



House of Representatives

General Assembly

File No. 84

February Session, 2012

House Bill No. 5315

House of Representatives, March 22, 2012

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT AUTHORIZING PLANNING COMMISSIONS TO NOTIFY REGIONAL PLANNING AGENCIES OF SUBDIVISION APPLICATIONS BY ELECTRONIC MAIL.

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

1 Section 1. Section 8-26b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 Whenever a subdivision of land is planned, the area of which will
4 abut or include land in two or more municipalities one or both of
5 which are within a region or regions having a regional planning
6 agency or agencies, the planning commission, where one exists, of each
7 such municipality shall, before approving the plan, give written notice
8 of such subdivision plan to [the] each regional planning agency [or
9 agencies of] for the region or regions in which it [or] and the other
10 municipality [is] are located. Such notice shall be made by certified
11 mail, return receipt requested, or by electronic mail to the electronic
12 mail address designated by the regional planning agency on the
13 agency's Internet web site for receipt of such notice, not later than

14 thirty days before the public hearing to be held in relation thereto. If
15 such notice is sent by electronic mail and the planning commission
16 does not receive an electronic mail message from a regional planning
17 agency confirming receipt of such notice, then not later than twenty-
18 five days before the public hearing, the planning commission shall also
19 send such notice by certified mail, return receipt requested, to such
20 planning agency. A regional planning agency receiving such notice
21 shall, at or before the hearing report to each such planning commission
22 and to the proponent of such subdivision on its findings on the
23 intermunicipal aspects of the proposed subdivision, including street
24 layout, storm drainage, sewer and water service and such other
25 matters as it considers appropriate. If such report of a regional
26 planning agency is not submitted, at or before the hearing, it shall be
27 presumed that such agency does not disapprove of the proposed
28 subdivision. A regional planning agency may designate its executive
29 committee to act for it under this section or it may establish a
30 subcommittee for the purpose. The report of such regional planning
31 agency shall be purely advisory.

32 Sec. 2. Section 8-3b of the 2012 supplement to the general statutes is
33 repealed and the following is substituted in lieu thereof (*Effective*
34 *October 1, 2012*):

35 When the zoning commission of any municipality proposes to
36 establish or change a zone or any regulation affecting the use of a zone
37 any portion of which is within five hundred feet of the boundary of
38 another municipality located within the area of operation of a regional
39 planning agency, the zoning commission shall give written notice of its
40 proposal to each regional planning agency [of] for the region or
41 regions in which it and the other municipality are located. Such notice
42 shall be made by certified mail, return receipt requested, or by
43 electronic mail to the electronic mail address designated by the
44 regional planning agency on the agency's Internet web site for receipt
45 of such notice, not later than thirty days before the public hearing to be
46 held in relation thereto. If such notice is sent by electronic mail and the
47 zoning commission does not receive an electronic mail message from a

48 regional planning agency confirming receipt of such notice, then not
 49 later than twenty-five days before the public hearing, the zoning
 50 commission shall also send such notice by certified mail, return receipt
 51 requested, to such planning agency. The regional planning agency
 52 shall study such proposal and shall report its findings and
 53 recommendations thereon to the zoning commission at or before the
 54 hearing, and such report shall be made a part of the record of such
 55 hearing. The report of any regional planning agency of any region that
 56 is contiguous to Long Island Sound shall include findings and
 57 recommendations on the environmental impact of the proposal on the
 58 ecosystem and habitat of Long Island Sound. If such report of the
 59 regional planning agency is not submitted at or before the hearing, it
 60 shall be presumed that such agency does not disapprove of the
 61 proposal. A regional planning agency receiving such a notice may
 62 transmit such notice to the Secretary of the Office of Policy and
 63 Management or his designee for comment. The planning agency may
 64 designate its executive committee to act for it under this section or may
 65 establish a subcommittee for the purpose. The report of said planning
 66 agency shall be purely advisory.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	8-26b
Sec. 2	<i>October 1, 2012</i>	8-3b

PD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 13 \$	FY 14 \$
Various Municipalities	Potential Savings	Less than \$1,000	Less than \$1,000

Explanation

The bill, which allows certain municipal planning commissions to notify regional planning agencies (RPAs) about proposed subdivisions by email, could result in savings to municipalities anticipated to be less than \$1,000 annually. These savings are associated with reduced printing and postage costs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR BILL ANALYSIS**HB 5315*****AN ACT AUTHORIZING PLANNING COMMISSIONS TO NOTIFY REGIONAL PLANNING AGENCIES OF SUBDIVISION APPLICATIONS BY ELECTRONIC MAIL.*****SUMMARY:**

This bill allows municipal planning commissions to notify regional planning agencies (RPAs) about proposed subdivisions by email, instead of certified mail. The bill specifies that planning commissions must email the notice to the email address an RPA designates on its website to receive such notices.

If a commission does not receive an email from an RPA confirming receipt of the notice, it must also send the RPA notice by certified mail, return receipt requested, at least 25 days before the public hearing. By law, municipal planning commissions must (1) notify RPAs about proposed subdivisions that abut or include land in two or more towns located within an RPA's area of operation and (2) send the notice at least 30 days before the required public hearing on the subdivision plan.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2012

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/07/2012)