

PRE-APPLICATION REVIEW PROCEDURE

WESTPORT PLANNING & ZONING COMMISSION Revised 10-29-07

Purposes for Pre-Application Review

- To provide an opportunity for property owners and tenants to explore ideas for special permit, commercial, multi-family or mixed use projects with the representatives of the Planning and Zoning Commission and receive comments on potential applications so that the ideas of the P&Z Commission can be considered prior to formal applications being submitted.
- To reduce expenses incurred by applicants in the approval process when major changes are being proposed.
- To reduce the time spent on applications at Planning and Zoning Commission hearings.

Pre-Application Procedures

- Any property owner or commercial tenant with a proposal for a commercial, multi-family residential or mixed use project in a non-residential zone or special permit project in any zone may request a pre-application review in writing from the Planning and Zoning Director. There is no obligation to request a review.
- At the P&Z Director's discretion, a pre-application review will be scheduled.
- Pre-application reviews will be held during the first hour of the Planning and Zoning Commission's work session on the fourth Thursday of the month.
- Reviews will be limited to 20 minutes except at the discretion of the Commission.
- Public Notice shall consist of the following statement: The Commission will conduct nonbinding pre-applications for the following items (either property address or some other appropriate identifier).
- Each review will be open to the public to observe but not to comment.
- Meetings will be recorded in accordance with the Freedom of Information Act. The only official record will be a notation in the minutes that a pre-application hearing on the property address or addresses was held.
- At a minimum a summary of the project must be submitted. Additionally, any drawings, plans or maps would be helpful for understanding. Materials must be submitted at least one week in advance of the pre-application meeting.
- Staff will keep a list of attendees, location and nature of the proposal, and any materials the pre-applicant presents and/or volunteers to leave.
- Planning & Zoning Commission members attending will give their own opinions.
- Minutes shall consist of the actions only as follows: "The Commission met on XXXX and conducted a nonbinding pre-application review of an application for affordable housing, etc. (state what the application was) for property located at XXXX. The attendees were....."

Trial Period

The Commission initially had a six (6) month trail period for this procedure that ended in October 2007. The Commission agreed to continue the trial period for another six (6) months until April 2008.

Note:

According to Section 7-159b, neither any plans or ideas presented by any property owner or commercial tenant, nor the comments made by any Planning & Zoning Commissioner at the PAR are binding in the event an application is later made.

Accordingly we should have a simple form that the applicant signs prior to the meeting acknowledging the non-binding nature of the discussion with the proper quotation from 7-159b.

In addition, the non-binding nature of the dialogue should be acknowledged by the meeting Chair in the opening remarks for each session.

The following segment from the CGS should be noted on a form signed by the applicant prior to any pre-application review:

This pre-application review is being held at the applicant’s request in accordance with Connecticut General Statutes (Sec. 7 – 159b). Therefore, any comments, thoughts, ideas, or opinions provided by Commission members are non-binding in all respects. Specifically, Sec. 7-159b of the Connecticut General Statutes notes that a “Pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.”

Signed:

Dated: