



# House of Representatives

General Assembly

**File No. 449**

*January Session, 2009*

Substitute House Bill No. 6466

*House of Representatives, April 2, 2009*

The Committee on Planning and Development reported through REP. SHARKEY of the 88th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING PROJECTS OF REGIONAL SIGNIFICANCE.***

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this  
2 section:

3 (1) "Regional planning organization" means (A) a regional council of  
4 governments organized under the provisions of sections 4-124i to 4-  
5 124p, inclusive, of the general statutes, (B) a regional council of elected  
6 officials organized under the provisions of sections 4-124c to 4-124h,  
7 inclusive, of the general statutes, or (C) a regional planning agency  
8 organized under the provisions of chapter 127 of the general statutes;  
9 and

10 (2) "Proposed project of regional significance" means a proposed  
11 project that is an open air theater, shopping center or other  
12 development generating large volumes of traffic, having an exit or  
13 entrance on, or abutting or adjoining, any state highway or

14 substantially affecting state highway traffic within this state and that is  
15 required to obtain a certificate from the State Traffic Commission  
16 under section 14-311 of the general statutes.

17 (b) Each regional planning organization shall establish a voluntary  
18 process for applicants to any state or local agency, department or  
19 commission to request a preapplication review of proposed projects of  
20 regional significance. Such process shall provide criteria and standards  
21 for review which shall include a procedure to assure that all relevant  
22 municipal, regional and state agencies provide the applicant with (1)  
23 preliminary comment on the project, (2) summaries of the review  
24 process of each agency, and (3) an opportunity for the applicant to  
25 discuss the project with representatives of each agency at a meeting  
26 convened by the regional planning organization. A state or local  
27 agency, department or commission shall participate in a review of a  
28 proposed project of regional significance upon request of a regional  
29 planning organization. The regional planning organization shall  
30 prepare a report of the comments of the agencies reviewing the  
31 proposal and provide a copy of such report to the applicant and each  
32 reviewing agency.

33 (c) Information provided by an applicant or a local, regional or state  
34 agency as part of a process established by a regional planning  
35 organization under this section shall not be subject to disclosure under  
36 the Freedom of Information Act, as defined in section 1-200 of the  
37 general statutes, and shall not be considered by any relevant  
38 municipal, regional or state agency in subsequent deliberations on the  
39 project.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	New section

**PD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Various State Agencies	GF - Potential Cost	Indeterminate	Indeterminate

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 10 \$	FY 11 \$
Various Municipalities	STATE MANDATE - Potential Cost	Indeterminate	Indeterminate

**Explanation**

The bill requires regional planning organizations (RPO) to establish a voluntary process for pre-application review for projects of a regional significance. Additionally, the bill requires state and local agencies to participate in the review upon the RPO's request, which is a state mandate. It is unclear what these required reviews entail, and it is unknown whether state and local agencies will incur costs related to such reviews.

**The Out Years**

The annualized ongoing fiscal impact for the state and local agencies is indeterminate.

**OLR Bill Analysis****sHB 6466*****AN ACT CONCERNING PROJECTS OF REGIONAL SIGNIFICANCE.*****SUMMARY:**

This bill requires each regional planning organization (RPO) to establish a voluntary process for applicants to state or local agencies, departments, or commissions to request a pre-application review of proposed projects of regional significance. There are three types of RPOs: councils of governments, councils of elected officials, and regional planning agencies. Under the bill, a project of regional significance is one that requires a State Traffic Commission permit. These are shopping centers, open air theaters, and other developments that (1) have an exit or entrance on a state highway, (2) abut or adjoin a state highway, or (3) substantially affect state highway traffic.

The bill requires the RPO process to provide criteria and standards for the review that include a procedure to assure that all relevant municipal, regional, and state agencies provide the applicant with (1) preliminary comment on the project, (2) summaries of each agency's review process, and (3) an opportunity for the applicant to discuss the project with representatives of each agency at a meeting the RPO convenes. State and local agencies must participate in the review upon the RPO's request. The RPO must prepare a report of the agencies' comments on the proposal and provide a copy of the report to the applicant and each reviewing agency.

Information provided by an applicant or agency as part of this process (1) is not subject to disclosure under the Freedom of Information Act and (2) may not be considered by any relevant agency in subsequent deliberations on the project.

EFFECTIVE DATE: October 1, 2009

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 17 Nay 1 (03/13/2009)