



## MEMORANDUM

To: Planning and Zoning Commission  
From: Jeremy DeCarli  
Date: March 6, 2019  
Re: New Commercial Construction Public Hearing

The Commission has asked for information regarding a potential change in the Zoning Regulations which would require the Commission to hold a public hearing for all new construction related to a Site Plan approval granted by the Commission.

Possible new language in Section 9.1.F is shown in red:

### **F. Commission Meeting**

1. The Commission shall review site plans and shall hold meetings consistent with the requirements of Sections 124 and 1265 of Connecticut General Statutes, as applicable.
2. **The Commission shall hold a Public Hearing for all Site Plan applications involving new construction of structures or additions over 5000 square feet in gross floor area in the C, VC, DD, or PO/R Zones.** The Commission reserves the right to hold Public Hearings on any site plan or amendment thereto, as presented.
3. The Commission shall not be required to hear applications for site plan approval previously denied by the Commission, for a period of six (6) months from the date of such denial.

There are pros and cons to such a change, some of which are outlined below.

#### Potential Pros

- Increased public input
- Statute allows for longer timeframe when making a decision (65-35-65)

#### Potential Cons

- Increased cost to the Commission without additional revenue (legal advertising fees)
- Potential increased application time for applicant (hearings, decisions, etc)

What is the difference from the current requirements?

Currently, any new construction project that only requires a Site Plan Review (not a Special permit) only requires a Public Hearing when it is in the Lake watershed. For example, both the new NAPA and the Dollar General required Public Hearings because they are in the Lake Watershed. However, if they were outside of the watershed, neither would have required a Public Hearing. If this new language were to be implemented, these two projects would require a Public Hearing no matter where they were constructed.

Other notes:

The MUDD Zone and DD Zone both reference the Commercial Zone in allowed uses. As a result any projects that come before this Commission in either of those zones would be subject to the requirement as well.

The attached map is meant to provide a visual aid in where this change would have an impact.

There are 61 parcels zoned for Commercial uses that are within the Lake Watershed and are currently subject to the Public Hearing requirement.

There are 251 properties zoned for Commercial uses that are outside of the Lake Watershed and not subject to the Public Hearing requirement.