

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-73		668	3	1	2
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Government, Administration, & Policy</i> 88-90 				<u>House Pages:</u> <ul style="list-style-type: none"> 1220 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 688-689

H-110

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 3
974-1450**

H.B. No. 5590, An Act Concerning the Regulation of Bicycles and Tricycles, File No. 193; Calendar No. 247, Substitute for S.B. No. 0668, An Act Concerning Municipal Acquisition of Environmentally Desirable Easements, File No. 123.

THE SPEAKER:

You've heard the motion of the gentleman from the 95th. Is there objection to adoption of any of these items on the Consent Calendar? If not, the question is on acceptance of the Joint Committee's favorable report and adoption of the bills. All those in favor indicate by saying aye. Those opposed? The bills are PASSED.

MR. SARASIN (95th):

Mr. Speaker, I move the following bills be placed on the Consent Calendar pursuant to Rule 48. On page 3, bottom of the page, Calendar No. 252, H.B. No. 6478, An Act Concerning Water Resources Commission Powers Over Radioactive and Thermal Discharges; on page 4, top of the page, Calendar No. 0253, H.B. No. 7629, An Act Concerning Cruelty to Animals, File No. 199; Calendar No. 254, H.B. No. 7645, An Act Validating the Notice of Ruel S. Smith to the Town of Stonington, File No. 200; second from the bottom on page 4, Calendar No. 258, H.B. No. 6592, An Act Concerning the Compensation of Legislative Employees, File No. 202; on the top of page 5, Calendar No. 261, substitute for S.B. No. 0344, An Act Concerning Licensing of Pet Shops, File No. 144, second from the bottom on page 5, Calendar No. 267, S.B. No. 0435, An Act Concerning Retirement of State's Attorneys, File No. 146.

THE SPEAKER:

You've heard the motion of the gentleman from the 95th. Is there any individual objection to the placement of any of these bills on the Consent Calendar? Hearing no individual objection, it is so ordered.

MR. O'NEILL (52nd):

S-77

**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

PROCEEDINGS

1971

VOL. 14

PART 2

474-956

March 30, 1971

16.

And Mr. President, in taking these up may we take up out of order, first on page 2, File No. 123 and may that then be followed by all of the Judges on Page 5.

THE CHAIR:

If there is no objection it is so ordered.

THE CLERK:

Turn to page 2 of your Calendar. Calendar No. 100, File no. 123 Favorable Report Joint Standing Committee on Government Administration and Policy on Substitute S., B. 0668, An Act Concerning Municipal Acquisition of Environmentally Desirable Easements.

THE CHAIR:

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I move acceptance of the Joint Favorable Report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR SULLIVAN:

Mr. President, this is a bill which changes the existing Statutes where in Municipalities are allowed to acquire land through condemnation or purchase or otherwise in particular easements. And the change of the Statute allows the person who conveys less than a feasible interest in said land to apply for revaluation of his property and a reduction of the assessment. All further allows him, if the results of the application are not favorable, it also allows him to appeal the assessment.

March 30, 1971

17

THE CHAIR:

The question is on passage of the bill. Will you remark further? If not all those in favor signify by saying aye. AYE. opposed nay. The ayes have it. The bill is passed.

THE CLERK:

Page 5 of the Calendar. The second item from the top Calendar No. 122. Favorable Report Joint Standing Committee on Judiciary, House Joint Resolution No. 120. Resolution confirming the Nomination of Michael A. Ciano of Waterbury to be a Judge of the Court of Common Pleas.

THE CHAIR:

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I move for suspension of the Rules for immediate consideration of the Resolution.

THE CHAIR:

Its been on the Calendar three days, It is not necessary that the rules be suspended.

SENATOR SULLIVAN:

Thank you. Mr. President, I move for acceptance of the Joint Favorable report and passage of the Resolution.

THE CHAIR:

Will you remark?

SENATOR SULLIVAN:

Mr. President, Judge Ciano is a native of Waterbury, a graduate of Clark University and attended Harvard Law School. He has been a Judge in the

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
&
POLICY**

**PART 1
1-333**

**1971
Index**

GOVERNMENTAL ADMINISTRATION AND POLICY

WEDNESDAY

MARCH 3, 1971

At the request of
Mrs. B. Brown:

I am Mr.s Bertrand Brown of Glastonbury. I was Chairman of the Planning and Zoning Action Panel of the Environmental Policy Committee and speak in favor of S.B.667. CONCERNING OFFICIAL TOWN MAPS, S.B.668. CONCERNING MUNICIPAL ACQUISITION OF ENVIRONMENTALLY DESIRABLE EASEMENTS and S.B.673. CONCERNING THE MANDATORY ADOPTION OF THE PLANNED UNIT DEVELOPMENT REGULATIONS. All of these bills are based on recommendations of the Planning and Zoning Panel and are suggested as methods of improving the environment through the use of local planning and zoning.

