

COVID-19 PROCEDURES

EFFECTIVE IMMEDIATELY

Suspension of In-Person Open Meeting Requirements

and

Modified Procedural Requirements and Time Limitations Regarding Notice Commencement and Holding of Public Hearings, Decisions, and Appeals

Governor Lamont has issued a series of Executive Orders which suspend or temporarily rewrite existing statutes regarding in-person open meeting requirements, and public hearings and the processing of land use applications. “Covered laws” in Executive Order No. 71 include specific state statutes, related special acts, municipal charters, ordinances, and local resolutions or regulations. As pertaining to the processing of land use applications, including holding public hearings, and appeals, the following Executive Orders are in effect.

Executive Order 7B

In sum, Section 1 of this Executive Order **SUSPENDS** the requirements for open in-person meetings as it:

- Eliminates the requirement for in-person meetings;
- Allows meetings by phone/video as long as said meetings are noticed on the City’s website and the public can view or listen/participate by telephone, video or other technology;
- Requires phone/video meetings to be recorded or transcribed with such recording or transcription to be posted to the City’s website within 7 days;
- Requires notices and agendas to be posted on the City’s website with instructions on how the public can access the meeting;
- Requires that materials relevant to matters on the agenda be submitted to the City 24 hours in advance of said meeting and posted on the City’s website for public inspection prior to, during and after the meeting;
- Requires that any exhibits relevant to matters on the agenda be submitted by members of the public to the City 24 hours in advance of the meeting, to the extent feasible, and posted on the City’s website for public inspection prior to, during and after the meeting; and
- Requires all speakers to clearly state their names and titles before speaking.

What this means is that the land use boards do not have to meet in person, but can meet remotely. Testimony can be taken and decisions can be made by phone/video. As such, the City's land use board and commissions will post respective board or commission information, including notice of meetings and petitions/applications, on their individual homepages for the foreseeable future. Notices, Agendas and Recordings can also be found through the Resources link on the City's homepage.

Executive Order 71

In sum, Executive Order 71, Section 19 **SUSPENDS and MODIFIES** a variety of state and local rules and regulations, including general statutory provisions on municipal powers, as well as Danbury's charter, ordinances, rules, and regulations.

As related to planning, zoning, and environmental impact commission matters, the Executive Order:

- Extends time deadlines for the commencement or completion of a public hearing, the rendering of a decision, and submission or reporting by a municipality to any agency or quasi-public agency of the State, and the demolition delay timeline by an aggregate period of an additional 90 days.
- Suspends statutory provisions requiring publication of notice in a newspaper, physical sign posting, and notices to be filed in the Town Clerk's office, if the City posts the information that would have been required in the notice (e.g., a meeting date/time and Zoom conference info) on its website, rather than in the town clerk's office or in a newspaper.
- Suspends statutory provisions requiring personal notice by mail (e.g. for abutters in zoning cases, or to State agencies like OPM or DEEP in municipal applications) and provides that notice may be made by electronic mail where possible. If there's an email address to send the notice to, it may be used. If there is no email address available, the party required to provide notice can send mail to recipients on a list provided by the municipality, or by the posting of a sign at the property indicating that an application is pending.
- Allows petitions to be signed and submitted electronically.
- Allows appeals of decisions by land use boards or commissions to be commenced by service electronically on the Town Clerk by the proper officer. All such appeals may be served by email on the Town Clerk at j.giegler@danbury-ct.gov.

- Allows appeals of the zoning enforcement officer or inland wetland agency decisions to be commenced by regular mail or by electronic mail notice. All such appeals may be commenced by email to m.larkin@danbury-ct.gov.
- Allows land use board and commission Chairperson's to authorize electronic filing of applications during the COVID-19 declared state of public health and civil preparedness emergencies. See attached resolutions by the respective Chairs of the Environmental Impact Commission, Planning Commission, Zoning Commission, and Zoning Board of Appeals. All application fees shall be sent to the Department of Planning & Zoning by regular or certified mail.

[Zoning Commission Waiver](#)

[Planning Commission Waiver](#)

[Zoning Board of Appeals Waiver](#)

[Environmental Impact Commission Waiver](#)

The summary information provided above is for informational purposes only and is not intended to be legal advice. Please consult your counsel for legal advice.

All applications and other submission materials for land use boards and commissions or to the Department of Planning and Zoning to be filed electronically shall be emailed s.calitro@danbury-ct.gov with copy to j.emminger@danbury-ct.gov.

For further additional information on Planning and Zoning Department matters, contact s.calitro@danbury-ct.gov.