



General Assembly

**Amendment**

January Session, 2007

LCO No. 9082

**\*SB0134109082HDO\***

Offered by:

REP. SAYERS, 60<sup>th</sup> Dist.

REP. GERAGOSIAN, 25<sup>th</sup> Dist.

REP. O'BRIEN, 24<sup>th</sup> Dist.

REP. TERCYAK, 26<sup>th</sup> Dist.

SEN. DEFRONZO, 6<sup>th</sup> Dist.

REP. BOUKUS, 22<sup>nd</sup> Dist.

To: Subst. Senate Bill No. 1341

File No. 352

Cal. No. 679

**"AN ACT CONCERNING APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND PROTECTING PUBLIC WATER SUPPLIES FROM CONTAMINATION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (*Effective from passage*) Notwithstanding any provision of  
4 chapter 474 of the general statutes or the regulations of Connecticut  
5 state agencies, the city of New Britain may change the use of its water  
6 company owned class I and class II lands to allow for the lease of  
7 approximately 131.4 acres, more specifically described as 0 Biddle Pass  
8 in the town of Plainville, provided such lease is part of a contract to  
9 which the city of New Britain is a party and the contract includes  
10 provisions to accomplish the following:

11 (1) The lease and subsequent use of such land effectuates an  
12 increase in the future safe yield of a pure and adequate supply of

13 drinking water for the city of New Britain and the surrounding area  
14 served by the city.

15 (2) By the conclusion of the lease, the person or entity to which such  
16 land is leased prepares the site for a public drinking water reservoir,  
17 and the surrounding land for reforestation, including the planting of a  
18 sufficient number of trees on the portions of the site that are not to be  
19 used as a public drinking water reservoir in order to facilitate  
20 reforestation.

21 (3) The extraction of stone or other material from such land or any  
22 adjacent land is a sufficient distance from residential homes as to  
23 prevent unreasonable disruption of residential use.

24 (4) Such lease is for a term of forty years or less.

25 (b) The contract authorized by subsection (a) of this section shall not  
26 be executed by the city of New Britain until the following have  
27 occurred:

28 (1) An environmental evaluation has been conducted by an  
29 independent third party for the purpose of evaluating the potential  
30 impact on the purity and adequacy of the existing and future public  
31 water supply, and the Department of Public Health has reviewed such  
32 evaluation for the purpose of providing the New Britain Water  
33 Department with guidance concerning best management practices for  
34 the protection of the public water supply and the public health.

35 (2) The Commissioner of Public Health has reviewed and approved  
36 such lease to ensure the short-term and long-term purity and adequacy  
37 of the public water supply and notified the New Britain Water  
38 Department of such review and approval.

39 (3) The mayor of the city of New Britain has proposed said lease and  
40 contract to the Common Council of said city.

41 (A) No earlier than thirty days prior to the submission of such lease  
42 and contract proposal to the Common Council, the mayor of the city of

43 New Britain has conducted a public hearing at which said mayor hears  
44 the opinion of any person wishing to speak on the merits of the  
45 proposed lease and contract. No earlier than thirty days prior to said  
46 hearing, said mayor has caused a notice of such hearing to be  
47 published in a newspaper of general distribution in the city of New  
48 Britain and mailed notice to all persons residing within one mile of any  
49 part of the land to be conveyed. Said public hearing shall be held in the  
50 city of New Britain at a location within one mile of any part of the land  
51 to be conveyed.

52 (B) After such public hearing said mayor shall recommend to the  
53 Common Council of said city approval or disapproval of the lease and  
54 contract.

55 (C) Said mayor has submitted the lease and contract proposal to the  
56 legislative bodies of the city of New Britain and the town of Plainville,  
57 the inland wetland commissions of the city of New Britain and the  
58 town of Plainville, the City Plan Commission of the city of New Britain  
59 and the Planning and Zoning Commission of the town of Plainville.

60 (4) All appropriate authorities in the town of Plainville have  
61 approved the proposed use of said land.

62 (5) The inland wetland commission and the City Plan Commission  
63 of the city of New Britain have conducted a public hearing in  
64 accordance with procedures applicable in said city after receiving the  
65 proposal of the mayor of the city of New Britain in accordance with  
66 subdivision (3) of this subsection, and has voted to approve or reject  
67 the proposal of the mayor of New Britain within sixty days after  
68 receiving it.

69 (6) The Common Council of the city of New Britain has approved  
70 the proposal of the mayor of the city of New Britain which was  
71 submitted in accordance with subdivision (3) of this subsection,  
72 including the lease and contract contained in such proposal. Said  
73 Common Council shall not consider such proposal until the inland  
74 wetland commission and the City Plan Commission of the city have

75 approved such proposal in accordance with subdivision (5) of this  
76 subsection, and shall not approve said lease and contract after April 1,  
77 2008."