



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.
1245 FARMINGTON AVENUE, 2nd Floor, WEST HARTFORD, CT 06107
Tel: 860-521-1905 Fax: 860-521-3107 Web: www.hbact.org

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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 376, An Act Requiring the Establishment of a Land Use Docket**

The HBA of Connecticut supports RB 376 with a necessary amendment. 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, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to this diverse industry. We also created and administer the Connecticut Developers Council, a professional forum for the land development industry in the state.

Our members, who are engaged in the land use application process on a daily basis throughout the state, have long sought certainty and predictability of outcomes. Greater certainty and predictability that can be achieved in our land use and environmental permitting regulations, processes and outcomes will lead to greater investments and economic growth of the type and in those areas that regulations and planning allow.

While the lack of consistency and predictability is much more rampant in local land use commissions than the courts, consistency and predictability of outcomes also must carry through in our courts and the decisions they make on land use appeals. The courts generally do a good job of adjudicating these appeals, yet occasionally aberrations occur. We believe a land use docket will eliminate those aberrations.

The establishment of a land use docket, or any other means appropriate to the administration of these appeals, whereby a consistent set of judges are assigned to adjudicate these appeals, will facilitate consistent judicial interpretations of legislation and establishment of legal principles surrounding these appeals.

However, the bill needs to be amended to add chapter 124 (zoning) to this docket. Therefore, with this amendment, we urge you to support this legislation.

Thank you for considering our comments on this legislation.