



General Assembly

**Amendment**

February Session, 2000

LCO No. 4427

Offered by:

REP. FLAHERTY, 8<sup>th</sup> Dist.

REP. GOOGINS, 31<sup>st</sup> Dist.

To: Subst. House Bill No. 5107

File No. 459

Cal. No. 364

***"An Act Implementing The Recommendations Of The  
Blue Ribbon Commission To Study Affordable Housing  
Regarding The Affordable Housing Appeals Procedure."***

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- 1 In line 44, strike "fifty" and insert in lieu thereof "forty"
  - 2 In line 149, place an opening bracket in front of "(1)"
  - 3 In line 150, place a closing bracket after "(A)"
  - 4 In line 151, place brackets around the semi-colon after "record" and
  - 5 insert in lieu thereof a period
  - 6 Strike line 152 in its entirety and insert the following:
    - 7 "The commission shall also have the burden to prove, based upon
    - 8 the evidence in the record compiled before such commission, that (1)
    - 9 (A) the decision is necessary to protect"
  - 10 In line 154, strike "(ii)" and insert in lieu thereof "(B)"
  - 11 In line 155, strike "regional"

12 In line 155, strike "(iii)" and insert in lieu thereof "(C)"

13 In line 186, strike "within sixty-five days of" and insert in lieu  
14 thereof "not later than sixty-five days after"

15 In line 260, after "after" insert "(A)"

16 In line 262, after "Journal" insert "or (B) after notice of a provisional  
17 approval is published pursuant to subdivision (4) of this subsection"

18 In line 274, after "(4)" insert "(A)"

19 After line 280, insert the following:

20 "(B) A municipality may apply for a certificate of affordable housing  
21 project completion pursuant to this subsection by applying in writing  
22 to the commissioner, and including documentation showing that the  
23 municipality has accumulated the required number of points within  
24 the applicable time period. Such documentation shall include the  
25 location of each dwelling unit being counted, the number of points  
26 each dwelling unit has been assigned, and the reason, pursuant to this  
27 subsection, for assigning such points to such dwelling unit. Upon  
28 receipt of such application, the commissioner shall promptly cause a  
29 notice of the filing of the application to be published in the Connecticut  
30 Law Journal, stating that public comment on such application shall be  
31 accepted by the commissioner for a period of thirty days after the  
32 publication of such notice. Not later than ninety days after the receipt  
33 of such application, the commissioner shall either approve or reject  
34 such application. Such approval or rejection shall be accompanied by a  
35 written statement of the reasons for approval or rejection, pursuant to  
36 the provisions of this subsection. If the application is approved, the  
37 commissioner shall promptly cause a certificate of affordable housing  
38 project completion to be published in the Connecticut Law Journal. If  
39 the commissioner fails to either approve or reject the application  
40 within such ninety-day period, such application shall be deemed  
41 provisionally approved, and the municipality may cause notice of such  
42 provisional approval to be published in a conspicuous manner in a

43 daily newspaper having general circulation in the municipality, in  
44 which case, such moratorium shall take effect upon such publication.  
45 The municipality shall send a copy of such notice to the commissioner.  
46 Such provisional approval shall remain in effect unless the  
47 commissioner subsequently acts upon and rejects the application, in  
48 which case the moratorium shall terminate upon notice to the  
49 municipality by the commissioner."

50 In line 301, after "point." insert the following: "(F) A set-aside  
51 development containing family units which are rental units shall be  
52 awarded additional points equal to twenty-two per cent of the total  
53 points awarded to such development, provided the application for  
54 such development was filed with the commission prior to July 6, 1995."

55 In line 327, before "The" insert "(11)"

56 In line 332, after "moratorium." insert the following:

57 "A municipality may apply for a moratorium in accordance with the  
58 provisions of this subsection prior to, as well as after, such regulations  
59 are adopted."