

**MINUTES OF THE CHESHIRE TOWN COUNCIL ORDINANCE REVIEW COMMITTEE
MEETING HELD ON THURSDAY, SEPTEMBER 26, 2013, AT 7:30 P.M. IN ROOM
210, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Sylvia Nichols, Chairperson, James Sima and Peter Talbot.

Staff: Louis Zullo, Personnel Director

1. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

**3. Amendment to Fee Schedule for Assessor's Maps,
Possible action.**

Ms. Nichols stated that these maps are becoming more complex and more costly to print, and the Assessor is requesting the Council give consideration to changing the fee for copying/printing of maps.

The committee reviewed the fee schedule, item (e) for Assessor's Maps, and discussed the existing and proposed fee schedule.

Current fees:

Black/White Assessor Maps, 24"x36" - \$12.00. This fee remains unchanged.

Proposed Fees:

Color Assessor's Maps, 24"x36" - \$20.00

Section of map 8"x11" - \$3.00

Section of map 11"x17" - \$5.00

Mr. Sima commented on the fact that information from the maps is on line for people to access and print, but the Town department maps are of better quality. People cannot take information from these Town maps and interface them with other applications. He wants to insure delineation of making this harder, and said information should not be given away on line.

According to Mr. Zullo, new map information is not on the web site.

Ms. Nichols noted that the GIS maps have layers of information.

Mr. Talbot said people cannot take an 8"x11" size and blow it up to a larger size map.

All of these issues will be checked out by Mr. Zullo with the Town Assessor.

Stating he had no issues with an increase in charges for maps, Mr. Sima recommended the fee for color map sections 8"x11" be \$5.00, and 11"x17" be \$7.00. He noted that the people who want copies of these maps are not ordinary citizens, but professional architects and contractors.

Mr. Talbot's recommendation was a fee of \$5.00 for the 8"x11" map sections and \$8.00 for the 11" x 17" map sections. He noted on the fee schedule that under (c) the topographic map fee is \$12.00.

Ms. Nichols agreed that the fees for map copies should cover the Town costs, and the fee could be increased to \$4.00 or \$5.00 per copy.

The committee was told by Mr. Zullo that the typical Assessor's map is a block grid of the area, and the color map would be more specific to a property.

MOTION by Mr. Talbot; seconded by Mr. Sima.

MOVED that the Ordinance Review Committee amend Section 2-8, Fee Schedule, Copies of Public Records as follows: (e) Assessor's Map 24"x36" black and white - \$12.00; Assessor's Map color, 24"x36" - \$20.00; Color Map Section, 8"x11" - \$5.00; Color Map Section 11"x17" - \$8.00.

The motion passed unanimously by those present.

4. Amendment to Building Regulations Ordinance Re: Late Fees Possible Action.

The committee reviewed and discussed the memo from Bert Schiaroli, Building Official, regarding the State changes to the two sections of Building Code to be adopted in October 2013.

Mr. Zullo explained that the 2013 amendment to the State Building Code will adopt the 2009 International Residential Code (IRC) for code requirements of one and two family dwellings and attached townhouses. The State has deleted Section 108.6 of the 2009 IRC, and the late fee is only allowed for activity associated with structures not governed under the IRC. The Town ordinance must be adjusted to reflect this change and be in compliance with the State Code.

There was a discussion on how violations would be found and enforced when a property owner builds something without a permit. Mr. Zullo stated that sometimes there is a complaint to the Zoning Enforcement Officer, or a building official finds a violation.

Mr. Talbot noted that a violation could also be picked up during the revaluation process.

Ms. Nichols stated that the flat rate fee is \$150.00 for work done without a permit. This would not apply to one or two family dwellings and townhouses, only commercial structures.

Under the amendment to the code, Mr. Talbot said that Section 108.6 would be deleted from the code and a new change substituted. In the memo, he noted that Mr. Schiaroli states that the late fee is only for structures not covered by the 2009 IRC.

In the memo, Mr. Zullo referred to paragraph #3, which says the late fee would still exist for industrial/commercial buildings. He advised that the IRC is a national residential code.

Mr. Sima commented on the Town imposing a late fee only for commercial type buildings, and there is nothing stated for a homeowner building without a permit.

According to Mr. Zullo, a person caught without a permit must pay the permit fee, but a late fee will not be imposed. A commercial endeavor must pay a late fee. The Town is putting the fee structure in compliance with State code.

A question was raised by Mr. Sima on why people are not penalized for not getting a permit on structures when there are safety issues that could be involved. This amendment only solves issues with commercial entities.

With Council action, Mr. Zullo said the Town takes the local ordinance and makes it compliant with State statutes, which are to be adopted in October 2013.

Based on the confusion and not knowing what happens with residential structures, Mr. Talbot suggested the committee hold off on any action on this item. He recommended that Mr. Schiaroli be invited to meet with the committee for further information and discussion on penalties for residential structures.

Ms. Nichols agreed, and the matter is deferred to the next ORC meeting pending discussion with Mr. Schiaroli.

Mr. Sima requested there be information for the committee from the Building Department on penalties for residential buildings without a permit.

5. Amendment to Solid Waste Ordinance; discussion only.

The committee was informed by Mr. Zullo that Town Manager Milone wants to discuss the issue of operation of the transfer station with the Council rather than having a bulky waste program.

Mr. Sima stated that if the transfer station is opened again, it involved costs for overtime of Public Work crews, removal of the waste, etc.

Mr. Talbot believes the Town should get a reasonable bulky waste bid in Spring 2014.

The committee discussed using other forms of notification for bulky waste bids, including electronic media, and Mr. Sima suggested this be included in the ordinance.

Due to high rates for newspaper notifications, Mr. Zullo said the Town uses other forms of media to reach the public, and bids go to publications outside the Cheshire area.

Mr. Sima stated that going to bid may get more responses through electronic media. He suggested that one of the sites for consideration be the DAS portal, in order to receive more bids.

There were three bid responses to the bulky waste, and Mr. Zullo said two were no bids and one company that bid was not at the bid opening. This matter will be on the Council agenda of October 8th.

6. ADJOURNMENT

MOTION by Mr. Talbot; seconded by Mr. Sima.

MOVED to adjourn the meeting at 8:12 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk