

## CBA LPRC POSITION REQUEST FORM

The CBA Planning & Zoning Section **position request** is as follows:

1) Proposed legislative or regulatory concept:

Sections 8-3(m), 8-26c(e), 8-26g(c), and 22a-42a(g) of the General Statutes set certain deadlines to complete work under certain permits (site plans, subdivisions, and wetlands permits). If work is not completed within such timeframes, the permits generally expire. **RSB-970** would extend the timeframes to complete work under certain permits under these sections as follows:

- Section 8-3(m): Site plans approved on or after July 1, 2011, but prior to the effective date of this section, which did not expire prior to March 10, 2020, except for approvals made under subsection (j) of this section, shall not expire less than 6 years after the date of such approval. The commission may grant one or more extensions of time to complete all or part of the work, provided no approval, including all extensions, shall be valid for more than 11 years from the date the site plan was approved;
- Section 8-26c(e): The same extensions as noted above but for subdivision approval;
- Section 8-26g(c): For any subdivision of land involving a project consisting of 400 or more dwelling units approved on or after July 1, 2011, but prior to the effective date of this section, that did not expire prior to March 10, 2020, all work must be completed within 11 years after the date of approval; and
- Section 22a-42a(g): Any wetlands permit issued under this section on or after July 1, 2011, but prior to the effective date of this section, that did not expire prior to March 10, 2020 shall not expire less than 6 years after the date of such approval. The permit shall be renewed upon the request of the permit holder unless the agency finds that there has been a substantial change in circumstances that requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued, provided no permit may be valid for more than 11 years.

2) Explanation and rationale for advancing this position:

The revisions under RSB-970 are apparently intended to address the disruption in completing work under existing permits due to the ongoing COVID-19 pandemic.

3) Is draft regulation, legislation or proposed bill included?

Yes, please see the full text of the bill attached to this form.

- 4) What is the date of any legislative hearing, if known?

March 5 before the Planning & Development Committee.

- 5) Was this position previously approved by the CBA? If so, when does/did it expire?

No.

- 6) Is the CBA section or committee seeking to join a previously approved CBA section or committee position?

No.

- 7) Potential or actual CBA opposition from another CBA section or committee?

Unknown.

- 8) Strength of section position (including process and results of section vote taken on issue):

The Planning & Zoning Section polled its Executive Committee, which consists of 51 members, including ex-officio members. The Section received 28 responses from its Executive Committee. There were 19 members in support of RSB-698 and another 9 members who responded with “no comment.”

- 9) Fiscal impact (on the state): None.

- 10) Are you seeking “fast-track” approval?<sup>1</sup> Yes.

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<sup>1</sup> A “fast track” recommendation will be submitted to the House of Delegates (HOD) or Board of Governors (BOG) at its next scheduled meeting (or, if between meetings of the HOD or BOG and during the legislative session, to the Executive Committee), and is warranted only when the Legislative Policy & Review Committee concludes that further analysis and study is unnecessary and where there is legitimate time pressure to address pending legislation.



General Assembly

January Session, 2021

***Raised Bill No. 970***

LCO No. 4099



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

***AN ACT CONCERNING EXTENDING THE TIME OF EXPIRATION OF CERTAIN LAND USE PERMITS.***

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

1 Section 1. Subsection (m) of section 8-3 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (m) (1) Notwithstanding the provisions of this section, any site plan  
5 approval made under this section prior to July 1, 2011, that has not  
6 expired prior to May 9, 2011, except an approval made under subsection  
7 (j) of this section, shall expire not less than nine years after the date of  
8 such approval and the commission may grant one or more extensions of  
9 time to complete all or part of the work in connection with such site  
10 plan, provided no approval, including all extensions, shall be valid for  
11 more than fourteen years from the date the site plan was approved.

12 (2) Notwithstanding the provisions of this section, any site plan  
13 approval made under this section on or after July 1, 2011, but prior to  
14 the effective date of this section, that did not expire prior to March 10,  
15 2020, except an approval made under subsection (j) of this section, shall

16 expire not less than six years after the date of such approval and the  
17 commission may grant one or more extensions of time to complete all or  
18 part of the work in connection with such site plan, provided no  
19 approval, including all extensions, shall be valid for more than eleven  
20 years from the date the site plan was approved.