S.B.667, official town maps is presented as a realistic method of enabling municipalities to implement plans for future essential facilities, things like roads, schools and parks. Any of us could point to countless stacks of carefully formulated plans that sit around gathering dust. All too often a community is in desperate need for a long-planned school or outdoor recreation area, only to find all suitable land is gone.

By reserving a site on an official town map the municipality would have a period of one year after the site is proposed for private development in which to acquire the property for the needed public use. The official town map provides a realistic opportunity to fulfill public needs and at the same time it protects the rights of the property owner with the time limit of one year.

S.B.668, municipal acquisition of environmentally desirable easements is a clarification of existing legislation on easements. Conservation easements provide a way for municipalities to preserve open space at less-than-fee cost, particularly if owners of open space can be offered the inducement of lowered property taxes in exchange for forfeiting the development rights on their property.

Unfortunately, however, some assessors feel they are not empowered to lower assessments for this reason and they naturally hesitate to do so. S.B.668 removes this impediment by stating clearly that, "Any owner who encumbers his property by conveying a less-than-fee interest to any municipality shall, upon written application to the Board of Assessors, be entitled to a revaluation of such property to reflect the existence of such encumbrance. . ." This clarification would make it easier for communities to retain key open space at a reasonable cost.

S.B.673 concerning the mandatory adoption of planned unit development regulations is proposed to counter environmental problems which arise from the spread-out development patterns adopted by

GOVERNMENTAL ADMINISTRATION AND POLICY

WEDNESDAY

MARCH 3, 1971

some suburban towns. These patterns were generally adopted with the worthy objective of protecting the environment and retaining attractive living conditions.

Yet in many cases large-lot developments cause severe environmental problems which can be corrected only by spending excessive amounts of hard-to-get local tax money. Often septic tanks refuse to function, presenting health problems and bringing demands for public sewers which are prohibitively expensive because of the long lines needed to service large lots. Individual wells fail or become polluted, bringing demands for public water supply, which again is expensive because of unnecessarily long lines. Many miles of town roads must be maintained, plowed and then patched; an expensive fleet of school busses is a must. This brings us to air pollution and an ever increasing dependence on the polluting automobile because a workable system of mass transit is impossible in spread-out communities.

Clearly some environmentally reasonable alternative to large lot zoning must be made available. The Environmental Policy Committee felt that mandatory adoption of Planned Unit Development regulations would be an excellent alternative.

PUD allows people to live closer together and still provides enforceable regulations for environmental considerations such as sewers, water supply, drainage, roads and even landscaping and open space. The authority remains with the municipality.

By requiring municipalities to adopt Planned Unit Development regulations, the opportunity for close, carefully controlled, development would be available in all communities. Mandatory PUD would provide an important choice in development patterns throughout the state.

At the request of
James Horsfall

Gentlemen: You are familiar with the Report of the Governor's Committee on Environmental Policy which I had the pleasure to chair. Today you are hearing three bills that came out of the recommendations of this Committee of one-hundred and fifty-five citizens.

S.B. 667 implements recommendation #25(2) on page 38 of the Report of the Committee. This recommendation reads as follows:

"To assist local Planning and Zoning Commissions to enhance the environment, additional enabling legislation should be passed to give Planning and Zoning Commissions authority to... (2) the authority to prepare an official town map to reserve sites for future parks, schools, streets and other public sites."

The Committee strongly recommends the passage of this bill.

GOVERNMENTAL ADMINISTRATION AND POLICY

WEDNESDAY

MARCH 3, 1971

S.B.668 is aimed to implement recommendation #13 of the Governor's Committee on page 36 of the Report. This recommendation reads as follows:

"There should be a study of real property tax laws as related to the use of land restrictions by private landowners in order to amend existing laws, if necessary, to encourage landowners to place environmentally useful limitations as determined by established public policy on land without public expense (for example, conservation easements, covenants, etc.)."

The Committee strongly recommends the passage of this bill.

S.B.673 implements another section of recommendation #25 on page 30 of the Report. This reads as follows:

"To assist local Planning and Zoning Commissions to enhance the environment, additional enabling legislation should be passed to give Planning and Zoning Commissions authority to ... (3) commissions should be required to incorporate cluster zoning, planned unit development (PUD), and open space subdivisions in their regulations in accordance with local plans of development. Recent programs have brought Federal and State funds aimed at increasing the educational and technical assistance available to the frequently changing membership of local planning and zoning commissions from regional planning agencies in the State and the Department of Community Affairs. This effort should receive continuing high priority and emphasis. All planning and/or zoning commissioners and other having review function of development proposals, shall complete an appropriate course in environmental improvement potentials prior to sitting on such a commission, board or performing the review function."

Recommendation #25(1) is encompassed in S.B.680 which was referred to the State and Urban Development Committee and scheduled for hearing on March 4th.

Again, the Committee strongly recommends the passage of this bill.