
OLR Bill Analysis

sSB 1030

AN ACT CONCERNING AN APPEAL OF A DECISION OF A ZONING BOARD OF APPEALS.

SUMMARY:

This bill requires the Superior Court to award damages, costs, and attorney's fees to the injured party, if it finds that a party filed a planning or zoning commission appeal without just cause and only to cause a delay. Generally, courts have discretion to order such awards under current law. Under the bill, such an award is required in addition to any other court-ordered remedy or disciplinary action.

The bill's requirement applies to appeals of other board and commission decisions that must, by reference, follow the procedures for appealing a planning or zoning commission decision.

EFFECTIVE DATE: October 1, 2011

APPLICATION

Appeals of other board and commission decisions, by reference to CGS § 8-8, must follow the procedures prescribed for appeals from planning, zoning, or zoning board of appeals decisions. Thus, the bill's requirement applies to appeals of decisions on the following:

1. inland wetlands (CGS § 22a-43);
2. affordable housing land use (CGS § 8-30g);
3. water pollution control agency or sewer district (CGS § 7-246a);
4. local historic district commission (CGS § 7-147i);
5. littering or dumping orders (CGS § 22a-250);
6. local conservation commissions, the Connecticut River Gateway

Commission, and Niantic River Gateway Commission (CGS §§ 25-102h, -102l, -109h, and -109k); and

7. municipal airport zoning regulations (CGS § 15-95).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 43 Nay 2 (04/15/2011)