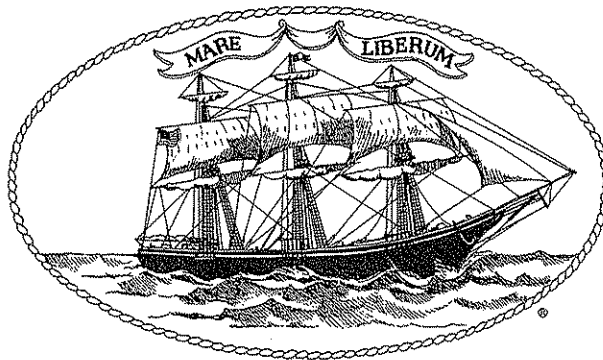


**CITY OF NEW LONDON**

**Planning & Zoning Commission**

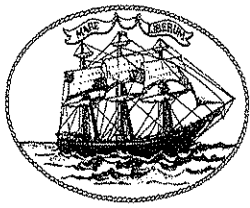


**RESUBDIVISION/SUBDIVISION  
APPLICATION PACKAGE**

**2012**

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**CITY OF NEW LONDON  
CONNECTICUT**

111 Union Street  
New London CT 06320  
(860) 437-6379  
(860) 437-4467 FAX

**Planning & Zoning Commission  
-MEMBER DIRECTORY-**

NAME	ADDRESS
<b>MEMBERS</b>	
<b>Mark Christiansen, Chairman-D</b>	43 Woodlawn Road
<b>Barry Levine, Vice-Chairman – D</b>	50 Woodlawn Road
<b>Jim Kelly – D</b>	10 Hall Ave.
<b>Chris Nelson – Green Party</b>	7 Greens Alley
<b>Wayne Vendetto, Jr.-I</b>	29 Chapel Drive
<b>Karl Saszik -R</b>	19 Starr Street
<b>James Fielding-I</b>	42 Dell Avenue
<b>ALTERNATES</b>	
<b>Daniel S. Conley-U</b>	56 Washington Street
<b>Vacancy</b>	
<b>Vacancy</b>	
<b>CITY COUNCIL LIAISON</b>	
<b>Mayor Martin T. Olsen Jr.</b>	802R Ocean Avenue
<b>CITY OF NEW LONDON TECHNICAL STAFF</b>	
	<b>City of New London</b>
Harry Smith- City Planner hsmith@ci.new-london.ct.us	<b>Office of Development &amp; Planning</b>
Michelle Johnson –Zoning/Wetlands Enforcement Officer mjohnson@ci.new-london.ct.us	<b>Planning, Zoning, &amp; Wetlands Div.</b>
Shelly Briscoe-Land Use Assistant sbriscoe@ci.new-london.ct.us	<b>111 Union Street</b>
	<b>New London CT</b>
	<b>(860) 437-6379</b>
	<b>(860) 437-4467 FAX</b>

**Statute or Charter Reference:**

City Council Section A-160, page 67

**Compensation:**

None

**Appointing Authority:**

City Council

**Meetings:**

1<sup>st</sup> & 3<sup>rd</sup> Thursday, Public Hearing when needed

**Term:**

Five Years from December 3<sup>rd</sup> (12/3). No member shall serve more than two (2) consecutive five-year terms (not applicable to alternate members). Commission composed of seven (7) regular and three (3) alternate members.

REVISED: December 20, 2010

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**DEADLINES FOR MEETINGS/REQUIREMENTS-  
2012**

**City Of New London  
Planning & Zoning Commission**

*The Planning & Zoning Commission of the City of New London holds its regular meetings on the first and third Thursdays of each month. All meetings start at 7:00 p.m. and are held in the City Hall Council Chambers located at 181 State Street, New London, Connecticut, unless otherwise noted on the bulletin boards of the Office of Development & Planning and City Clerk's Office. To be considered for placement on an agenda, **the deadline is NOON (12:00 pm) 22 days prior** to the scheduled meeting date. Actual scheduling will depend on completeness of application and supporting materials, number of applications before the Commission and other factors.*

