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MEMO

To: Jeff Marcotte, Chairman, Planning & Zoning Commission

From: Delia P. Fey, AICP Town Planner /ZEO

Delia

Date: March 12, 2024

Re: Additional Concerns on Notice Requirement Amendments

Reason for proposed amendment: CGS has allowed for many years that the notice Commissions can require for applications be sent by Certificate of Mailing. This current regulation requires the 'Certified Mailing' yet at the end of the paragraph, it says the evidence of 'Certificate of Mailing' should be filed so as the text exists currently, it is confusing and inconsistent. I think it was incompletely updated or amended in the past which was entirely by accident but to fix it requires the text amendment process.

Additional Questions for PZC to consider:

1. There was an inquiry about whether the proposed amendment was implying a public hearing was required for subdivision modifications which was not the intent of the amendment.
 - a. CGS only requires a public hearing for a resubdivision, i.e.: carving off new lot(s) from a previously approved subdivision lot.
 - b. A *subdivision modification* is a change to a previously approved subdivision but not one that creates a new lot as that would be a resubdivision where a public hearing is required by law.
 - c. Currently Woodstock Subdivision Regulations requires a public hearing on resubdivisions (as required by CGS) and for subdivisions of four or more lots and may hold one on a subdivision of less than 4 lots if the Commission determines the circumstances so warrant.
2. I have made a revision as shown on the next page to require the notice only for applications that require a public hearing.
3. If notices are desired for all application types, I propose a revision to the proposed amendment.

This DRAFT is only for applications that require a public hearing.

CHAPTER V – APPLICATION REVIEW, DECISION, AND POSTAPPROVAL PROCESS

Section 2. Application Submission and Review

- D. The Applicant shall notify all owners of property abutting the site of a proposed subdivision ~~of four lots or more, resubdivisions or any other application requiring a public hearing or modification to a previously approved subdivision/resubdivision,~~ and all owners of property within five hundred feet (500') of any portion of the property proposed for subdivision, and all holders of conservation easements on the subject or abutting properties. Notification shall be sent by ~~Certificate of Mail certified mail, return receipt requested,~~ no later than seven (7) days after submission of an Application as defined in these Regulations. Notification shall state that the full Application is available for review in the Woodstock ~~Zoning Enforcement/Planning Office~~ **Land Use Department**, and that interested parties may contact the Woodstock ~~Zoning Enforcement/Planning Office~~ **Land Use Department**, for additional information, and shall state the address and telephone number for ~~each the~~ office. Evidence of such notification in the form of a certificate of mailing shall be promptly filed with the Commission.