

Proposed Changes to Zoning Regulation

Article III, Section 415-25 – Zoning Administration; Site Plans; Appeals; Enforcement

Effective: 10.01.2025

New Language in Red Underline

Change Title:

415-25: Zoning Administration; Site Plans; Appeals; Enforcement; Consultations and Technical Reviews

Add Subsection D:

Consultations and Technical Reviews:

1. On any application, the Commission may seek the advice and opinion of other officials, boards, or commissions to assist it in evaluating applications.
2. On any application, the Commission may retain an architect, landscape architect, professional land use planner, or other consultant to review, comment, and guide its deliberations on any application.
3. The Town Planner, or designee as assigned by the Commission, may make a preliminary determination of the need for such technical assistance to be provided by non-town personnel following a review of the application with other Town staff provided that such preliminary determination shall be subject to review by the Commission.
4. Prior to retaining an outside consultant, the Commission shall make findings that the nature and intensity of the development may have a significant impact on the Town of Winchester and that:
 - a. the Town staff will not be able to complete a technical review of the application in a timely fashion, or
 - b. that the project is of such a nature as to require expertise not available from staff.
5. The Town Planner, or designee, shall estimate the cost of such services based upon information received from qualified technical experts.
6. Upon determining the need for such technical assistance, the Commission or the Board shall require that the applicant:
 - a. deposit funds with the Town for 150% of the estimated costs of any consulting review fees before review of the application by the Commission or the public hearing, if such hearing is necessary, or
 - b. reimburse the Town for the cost of such consulting review.
7. Upon completion of the technical review and final action by the Commission on the application, the Commission shall determine the costs incurred for the review and refund excess funds (if any) to the applicant.
8. The applicant shall not be responsible for costs incurred for technical assistance that exceeds the amount deposited without prior consent and the demonstrated need for additional funds.