Meeting Date	Deadline for Application Submission	Deadline for Sign Posting of Public Hearing Sign	Deadline for Certificate of Mailing	
			Send No Earlier Than	Send No Later Than
January 19, 2012	12/28/11 12:00 PM	01/04/12	01/04/12	01/09/12
February 2, 2012	01/11/12 12:00 PM	01/18/12	01/18/12	01/23/12
February 16, 2012	01/25/12 12:00 PM	02/01/12	02/01/12	02/06/12
March 1, 2012	02/08/12 12:00 PM	02/15/12	02/15/12	02/20/12
March 15, 2012	02/22/12 12:00 PM	02/29/12	02/29/12	03/05/12
April 5, 2012	03/14/12 12:00 PM	03/21/12	03/21/12	03/26/12
April 19, 2012	03/28/12 12:00 PM	04/04/12	04/04/12	04/09/12
May 3, 2012	04/11/12 12:00 PM	04/18/12	04/18/12	04/23/12
May 17, 2012	04/25/12 12:00 PM	05/02/12	05/02/12	05/07/12
June 7, 2012	05/16/12 12:00 PM	05/23/12	05/23/12	05/28/12
June 21, 2012	05/30/12 12:00 PM	06/06/12	06/06/12	06/11/12
July 19, 2012	06/27/12 12:00 PM	07/04/12	07/04/12	07/09/12
August 2, 2012	07/11/12 12:00 PM	07/18/12	07/18/12	07/23/12
August 16, 2012	07/25/12 12:00 PM	08/01/12	08/01/12	08/06/12
September 6, 2012	08/15/12 12:00 PM	08/22/12	08/22/12	08/27/12
September 20, 2012	08/29/12 12:00 PM	09/05/12	09/05/12	09/10/12
October 4, 2012	09/12/12 12:00 PM	09/19/12	09/19/12	09/24/12
October 18, 2012	09/26/12 12:00 PM	10/03/12	10/03/12	10/08/12
November 1, 2012	10/10/12 12:00 PM	10/17/12	10/17/12	10/22/12
November 15, 2012	10/24/12 12:00 PM	10/31/12	10/31/12	11/05/12
December 6, 2012	11/14/12 12:00 PM	11/21/12	11/21/12	11/26/12

Any Special Meetings for the Planning & Zoning Commission of the City of New London will be announced in accordance with the appropriate regulations and statutes. Notices of these meetings will be posted in the Office of Development & Planning, 111 Union Street, New London, Connecticut and the Office of the City Clerk located at 181 State Street, New London, Connecticut. Any questions or comments regarding this schedule should be directed to (860) 437-6379.

\* Due to Federal Holiday, mailing must be completed by Saturday.

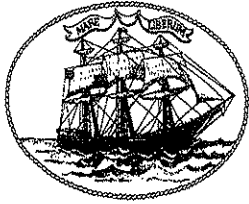
APPROVED BY THE PLANNING & ZONING COMMISSION ON: 10/20/11

**CITY OF NEW LONDON  
DIRECTORY OF CITY STAFF**

<b>TITLE</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>TELEPHONE FAX</b>
Mayor	Darryl Finizio	181 State St.	447-5201 447-7971 FAX
Building Official	Jack Cipriano	111 Union St.	447-5240 447-5255 FAX
Director of Public Utilities	Joseph Lanzafame	120 Broad St.	447-5221 447-5266 FAX
Public Works Director	Timothy Hanser	111 Union St.	447-5250 447-5255 FAX
City Planner	Harry A. Smith	111 Union St.	437-6380 437-4467 FAX
Zoning/Wetlands Enforcement Officer	Michelle Johnson	111 Union St.	437-6381 437-4467 FAX
Economic Development Coordinator	Ned Hammond	111 Union St.	437-6309 437-4467 FAX
Planning, Zoning & Wetlands Division		111 Union St.	437-6379 437-4467 FAX
Ledgelight Health District	Sanitarian	216 Broad St.	448-4882 448-4885 FAX
Fire Chief	Ronald Samul	289 Bank St.	447-5291 447-5293 FAX
Fire Marshal	Calvin Darrow	289 Bank St.	447-5294 447-5293 FAX
Police Chief	Margaret Ackley	5 Gov. Win Blvd.	447-5261 447-5277 FAX
Traffic Officer		5 Gov. Win Blvd	447-5280 447-5277 FAX
Veolia Water	Peter Vetter	100 Trumbull Street	443-4560

