

CBA EDUCATION & TRAINING

Planning & Zoning

CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

**Wesleyan University
Exley Science Center 150
265 Church Street
Middletown, CT
Saturday, March 21, 2015
8:30 a.m.–4:30 p.m.**



Sponsored by the
Connecticut Bar Association
Planning and Zoning Section

CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

The future of Connecticut's communities will be shaped by its land use laws and regulations. Developers, neighbors, and preservationists all collide before municipal land use boards and commissions, advocating their particular interests and approaches. Each commission member regularly has to make critical decisions, all within the context of complicated statutory and case law.

This introductory level course will focus on topics of immediate concern to all municipal land use agencies, boards, commissions, and their staffs. The topics reflect both timely and practical situations confronting participants at every level of the municipal land use process. This course will provide a broad review of the municipal land use process including zoning, planning, zoning board of appeals, and wetlands issues. Members of municipal land use agencies, boards, and commissions, as well as municipal planners, enforcement officers, and engineers will benefit from this full day course.



SEMINAR PROGRAM

8:30–9:00 a.m.

Registration

9:00–9:10 a.m.

Welcome

Atty. Amy E. Souchuns, Chair, CBA Planning and Zoning Section of the Connecticut Bar Association

9:10–9:40 a.m.

Planning Commissions

Atty. Gail McTaggart, Waterbury

Powers of the planning commission; plan of development; statutory notice requirements; subdivisions and resubdivisions; multi-agency approvals; reasons for denial; open space; changes in regulations; bonding requirements; conditional approvals; mandating off-site improvements.

9:40–10:10 a.m.

Zoning Commissions

Atty. Peter C. Herbst, Torrington

Enabling legislation; powers of zoning commissions and proper purposes and goals of zoning; the comprehensive plan; proper notices of hearings; designating and amending zoning districts; spot zoning; floating zones; the uniformity requirement; dependence upon other governmental agency action; rendering decisions; publications of notices of decisions.

10:10–10:20 a.m.

Break

10:20–10:50 a.m.

Non-conforming Uses

Atty. Christopher J. Smith, Hartford

A general discussion of the origin, scope, and problems of non-conforming uses.

10:50–11:20 a.m.

Special Permit and Site Plan Review

Atty. Brian R. Smith, Hartford

Statutory requirements of and distinction between special permit and site plan review; appeals from decisions on applications for special permit and site plan approval.

11:20–11:50 a.m.

Zoning Board of Appeals

Atty. Robin M. Pearson, Glastonbury

Functions of zoning boards of appeal; requirements for proper notice of the hearing; conducting the hearing and the procedure to be used; variances; legal requisites for hardship; the theory of confiscation; self-created hardship; other statutory duties of the ZBA.

12:00–12:30 p.m.

Lunch

Preview of the 2014 Annual Zoning and Planning Law Report Awards

Atty. Dwight H. Merriam, FAICP, CRE, Hartford

12:30–1:00 p.m.

Wetlands Law and Procedure

Atty. Michael A. Zizka, Hartford

Review of procedures of municipal inland wetlands and watercourse agencies, and how wetlands law impacts upon the zoning and planning process.

1:00–1:30 p.m.

Conflict of Interest and Predisposition

Atty. Richard P. Roberts, Hartford

Statutory provisions on conflict of interest; rules governing predisposition and predetermination; court decisions on conflict of interest; drawing the line between cases where disqualification applies and does not apply; procedural problems when a question of conflict arises.

1:30–2:00 p.m.

Procedural Issues in the Municipal Land Use Process

Atty. Mark K. Branse, Glastonbury

Review of statutory provisions and case law concerning administrative process; applications; conducting a public hearing; creating the administrative record; and making appropriate findings and conclusions to support decisions.

2:00–2:10 p.m.

Break

2:10–2:40 p.m.

Affordable Housing: The Municipal Perspective

Atty. Ira W. Bloom, Westport

A review of an application filed under Section 8-30g of the General Statutes from the Planning & Zoning Commission perspective, including practical advice and a review of the relevant case law. Also included will be a discussion of the new HOME Connecticut program, Public Act 07-04.

2:40–3:10 p.m.

Things to Watch Out For:

**Religious Uses, Fair Housing/Disabled Persons,
and Outdoor Furnaces**

Atty. Marjorie F. Shansky, New Haven

A review of the implications of federal legislation on local zoning, particularly the Fair Housing Act and the Religious Land Use and Institutionalized Persons Act (RLU-IPA); and state law considerations regarding religious expression and free speech issues.

3:10–3:40 p.m.

Enforcement

Atty. Charles R. Andres, New Haven

Analysis and discussion of Connecticut law concerning enforcement through the zoning, planning, and wetlands process.

3:40–4:10 p.m.

Environmental Interventions

Atty. Janet P. Brooks, East Berlin

Interventions under Conn. Gen. Stat. Section 22a-19 for the purpose of raising environmental issues: What they are, what they do, what you have to do when you get one.

4:10–4:30 p.m.

Questions

Please note:

**Seminar is open ONLY to municipal officials
(board members, commission members,
and staff).**

Refunds of seminar fees will not be granted for cancellations received after 10:00 a.m. on Monday, March 16, 2015

Directions and weather cancellation information are enclosed.

DIRECTIONS

Wesleyan University
150 Science Center
265 Church Street
Middletown, CT

FROM HARTFORD: Take I-91 South, Exit 22S, to Route 9 and follow the signs (approximately 6 miles) to Wesleyan University. Parking in lot V—5 minute walk to Science Center. Additional parking in lots C and D.

FROM NEW HAVEN: Take I-91 North to Exit 18 or the Merritt/Wilbur Cross Parkway (Route 15) to Route 66 East and follow the signs to Wesleyan University. Parking in lot V—5 minute walk to Science Center.

FROM WATERBURY: Take I-84 East to Exit 27 onto I-691 East-bound to Route 66 East. Follow signs to Middletown and Wesleyan University. Parking in lot V—5 minute walk to Science Center.

Meeting Cancellation Information: Please call the CBA office at (860)223-4400 to verify whether or not a particular CBA function has been cancelled.



Registration Form

Connecticut Land Use Law Seminar

Saturday, March 21, 2015

To Register: Mail with payment to Connecticut Bar Association, PO Box 350, New Britain, CT 06050-0350; with credit card payment by fax to (860)223-4488; by calling the CBA Member Service Center at (860)223-4400 or online at www.ctbar.org.
(Please use a separate registration form for each registrant)

- Yes, I will attend the Connecticut Land Use Law Seminar @ \$55.00 (includes box lunch)
- No, I cannot attend the seminar, but would like to purchase ____ copies of the seminar material @ \$45.00 per copy (includes shipping & handling)

Please PRINT full name.

Name: _____

E-mail: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

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Payment Method

Check (payable to Connecticut Bar Association)

Visa MC Amex Amount: \$ _____

Card#: _____

Exp. Date: _____ CVV _____

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Signature: _____

If you need assistance at the seminar, please contact us at least one week prior to the event.

Meeting code: #SPZ150321

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