



General Assembly

**Substitute Bill No. 7154**

January Session, 2007

\*        HB07154TRA        042507        \*

**AN ACT CONCERNING THE STATE PLAN OF CONSERVATION AND DEVELOPMENT, MAKING A MINOR CHANGE TO THE LOCAL CAPITAL IMPROVEMENT PROGRAM AND REVISING THE BOUNDARY BETWEEN DANBURY AND RIDGEFIELD.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 16a-27 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective October 1, 2007*):

3       (a) The secretary, after consultation with all appropriate state,  
4       regional and local agencies and other appropriate persons, shall prior  
5       to March 1, 2009, complete a revision of the existing plan and enlarge it  
6       to include, but not be limited to, policies relating to transportation,  
7       energy and air. Any revision made after May 15, 1991, shall identify  
8       the major transportation proposals, including proposals for mass  
9       transit, contained in the master transportation plan prepared pursuant  
10      to section 13b-15. Any revision made after July 1, 1995, shall take into  
11      consideration the conservation and development of greenways that  
12      have been designated by municipalities and shall recommend that  
13      state agencies coordinate their efforts to support the development of a  
14      state-wide greenways system. The Commissioner of Environmental  
15      Protection shall identify state-owned land for inclusion in the plan as  
16      potential components of a state greenways system.

17      (b) Any revision made after August 20, 2003, shall take into account

18 (1) economic and community development needs and patterns of  
19 commerce, and (2) linkages of affordable housing objectives and land  
20 use objectives with transportation systems.

21 (c) Any revision made after March 1, 2006, shall (1) take into  
22 consideration risks associated with natural hazards, including, but not  
23 limited to, flooding, high winds and wildfires; (2) identify the potential  
24 impacts of natural hazards on infrastructure and property; and (3)  
25 make recommendations for the siting of future infrastructure and  
26 property development to minimize the use of areas prone to natural  
27 hazards, including, but not limited to, flooding, high winds and  
28 wildfires.

29 (d) Any revision after July 1, 2005, shall describe the progress  
30 towards achievement of the goals and objectives established in the  
31 previously adopted state plan of conservation and development and  
32 shall identify (1) areas where it is prudent and feasible (A) to have  
33 compact, transit accessible, pedestrian-oriented mixed-use  
34 development patterns and land reuse, and (B) to promote such  
35 development patterns and land reuse, (2) priority funding areas  
36 designated under section 16a-35c, and (3) corridor management areas  
37 on either side of a limited access highway or a rail line. In designating  
38 corridor management areas, the secretary shall make  
39 recommendations that (A) promote land use and transportation  
40 options to reduce the growth of traffic congestion; (B) connect  
41 infrastructure and other development decisions; (C) promote  
42 development that minimizes the cost of new infrastructure facilities  
43 and maximizes the use of existing infrastructure facilities; and (D)  
44 increase intermunicipal and regional cooperation.

45 (e) For any revision made after the effective date of this section, the  
46 text of the plan shall be consistent with the accompanying locational  
47 guide map.

48 ~~[(e)]~~ (f) Thereafter on or before March first in each revision year the  
49 secretary shall complete a revision of the plan of conservation and

50 development.

51 Sec. 2. Subsection (a) of section 7-536 of the general statutes is  
52 repealed and the following is substituted in lieu thereof (*Effective July*  
53 *1, 2007*):

54 (a) As used in sections 7-535 to 7-538, inclusive:

55 (1) "Adjusted equalized net grand list per capita" means the  
56 adjusted equalized net grand list per capita determined for each town  
57 pursuant to section 10-261;

58 (2) "Density" means the population of a municipality divided by the  
59 number of square miles of the municipality;

60 (3) "Grant anticipation note" means a note issued in anticipation of  
61 the receipt of project grants to the municipality from moneys in the  
62 Local Capital Improvement Fund;

63 (4) "Local capital improvement project" means a municipal capital  
64 expenditure project for any of the following purposes: (A) Road  
65 construction, renovation, repair or resurfacing, (B) sidewalk and  
66 pavement improvements, (C) construction, renovation, enlargement or  
67 repair of sewage treatment plants and sanitary or storm, water or  
68 sewer lines, including separation of lines, (D) public building  
69 construction other than schools, including renovation, repair, code  
70 compliance, energy conservation and fire safety projects, (E)  
71 construction, renovation, enlargement or repair of dams, bridges and  
72 flood control projects, (F) construction, renovation, enlargement or  
73 repair of water treatment or filtration plants and water mains, (G)  
74 construction, renovation or enlargement of solid waste facilities, (H)  
75 improvements to public parks, (I) the preparation and revision of local  
76 capital improvement plans projected for a period of not less than five  
77 years and so prepared as to show the general description, need and  
78 estimated cost of each individual capital improvement, (J)  
79 improvements to emergency communications systems, (K) public  
80 housing projects, including renovations and improvements and energy