**CITY OF NEW LONDON**  
**OFFICE OF DEVELOPMENT AND PLANNING**  
**ZONING, WETLAND, AND SUBDIVISION FEE SCHEDULE**  
**PER ORDINANCE SET BY CITY COUNCIL**  
(Approved by City Council October 3, 2006)

<b>Zoning Enforcement Officer – Administrative Approval</b>	
Zoning Permit	\$ 25.00
Sign Permit	\$ 25.00
Certificate of Compliance/Letter of Decision	\$ 50.00
<b>Zoning Board of Appeals</b>	
Variance (Non residential)	\$ 350.00
Variance	\$ 200.00
Appeal of Zoning Officer's Decision	\$ 0.00
<b>Inlands Wetlands Agency (Conservation Commission)</b>	
Minor Impact	
Residential	\$ 250.00 +\$100.00 per lot
Commercial	\$ 600.00
All other uses	\$ 500.00
Significant Impact	\$ 1000.00
Permitted Uses	\$ 25.00
Non-Regulated Uses	\$ 250.00
<b>Planning &amp; Zoning Commission</b>	
Location Approval for DMV	\$ 350.00
Façade Review	\$ 50.00
Temporary Outdoor Entertainment	\$ 25.00
Earth Extraction/Fill	\$ 350.00
Site Plan Review (+\$25.00/1000 sq. ft. or any part thereof for new building, addition, or change of use.)	\$ 200.00
Site Plan Review (w/waivers granted)	\$ 50.00
Site Plan Modification/Extension	\$ 50.00
Special Permit (+\$25.00/1000 sq. ft. or any part thereof for new building, addition, or change of use.)	\$ 250.00
Special Permit Modification/Extension	\$ 50.00
Special Permit –Sign	\$ 250.00
Coastal Site Plan Review	
Single Family Dwelling w/out public hearing	\$ 200.00
Single Family Dwelling w/public hearing	\$ 250.00
Multi-family	\$ 350.00
Commercial/Industrial	\$ 500.00
Subdivision/Resubdivision	\$ 500.00 + \$150.00/lot
Subdivision/Resubdivision Modification	\$ 150.00
Amendment – Zone Map/Zoning Regulation/Subdivision Regulation	\$ 300.00
Sign Deposit (\$25.00 is refundable upon return of sign)	\$ 45.00
Public Act (CGS Section 22a-27j)	\$ 60.00
<i>*Revised 10/01/09 (Public Act 09-03)</i>	(Or as modified by the State of Connecticut)
Recording Fee (Separate from other fees)	\$ 53.00 for 1 <sup>st</sup> page, +\$5.00 for each additional page.
<i>*Revised 07/01/09 (Public Act 09-229)</i>	(Or as modified by City Council/City Clerk)
Department set fees: Publications/ Documentation/ Copies:	
Copies	\$ .50
Zoning Map	2.00
Tax Map	2.00
Sign Regulations	5.00
Subdivision Regulations	5.00
Plan of Development	15.00
Zoning Regulations	15.00
Inland Wetland Regulations	10.00
-Checks should be Made Payable to the <b>CITY OF NEW LONDON</b> -	
CHECK #1 TOTAL AMOUNT OF FEES FOR APPLICATION	\$
CHECK #2 RECORDING PAGE FEE FOR CITY CLERK	\$53



**CITY OF NEW LONDON  
CONNECTICUT  
OFFICE OF DEVELOPMENT & PLANNING  
Planning, Zoning, & Wetlands Division**

111 Union Street  
New London CT  
06320  
(860) 437-6379  
(860) 437-4467 FAX

**-APPLICATION-  
Planning & Zoning Commission-**

Applications and all supporting materials (**16 COPIES/SETS OF EACH PLUS THE ORIGINAL**) shall be submitted to the Office of Development and Planning at least twenty-two (22) days prior to a regularly scheduled meeting in order to be received at that meeting.

