



General Assembly

February Session, 2024

Raised Bill No. 5170

LCO No. 129



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING EXTENSIONS OF TIME FOR CERTAIN MUNICIPAL COMMISSION, BOARD AND AGENCY DECISIONS AND TRAINING FOR INLAND WETLANDS AGENCIES.

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

1 Section 1. Subsection (d) of section 22a-42 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (d) (1) [At least one member of the inland wetlands agency or staff of
5 the agency shall be a person who has completed] On and after January
6 1, 2025, each member of and staff person employed by an inland
7 wetlands agency, except any member or staff person who is a licensed
8 attorney-at-law in this state and has served on or been employed by
9 such agency for four or more years, shall complete the comprehensive
10 training program developed by the commissioner pursuant to section
11 22a-39. [Failure to have a member of the agency or staff with training
12 shall not affect the validity of any action of the agency.]

13 (2) Any such member or staff person serving on or employed by any
14 such agency as of January 1, 2025, shall complete such training program

15 (A) by January 1, 2026, and (B) once every four years thereafter, except
16 that any such member may complete such subsequent training program
17 once every four years thereafter or once every term for which such
18 member is elected or appointed, if such term is longer than four years.

19 (3) Any such member or staff person not serving on or employed by
20 any such agency as of January 1, 2025, shall complete such training
21 program (A) not later than one year after such member's election or
22 appointment or such staff person's hiring, and (B) once every four years
23 thereafter, except that any such member may complete such subsequent
24 training program once every four years thereafter or once every term for
25 which such member is elected or appointed, if such term is longer than
26 four years.

27 (4) The commissioner shall [annually] make such training program
28 available [to one person from each town without cost to that person or
29 the town. Each inland wetlands agency shall hold a meeting at least once
30 annually at which information is presented to the members of the
31 agency which summarizes the provisions of the training program] on
32 the Internet web site of the Department of Energy and Environmental
33 Protection to members of and staff employed by inland wetlands
34 agencies. The commissioner shall develop such [information] training
35 program in consultation with interested persons affected by the
36 regulation of inland wetlands. [and shall provide for distribution of
37 video presentations and related written materials which convey such
38 information to inland wetlands agencies.] In addition to [such materials]
39 developing such training program, the commissioner, in consultation
40 with such interested persons, shall prepare materials [which] that
41 provide guidance to municipalities in carrying out the provisions of
42 subsection (f) of section 22a-42a.

43 (5) Not later than March 1, 2026, and annually thereafter, each inland
44 wetlands agency shall submit a statement to the legislative body or
45 board of selectmen of the municipality in which such agency sits,
46 affirming compliance with the training requirement established
47 pursuant to this section by each member of and staff person employed

48 by such agency who was required to complete such training in the
49 calendar year ending the preceding December thirty-first.

50 (6) The failure of any member or staff person to complete such
51 training shall not affect the validity of any action of an inland wetlands
52 agency.

53 Sec. 2. Subsections (a) and (b) of section 8-7d of the general statutes
54 are repealed and the following is substituted in lieu thereof (*Effective*
55 *October 1, 2024*):

56 (a) In all matters wherein a formal petition, application, request or
57 appeal must be submitted to a zoning commission, planning and zoning
58 commission or zoning board of appeals under this chapter, a planning
59 commission under chapter 126, [or] an inland wetlands agency under
60 chapter 440 or an aquifer protection agency under chapter 446i, and a
61 hearing is required or otherwise held on such petition, application,
62 request or appeal, such hearing shall commence within sixty-five days
63 after receipt of such petition, application, request or appeal and shall be
64 completed within thirty-five days after such hearing commences, unless
65 a shorter period of time is required under this chapter, chapter 126,
66 chapter 440 or chapter 446i. Notice of the hearing shall be published in
67 a newspaper having a general circulation in such municipality where
68 the land that is the subject of the hearing is located at least twice, at
69 intervals of not less than two days, the first not more than fifteen days
70 or less than ten days and the last not less than two days before the date
71 set for the hearing. In addition to such notice, such commission, board
72 or agency may, by regulation, provide for additional notice. Such
73 regulations shall include provisions that the notice be mailed to persons
74 who own land that is adjacent to the land that is the subject of the
75 hearing or be provided by posting a sign on the land that is the subject
76 of the hearing, or both. For purposes of such additional notice, (1) proof
77 of mailing shall be evidenced by a certificate of mailing, (2) the person
78 who owns land shall be the owner indicated on the property tax map or
79 on the last-completed grand list as of the date such notice is mailed, and
80 (3) a title search or any other additional method of identifying persons

81 who own land that is adjacent to the land that is the subject of the
82 hearing shall not be required. All applications, [and] maps and
83 documents relating thereto shall be open for public inspection. At such
84 hearing, any person or persons may appear and be heard [and may] or
85 be represented by an agent or [by] attorney. All decisions on such
86 matters shall be rendered not later than sixty-five days after completion
87 of such hearing, unless a shorter period of time is required under this
88 chapter, chapter 126, chapter 440 or chapter 446i. The petitioner, [or]
89 applicant, commission, board or agency may [consent to] request one or
90 more extensions of any period specified in this subsection, provided the
91 total extension of all such periods shall not be for longer than [sixty-five]
92 forty-five days, or may withdraw such petition, application, request or
93 appeal. Any such request shall be granted at the discretion of the party
94 to whom it is made.

95 (b) Notwithstanding the provisions of subsection (a) of this section,
96 whenever the approval of a site plan is the only requirement to be met
97 or remaining to be met under the zoning regulations for any building,
98 use or structure, a decision on an application for approval of such site
99 plan shall be rendered not later than sixty-five days after receipt of such
100 site plan. Whenever a decision is to be made on an application for
101 subdivision approval under chapter 126 on which no hearing is held,
102 such decision shall be rendered not later than sixty-five days after
103 receipt of such application. Whenever a decision is to be made on an
104 inland wetlands and watercourses application under chapter 440 on
105 which no hearing is held, such decision shall be rendered not later than
106 sixty-five days after receipt of such application. Whenever a decision is
107 to be made on an aquifer protection area application under chapter 446i
108 on which no hearing is held, such decision shall be rendered not later
109 than sixty-five days after receipt of such application. The applicant or
110 commission, board or agency rendering such decision may [consent to]
111 request one or more extensions of such period, provided the total period
112 of any such extension or extensions shall not exceed [sixty-five days or
113 may withdraw such plan or application] forty-five days. Any such
114 request shall be granted at the discretion of the party to whom it is made.

115 The applicant may withdraw such plan or application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	22a-42(d)
Sec. 2	<i>October 1, 2024</i>	8-7d(a) and (b)

Statement of Purpose:

To require the Department of Energy and Environmental Protection to develop an online training program for members and staff of inland wetlands agencies and specify that extensions of time for certain decisions of municipal commissions, boards and agencies may be requested by petitioners and applicants or such commissions, boards and agencies.

[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.]