



## SECTION 72

# Administration

### 72.0 [RESERVED]

#### 72.1 ENFORCEMENT OFFICER

The *Commission* will appoint an Enforcement Officer who will have the responsibility and authority to enforce the provisions of these regulations. The *Commission* may appoint deputy Officers to assist and act for the Enforcement Officer.

#### 72.2 APPLICATIONS

All applications for Certificate of Zoning Compliance will be submitted to the Enforcement Officer and *will* be accompanied by three (3) copies of a Plot Plan, and showing the following:

- 72.2.1 Area of the *lot*, and the dimensions and angles or bearing of all *lot* lines;
- 72.2.2 The *height*, dimensions, *use*, *gross floor area*, *building/structure coverage*, and location of all *buildings* and other *structures*, whether existing or proposed;
- 72.2.3 The location, area and dimensions of off-*street* parking and loading spaces, any construction required in connection therewith and the means of access to the spaces;
- 72.2.4 The location of any existing or proposed wells and private sewage disposal system;
- 72.2.5 The location, area and dimensions of any *signs*, *outside storage* areas, site development and landscaping that are subject to the provisions of these regulations;
- 72.2.6 In a Federal Emergency Management Agency (FEMA) designated A, AE and VE zones, including areas designated as a floodway and the VE *Zone* and Coastal AE *Zone* bounded by a line labeled "Limit of Moderate Wave Action" (LiMWA) also identified as the coastal high-hazard area on the Flood Insurance Rate Map (FIRM) for the Town of Old Saybrook published from time to time by FEMA flood plain boundary and elevation data as specified in Paragraph 72.2.7;
- 72.2.7 Within one hundred feet (100') of any *wetlands*, water body or related embayments and in all other cases that involve a *disturbed area* of one half (1/2) acre or more, all construction, including *dwellings*, will make provision for *soil erosion* and *sediment* control in accordance with Section 66, unless a separate *Soil Erosion & Sediment Control Plan* is submitted.
- 72.2.8 Such additional information as may be necessary to determine compliance with the provisions of these regulations. In addition, other plans, drawings, data, and statements necessary to determine compliance with the provisions of these regulations *will* accompany the application. For proposed construction involving only interior alterations, or exterior alterations with no enlargement or extension of the *building* or *structure*, the Enforcement Officer may waive the required submission of a plan drawing. A land surveyor or engineer, licensed to practice in the State of

Connecticut, will prepare and certify applications that pertain to *nonconforming buildings* or *structures* or a *nonconforming lot*.

### 72.3 ADDITIONAL APPLICATION REQUIREMENTS

The application for Certificate of Zoning Compliance *will* also be accompanied by the following when applicable:

72.3.1 **Article V and Section 65.** When required by the provisions of Article V and Section 65 of these regulations, the application *will* be accompanied by additional applications and related statements of *use*, site plans, architectural plans, and other plans and drawings specified. The plans and drawings if incorporating all of the information required for a plan drawing under Paragraph 72.2, may be substituted for the plan drawing.

### 72.4 FEES

Each application for Certificate of Zoning Compliance, and related additional applications, requests for certification and provision for inspection under these regulations will be accompanied by fees as set forth in the Town Code.

### 72.5 STAKING

The Applicant will not commence any new construction until stakes or markers have been accurately placed on the *lot* indicating the location of proposed construction and the *lot* lines. The Enforcement Officer may require the placement of stakes or markers, certified by either a land surveyor or engineer licensed to practice in the State of Connecticut.

### 72.6 REFERRAL

The following referrals, made by the Enforcement Officer, are applicable to particular applications for Certificate of Zoning Compliance:

72.6.1 An application may be approved only after approval of a Site Plan, approval of a Special Exception *use* or other action by the *Commission*, Planning Commission or Zoning Board of Appeals as specified in these regulations, the application will be referred to the *Commission* or Board upon receipt.

72.6.2 A copy of any site plan or plot plan, received in connection with an application for Certificate of Zoning Compliance, a Site Plan or a Special Exception and pertaining to a *lot* in the *Gateway Conservation Zone*, will upon receipt be transmitted to the Connecticut River Coastal *Conservation District* with a request for its technical review and advisory opinion.

72.6.3 A copy of any *Soil Erosion & Sediment Control Plan* may be referred to the Town Engineer and/or the *Connecticut River Coastal Conservation District* for its technical review and advisory opinion and for certification in accordance with Section 67.



## 72.7 APPROVAL AND ISSUANCE

The Enforcement Officer may issue a Certificate of Zoning Compliance when all of the requirements of these regulations have been met. No application will be considered approved and no Certificate will be considered issued unless signed by the Enforcement Officer or Deputy. Within ten (10) days after notification by the Applicant that the premises are ready for occupancy, or within ten (10) days after receipt of the certified measurements if required, the Enforcement Officer will issue or deny a Certificate. One (1) copy of the plan drawing or drawings will be returned by the Enforcement Officer to the Applicant. The following additional requirements will apply to the approval of applications and issuance of Certificates.

