

MEMBERS

The TPZC is appointed by the Town Council: five for five-year terms; three alternates for two-year terms; not more than bare majority of one party. List of current members available in Planning Department, Town Clerk's Office and Library.

POWERS AND DUTIES (Derived from Chapters 124 and 126 of the Connecticut General Statutes)

The TPZC prepares, adopts and amends the Plan of Conservation and Development, as well as the Subdivision and Zoning Regulations; hears and acts on all applications for zone changes, special uses, non-conforming uses, design developments, subdivisions and resubdivisions; reviews and approves site development plans; and advises the Town Council about planning and zoning impacts on public development projects or programs.

PLANNING DEPARTMENT (Town Hall, Top Floor)

All plans, applications, maps and information regarding TPZC business are on file and open to public inspection. The Planning Department prepares plans, reports and recommendations to guide and promote the development of land in an orderly, balanced fashion to insure the adherence to sound planning principles; serves civic groups, developers and the general public by giving information on development codes and policies; and provides professional advice and assistance to the TPZC and coordinates its work.

PLAN OF CONSERVATION AND DEVELOPMENT (POCD)

Also called the Master Plan, the POCD is adopted by the TPZC as a general guide to future conservation and development.

ZONING REGULATIONS

These are the written rules that govern land use in Windsor and are the primary tool for implementing the POCD.

ZONING

Zoning is the exercising of governmental powers to legally regulate the use of land and buildings in such a way as to protect public health, safety and general welfare and achieve a logical pattern of land development in accordance with the Plan of Conservation and Development. It consists of the Zoning Regulations, which includes the Zoning Map. Windsor's is divided into Residential, Business, Professional, Industrial, Restricted Commercial, Wholesale and Storage, Agricultural, Public and Quasi-Public, and Planned Urban Development districts (also generally referred to as zones). Zoning map and regulation changes can be made only by procedures prescribed by state and local regulations, including a public hearing. The specific requirements for each of the zoning districts are located in the Zoning Regulations.

TPZC MEETINGS

Meetings are held on the second Tuesday of each month, in the Town Hall Council Chambers at 7:00 P.M. except during August. (No regularly scheduled meeting in August). Special meetings are held as necessary. All meetings are open to the public.

NOTICE OF HEARING

Legal notices for public hearings are published twice prior to a regularly scheduled meeting, in a newspaper having substantial circulation in Windsor. Currently, publication is in The Windsor Journal, The Journal Inquirer or The Hartford Courant. Windsor's Zoning Regulations require the property which is the subject of a public hearing to be posted by a sign, clearly visible to the public, not less than 10 days before the hearing. Notices are sent to property owners within 100 feet of the subject site by the applicant not less than ten days before the hearing. Public hearings are held on all applications for re-subdivisions, zone changes, non-conforming uses, special uses, as well as zoning and subdivision regulation changes. The TPZC usually holds public hearings on subdivisions, but is not required to do so.

ZONING ENFORCEMENT OFFICER (Building Department, Town Hall, Top Floor)

He/she investigates zoning violation complaints and issues Cease and Desist Orders to those found in violation. Appeals from his/her decisions may be made to the Zoning Board of Appeals.

INFORMATION

Planning and zoning files, Plan of Conservation and Development, Zoning and Subdivision Regulations, the Official Zoning Map, minutes of meetings, etc. are available in the Planning Department. Recordings of public hearings on file in Planning Department can be reviewed by appointment. The Commercial Record is available in the Public Library. Land records, maps and zoning information are available in the Town Clerk's Office in Town Hall. Subdivision Regulations

Zoning Regulations, and the Zoning Map can be purchased at the Planning Department and are available online on the Town's website. Copies of the agenda, as well as the packet of information (applications, staff comments, correspondence, etc.) which is sent to TPZC members, will be available at the Planning Department the day before the meeting and also at the meeting, for public inspection.

CONDUCT OF MEETING

Display boards, visible to the public and TPZC, show plans and documents pertaining to agenda items and can be examined prior to a meeting. The Chairperson opens public hearings by having the legal notice of public hearing items read and by explaining procedures.

PUBLIC HEARING

Each applicant or his agent presents his proposal. This can include attorneys, architects, traffic engineers, etc. All those in favor are asked to speak, then all in opposition, and then those neither for nor against. Each side is permitted to proceed without interruption from the other. Citizens may present their own case or hire an attorney--". . . the Commission may receive letters, written statements, maps, charts, sketches, petitions, or tangible evidence . . ." (TPZC By-Laws). A petition is a concise statement giving reasons why the undersigned favor or oppose a proposal which should be described as to its nature, location and applicant. Signature should be in ink, numbered, on one side of the paper only and by each person as in a bank signature. A photocopy should be kept by the applicant. Citizens often have unique knowledge of safety hazards, traffic and drainage problems and other neighborhood conditions that are important to the TPZC members in making their decisions on the use of the land. After all speakers have been heard, letters received are read into the record. Then the Town Planner points out factors he/she deems pertinent for TPZC consideration. He/she may recommend approval, approval with modifications, disapproval, or make no recommendation. Comments of all other Town staff members are also discussed, including the Inland-Wetlands Agent. Rebuttal and summary by the applicant and/or a representative follows. At the discretion of the Chairperson, rebuttal may also be heard by representatives of the opposition on facts presented in applicant's rebuttal. The applicant always has final rebuttal.

CONSIDERATION OF PUBLIC HEARING

Usually follows immediately on each item. The TPZC may ask for additional information or clarification. In cases of special uses or non-conforming uses, the TPZC may table, approve with conditions, or disapprove with a majority vote (3-2) sufficient to pass on these items. In the case of subdivisions or zone changes, the TPZC may table, approve, approve with modifications, or disapprove, also with a majority vote. However, state law mandates that when a protest is filed in the form of a petition at or before the public hearing against a proposed zoning map change, signed by the owners of 20 percent or more of the area of the lots included in the proposal or of the lots within 500 feet in all directions, a two-thirds vote (4-1) is required for approval. Reasons are given for decisions and are recorded in the official minutes. Applications are usually acted upon within 65 days unless specifically extended. Applicants may ask for postponement and recessing of certain public hearings. Appeals from the TPZC decisions must be made to the court within 15 days from date of publication of the legal notice. An attorney is needed.

PUBLIC COMMUNICATIONS AND PETITIONS

Usually the first item in the Business Meeting. At this time, anyone may make a statement or ask a question on matters within jurisdiction of the TPZC except on items that will be or are still under consideration from a public hearing or are in litigation. Letters received by the TPZC or Planner are read aloud.

NEW BUSINESS

Not open to public participation unless special point of privilege is granted by the Chairperson. New Business includes review of site development plans for all development except single-family residences. As a courtesy, abutters are notified when a waiver of parking and landscape regulations has been requested and they are invited to give their comments. Items on which public hearings are required first appear on the agenda as a Pre-Application Scrutiny or Application Acceptance. The TPZC schedules a public hearing on these items for a subsequent date.

NOTE:	This document is not a rule or regulation of the TPZC but merely an informational guide and in no way should be substituted for the advice of your personal attorney. The Town of Windsor does not guarantee that the Connecticut General Statutes, case law, or local regulations may not have changed any of the procedures and regulation requirements. Those concerned are urged to obtain further information from the Planning Department and other available sources such as the latest statutes, case law and local regulations.
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SOURCES: Connecticut General Statutes, Title 8; Windsor Subdivision and Zoning Regulations; Town Charter; TPZC By-Laws; Planning Department; interested citizens.

11/24/92; Revised 3/18/06