



STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

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Office of the
Commissioner

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Public Hearing – March 14, 2011 Transportation Committee

Testimony Submitted by Acting Commissioner James P. Redeker Department of Transportation

H.B. 6577 – An Act Eliminating the Waiting Period for Municipal Building Demolition Permits for State Transportation Projects. (ConnDOT proposal)

The Department of Transportation (Department) supports H.B. 6577 as a means of expediting state transportation project delivery.

Currently, CGS 29-404 requires the local building official to administer State Demolition Code and issue building demolition permits. CGS 29-406(b) allows the municipality, by ordinance, to impose a waiting period of up to 180 days before granting a demolition permit. ConnDOT proposes an exemption from any municipal waiting period when the building demolition permit is required for the advancement of a pending transportation project.

The Department frequently acquires properties for transportation projects where the demolition of existing structures is required. By the time the Department applies for a demolition permit from the town building inspector, the project itself is several years old and the Department has provided several opportunities for public involvement, coordinated all activities of design and construction with the respective municipality and Regional Planning Organization (RPO), and completed an environmental review of the project, including comments and approvals from the State Historic Preservation Office (SHPO), and obtained necessary permits from state and federal regulatory agencies. It is important to note that every project receives an environmental review and approval from SHPO. Additionally, the exemption under this statute would not preclude the Department from requirements of CGS 4b-64, notice of intent to Connecticut Commission on Culture and Tourism.

As mandated by the federal government, the Department has an extensive public outreach policy that is memorialized in the "Connecticut Department of Transportation Public Involvement Procedures, December 2009" manual. These public involvement procedures are in place to involve stakeholders in the development of a project and establish a continued exchange of information and ideas as the project progresses. These stakeholders are typically adjacent property owners, the local elected officials, regional elected officials, town planners, and other project appropriate groups and organizations.

After years of coordinating with stakeholders and other state and federal agencies and getting approvals for the transportation project, the Department must make a request for a permit from the local building inspector for the demolition of any structures as required under CGS 29-404. At this point, it is not a question as to "if" the building will be demolished, but rather when. Therefore, it is redundant and unnecessary to allow a transportation project to be delayed for up to 180 days, as allowed under CGS 29-406(b), by withholding a demolition permit when all the issues of demolishing a building have already been discussed and all approvals have been granted. This additional delay imposed by the municipality only results in delays to the start of significant transportation projects, which may jeopardize funding, increase construction costs, increase maintenance costs, and cause vandalism and blight to the surrounding community.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013.