Please be advised that this application will not be considered complete unless all of the information required on this form and in the regulations are submitted. The Commission will reject the proposal if the application or plans are incomplete.

1. For the following activity: (Check the Applicable Type of Application)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Coastal Site Plan | <input type="checkbox"/> Site Development Plan            | <input type="checkbox"/> Zone Map Amendment          |
| <input type="checkbox"/> Excavation        | <input type="checkbox"/> Special Permit                   | <input type="checkbox"/> Zoning Regulation Amendment |
| <input type="checkbox"/> Façade Review     | <input type="checkbox"/> Subdivision                      | <input type="checkbox"/> CGS 14-54 Location Approval |
| <input type="checkbox"/> Resubdivision     | <input type="checkbox"/> Subdivision Regulation Amendment | <input type="checkbox"/> Other (Specify)             |
| <input type="checkbox"/> Sign              | <input type="checkbox"/> Temporary Use Permit             |  |

2. \_\_\_\_\_  
**Street Address of Proposed Activity**

3. Briefly describe the proposed activity or the purpose of application:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. _____ Tax Map/Block/Lot	_____ Lot Area	_____ Zoning District
_____ Number of Proposed Lots	_____ Floor Area of Proposed Use	_____ Floor Area of Building

5. Is the property located within 500 feet of the City Line?  
\_\_\_\_\_ YES \_\_\_\_\_ NO





**PUBLIC NOTICE**

**SUBDIVISION / RESUBDIVISION**

**PER THE REQUIREMENTS OF SECTION 810 OF THE NEW LONDON ZONING REGULATIONS WE ARE REQUIRED TO NOTIFY YOU AS A PROPERTY OWNER LOCATED WITH IN TWO HUNDRED FEET (200') OF:**

**LOCATION OF PROPERTY**

**A Public Hearing is to be held before the New London Planning & Zoning Commission on:**

**DATE:** \_\_\_\_\_

**TIME:** \_\_\_\_\_

**LOCATION OF MEETING:** \_\_\_\_\_

**Regarding an application by:** \_\_\_\_\_  
**Name of Applicant**

**For a Special Permit under Section (Number) \_\_\_\_\_ of the New London Zoning Regulations.**

**The property is owned by** \_\_\_\_\_  
**(Name of Property Owner)**

**Name of Business:** \_\_\_\_\_

**Description of Business:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**At this hearing, interested persons may appear and be heard and written correspondence will be received.**

**Copies of the application and supporting documentation are on file at the Office of Development & Planning (ODP), 111 Union Street, New London, Connecticut. For further information regarding this application, please contact ODP at the following telephone number, (860) 437-6379 or by fax at (860) 437-4467.**

CITY OF NEW LONDON

APPLICATION FOR REVIEW OF COASTAL SITE PLANS

**-Supplemental Information for Projects Located Within the Coastal Boundary-**

Refer to coastal site plan application instruction sheet (attached) for sources of information and general comments pertinent to filling out this application.

APPLICANT'S NAME: \_\_\_\_\_ Date: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PROJECT ADDRESS OR LOCATION: \_\_\_\_\_

1 & 2 FAMILY \_\_\_\_\_ MULTI FAMILY OR COMM. \_\_\_\_\_ EST PROJECT COST \_\_\_\_\_

The following information must be supplied by the applicant and submitted in addition to, and along with, any application, plans and data required for approval of the proposed project under the zoning and/or subdivision regulations of this municipality. Attach additional sheets if more space is required.