81 conservation and the development of additional housing, (L)  
82 renovations to or construction of veterans' memorial monuments, (M)  
83 thermal imaging systems, (N) bulky waste and landfill projects, (O) the  
84 preparation and revision of municipal plans of conservation and  
85 development adopted pursuant to section 8-23, [provided such plans  
86 are endorsed by the legislative body of the municipality not more than  
87 one hundred eighty days after adoption by the commission,] (P)  
88 acquisition of automatic external defibrillators, and (Q) floodplain  
89 management and hazard mitigation activities. "Local capital  
90 improvement project" means only capital expenditures and includes  
91 repairs incident to reconstruction and renovation but does not include  
92 ordinary repairs and maintenance of an ongoing nature and  
93 "floodplain management" and "hazard mitigation" shall have the same  
94 meaning as in section 25-68j;

95 (5) "Municipality" means any town, city, borough, consolidated  
96 town and city or consolidated town and borough;

97 (6) "Population" means the number of people according to the most  
98 recent federal decennial census, except in intervening years between  
99 such censuses when it shall mean the number according to the most  
100 recent estimate of the Department of Public Health; and

101 (7) "Secretary" means the Secretary of the Office of Policy and  
102 Management.

103 Sec. 3. (*Effective from passage*) The Commissioner of Transportation  
104 shall revise the official map of the state highway system provided for  
105 in section 13a-16 of the general statutes to establish the boundary  
106 between the towns of Danbury and Ridgefield as follows:  
107 Commencing at a stone monument set in the ground on the east side of  
108 Pine Mountain Road and being seven hundred forty feet as measured  
109 southerly on the centerline of Pine Mountain Road from its intersection  
110 with Miry Brook Road, thence continuing four thousand seven  
111 hundred seventy feet in a southeasterly direction on a bearing of south  
112 58 degrees 15 minutes east to an existing iron rod set in bed rock on

113 Pine Mountain. Such boundary is described in the land records of the  
114 city of Danbury on pages 89 to 92, inclusive, of volume 72.

115 Sec. 4. Subsection (b) of section 16a-32 of the general statutes is  
116 repealed and the following is substituted in lieu thereof (*Effective from*  
117 *passage*):

118 (b) Without initiating a revision of the plan, [and after receiving  
119 written approval from the committee,] the secretary may undertake  
120 interim changes in the plan upon the secretary's own initiative or upon  
121 application by (1) the chief executive officer of a municipality, with the  
122 approval of the legislative body of such municipality, or (2) any owner  
123 of real property or any interest therein on which a change is proposed.  
124 No application for an interim change from a municipality under  
125 subdivision (1) of this subsection may be submitted unless (A) the  
126 municipality in which the change is proposed has a plan of  
127 conservation and development that has been updated in accordance  
128 with section 8-23, and (B) the application includes evidence, in writing,  
129 of the opinion of the planning commission of the municipality  
130 regarding the interim change. The secretary shall adopt regulations in  
131 accordance with chapter 54 to establish procedures for applications for  
132 such interim changes by any person, political subdivision of the state  
133 or state agency. Such regulations shall include, but need not be limited  
134 to, provisions for interviews and consultations with local planning and  
135 zoning commissions or, in those municipalities which have adopted  
136 the provisions of chapter 124 but which do not have a zoning  
137 commission, the persons designated to exercise zoning powers  
138 pursuant to section 8-1, review of local plans of development and  
139 public hearings. The secretary shall notify the chief executive officer  
140 and the persons exercising planning or zoning powers in any  
141 municipality which is the subject of an application for change in the  
142 locational guide map and shall notify any members of the General  
143 Assembly representing any area which is the subject of such an  
144 application. A joint public hearing by the secretary and the committee  
145 shall be held in any such municipality if requested by any chief  
146 executive officer or planning or zoning official notified by the secretary

147 pursuant to this subsection. The committee shall also hold a hearing in  
148 addition to any hearing required to be held in any municipality  
149 concerning the locational guide map on any other proposed changes.  
150 After such public hearing, the committee shall approve or disapprove  
151 the application and notify the secretary of its decision not more than  
152 ten days thereafter. The secretary shall make interim changes in the  
153 plan to reflect the approved changes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	16a-27
Sec. 2	<i>July 1, 2007</i>	7-536(a)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	16a-32(b)

**PD**            *Joint Favorable Subst.*

**TRA**          *Joint Favorable*