- 72.7.1 **Sanitation.** Where a proposed *use* or a proposed *building* or *structure* involves the installation, extension, relocation or reconstruction of a private sewage disposal or water supply system, no application for Certificate of Zoning Compliance will be approved until plans for the system have been approved by the Connecticut River Area Health District; no Certificate of Zoning Compliance will be issued until the system has been completed and approved by the Connecticut River Area Health District or until the *use* or *building* or *structure* has been provided with connections to a public sanitary sewer or public water supply system.
- 72.7.2 **Conditions.** Any maps, plans, documents, statements, and stipulations submitted to and approved by the *Commission*, Planning Commission or Board of Appeals in connection with any action of the *Commission* or Board, and any conditions of approval attached by the *Commission* or Board, will be conditions for approval of an application for Certificate of Zoning Compliance by the Enforcement Officer.
- 72.7.3 **Temporary Certificate.** Upon certification by the Applicant that the public health and safety will not be impaired and that there will be compliance with all other laws pertaining to health and safety, the Enforcement Officer may issue a Temporary Certificate of Zoning Compliance having a duration of not more than six (6) months and renewable only for one additional six (6) month period, for the temporary *use* of land, *buildings* and other *structures* in the process of improvement and completion in accordance with an approved application. A temporary certificate will not be issued unless at a minimum the final course of paving, parking lot striping, directional *signs* and *driveways* to the *structure* are completed.
- 72.7.4 **Other Permits.** Approval of an application or issuance of a Certificate will not be construed to constitute compliance with any other regulation, ordinance or law or to relieve the Applicant from responsibility to obtain any other necessary permits. The Enforcement Officer may use discretion in withholding an approval of an application or issuance of Certificate until the permit has been approved and obtained by the Applicant.

- 72.7.5 **Soil Erosion and Sediment Control.** When a proposed *use, building or structure* or site development involves a *disturbed area* of one half (1/2) acre or more, or otherwise when provision for *soil erosion* and *sediment* control is required by these regulations, no application for Certificate of Zoning Compliance will be approved until a *Soil Erosion & Sediment Control Plan* in connection therewith has been certified in accordance with Section 67 and no Certificate of Zoning Compliance will be issued until the *soil erosion* and *sediment* control measures have been completed in accordance with the certified plan.
- 72.7.6 **Measurements and Certifications.** Prior to issuance of a Certificate of Zoning Compliance, the Applicant *will* furnish to the Enforcement Officer a plot plan, or a Site Development Plan if applicable, certified by a land surveyor licensed to practice in the State of Connecticut, allowing the location and *setback* distances for *buildings* and *structures* on the *lot* as built. While the certified plan is not required for subsequent minor additions, alterations and outbuildings, the Enforcement Officer, if deemed necessary to determine compliance with these regulations, may require the Applicant to furnish measurements of any construction features that are subject to these regulations, which measurements will be prepared and certified by a land surveyor licensed to practice in the State of Connecticut.
- 72.7.7 **Special Flood Hazard Areas.** Where a proposed *building/structure* involves activity within a Federal Emergency Management Agency (FEMA) designated A, AE, AO, AH, and VE *zones*, including areas designated as a floodway and the VE Zone and Coastal AE *Zone* bounded by a line labeled "Limit of Moderate Wave Action" (LiMWA) also identified as the coastal high-hazard area on the Flood Insurance Rate Map (FIRM) for the Town of Old Saybrook published from time to time by FEMA, no application for Certificate of Zoning Compliance will be approved until plans for the *building/structure* have been approved by the designated Town Flood Engineer or a designated agent for compliance with Chapter 128 Flood Plain Management of the Town Code Flood Plain Management Ordinance of the Town of Old Saybrook Connecticut effective at the date of application; and no Certificate of Zoning Compliance will be issued until the *building/structure* has been completed and approved by the designated Town Flood Engineer or an authorized agent for compliance with the Town Code. The Enforcement Officer can approve applications for Certificates of Zoning Compliance or Certificates of Zoning Compliance for *buildings/structures* that are listed as exempt in the Town Code or if authorized as an agent for compliance with the Town Code Flood Plain Management Ordinance, effective at the date of application.



## 72.8 INSPECTIONS

The Enforcement Officer is authorized to inspect or cause to be inspected any land, *building* or *structure* to determine compliance with these regulations. No Certificate of Zoning Compliance will be issued until the Enforcement Officer has inspected the land, *building* or *structure* involved to determine that the *use* or the *building* or other *structure* conforms to these regulations.

## 72.9 ORDERS

The Enforcement Officer is authorized to use judgment in issuing an Order to Stop Work if the *use* of land, *buildings* and other *structures* or the construction, reconstruction, enlargement, extension, moving or *structural alteration* of a *building* or *structure* are not being carried out in compliance with these regulations; the Enforcement Officer will withdraw the Order upon the determination that there is compliance with these regulations. The Enforcement Officer is authorized to Order in writing the remedying of any condition found to be in violation of these regulations.