



# Connecticut

## *Connecticut Chapter of the American Planning Association*

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Government Relations Chairman: Christopher S. Wood, AICP  
Phone: 203 558-0654      [woodplanning@charter.net](mailto:woodplanning@charter.net)      [www.ccapa.org](http://www.ccapa.org)

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### **PLANNING AND DEVELOPMENT COMMITTEE**

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#### **SB-1084: AN ACT REORGANIZING LOCAL LAND USE COMMISSIONS, BOARDS AND AGENCIES.**

**OVERVIEW:** CCAPA believes this bill proposes a concept that merits careful consideration, but that adopting the proposal as presented would be counterproductive to the improvement of land use planning and regulation by Connecticut municipalities.

**SUMMARY:** This bill proposes to authorize an alternative approach to land use regulation by Connecticut municipalities. It would authorize municipalities to establish three distinct panels to 1. draft plans and regulations, 2. review and decide on applications, and 3. hear appeals and variance requests.

**ANALYSIS:** While clearly considerable thought has been given to the concepts presented in this bill, to our knowledge they have not incorporated the experience and considerations of practicing municipal planners and regulators. The likelihood of a municipality undertaking such a radical revision of its planning and regulatory process is very small, given the significant political implications, the significant uncertainty, and the very real potential that the system as described would not work.

Specific concerns with the proposal include:

- An unmanageable work load for the proposed Development Review Agency;
- The implication that a Land Use Appeals Board would vary wetlands and subdivision standards.
- The logistic requirements to adopt and adapt to the new organization and the uncertainty it would create for property owners.

It is also unclear what the fiscal impacts of such a dramatic overhaul of municipal procedures would be, and how many towns could afford them.

We also note that current law does not prevent municipalities from consolidating land use boards and at least five towns have done so.

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**CCAPA POSITION:** CCAPA does not believe that adoption of this proposal as crafted would actually result in benefits to municipalities, the general public, and other participants in land use planning and regulation. Nonetheless, as long as the adoption of the concepts remains strictly voluntary and if the statutory authority is clearly distinct from the existing authorities granted to municipalities, CCAPA does not reject the idea.

However, it is our expectation that adoption of this proposal, or anything similar, would effectively eliminate any opportunity for identifying and implementing realistic and meaningful improvements. As we offered in 2005 when this concept was first introduced, CCAPA is available to work with the Committee and other interests to identify what, if any, organizational improvements or consolidation of procedures may be appropriate to promote a more efficient and effective planning and land use approval process. Unfortunately, such a collaborative effort has not materialized.

Comprehensive, deliberate, and objective considerations of these and other concepts to improve the land use planning and regulatory processes should properly be an activity lead by the new Office of Responsible Growth, not by piecemeal amendments to long-established statutory standards.