

Proposed Amendment to Town Ordinance

August 20, 2026

(Additions in *red italics* and deletions in ~~red strikethrough~~)

§84-1. Schedule of Fees Established

Pursuant to Connecticut General Statutes Section 8-1c, the Town of Norfolk establishes the following schedule of fees for the processing of applications by the Town Planning and Zoning Commission and the Town Inland Wetlands Commission. This schedule shall supersede any fees set forth in the General Statutes or any special act *as well as any earlier versions of Section 84-1 or Section 160 of the Town of Norfolk Ordinance.* All fees are subject to a State of Connecticut permit fee charge.

A. Inland Wetlands Commission. All section references refer to ~~Chapter 160, Inland Wetlands and Watercourses, of the Code of the Town of Norfolk~~ *Town of Norfolk Inland Wetlands Regulations adopted at the June 1, 2026 Inland Wetlands Commission regular meeting.*

- (1) Application for *permitted uses as of right and* nonregulated use ~~(Article IV of the Inland Wetlands Regulations) (160-11): \$45~~

No charge.

- (2) Residential use (Article VI *of the Inland Wetlands Regulations*): ~~\$65, plus \$25 per building lot or \$45 per acre of wetlands, whichever is greater.~~

\$100 base fee plus the appropriate Activity Fee and/or Additional Fee as listed on the Land Use Applications Fee Calculation Sheet.

- (3) Commercial use (Article VI *of the Inland Wetlands Regulations*): ~~\$60, plus \$18 per 1,000 square feet of the first 2,500 square feet of regulated area; and \$12 per 1,000 square feet of the regulated area between 2,500 square feet and 50,000 square feet; and \$6 per 1,000 square feet of regulated area in excess of 50,000 square feet.~~

\$200 base fee plus the appropriate Activity Fee and/or Additional Fee as listed on the Land Use Applications Fee Calculation Sheet.

- (4) ~~All other uses (Article VI): \$60.~~

(Re)Subdivision (Article VII of the Inland Wetlands Regulations): \$250 base fee plus \$75 per lot for every lot that will exist when/if the application is approved plus the appropriate Activity Fee and/or Additional Fee as listed on the Land Use Applications Fee Calculation Sheet.

- (5) ~~Application concerning significant activity (160-25): \$275.~~

Other Property Uses or Application Types such as-Map &/or Text Amendment Petitions (Article XV of the Inland Wetlands Regulations): \$150 base fee plus the appropriate Activity Fee and/or Additional Fee as listed on the Land Use Applications Fee Calculation Sheet.

- (6) Renewal and/or Modification of Previous Approval (Article VII of the Inland Wetlands Regulations): \$100.*

FINAL REGULATION ADOPTED JUNE 1, 2026

ARTICLE XIX

Fees

19.1 Method of payment.

All fees required by these Regulations shall be submitted to the Agency by cash, check, or money order payable to the Town of Norfolk, Connecticut, at the time the application is filed with the Agency.

19.2 Fee to be paid prior to approval.

No application shall be granted or approved by the Agency unless the correct application fee is paid in full or unless a waiver has been granted by the Agency pursuant to §19.7 of these Regulations.

19.3 Nonrefundability.

The application fee is not refundable.

19.4 Definitions.

As used in this article, the following words shall have the meanings indicated:

COMMERCIAL USES – Activities carried out on a property developed for industry, commerce, trade, recreation or business or being developed to be occupied for such purposes, for profit or nonprofit.

OTHER USES – Activities other than residential uses or commercial uses.

RESIDENTIAL USES – Activities carried out on property developed for permanent housing or being developed to be occupied by permanent housing.

19.5 Fee Schedule.

A. Application fees shall be based on the following schedule:

(1) Permitted and unregulated uses (Article IV of these Regulations).

(a) Permitted uses as of right: No Charge.

(b) Nonregulated uses: No Charge.

(2) **Base Fees.**

(a) Regulated uses (Article VI of these Regulations).

(i) Residential uses: \$100 base fee plus the appropriate Activity Fee and/or Additional Fee as listed below.

(ii) Commercial uses: \$200 base fee plus the appropriate Activity Fee and/or Additional Fee as listed below.

(iii) All other uses: \$150 plus the appropriate Activity Fee and/or Additional Fee as listed below.

(b) (Re)Subdivision (Article VII of these Regulations): \$250 base fee plus \$75 per lot for every lot that will exist when/if the application is approved and Public Hearing fee in Section 19.5.A.(4)(a) below, if applicable.

(c) Map &/or Text Amendment Petitions (Article XV of these Regulations): \$150 base fee plus Public Hearing fee in Section 19.5.A.(4)(a) below.