**I. Plans**

**A. Project Plan(s)**

This application must be accompanied by a plan (or plans) of the entire project indicating:

1. Project location
2. Design of all existing and proposed buildings, structures and uses
3. All proposed site improvements or alterations, and
4. Ownership and type of use on adjacent properties.

**B. Coastal Resources**

This application must be accompanied by a plan showing the location of all coastal resources (as defined in Section 3 (1) of P.A. 79-535) on and contiguous to the site.

**II. Written Information**

**A. Description of the Proposed Project**

Describe the entire project including types of buildings and structures, uses, methods and timing of construction, type and extent of development adjacent to the site. This information should supplement and/or clarify plans in I/A above.

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**B. Description of Coastal Resources**

Identify the coastal resources on and contiguous to the site (as shown on the coastal resource map) and describe their condition. This information should supplement and/or clarify the plan in I/B above.

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**C. Assessment of the Suitability of the Project for the Proposed Site and the Capability of the Resources to Accommodate the Proposed Use.**

(1) Identify any and all coastal use policies (in Section 2(b) (1) of P.A. 79-535 and reprinted in CAM Planning Report No.30) applicable to the proposed project.

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(2) Identify any and all coastal resource policies (in Section 2(b) (2) of P.A. 79-535 and reprinted in CAM Planning Report No. 30) applicable to the proposed project.

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(3) Describe how the proposed project is consistent with all of the coastal policies identified in C(1) and (2) above (i.e. describe the extent to which the project complies or conflicts each policy) Note: if a project conflicts with any policy, the project should be modified to reduce or eliminate the conflict.

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**D. Evaluation of the Potential Beneficial and Adverse Impacts of the Project and Description of Proposed Methods to Mitigate Adverse Effects.**

- (1) Identify and describe the potential adverse impacts (as defined in Section 3(15) of P.A. 79-535) and potential beneficial impacts of the project on coastal resources.

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**FOR WATERFRONT PROPERTY ONLY:**

- (2) Is the project a water dependant use as defined in Section 3 (16) of P.A. 79-535? If so, explain why.

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**FOR WATERFRONT PROPERTY ONLY:**

- (3) Describe the impacts of effects (either positive or negative) that the project will have on future water dependant uses or development on and adjacent to the site.

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- (4) Describe the proposed measure to mitigate (reduce or eliminate) any adverse impacts on coastal resources described in D(1) and, if applicable, on future water dependant development opportunities described in D(3).

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**E. Demonstration of the Acceptability of Remaining or Unmitigated Adverse Impacts of Coastal Resources and Future Water Dependant Uses and Development.**

- (1) Describe any adverse impact that remain after employing all reasonable mitigation resources.

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- (2) Explain why these remaining adverse impacts were not mitigated.

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- (3) Explain why the commission reviewing this application should find these remaining adverse impacts to be acceptable.

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**III. SUPPORTING MATERIALS/DOCUMENTATION**

- A. The Building Official, Zoning Commission or Planning Board may request the submission of such additional information that it deems necessary in order to reach a decision on the application.

Include any additional information required by the Building Official, Zoning Commission, or Planning Board and list any supplemental materials (plans, reports, etc.) that are being submitted in support of this application.




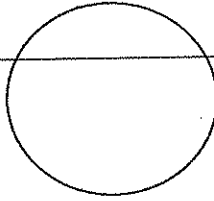
# LIST OF PROPERTY OWNERS

Each application for a resubdivision shall include a list, prepared by the applicant, of the names and addresses of the owners of all land included within the application and of all properties 200 feet or less distance therefrom, all as shown on the most recent records on file in the City of New London's Tax Assessor's Office (or the actual owners of record if otherwise known to the applicant). The applicant shall mail notification of said pending application to at least one owner of each such property not more than 15 days or less than 10 days before the date set for the public hearing, by transmitting the text of the public hearing notice as provided by the Commission.

