



Substitute House Bill No. 6541

Public Act No. 21-163

AN ACT CONCERNING AN EXTENSION OF TIME FOR THE EXPIRATION OF CERTAIN LAND USE APPROVALS.

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

Section 1. Subsection (m) of section 8-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

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

Sec. 2. Subsection (e) of section 8-26c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

(e) Notwithstanding the provisions of this section, any subdivision approval made under this section prior to July 1, 2011, that has not

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expired prior to [May 9, 2011] the effective date of this section, shall expire not less than [nine] fourteen years after the date of such approval and the commission may grant one or more extensions of time to complete all or part of the work in connection with such subdivision, provided no subdivision approval, including all extensions, shall be valid for more than [fourteen] nineteen years from the date the subdivision was approved.

Sec. 3. Subsection (c) of section 8-26g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

(c) Notwithstanding the provisions of this section, for any subdivision of land for a project consisting of four hundred or more dwelling units and approved prior to July 1, 2011, that has not expired prior to [May 9, 2011] the effective date of this section, any person, firm or corporation making such subdivision shall complete all work in connection with such subdivision not later than the date [fourteen] nineteen years after the date of approval of the plan for such subdivision. The commission's endorsement of approval on the plan shall state the date on which such [fourteen-year] nineteen-year period expires.

Sec. 4. Subsection (g) of section 22a-42a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

(g) Notwithstanding the provisions of subdivision (2) of subsection (d) of this section, any permit issued under this section prior to July 1, 2011, that has not expired prior to [May 9, 2011] the effective date of this section, shall expire not less than [nine] fourteen years after the date of such approval. Any such permit shall be renewed upon 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

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enforcement action has been undertaken with regard to the regulated activity for which the permit was issued, provided no such permit shall be valid for more than [~~fourteen~~] nineteen years.

Sec. 5. Section 8-3c of the general statutes, as amended by section 7 of public act 21-34, is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

(a) If an application for a special permit or special exception involves an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application to the agency responsible for administration of the inland wetlands regulations no later than the day the application is filed for a special permit or special exception.

(b) The zoning commission or combined planning and zoning commission of any municipality shall hold a public hearing on an application or request for a special permit or special exception, as provided in section 8-2, and on an application for a special exemption under section 8-2g. Such hearing shall be held in accordance with the provisions of section 8-7d. The commission shall not render a decision on the application until the inland wetlands agency has submitted a report with its final decision to such commission. In making its decision the zoning commission shall give due consideration to the report of the inland wetlands agency. Such commission shall decide upon such application or request within the period of time permitted under section 8-7d. Whenever a commission grants or denies a special permit or special exception, it shall state upon its records the reason for its decision. Notice of the decision of the commission shall be published in a newspaper having a substantial circulation in the municipality and addressed by certified mail to the person who requested or applied for a special permit or special exception, by its secretary or clerk, under his signature in any written, printed, typewritten or stamped form, within fifteen days after such decision has been rendered. In any case in which

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such notice is not published within such fifteen-day period, the person who requested or applied for such special permit or special exception may provide for the publication of such notice within ten days thereafter. Such permit or exception shall become effective upon the filing of a copy thereof (1) in the office of the town, city or borough clerk, as the case may be, but, in the case of a district, in the offices of both the district clerk and the town clerk of the town in which such district is located, and (2) in the land records of the town in which the affected premises are located, in accordance with the provisions of section 8-3d.

(c) (1) Notwithstanding the provisions of subsections (a) and (b) of this section, any special permit or special exception approval made under this section prior to July 1, 2011, that has not expired prior to the effective date of this section, and that specified a deadline by which all work in connection with such approval is required to be completed, shall expire not less than nineteen years after the date of such approval and the commission may grant one or more extensions of time to complete all or part of the work in connection with such special permit or special exception.

[[c)] (2) Notwithstanding the provisions of subsections (a) and (b) of this section, any special permit or special exception approval made 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, and that specified a deadline by which all work in connection with such approval is required to be completed, shall expire not less than nineteen years after the date of such approval and the commission may grant one or more extensions of time to complete all or part of the work in connection with such special permit or special exception.

