

## **Procedural Guidelines for Reviewing Petitions Appealing Zoning Board or Planning Board Decisions**

To guide the Planning Board and Zoning Board (the "Boards") in determining whether petitions received pursuant to Charter Sections C6-30-7, C6-30-8, C6-40-5, C6-40-6 and C6-40-9 meet the requirements set forth in the Charter for referral to the Board of Representatives, each of the Boards, acting through the Land Use Bureau staff, will evaluate petitions using the following procedural guidelines. These procedural guidelines are intended to provide for expeditious and accurate assessment of the validity of petitions for referral in the short time provided by the abovementioned Charter sections. Assessment of validity should take into account official records of ownership and/or authority, as described below. When evidence of such ownership or authority is provided with the petition, then determination of validity should also take into account such provided information. Nothing in these procedural guidelines shall require those assessing validity to research records not readily available in the Stamford official records, conduct title searches, or research technical details such as business ownership.

### **A. Petitions**

The Land Use Bureau will determine whether a petition is timely and complete before validating the signatures contained thereon based on the following criteria. A sample petition form is attached below and is available online and from the Land Use Bureau. Petitioners are not required to use the form, but doing so may help to more quickly and accurately establish whether the petition meets the Charter requirements for referral to the Board of Representatives.

1. Does the signature match the name of an eligible property owner on the City of Stamford Tax records, or correlate closely enough to demonstrate that the signature is from the owner (e.g., not from a family member or other person who has no ownership interest)? In the case of an illegible signature, a printed name will be used to evaluate whether the names match. Petitions with names printed along with the signature will provide the ability to validate them.
2. Does the petition relate to a matter that may be appealed to the Board of Representatives? This will be determined if the petition includes the correct name and number of the application for which referral is sought. A separate petition must be submitted for each application being appealed.
3. Was the petition received in the Land Use Bureau office at 888 Washington Boulevard, 7th floor, Stamford, CT 06901 by the close of business on the tenth day after the official publication of the Board's decision? The Land Use Bureau will calculate the number of days based on calendar days following publication; provided, however, that the first date of publication shall be excluded from the calculation. If the last day to file a petition falls on a Saturday, Sunday or legal holiday, the deadline to file shall be extended to the next business day.

*Example:*

<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>	<i>Sun</i>
		<i>Decision published</i>	1	2	3	4
5	6	7	8	9	10	
<i>Petition DUE</i>						

4. Is the signature dated? Signatures collected prior to the date the applicable Board voted on the application are not valid. Therefore, a date will assist in determining whether the signature was collected before the applicable board voted on the application that is the subject of the petition.

## **B. Signatures**

The Land Use Bureau will evaluate whether a signature may be counted towards the number or percentage required by the Charter for referral of a petition to the Board of Representatives based on the following criteria.

1. Does the signer own real property in the City of Stamford?
2. If a signature's validity cannot be determined after comparison with the information contained in the Tax Records or other readily and rapidly available official City of Stamford records and consideration of additional information submitted with the petition, has the petitioner submitted additional information before the Zoning Board determines the petition's validity to demonstrate that the signature is valid and that the signer has the requisite property interest?
3. Do the names and addresses on the petition match the information as it appears on the Tax Records, or otherwise demonstrate through readily and rapidly available official City of Stamford records that the signer is the property owner or otherwise authorized to sign? Land Use Bureau staff shall not be required to infer ownership or signing authority or perform research beyond the Tax Records or through readily and rapidly available official City of Stamford records if evidence is not provided or apparent from Tax Records.
4. Is the signature handwritten and original (electronic signatures will not be considered)?
5. Have all owners of a property signed? All owners of a property must sign for any of the owner(s)' signatures to be counted. Where an individual or entity owns more than one eligible property, is that clearly indicated by listing the eligible properties with that signature or providing a separate signature and address for each property?
6. If a property is owned by an LLC or other legal entity, has the petitioner provided evidence that (a) all owners of the entity signed the petition, or (b) the signer has authority to sign for the entity?

7. Have all owners of all condominium units signed? All owners must sign for any of the owner(s)' signatures to be counted.
8. Is the property held in trust? If so, then the legally required trustees must sign (both trustees if there are two trustees, a majority if there are more than two trustees, or as otherwise authorized in trust documents if documentation indicating such authorization is provided along with the petition). Since Trust documents are not generally publically available, it is the petitioner's or circulator's responsibility to provide evidence satisfactory to the applicable board of the signer's authority to sign and that the required number of trustees have signed.
9. Do the Tax Records identify the property as being held by an estate? If so, then the name of the executor(s) or the administrators must appear on the Tax Records. Other documentation submitted with the petition to establish the signer's ownership interest and authority to sign may be considered. It is the petitioner's or circulator's responsibility to provide evidence of the signer's authority to sign for the property and that all executors or administrators have signed.

Adopted by:

Zoning Board on \_\_\_\_\_, 2022

Planning Board on \_\_\_\_\_, 2022

**PETITION SAMPLE**

Application number: \_\_\_\_\_

Check applicable Board decision:

Zoning Board

Planning Board

We, the undersigned, being property owners in the City of Stamford, do hereby petition to appeal the above referenced Decision.

Signature	Printed Name	Property Street Address	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

**Circulator's Statement of Authenticity of Signatures**

I am the circulator of this Petition. Each person whose name appears on this Petition page signed this Petition in person and in my presence. I either know the signer or they have satisfactorily identified themselves to me. All persons who signed this Petition did so during the 10-day period after the date of the decision.

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Printed Name of Circulator

\_\_\_\_\_  
Date

Return petitions to: Land Use Bureau, City of Stamford Government Center, 888 Washington Blvd., 7th Floor, Stamford, CT 06904.