

Good Evening Councilors,

I'm here tonight to urge the Town Council to begin the process of restoring the Planning Commission and the Zoning Commission as two separate bodies. Historically, these commissions had distinct roles: the Planning Commission created the town's long-term vision through the POCD, and the Zoning Commission wrote and enforced the regulations needed to implement that vision. That division created a natural check and balance.

As you know, the POCD is a state-mandated document that sets out the long-term goals and most desirable land uses for a town. It's meant to guide decisions about housing, infrastructure, conservation, economic development, and community character. Under Connecticut law—specifically **CGS 8-3(a)**—all **zoning regulation changes and map amendments must be evaluated for consistency with the POCD**, and **subdivision rules must advance its objectives**.

That only works as a safeguard if the body that rewrites the POCD is **not** the same body that rewrites the zoning regulations. Once the commissions were merged in 2012, that safeguard disappeared. This is not a theoretical concern. We saw the consequences in the *very first* rewrite cycle after they were combined: starting around 2020, the combined P&ZC rewrote roughly 70% of the zoning regulations and used changes *they had just made to the POCD* as the pretext to justify those zoning changes.

One of the most troubling outcomes was the large **expansion of by-right development**—because the new POCD now called for it. But the problem here is that protections residents rely on—standards for neighborhood character, density, building design, traffic safety, environmental impacts, noise, odor, dust—are **activated only when a project requires a special permit**. By expanding by-right development, **those safeguards are no longer triggered for many proposals** (e.g. high density multi-family housing, an extremely contentious issue). The result is that **many of the safeguards residents believe are protecting their neighborhoods no longer apply**. And that was only *one* of many far-reaching changes made in the last regulatory update.

The merger also allows the commission to make decisions based on subjective or speculative economic arguments under its “planning” role, rather than applying the zoning regulations strictly and consistently. This broad interpretive latitude undermines predictability for residents and applicants—and is a formula for litigation (as we have already seen: e.g. *PZ#24-2RESUB - 96, 98, and 100 Stoddards Wharf Rd.*)

This situation should concern everyone. Too much policy-making authority is now concentrated in one body with no internal counterbalance, and our current regulations—adopted under this merged structure—no longer reflect the protective intent people assume is in place.