Sec. 6. Section 8-26e of the general statutes, as amended by section 8 of public act 21-34, is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

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(a) The planning commission of any municipality shall hold a public hearing on an application or request for a special permit or special exception, as provided in section 8-2. Any such public hearing shall be held in accordance with the provisions of section 8-7d. Such commission shall decide upon such application or request within the period of time permitted under section 8-26d. Whenever a commission grants or denies a special permit or special exception, it shall state upon its records the reason for its decision. Notice of the decision of the commission shall be published in a newspaper having a substantial circulation in the municipality and addressed by certified mail to the person who requested or applied for a special permit or special exception, by its secretary or clerk, under his signature in any written, printed, typewritten or stamped form, within fifteen days after such decision has been rendered. In any case in which such notice is not published within such fifteen-day period, the person who requested or applied for such a special permit or special exception may provide for the publication of such notice within ten days thereafter. Such permit or exception shall become effective upon the filing of a copy thereof (1) in the office of the town, city or borough clerk, as the case may be, but, in the case of a district, in the offices of both the district clerk and the town clerk of the town in which such district is located, and (2) in the land records of the town in which the affected premises are located, in accordance with the provisions of section 8-3d.

(b) (1) Notwithstanding the provisions of subsection (a) of this section, any special permit or special exception approval made under this section prior to July 1, 2011, that has not expired prior to the effective date of this section, and that specified a deadline by which all work in connection with such approval is required to be completed, shall expire not less than nineteen years after the date of such approval and the commission may grant one or more extensions of time to complete all or part of the work in connection with such special permit or special exception.

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[(b)] (2) Notwithstanding the provisions of subsection (a) of this section, any special permit or special exception approval made 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, and that specified a deadline by which all work in connection with such approval is required to be completed, shall expire not less than nineteen years after the date of such approval and the commission may grant one or more extensions of time to complete all or part of the work in connection with such special permit or special exception.

Sec. 7. Section 9 of public act 21-34 is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to approvals made prior to July 1, 2011*):

(a) (1) Notwithstanding the provisions of any special act, any site plan, subdivision or permit approval by a zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands agency pursuant to the provisions of any such special act that occurred prior to July 1, 2011, and that has not expired prior to the effective date of this section, shall expire not less than fourteen years after the date of such approval and such commission, board or agency, as applicable, may grant one or more extensions of time to complete all or part of the work in connection with such approval, provided no approval, including all extensions, shall be valid for more than nineteen years from the date the site plan, subdivision or permit was initially approved.

[(a)] (2) Notwithstanding the provisions of any special act, [or] any site plan, subdivision or permit approval by a zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands agency pursuant to the provisions of any such special act that occurred on or after July 1, 2011, but prior to the effective date of this section, and that did not expire prior to March 10, 2020, [such approval] shall expire not less than fourteen

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years after the date of such approval and such commission, board or agency, as applicable, may grant one or more extensions of time to complete all or part of the work in connection with such approval, provided no approval, including all extensions, shall be valid for more than nineteen years from the date the site plan, subdivision or permit was initially approved.

(b) (1) Notwithstanding the provisions of any special act, any special permit or special exception approval by a zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands agency pursuant to the provisions of any such special act that occurred prior to July 1, 2011, that has not expired prior to the effective date of this section, and that specified a deadline by which all work in connection with such approval is required to be completed, shall expire not less than nineteen years after the date of such approval and such commission, board or agency, as applicable, may grant one or more extensions of time to complete all or part of the work in connection with such special permit or special exception approval.

[(b)] (2) Notwithstanding the provisions of any special act, [or] any special permit or special exception approval by a zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands agency pursuant to the provisions of any such special act that occurred on or after July 1, 2011, but prior to the effective date of this section, that did not expire prior to March 10, 2020, and that specified a deadline by which all work in connection with such approval is required to be completed, [such approval] shall expire not less than nineteen years after the date of such approval and such commission, board or agency, as applicable, may grant one or more extensions of time to complete all or part of the work in connection with such special permit or special exception approval.

Approved July 12, 2021