

Sec. 8-198-6. Requirements for the adoption and approval of the project plan

(a) Upon commitment of planning or special planning grant funds, the development agency begins preparing the project plan for the development project. The required elements of the project plan are contained in Section 8-189 of the General Statutes.

(b) When the proposed project plan is completed and prior to approval by the development agency, the development agency shall send a number of copies, to be determined by the Department, to the Commissioner. The proposed project plan shall be reviewed by appropriate state agencies through a review process coordinated by the Office of Policy and Management using copies of the proposed project plan provided to the Office of Policy and Management by the Department. The appropriate state agencies shall make a determination that the proposed project plan is, or is not, inimical to the planning program objectives of the agencies. If a determination is made that the plan is inimical, the individual agency shall state its reasons for making this determination. Upon receipt of the remarks of the state agencies through the Office of Policy and Management, the Department shall transmit the remarks to the development agency. In a case of an inimical determination, the Department shall indicate to the development agency that the proposed project plan cannot be determined by the Department to be complete without resolution of the inimical determination.

(c) Prior to the approval of the plan by the development agency:

(1) The planning commission of the municipality, or a subgroup designated by the planning commission of the municipality, shall adopt a resolution stating that the project plan is in accord with the plan of development for the municipality.

(2) The regional planning agency, if any, or a subgroup designated by the regional planning agency, shall adopt a resolution stating that the project plan is in accord with the plan of development for the region in which the municipality is located. If the regional planning agency or the subgroup designated by the regional planning agency, fails to adopt such a resolution within thirty-five days of receipt of the project plan, it shall be presumed that the regional planning agency does not disapprove of the project plan.

(3) The development agency shall hold at least one public hearing on the project plan. A notice of the time, place and subject matter of the public hearing must be publicized in a newspaper of general circulation in the municipality. The publication of the notice of the public hearing shall not be made less than one week nor more than three weeks prior to the date set for the public hearing. One copy of the minutes of the public hearing shall be forwarded to the Department with a publisher's certificate of the notice of the hearing which appeared in the newspaper;

(d) Upon receipt of the results of the plan review from the Department and of actions required in subsection (c) of this section, the development agency shall approve the project plan by adopting a resolution that specifically approves the findings made in the project plan in accordance with Section 8-189 (k) of the General Statutes.

(e) The development agency shall then submit the approved plan to the legislative body of the municipality for its approval. The legislative body shall approve the plan through a resolution that shall specifically include the approval of the findings made in the plan in accordance with Section 8-189 (k) of the General Statutes.

(f) After approval of the project plan by the development agency and the legislative body

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of the municipality, the development agency shall submit the project plan, with certified copies of all resolutions, to the Commissioner requesting the Commissioner's approval of the project plan. Prior to the approval of the project plan by the Commissioner and concurrent with or prior to submittal of the project plan to the Commissioner:

(1) The Development agency shall submit evidence to the Commissioner that it has complied with Sections 22a-105 through 22a-109 of the General Statutes if the proposed development project is located within the coastal boundary and landward of the mean highwater mark in coastal areas, as defined in Sections 22a-93 and 22a-94 of the General Statutes;

(2) The Department shall undertake an environmental assessment, using the criteria set forth in the regulations adopted to implement the provisions of sections 22a-1a to 22a-1f, inclusive, of the General Statutes, to determine whether an environmental impact evaluation or a finding of no significant impact is needed. After such determination, the Commissioner shall request the development agency to prepare the required written documents in conformance with Sections 22a-1a to 22a-1f, inclusive, of the General Statutes and the regulations adopted to implement said sections;

(3) The development agency shall prepare a Statement of Minority Participation and submit it to the Commissioner and to the Commission on Human Rights and Opportunities. The Statement of Minority Participation shall include goals and timetables as well as other information determined by the Commissioner to ensure that minority groups, persons, women, and the handicapped will benefit from the development project.

(Effective January 27, 1983)