



General Assembly

January Session, 2007

Raised Bill No. 1164

LCO No. 4080

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Referred to Committee on Planning and Development

Introduced by:

(PD)

**AN ACT CONCERNING NOTICE OF ZONING APPLICATIONS TO
ADJOINING MUNICIPALITIES AND DESIGNATION OF MUNICIPAL
INLAND WETLAND AGENCIES.**

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

1 Section 1. Subsection (f) of section 8-7d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (f) The zoning commission, planning commission, zoning and
5 planning commission, zoning board of appeals or inland wetlands
6 agency shall notify the clerk of any adjoining municipality of the
7 pendency of any application, petition, appeal, request or plan
8 concerning any project on any site in which: (1) Any portion of the
9 property affected by a decision of such commission, board or agency is
10 within five hundred feet of the boundary of the adjoining
11 municipality; (2) a significant portion of the traffic on the site to the
12 completed project [on the site] will use streets within the adjoining
13 municipality to enter or exit the site; (3) a significant portion of the
14 sewer or water drainage from the project on the site will flow through
15 and significantly impact the drainage or sewerage system within the

16 adjoining municipality; or (4) water runoff from the improved site will
17 impact streets or other municipal or private property within the
18 adjoining municipality. Such notice shall be made by certified mail,
19 return receipt requested, and shall be mailed [within] not more than
20 seven days [of] after the date of receipt of the application, petition,
21 request or plan. Such adjoining municipality may, through a
22 representative, appear and be heard at any hearing on any such
23 application, petition, appeal, request or plan.

24 Sec. 2. Subsection (c) of section 22a-42 of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective*
26 *October 1, 2007*):

27 (c) On or before July 1, 1988, each municipality shall establish an
28 inland wetlands agency or authorize an existing board or commission
29 to carry out the provisions of sections 22a-36 to 22a-45, inclusive. Each
30 municipality, acting through its legislative body, may authorize any
31 board or commission, as may be by law authorized to act, or may
32 establish a new board or commission to promulgate such regulations,
33 in conformity with the regulations adopted by the commissioner
34 pursuant to section 22a-39, as are necessary to protect the wetlands
35 and watercourses within its territorial limits. If a municipality has
36 authorized an existing board or commission to carry out the
37 provisions of said sections 22a-36 to 22a-45, inclusive, such
38 municipality shall establish a new board or commission to carry out
39 such provisions on or before October 1, 2008. The ordinance
40 establishing the new board or commission shall determine the number
41 of members and alternate members, the length of their terms, the
42 method of selection and removal and the manner for filling vacancies
43 in the new board or commission. No member or alternate member of
44 such board or commission shall participate in the hearing or decision
45 of such board or commission of which he is a member upon any matter
46 in which he is directly or indirectly interested in a personal or financial
47 sense. In the event of such disqualification, such fact shall be entered
48 on the records of such board or commission and replacement shall be

49 made from alternate members of an alternate to act as a member of
50 such commission in the hearing and determination of the particular
51 matter or matters in which the disqualification arose. For the purposes
52 of this section, the board or commission authorized by the
53 municipality or district, as the case may be, shall serve as the sole
54 agent for the licensing of regulated activities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	8-7d(f)
Sec. 2	<i>October 1, 2007</i>	22a-42(c)

Statement of Purpose:

To make technical changes to notice procedures for application that are near adjoining municipalities and to require municipalities to designate separate inland wetlands agencies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]