

Policy and Procedures on Land Use Appeals

Each judicial district shall have a separate calendar for land use appeals.

A judge will be appointed to hear each appeal at least a month before the trial date and the file will be available for the appointed judge at that time for review before trial.

Standing Order on Land Use Appeals

1. Subject Matter – This order applies to all land use appeals, including appeals from historic district commissions, about zoning, about local land use ordinances, about planning, and from regional planning agencies under Chapters 97a, 124, 125a, 126, 127, and 440 of the Connecticut General Statutes, or from aquifer protection agencies or water pollution control agencies under Sections 22a-354q and 7-246a of the Connecticut General Statutes. This order does not apply to administrative appeals taken under Connecticut General Statutes Chapter 126a (affordable housing) or Connecticut General Statutes Section 4-183.
2. Land Use Appeals Calendar – Between 30 (thirty) and 60 (sixty) days after the return date, the land use appeal will be put on the land use appeals calendar for the first time.
3. Appearance at the Monthly Calendar Call - The first time that a land use appeal is on the calendar, all counsel and self-represented parties must come to court. After coming to court for the first monthly calendar call, counsel and self-represented parties do not have to come to court for the call unless they receive a notice from the casflow office telling them to come to court.
4. Establish Scheduling Order and Designate the Contents of the Record – The first time that the appeal appears on the administrative appeals calendar, the court and the parties will establish, or will set up a conference to establish, which of the contents of the record are to be transmitted, and will set up a scheduling order which will include dates for the filing of the designated contents of the record, for the submission of briefs and reply briefs, for pretrials or other appropriate conferences, and for the hearing on the administrative appeal. At the conference, the court shall also determine which, if any, of the designated contents of the record shall be transmitted to the parties and/or the court in paper format because such papers are either difficult to reproduce electronically or difficult to review in electronic format.
5. Monthly Calendar Call - Disputes about the contents of the record or other motions, applications or objections, including motions to supplement the record, motions for an extension of the briefing schedule, motions to dismiss, motions to amend pleadings and motions to settle cases, will be scheduled by the casflow office for the administrative appeals calendar or as otherwise directed by the Court. The casflow office will provide notice to counsel and self-represented parties to come to the monthly calendar call, or at such other time as designated by the court, to argue their motions or objections. If a motion or objection in a land use appeal, other than a motion for settlement or withdrawal, is put on the regular short calendar, counsel and self-represented parties shall ignore the regular short calendar and shall not mark the motion or objection ready because it will not be heard on the short

calendar. Any hearings to consider taxation of costs in accordance with General Statute § 8-8(i) shall be conducted after the court renders its decision on the appeal.

6. Settlements/Withdrawals – Counsel and self-represented parties may request that motions for settlement or withdrawals be placed on the next available regular short calendar. Procedures for settling planning, zoning, and wetlands cases shall follow the notice and hearing requirements of Sections 8-8 and 22a-43 of the Connecticut General Statutes and Section 14-7A of the Connecticut Practice Book.

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