- (d) Renewal and/or Modification of previous approval (Article VII of these Regulations) \$100. There shall be no fee for correcting typographical or other errors.
- (3) **Activity Fees.** These fees shall be in addition to the base fee listed above in section 19.5.A.(2) and are determined by the location of the activity in relation to regulated wetlands areas, the amount of disturbance proposed, as well as the potential mitigation of impact to regulated wetlands areas.
 - (a) For activities located within the Upland Review Area:
 - (i) The first 500 square feet of disturbance: No Activity Fee.
 - (ii) Disturbance over 500 square feet: \$0.02 for each square foot that is in excess of 500 square feet.
 - (b) For activities located within regulated wetlands and/or watercourses:
 - (i) The first 500 square feet of disturbance: \$0.05 for each square foot of disturbance up to 500 square feet.
 - (ii) Disturbance over 500 square feet: \$0.10 for each square foot of disturbance that is in excess of 500 square feet.
 - (c) Mitigation Credit. For mitigation activities occurring as a part of a larger application and for which the prior approval of the Inland Wetlands Commission has been obtained.
 - (i) This is a credit of up to \$0.10 for every square foot of approved mitigation activity occurring as a part of any larger application.
 - (ii) Issuance of a Mitigation Credit is at the discretion of the Inland Wetlands Commission as a part of their review of the application as a whole.
 - (iii) The Commission may consult with the Department of Energy and Environmental Protection (CT DEEP) in order to evaluate the quality and value of a proposed mitigation activity.
 - (iv) Mitigation credits are not available for activities undertaken as part of restoration work pursuant to enforcement activities.
 - (v) The Agency shall state upon its record the basis for all actions under this section.
- (4) **Additional Fees.**
 - (a) Significant Impact Fee and/or Matters for which a public hearing or show cause hearing is required (Article VII, IX, XIV, XV of these Regulations): \$200.
 - (b) After-the-Fact Application Fee. An additional fee for applications filed after work has commenced and/or enforcement action was undertaken:
 - (i) Residential: \$150.
 - (ii) Commercial/Industrial/Other: \$300.
 - (c) State of Connecticut Land Use Application Fee: As required by CGS 22a-27j.
 - (d) Professional Review Fee: As described in Section 19.5.B below.

B. **Professional Review Fee.** The fees set forth above are the minimum application fees required. In certain cases, a processing fee may also be required. Pursuant to the Town of Norfolk Ordinance establishing fees for processing land use applications (see Chapter 84 of the Code of the Town of Norfolk), when the actual cost of processing an application exceeds the minimum application fee due to the need for outside consultant services, the Town shall charge the applicant a processing fee to fund the actual costs of processing the application, as follows:

- (1) The expenses for such outside consultants may be estimated by the Agency upon receipt of the application, based upon the projected expenses of reviewing, evaluating, and processing the application. This reasonable estimate, together with the appropriate application fee given above, shall be paid forthwith, and the application shall be deemed incomplete until these fees have been submitted.
- (2) Any portion of the processing fee not expended by the Town on the project shall be rebated to the applicant upon completion of the review, evaluation, and processing of the application.
- (3) The Agency shall bill the applicant for any costs incurred by the Town in processing the application in excess of the processing fee paid by the applicant. This bill shall be paid by the applicant prior to the issuance of any permits.

19.6 Exemption.

Boards, commissions, councils, and departments of the Town of Norfolk are exempt from all fee requirements.

19.7 Waiver.

- A. The applicant may petition the Agency to waive, reduce, or allow delayed payment of the fee. Such petitions shall be in writing and shall state fully the facts and circumstances the Agency should consider in its determination under this section. The Agency may waive all or part of the application fee if the Agency determines that:
 - (1) The activity applied for would clearly result in a substantial public benefit to the environment or to the public health and safety, and the applicant would reasonably be deterred from initiating the activity solely or primarily as a result of the amount of the application fee; or
 - (2) The amount of the application fee is clearly excessive in relation to the cost to the Town for reviewing and processing the application.
- B. The Agency shall state upon its record the basis for all actions under this section.

LAND USE APPLICATIONS
FEE CALCULATION SHEET – INLAND WETLANDS
AS ADOPTED 06/02/2026 BY INLAND WETLANDS COMMISSION

Address Where Proposed Activity is Located: _____

1. **Base Fees:**

- ☐ Residential (\$100)
☐ Commercial/Industrial (\$200)
☐ (Re)Subdivision (\$250 plus \$75 per lot): # of lots: _____ x \$75 plus \$250
☐ Other Property Use or Application Type *Such as Map &/or Text Amendment* (\$150)
☐ Renewal &/or Modification of Existing Inland Wetlands Permit (\$100)

Base Fee Total: \$ _____

2. **Activity Fees:**

- ☐ Activities in the Upland Review Area

First 500 Square Feet of Disturbance: No Charge
Disturbance Over 500 Square Feet: _____ SF x 0.02 = \$ _____

- ☐ Activities within Wetlands &/or Watercourses

First 500 Square Feet of Disturbance: _____ SF x 0.05 = \$ _____
Disturbance Over 500 Square Feet: _____ SF x 0.10 = \$ _____

- ☐ Approved Mitigation Activity:

Square Feet of Approved Mitigation: _____ SF x 0.10 = \$ _____

Activity Fee Total: \$ _____

Minus Mitigation Credit (if applicable): \$ _____

3. **Additional Fees:**

- ☐ Public Hearing &/or Show Cause Hearing Fee (\$200)
☐ Residential After-the-Fact Application Fee (\$150)
☐ Commercial/Industrial/Other After-the-Fact Application Fee (\$300)
☐ Additional Professional Consulting Fees: \$ _____
☐ State of CT Land Use Application Fee (\$60)

Additional Fee Total: \$ _____

Total Application Fee: Base Fee + Activity Fee + Additional Fees = \$ _____