



March 9, 2015

Senator Catherine Osten, Co-Chair
Representative Phillip Miller, Co-Chair

Re: Opposition of House Bill No. 6966; An act Concerning Municipal Newspaper Postings

Dear Chairs and members of Planning and Development Committee:

On behalf of the Connecticut Association of Zoning Enforcement Officers (CAZEO), we are writing to you to express our opposition for House Bill 6966. The proposed legislation would permit towns to post a "brief" summary as the legal advertisement directing readers to the town's website for a complete description. This legislation would not help eliminate the budgetary burdens faced by all municipalities in Connecticut nor would it help promote openness of government.

The Connecticut Association of Zoning Enforcement Officers (CAZEO) was founded in 1979 as the professional organization representing individuals employed as Zoning Enforcement Officers throughout the State of Connecticut. Currently, CAZEO has over 140 members which represent over a 110 communities in Connecticut.

CAZEO was formed to bring professionalism and integrity to the Land Use process and we strive to hold our members to such standards. CAZEO fully supports transparency in government and the public's right to be informed of all of the activities of local boards and commissions.

As you may know, Section 8-7d of the CT State Statutes requires that every municipality post two (2) legal notices for every public hearing before all the Land Use Boards and Commissions (i.e.: Planning & Zoning Commission, Inland Wetlands Commission, Historic District Commission and the Zoning Board of Appeals) and a notice of decision for EVERY appealable decision that is made by the Board or Commission.

The term "brief summary" creates a concern from an appeal perspective. The bill's language is vague. Because notifications are criteria for an appeal of decisions made by Land Use Commissions/Boards, the describing of what a "brief summary" is needs to be clearly stated. Legal Ads currently provide information such as the property's address; name of applicant; and intent of application. It is unclear how such a posting could be reduced to a "brief summary" when we are already "briefly" describing an application.

Directing a reader to “conspicuous location on the web site” also raises a concern to our organization. The language is vague and open to what is considered to be “conspicuous” location on the web site. Just like “brief summary”, a Land Use Commission cannot be placed in spot where they do not have adequate details concerning posting requirements.

On average Land Use Commissions meet once a month and typically a notice of decision is required after each meeting. Theoretically, each municipality is required to publish roughly thirty-six notices per year. The average cost per newspaper publication of each notice is approximately \$100.00. If a public hearing is required, the advertising cost to the municipality, for the same development, could easily exceed \$700.00.

Communities are required to pay these increases in order to remain compliant with state statutes. This increase coupled with other economic factors, has caused the need for Communities to make tough cuts in staffing, training, services and supplies. Some municipalities have tried to re-coop this cost by increasing their application fees; this increase along with the doubling of the state fee in recent years has made application fees astronomically high making some projects unfeasible for small business owners or residents.

For example, if a small business owner wants to put an addition on and is within the regulated area of wetlands he/she will be required to get both a wetlands permit and Permit from P&Z. The application fees for these permits (varies per Town) could be anywhere between \$350 - \$500 and more. If public hearings are required, the advertising cost to the municipality for the same application could easily exceed \$700 for the same project. As you see, this project which would increase tax revenue and grow a small business would cost the municipality a few hundred dollars and from a property owner’s perspective, they would feel the sting of these increased fees before private finances are secured for the project.

To give you specific data on how much money is spent by the municipality each year, CAZEO polled our members to see how much their respective towns are spending on advertisement for various land use commissions. On average, a town is spending \$6,000.00 a year on advertisement costs. Here are a few specific examples from members of our organization concerning the amount of money being spent on legal advertisement:

Avon	\$6,000.00
Bristol	\$9,965.00
Simsbury	\$9,000.00
Torrington	\$7,200.00

The proposed legislation does not provide adequate economic relief to towns and applicants. Towns will still face costs associated with legal advertisement. Instead the permitting the posting of notices on a town’s web site in lieu of newspaper advertisements would solve this mandate.

It is evident that a growing number of people are get their news on-line. When people want to know what’s going on in their town, they go to the source of the information, the Town’s website, this is the appropriate place for meeting agenda, minutes AND legal notices. An added benefit to posting such notices on a web site is that they would reach a much broader audience such as residents who are on vacation and developers who are out of state.

An interested party would be able to see all business of their towns' boards and commission by simply accessing the web site 24 hours a day 7 days a week from the date the notice was posted until after the hearing/appeal period is over. Currently, the notice is only available when the legal notices are published the two (2) days, sometime between ten (10) & fifteen (15) days and two (2) & ten (10) days, before the public hearing or one (1) day after the decision, sometime within the next 15 days after the decision.

The State of Connecticut has moved to posting of actions by various agencies online. This change has helped the general public gain a greater understanding of how the state government works. This process should be copied at a local level too.

In closing, CAZEO asks that members of Planning and Development oppose House Bill 6966. Thank you for your attention to this matter.



Robin Newton, CZEO
President



Michael Glidden CZEO CFM
Vice President /Legislative Liaison