

**PUBLIC ACT 03-177**  
**AN ACT CONCERNING CONSISTENCY IN MUNICIPAL LAND USE**  
**ADMINISTRATIVE REVIEW PROCESSES**

The State Legislature has enacted some major revisions to standardize time frames for receiving, holding hearings, and acting on land use applications. The new statutes are effective October 1, 2003, and affect the Planning and Zoning Commission, Zoning Board of Appeals, Inland Wetlands Agency/Conservation Commission, and Water Pollution Control Authority. Following is a matrix summarizing the new requirements and the resultant changes from the current statutes.

**Planning and Zoning Commission**

<b>Item</b>	<b>Applications Affected</b>	<b>Existing Requirement</b>	<b>New Requirement</b>	<b>Comments</b>
1. Official receipt of application	All applications	Day of PZC's next regularly scheduled meeting or 35 days after application submitted, whichever is sooner	No change	
2. Commence public hearing (mandatory hearing)	All applications <i>except</i> subdivision, site plan	Within 65 days after official receipt	No change	
3. Commence public hearing (optional hearing)	a. Subdivisions b. Site plans	a. Within 65 days after official receipt b. No time requirements	a. No change b. . Within 65 days after official receipt	Holding an optional public hearing adds up to a maximum of 100 more days for action (65 days to commence the hearing, 35 days to close the hearing)
4. Complete public hearing (mandatory hearing)	All applications <i>except</i> subdivision, site plan	Within 35 days	No change	
5. Complete public hearing (optional hearing)	a. Subdivisions b. Site plans	a. Within 35 days b. No time requirements	Within 35 days.	

<b>Item</b>	<b>Applications Affected</b>	<b>Existing Requirement</b>	<b>New Requirement</b>	<b>Comments</b>
6. Rendering decision— public hearing held	a. All applications <i>except</i> subdivision, site plan b. Subdivision, site plan	a. Within 65 days after hearing closes b. Within 65 days of official receipt whether public hearing held or not	a. No change b. Within 65 days after hearing closes	
7. Rendering decision— no public hearing held	Subdivision, site plan	Within 65 days of official receipt	No change	
8. Extensions of time frames—public hearing held	All applications	Applicant can consent to extend time frame for starting hearing for up to 65 days; the time frame for completing the hearing for up to 35 days, and the time frame for rendering a decision for up to 65 days, for a total maximum extension of 165 days.	Applicant can consent to extend time frame for any of the steps, but the total of all extensions together cannot exceed 65 days	Up to 100 days less time to act
9. Extensions of time frames—no hearing held	Subdivision, site plan	Applicant can consent to extend time frame for rendering a decision for up to two 65-day periods, for a total of 130 days	Applicant can consent to extend time frame for rendering a decision for up to 65 days	Up to 65 days less time to act

**Inland Wetlands Agency/Conservation Commission**

<b>Item</b>	<b>Applications Affected</b>	<b>Existing Requirement</b>	<b>New Requirement</b>	<b>Comments</b>
1. Official receipt of application	All applications	Day of IWA/CC's next regularly scheduled meeting, provided the regularly scheduled meeting is no earlier than 3 business days after submission, or 35 days after application submitted, whichever is sooner	Day of IWA/CC's next regularly scheduled meeting or 35 days after application submitted, whichever is sooner	Time clock for action starts even for applications submitted the day before a regular meeting
2. Commence public hearing	a. Wetlands boundary changes b. All other applications	a. Start and finish hearing within 90 days b. Within 65 days	Within 65 days	Additional 10 days
3. Complete public hearing	a. Wetlands boundary changes b. All other applications	a. Start and finish hearing within 90 days b. Within 45 days	Within 35 days	
4. Rendering decision—public hearing held	a. Wetlands boundary changes b. All other applications	a. Within 60 days after hearing closes b. Within 35 days after hearing closes	a. Within 65 days b. No change	c. Additional 5 days d. Additional 30 days
5. Rendering decision—no public hearing held	All applications for which no hearing was held	Within 65 days after official receipt	No change	
6. Extensions of time frames	a. Wetlands boundary changes	a. Applicant can consent to extend time frame for starting and concluding hearing for up to 90 days, and the time frame for rendering a decision for up to 60 days, for a total maximum extension of 150 days	Applicant can consent to extend time frame for any of the steps, but the total of all extensions together cannot exceed 65 days	a. 85 less days

<b>Item</b>	<b>Applications Affected</b>	<b>Existing Requirement</b>	<b>New Requirement</b>	<b>Comments</b>
6. Extension of time frames (continued)	b. All other applications	b. Applicant can consent to extend time frame for concluding hearing for up to 45 days, and the time frame for rendering a decision for up to 35 days, for a total maximum extension of 80 days		b. 15 less days

### Zoning Board of Appeals

Item	Applications Affected	Existing Requirement	New Requirement	Comments
10. Official receipt of application	All applications	Day of ZBA's next regularly scheduled meeting or 35 days after application submitted, whichever is sooner	No change	
11. Commence public hearing	All applications	Within 65 days after official receipt	No change	
12. Complete public hearing	All applications	Within 35 days	No change	
13. Rendering decision	All applications	Within 65 days after hearing closes	No change	
14. Extensions of time frames	All applications	Applicant can consent to extend time frame for starting hearing for up to 65 days; the time frame for completing the hearing for up to 35 days, and the time frame for rendering a decision for up to 65 days, for a total maximum extension of 165 days.	Applicant can consent to extend time frame for any of the steps, but the total of all extensions together cannot exceed 65 days	Up to 100 less days

### Water Pollution Control Authority

<b>Item</b>	<b>Applications Affected</b>	<b>Existing Requirement</b>	<b>New Requirement</b>	<b>Comments</b>
15. Official receipt of application	Applications for (1) determination of the adequacy of sewer capacity related to a proposed use of land, (2) approval to hook up to a sewer system at the expense of the applicant, or (3) approval of any other proposal for waste water treatment or disposal at the expense of the applicant	None	Day of WPCA's next regularly scheduled meeting or 35 days after application submitted, whichever is sooner	New statute requires WPCA's to (basically) adhere to the same time frames as the other land use regulatory commissions (PZC, ZBA, IWA/CC)
16. Commence public hearing (if WPCA requires one)	Same	None	Within 65 days	There is no separation of time before, during and after a public hearing; all must be accomplished within the 65 day (plus extensions) time frame
17. Complete public hearing	Same	None		
18. Rendering decision	Same	None		
19. Extensions of time frames	Same	None	Applicant can consent to extend time frame, but the total of all extensions together cannot exceed 65 days	

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