PROPERTY OWNER	STREET	CITY	STATE	ZIP CODE
State Street Atelier	140 State St	New London	CT	06320
Bob Jones	123 S. Main St	Orlando	FL	24015
Leland & Sandra Ryder	271 Monson Tnpk	Ware	MA	01082
Black Acre Assoc	75 Eugene O'Neill	New London	CT	06320
Cabrini Inc.	PO Box 2042	New London	CT	06320
Mary Smith Rodgers	12 Crest Street	Mystic	CT	06320

# EXAMPLE OF CERTIFICATE OF MAILING

*Evidence of such mailing, in the form of United States Post Office Certificates of Mailing, shall be submitted to the Zoning Officer along with the above said list of property owners, not less than five calendar days prior to the hearing date. Failure to comply with any of the procedures required herein shall be deemed valid basis for denial of a special permit request. (New London Zoning Regulations Section 810 C 1)*

U.S. Postal Service		CERTIFICATE OF MAILING	
Received From:			U.S. Postage
This Place 123 Main Street Anywhere, USA 00000			
One piece of ordinary mail addressed to			
That Place 456 Last Street Anywhere, USA 00000			

**S  
A  
M  
P  
L  
E**

# EXTENSION OF TIME

I hereby grant to the New London Planning & Zoning Commission an extension of time beyond the normal statutory limits to:

- Set a public hearing date \_\_\_\_\_
- Continue the public hearing \_\_\_\_\_
- Render a decision \_\_\_\_\_

concerning my application for \_\_\_\_\_

\_\_\_\_\_

Such extension shall expire on: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant or Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

## ARTICLE III – PROCEDURES

### Section 300 Application Submission

Any person intending to subdivide land in the City of New London shall submit an application as prescribed herein to the Zoning Enforcement Officer at least ten (10) days before a regularly scheduled meeting of the Commission, at which the application will be considered. If this time requirement is not met, the application will be considered at the following regular meeting of the Commission. Twelve (12) copies of the plan shall be submitted, along with the completed application form and the required fee. Application forms are available in the Office of the Zoning Enforcement Officer.

- 300.1 The day of receipt of an application shall be the day of the next regularly scheduled meeting of the Commission immediately following the day of submission to the Zoning Enforcement Officer of such application, or thirty-five (35) days after such submission, whichever is sooner.
- 300.2 The applicant is responsible for submitting a copy of the subdivision plan to the City Engineer for a review of any improvements involving streets, sidewalks, drainage features, retaining walls, or public utilities. In addition, when an application involves any new street or the extension of any water main, a copy of the subdivision plan shall be submitted to the Fire Marshal for evaluation against the 1985 National Fire Prevention Association (NFPA) Standard 1141 for Fire Protection in Planned Building Groups.

### Section 310 Fees

All applications shall be submitted with check or money order made payable to the Treasurer, City of New London, in accordance with the following:

- 310.1 The fee for a subdivision shall be twenty-five and 00/100 (\$25.00) dollars per lot or fifty and 00/100 (\$50.00), whichever is greater.
- 310.2 The fee for a resubdivision shall be based on the number of new lots created and on Section 310.1, above.

### Section 320 Wetlands Referral

If the proposed subdivision involves land regulated as an inland wetland or watercourse under the provisions of Chapter 440 of the Connecticut General Statutes, and the Wetlands Agency had not already reviewed the plan, the applicant shall file a copy of the application and related plan with the Wetlands Agency within ten (10) days after filing such application with the Commission. The Commission shall give due consideration to any report filed with it by the Wetland's Agency prior to rendering a decision on such application.

### **Section 330 Regional Planning Agency Referral**

Whenever a subdivision of land is planned, the area of which will abut or include land in another municipality, the Commission shall, before approving the plan, submit it to the Southeastern Connecticut Regional Planning Agency. The Regional Planning Agency shall, within thirty days, report to the Commission and to the applicant its findings on the intermunicipal aspects of the proposed subdivision. If such report is not submitted within thirty days after the referral from the Commission, it shall be presumed that the Agency does not disapprove of the proposed subdivision. The Regional Planning Agency's report shall be purely advisory.

