



General Assembly

January Session, 2011

**Committee Bill No. 491**

LCO No. 3056

\*03056SB00491PD\_\*

Referred to Committee on Planning and Development

Introduced by:  
(PD)

**AN ACT REDUCING THE NUMBER OF PUBLIC HEARINGS ON  
SUBDIVISION AND SITE PLAN APPLICATIONS.**

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

1 Section 1. Subsection (g) of section 8-3 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2011*):

4 (g) The zoning regulations may require that a site plan be filed with  
5 the commission or other municipal agency or official to aid in  
6 determining the conformity of a proposed building, use or structure  
7 with specific provisions of such regulations. If a site plan application  
8 involves an activity regulated pursuant to sections 22a-36 to 22a-45,  
9 inclusive, the applicant shall submit an application for a permit to the  
10 agency responsible for administration of the inland wetlands  
11 regulations not later than the day such application is filed with the  
12 zoning commission. The commission shall, within the period of time  
13 established in section 8-7d, accept the filing of and shall process,  
14 pursuant to section 8-7d, any site plan application involving land  
15 regulated as an inland wetland or watercourse under chapter 440. No  
16 public hearing shall be required for a site plan application that is

17 associated with an approved change in the zoning regulations or the  
18 boundaries of zoning districts upon which a public hearing was  
19 already held pursuant to this section. The decision of the zoning  
20 commission shall not be rendered on the site plan application until the  
21 inland wetlands agency has submitted a report with its final decision.  
22 In making its decision, the commission shall give due consideration to  
23 the report of the inland wetlands agency and if the commission  
24 establishes terms and conditions for approval that are not consistent  
25 with the final decision of the inland wetlands agency, the commission  
26 shall state on the record the reason for such terms and conditions. A  
27 site plan may be modified or denied only if it fails to comply with  
28 requirements already set forth in the zoning or inland wetlands  
29 regulations. Approval of a site plan shall be presumed unless a  
30 decision to deny or modify it is rendered within the period specified in  
31 section 8-7d. A certificate of approval of any plan for which the period  
32 for approval has expired and on which no action has been taken shall  
33 be sent to the applicant within fifteen days of the date on which the  
34 period for approval has expired. A decision to deny or modify a site  
35 plan shall set forth the reasons for such denial or modification. A copy  
36 of any decision shall be sent by certified mail to the person who  
37 submitted such plan within fifteen days after such decision is  
38 rendered. The zoning commission may, as a condition of approval of  
39 any modified site plan, require a bond in an amount and with surety  
40 and conditions satisfactory to it, securing that any modifications of  
41 such site plan are made or may grant an extension of the time to  
42 complete work in connection with such modified site plan. The  
43 commission may condition the approval of such extension on a  
44 determination of the adequacy of the amount of the bond or other  
45 surety furnished under this section. The commission shall publish  
46 notice of the approval or denial of site plans in a newspaper having a  
47 general circulation in the municipality. In any case in which such  
48 notice is not published within the fifteen-day period after a decision  
49 has been rendered, the person who submitted such plan may provide  
50 for the publication of such notice within ten days thereafter. The

51 provisions of this subsection shall apply to all zoning commissions or  
52 other final zoning authority of each municipality whether or not such  
53 municipality has adopted the provisions of this chapter or the charter  
54 of such municipality or special act establishing zoning in the  
55 municipality contains similar provisions.

56 Sec. 2. Subsection (c) of section 8-26 of the general statutes is  
57 repealed and the following is substituted in lieu thereof (*Effective*  
58 *October 1, 2011*):

59 (c) The commission may hold a public hearing regarding any  
60 subdivision proposal if, in its judgment, the specific circumstances  
61 require such action, except that no public hearing shall be held for a  
62 subdivision proposal that is associated with an approved change in the  
63 zoning regulations or the boundaries of zoning districts upon which a  
64 public hearing was already held pursuant to section 8-3, as amended  
65 by this act. No plan of resubdivision shall be acted upon by the  
66 commission without a public hearing. Such public hearing shall be  
67 held in accordance with the provisions of section 8-7d.

|   |                        |         |
|---|------------------------|---------|
| This act shall take effect as follows and shall amend the following sections: |                        |         |
| Section 1   | <i>October 1, 2011</i> | 8-3(g)  |
| Sec. 2  | <i>October 1, 2011</i> | 8-26(c) |

**Statement of Purpose:**

To reduce the number of public hearings required for certain developments.

*[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.]*

Co-Sponsors: SEN. FASANO, 34th Dist.

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