



Making Great Communities Happen

Connecticut Chapter of the American Planning Association Government Relation Committee

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POSITION STATEMENT

PLANNING AND DEVELOPMENT COMMITTEE – MARCH 9, 2012

BILL: RB 343 – An Act Concerning Intervention in Permit Proceedings Pursuant to the Environmental Protection Act of 1971

CCAPA POSITION

CCAPA strongly supports RB 343 to revise CGS §22a-19. We believe the bill proposes timely and appropriate improvements to the land use permitting process in Connecticut and will result in greater efficiency and reduced costs.

OVERVIEW

RB 343 would establish basic procedural and other standards for intervention under this Statute.

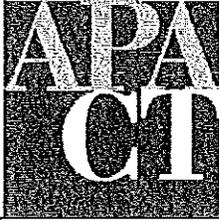
ANALYSIS

Adopted in 1971, CGS §22a-19 was an important and necessary law, at a time when there were very few land use or environmental plans, programs, procedures, guidelines or provisions for citizen engagement in policy or regulatory matters. In addition, our environment in 1971 was, to say the least, challenged. However in the forty years since adoption, the State, its municipalities and the Federal government, have implemented a very rigorous and participatory system of land use and environmental planning and regulation. This system mandates provisions for public engagement at multiple stages.

Recent experience with 22a-19 suggests that the process often fails to support or respect this framework, a tiered and iterative system grounded in the extensive collaborative efforts of citizen volunteers. In addition, rather than being a means of engagement in order to offer relevant suggestions towards making a project better, intervention is at times used to gain standing to appeal in order to kill a project through litigation. CCAPA believes SB 343 will help to eliminate these most egregious abuses, while still maintaining the initial intent of the law.

FISCAL IMPACT

Approval will result in substantial savings for municipalities, through a more organized and rational intervention process. Financial benefits will also result from providing greater assurance that significant expenses incurred to address State planning and regulatory mandates are not wasted. Approval will enhance the State's ability to attract and retain employers, as well as encourage cost efficiencies resulting from "smart growth" development, consistent with the State's growth management principles.



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WHO WE ARE

The Connecticut Chapter of the American Planning Association has over 450 members who are governmental and consulting planners, land use attorneys, citizen planners, and other professionals engaged in planning and managing land use, economic development, housing, transportation, and conservation for local, regional, and State governments and for private businesses and other entities. The Chapter has long been committed to assisting the legislature and State agencies with developing and furthering responsible growth management principles. The American Planning Association is an independent, not-for-profit, national educational organization that provides leadership in the development of vital communities.

OUR LEGISLATIVE AGENDA

In Connecticut, CCAPA has a long history of providing expert professional assistance to the efforts of the General Assembly and State agencies in providing effective planning for the State and its towns. We have participated in and supported recent efforts to modernize Connecticut's statutes in recognition of the changing and increasingly important role of growth management and the coordination of planning across all levels of government.

CCAPA provides analysis and comments on specific bills addressing guidelines, requirements, and procedures that apply to the statutory responsibilities of municipal planners and land use regulators, particularly in Title 8 and Title 22a. These statutes significantly influence the work not only of government agencies but also of private developers and business that drive Connecticut's economy. CCAPA participates on task forces, workgroups, informational hearings, and informal meetings with legislative leaders and other interested parties on matters pertaining to conservation and development in Connecticut. CCAPA's primary goal in such activities is to provide objective, professional guidance on these issues to decision makers in State government.

OUR CURRENT LEGISLATIVE FOCUS

In addition to review and analysis of specific bills, and filing of position statements when appropriate, CCAPA has been working with the Office of Policy and Management on its development of the next State Conservation and Development Policies Plan. We continue to advocate for the integration of consistent planning principles to improve the coordination of State, regional, and local plans. We also cooperate with the Connecticut Conference of Municipalities, the Home Builders Association, the Connecticut Association of Municipal Attorneys, and other interests to identify opportunities to improve land use controls and growth management tools.

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