due to a catch basin or drainage issue while a larger project may require very few hours. One example is the Annual Map Review before the Commission. The fee is \$50, which will not even cover the cost to advertise the Commission's decision, let alone review by an engineer. One of the 9 towns pay the full cost for town engineering review and another 2 do so also, but have adjusted their application fees accordingly.

Suggested Approach: Hybrid of 1 and 2

I suggest that the Commission set a policy for a hybrid approach in which:

- The Town covers the first \$xxx of an engineering review (I recommend between \$500-\$1,000).
- The applicant is responsible for any amount above that first \$500-\$1,000.

The process would be the same that is currently used. When an application is submitted that requires engineering review, I would seek a cost estimate from BSC Group. The applicant would then be required to deposit 150% of the amount over what the town pays.

- Example if Town Amount is \$500: our engineer estimates that the review of an application will cost \$2,000. Town pays \$500. Applicant deposits \$2,250.
- Example if Town Amount is \$1,000: our engineer estimates that the review of an application will cost \$2,000. Town pays \$1,000. Applicant deposits \$1,500.

I am asking that the Commission set a policy, via a vote, to use this hybrid approach with an evaluation of how it is working in approximately 6 months. I also ask the Commission to set the dollar amount to be covered by the town, suggesting it is somewhere between \$500-\$1,000.