21 Sec. 2. Subsection (e) of section 8-26c of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective from*  
23 *passage*):

24 (e) (1) Notwithstanding the provisions of this section, any  
25 subdivision approval made under this section prior to July 1, 2011, that  
26 has not expired prior to May 9, 2011, shall expire not less than nine years  
27 after the date of such approval and the commission may grant one or  
28 more extensions of time to complete all or part of the work in connection  
29 with such subdivision, provided no subdivision approval, including all  
30 extensions, shall be valid for more than fourteen years from the date the  
31 subdivision was approved.

32 (2) Notwithstanding the provisions of this section, any subdivision  
33 approval made under this section on or after July 1, 2011, but prior to  
34 the effective date of this section, that did not expire prior to March 10,  
35 2020, shall expire not less than six years after the date of such approval  
36 and the commission may grant one or more extensions of time to  
37 complete all or part of the work in connection with such subdivision,  
38 provided no subdivision approval, including all extensions, shall be  
39 valid for more than eleven years from the date the subdivision was  
40 approved.

41 Sec. 3. Subsection (c) of section 8-26g of the general statutes is  
42 repealed and the following is substituted in lieu thereof (*Effective from*  
43 *passage*):

44 (c) (1) Notwithstanding the provisions of this section, for any  
45 subdivision of land for a project consisting of four hundred or more  
46 dwelling units and approved prior to July 1, 2011, that has not expired  
47 prior to May 9, 2011, any person, firm or corporation making such

48 subdivision shall complete all work in connection with such subdivision  
49 not later than the date fourteen years after the date of approval of the  
50 plan for such subdivision. The commission's endorsement of approval  
51 on the plan shall state the date on which such fourteen-year period  
52 expires.

53 (2) Notwithstanding the provisions of this section, for any  
54 subdivision of land for a project consisting of four hundred or more  
55 dwelling units and approved on or after July 1, 2011, but prior to the  
56 effective date of this section, that did not expire prior to March 10, 2020,  
57 any person, firm or corporation making such subdivision shall complete  
58 all work in connection with such subdivision not later than the date  
59 eleven years after the date of approval of the plan for such subdivision.  
60 The commission's endorsement of approval on the plan shall state the  
61 date on which such eleven-year period expires.

62 Sec. 4. Subsection (g) of section 22a-42a of the general statutes is  
63 repealed and the following is substituted in lieu thereof (*Effective from*  
64 *passage*):

65 (g) (1) Notwithstanding the provisions of subdivision (2) of  
66 subsection (d) of this section, any permit issued under this section prior  
67 to July 1, 2011, that has not expired prior to May 9, 2011, shall expire not  
68 less than nine years after the date of such approval. Any such permit  
69 shall be renewed upon request of the permit holder unless the agency  
70 finds that there has been a substantial change in circumstances that  
71 requires a new permit application or an enforcement action has been  
72 undertaken with regard to the regulated activity for which the permit  
73 was issued, provided no such permit shall be valid for more than  
74 fourteen years.

75 (2) Notwithstanding the provisions of subdivision (2) of subsection  
76 (d) of this section, any permit issued under this section on or after July  
77 1, 2011, but prior to the effective date of this section, that did not expire  
78 prior to March 10, 2020, shall expire not less than six years after the date  
79 of such approval. Any such permit shall be renewed upon request of the

80 permit holder unless the agency finds that there has been a substantial  
81 change in circumstances that requires a new permit application or an  
82 enforcement action has been undertaken with regard to the regulated  
83 activity for which the permit was issued, provided no such permit shall  
84 be valid for more than eleven years.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	8-3(m)
Sec. 2	<i>from passage</i>	8-26c(e)
Sec. 3	<i>from passage</i>	8-26g(c)
Sec. 4	<i>from passage</i>	22a-42a(g)

**Statement of Purpose:**

To extend the time of expiration of certain land use permits.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*