### **Section 340 Other Referrals**

**340.1** If the proposed subdivision involves the relocation or alteration of any stream having a watershed of more than three square miles or an average stream flow greater than five cubic feet per second, the Commission shall notify adjacent communities within the watershed and the Water Resources Unit of the Connecticut Department of Environmental Protection, prior to approving any alteration or relocation of a watercourse, and submit copies of such notices to the Federal Insurance Administrator. (This provision is intended to satisfy requirements of the National Flood Insurance Program.)

**340.2** Whenever a proposed subdivision plan involves the construction of streets or water mains, a copy of the plan, together with appropriate construction drawings, shall be referred to the Fire Marshall for review. Whenever a proposed subdivision plan involves the construction of any improvements such as streets, sidewalks, drainage features, retaining walls, or public utilities, a copy of the plan together with all construction drawings, shall be referred to the City Engineer for review. The Commission shall consider any comments from the Fire Marshall and the City Engineer prior to making an decision on the subdivision application.

### **Section 350 Posting of Sign**

The petitioner shall erect, or cause to have erected, a sign on the premises affected by the proposed Subdivision/Resubdivision, at least 15 days prior to the public hearing on such Subdivision/Resubdivision. Said sign shall be provided by the Zoning Officer upon request of the applicant. Said sign shall be installed by the applicant, securely fastened or staked, be clearly visible from the street closest to the affected property and maintained as such until 15 days following the published notice of the results of the Planning and Zoning Commission's (or Zoning Board of Appeals') action.

A report from the Zoning Officer attesting to whether the above-described sign was erected and maintained as required shall be made part of the record at the public hearing. Failure of a petitioner to comply with this requirement may be grounds for automatic denial of the proposed Subdivision/Resubdivision with consideration being given to cases where weather or acts of vandalism have destroyed a properly posted sign.

Each application for a Subdivision/Resubdivision shall include a list, prepared by the applicant, of the names and addresses of the owners of all land included within the application and of all properties 200 feet or less distance therefrom, all as shown on the most recent records on file in the City of New London's Tax Assessor's Office (or the actual owners of record if otherwise known to the applicant). The applicant shall mail notification of said pending application to at least one owner of each property not more than 15 days or less than 10 days before the date set for the public hearing, by transmitting the text of the public hearing notice as provided by the Commission.

Evidence of such mailing, in the form of United States Post Office Certificates of Mailing, shall be submitted to the Zoning Officer along with the above said list of property owners, not less than five calendar days prior to the hearing date. Failure to comply with any of the procedures required herein shall be deemed less valid basis for denial of a Subdivision/Resubdivision.

### **Section 360 Commission Action**

- 360.1 Hearing – The Commission may hold a public hearing regarding any subdivision proposal within sixty-five (65) days after receipt thereof, if, in its judgment, the specific circumstances require such action. No plan of resubdivision shall be approved by the Commission without a public hearing. Notice of a hearing shall be published in a newspaper of general circulation in the City at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days prior to the date of the hearing, and by sending a copy thereof by registered or certified mail to the applicant. The hearing shall be completed within thirty-five (35) days after it commences. (Amended December 4, 2003)
- 360.2 Vote – The Commission shall vote to approve, modify and approve or disapprove any subdivision application or maps and plans submitted therewith within sixty-five (65) days after the public hearing thereon or, if no public hearing is held, within sixty-five days (65) days after the date of receipt thereof. Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the City and addressed by Certified Mail to the applicant by its clerk, under his/her signature within fifteen days (15) days after such decision has been rendered. The failure of the Commission to act thereon shall be considered as an approval and a certificate to that effect shall be issued by the Commission on demand. The applicant may consent to one or more extensions of any period specified in this subsection, provided the total extension of any such period of time shall not be for longer than the original period as specified in this subsection. The grounds for the action of the Commission shall be stated in the records for the Commission.
- (a) Extensions – The Applicant can consent to extend the timeframes to open a public hearing, close a public hearing, or render a decision, set forth in Sections 360.1 & 360.2, but the total of all extensions together cannot exceed sixty-five (65) days. (Amended December 4, 2003)