



General Assembly

Amendment

January Session, 2021

LCO No. 8542



Offered by:

SEN. CASSANO, 4th Dist.

SEN. HWANG, 28th Dist.

SEN. BERTHEL, 32nd Dist.

To: Senate Bill No. 970

File No. 321

Cal. No. 217

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

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- 1 In line 16, strike "six" and insert in lieu thereof "fourteen"
 - 2 In line 19, strike "eleven" and insert in lieu thereof "nineteen"
 - 3 In line 35, strike "six" and insert in lieu thereof "fourteen"
 - 4 In line 39, strike "eleven" and insert in lieu thereof "nineteen"
 - 5 In line 59, strike "eleven" and insert in lieu thereof "nineteen"
 - 6 In line 61, strike "eleven-year" and insert in lieu thereof "nineteen-
7 year"
 - 8 In line 78, strike "six" and insert in lieu thereof "fourteen"
 - 9 In line 84, strike "eleven" and insert in lieu thereof "nineteen"

10 After the last section, add the following and renumber sections and
11 internal references accordingly:

12 "Sec. 501. Section 8-3c of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective from passage*):

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

19 (b) The zoning commission or combined planning and zoning
20 commission of any municipality shall hold a public hearing on an
21 application or request for a special permit or special exception, as
22 provided in section 8-2, and on an application for a special exemption
23 under section 8-2g. Such hearing shall be held in accordance with the
24 provisions of section 8-7d. The commission shall not render a decision
25 on the application until the inland wetlands agency has submitted a
26 report with its final decision to such commission. In making its decision
27 the zoning commission shall give due consideration to the report of the
28 inland wetlands agency. Such commission shall decide upon such
29 application or request within the period of time permitted under section
30 8-7d. Whenever a commission grants or denies a special permit or
31 special exception, it shall state upon its records the reason for its
32 decision. Notice of the decision of the commission shall be published in
33 a newspaper having a substantial circulation in the municipality and
34 addressed by certified mail to the person who requested or applied for
35 a special permit or special exception, by its secretary or clerk, under his
36 signature in any written, printed, typewritten or stamped form, within
37 fifteen days after such decision has been rendered. In any case in which
38 such notice is not published within such fifteen-day period, the person
39 who requested or applied for such special permit or special exception
40 may provide for the publication of such notice within ten days
41 thereafter. Such permit or exception shall become effective upon the
42 filing of a copy thereof (1) in the office of the town, city or borough clerk,

43 as the case may be, but, in the case of a district, in the offices of both the
44 district clerk and the town clerk of the town in which such district is
45 located, and (2) in the land records of the town in which the affected
46 premises are located, in accordance with the provisions of section 8-3d.

47 (c) Notwithstanding the provisions of subsections (a) and (b) of this
48 section, any special permit or special exception approval made under
49 this section on or after July 1, 2011, but prior to the effective date of this
50 section, that did not expire prior to March 10, 2020, and that specified a
51 deadline by which all work in connection with such approval is required
52 to be completed, shall expire not less than nineteen years after the date
53 of such approval and the commission may grant one or more extensions
54 of time to complete all or part of the work in connection with such
55 special permit or special exception.

56 Sec. 502. Section 8-26e of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective from passage*):

58 (a) The planning commission of any municipality shall hold a public
59 hearing on an application or request for a special permit or special
60 exception, as provided in section 8-2. Any such public hearing shall be
61 held in accordance with the provisions of section 8-7d. Such commission
62 shall decide upon such application or request within the period of time
63 permitted under section 8-26d. Whenever a commission grants or denies
64 a special permit or special exception, it shall state upon its records the
65 reason for its decision. Notice of the decision of the commission shall be
66 published in a newspaper having a substantial circulation in the
67 municipality and addressed by certified mail to the person who
68 requested or applied for a special permit or special exception, by its
69 secretary or clerk, under his signature in any written, printed,
70 typewritten or stamped form, within fifteen days after such decision has
71 been rendered. In any case in which such notice is not published within
72 such fifteen-day period, the person who requested or applied for such a
73 special permit or special exception may provide for the publication of
74 such notice within ten days thereafter. Such permit or exception shall
75 become effective upon the filing of a copy thereof (1) in the office of the

76 town, city or borough clerk, as the case may be, but, in the case of a
77 district, in the offices of both the district clerk and the town clerk of the
78 town in which such district is located, and (2) in the land records of the
79 town in which the affected premises are located, in accordance with the
80 provisions of section 8-3d.

81 (b) Notwithstanding the provisions of subsection (a) of this section,
82 any special permit or special exception approval made under this
83 section on or after July 1, 2011, but prior to the effective date of this
84 section, that did not expire prior to March 10, 2020, and that specified a
85 deadline by which all work in connection with such approval is required
86 to be completed, shall expire not less than nineteen years after the date
87 of such approval and the commission may grant one or more extensions
88 of time to complete all or part of the work in connection with such
89 special permit or special exception.

90 Sec. 503. (NEW) (*Effective from passage*) (a) Notwithstanding the
91 provisions of any special act or any site plan, subdivision or permit
92 approval by a zoning commission, planning commission, combined
93 planning and zoning commission, zoning board of appeals or inland
94 wetlands agency pursuant to the provisions of any such special act that
95 occurred on or after July 1, 2011, but prior to the effective date of this
96 section, and that did not expire prior to March 10, 2020, such approval
97 shall expire not less than fourteen years after the date of such approval
98 and such commission, board or agency, as applicable, may grant one or
99 more extensions of time to complete all or part of the work in connection
100 with such approval, provided no approval, including all extensions,
101 shall be valid for more than nineteen years from the date the site plan,
102 subdivision or permit was initially approved.

103 (b) Notwithstanding the provisions of any special act or any special
104 permit or special exception approval by a zoning commission, planning
105 commission, combined planning and zoning commission, zoning board
106 of appeals or inland wetlands agency pursuant to the provisions of any
107 such special act that occurred on or after July 1, 2011, but prior to the
108 effective date of this section, that did not expire prior to March 10, 2020,

109 and that specified a deadline by which all work in connection with such
110 approval is required to be completed, such approval shall expire not less
111 than nineteen years after the date of such approval and such
112 commission, board or agency, as applicable, may grant one or more
113 extensions of time to complete all or part of the work in connection with
114 such special permit or special exception approval."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	<i>from passage</i>	8-3c
Sec. 502	<i>from passage</i>	8-26e
Sec. 503	<i>from passage</i>	New section