

CONNECTICUT Land Conservation Council

Testimony House Bill No. 6294
Planning and Development Committee
Submitted by Amy Blaymore Paterson, Executive Director
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Co-Chairs Kavros DeGraw and Rahman, Vice-Chairs Chafee and Needleman, Ranking Members Zullo and Fazio, and members of the Planning and Development Committee:

The Connecticut Land Conservation Council (CLCC) is the state's umbrella organization for the land conservation community. We advocate for land conservation, stewardship and funding, and work to ensure the long-term strength and viability of land conservation in Connecticut.

Thank you for this opportunity to present testimony in opposition to **House Bill No. 6294: An Act Prohibiting the Requirement of a Donation of Land as a Condition of Subdivision Approval**, which would remove a long-standing planning tool adopted by many municipalities.

Pursuant to Connecticut General Statutes (CGS) Section 8-25(a) municipalities are authorized, but not mandated, to require a set aside of land as a condition of subdivision approval, as follows:

“Such regulations shall also provide that the commission may require the provision of open spaces, parks and playgrounds when, and in places, deemed proper by the planning commission, which open spaces, parks and playgrounds shall be shown on the subdivision plan.”¹

The intent behind the open space set aside provision is to provide municipalities with a tool to help offset the impacts of residential development on the community, including an increase in demand and need for open spaces. If the commission determines that the subdivision proposal does not create such a demand, then it has the discretion not to require the open space set-aside.

The authority for open space set-asides has been on the books for decades. It's a local decision whether to adopt – and how to apply – the requirement, and it should stay that way.

Thank you for this opportunity to present our comments, and for all you do. I would be happy to answer any questions you may have.

¹ Per CGS Section 8-25, municipalities also have the option to allow for payment by the developer of a fee-in-lieu of the open space set aside, with such funds placed in a dedicated open space account, as follows:

“Such regulations may, with the approval of the commission, authorize the applicant to pay a fee to the municipality or pay a fee to the municipality and transfer land to the municipality in lieu of any requirement to provide open spaces.”

Both open space provisions are important and long standing planning tool options for municipalities, The authority for both should remain intact.

