



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.
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*Your Home
Is Our
Business*

March 3, 2008

To: Senator Eric Coleman, Co-Chairman
Representative Art Feltman, Co-Chairman
Members of the Planning & Development Committee

From: Bill Ethier, Executive Vice President & General Counsel

Re: **Raised Bill 5673, AAC Review of Projects of Regional Significance by Regional Planning Organizations**

The HBACT is a professional trade association with over one thousand five hundred (1,500+) member firms statewide employing tens of thousands of Connecticut's citizens. Our members are residential and commercial builders, land developers, remodelers, subcontractors, suppliers and those businesses and professionals providing services to this diverse industry. We also created and administer the CT Developers Council, a professional forum for the land development industry in the state.

The HBA of Connecticut opposes RB 5673 for several reasons.

The definition of projects of regional significance, i.e., referring to review of developments by the State Traffic Commission (STC), is far too low a threshold. The vast majority of developments that meet the thresholds for STC jurisdiction to approve a certificate of operation will not have any impact on a region and should not be deemed of regional significance. The STC's thresholds include any project with 200 parking spaces or 100,000 square feet. The 100,000 square foot threshold does not distinguish between homes, retail, warehouse, office, or any other use of property. As applied to residential subdivisions, the threshold is met if the development will have, for example, 25 homes at 4,000 sq. ft. each, 34 homes at 3,000 sq. ft. each, or 50 homes at 2,000 sq. ft. or any other combination totally 100,000 feet. We submit that these thresholds do not significantly affect our state highways, let alone require RPO review as a project of regional significance. We are working with the STC to change its thresholds, which are in its regulations, not statute, to thresholds that are better related to auto trip generations. **But, if this bill is to go forward, we urge you to adopt the definition of projects of regional significance in RB 39, AAC Responsible Growth.**

Also, section 1(b) of the bill requires local P&Z commissions to provide notice to RPOs regarding any project of regional significance "thirty days before the public hearing to be held ..." **But, if the project does not require a zone change or any regulatory change (i.e., it's a straight up site plan or subdivision application), a public hearing is not legally required.** So, this provision should state, "thirty days before a public hearing is held in relation to the project of regional significance, if a public hearing is held, or thirty days before the commission makes its final decision in relation to such project if a public hearing is not held on the application."

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Further, the RPO should be required to provide its report regarding the project of regional significance to the local commission within the local commission's statutory timeline as provided for in section 8-7d of the general statutes.

Finally, the two-thirds vote requirement at line 27 could give RPOs effective veto authority over projects of regional significance. This could disrupt local economic development efforts. This top down planning approach will not work as all centralized planning has proven not to work.

As an alternative approach to the two-thirds vote requirement in this bill and in order to address issues of regional significance, we urge you to require that local commissions add to their local plans of conservation and development the six major categories of concern outlined in the state plan of C&D and to state on the record of their decisions on projects of regional significance how such concerns were addressed or considered. Over time, this body of decision making will reveal whether our statutes related to land use planning and regulations need further amendment.

Thank you for the opportunity to comment on this legislation.