

February 11, 2009

To: Distinguished Chairs Senator Gomes and Representative Green, Vice Chairs,
Ranking Members and Members of the Connecticut General Assembly Housing
Committee

Re: Proposed Bill #5527 AN ACT CONCERNING CALCULATION OF THE NUMBER
OF AFFORDABLE HOUSING UNITS IN MUNICIPALITIES

From: Westport, CT Planning and Zoning Commission, Ron Corwin, Chair/Ellie
Lowenstein, Vice Chair

The members of the Westport Planning and Zoning Commission are in support of changes
to Section 8-30(g) of the Connecticut General Statutes and have the following
suggestions:

1. Raise the housing equivalent points for elderly units from 1/2 and define median
income as the area median income.

Towns should be encouraged to provide housing for the elderly living on fixed incomes,
when that income is below the set affordable limit. Presently, the points given for any
restricted elderly affordable unit, owned or rented at or below 80% of median income is
1/2 moratorium point, even if restricted to those elderly at 40% or 60% of the median
income.

CGS 8-30(g) could be adjusted to raise the points to the same given to any other housing
unit in the same class of restricted affordability. We all know seniors are increasing
demographically and the need for housing units will follow. If a town has an
overabundance of "elderly" affordable apartments, sitting empty, it will soon discover that
restricting them in this manner is not in the town's interest. At the least, point distribution
must be fair and allow elderly units restricted at 40%, 60% and 80%, whether rented or
owned, to receive points no less than 1/2 point below that given to the family units.

2. Count in the moratorium points, Housing Authority units and other deed restricted
housing constructed prior to 1990. The Housing Authority is the major supplier of
affordable housing in some towns. Those towns that have Housing Authorities or pre
1990 deed restricted housing had forethought to provide affordable housing before the
state mandated it. They should not be required to increase their affordable housing at the
same rate as a town that has no affordable housing, in order to get to the first moratorium
of the 8-30(g) appeals process.

3. Count as affordable housing, in-law apartments that are restricted as to the age of the
occupant as well as the size of the unit. These apartments provide a much needed living
area for persons who cannot live on their own or can no longer manage a larger living
unit. Many older adults want to move closer to their children for the help they now need,
but many times cannot afford the area in which the children live. In-law apartments

provide this service and may delay the move to a nursing home, where costs could be borne by all via Medicaid.

4. Count as affordable housing, through yearly income and rent verification by sworn affidavit, the existing housing that may not be deed restricted but is affordable. Most of these living units have existed for a number of years and may increase in cost if torn down to provide new units.

5. Define median income as the area median income.

In lower Fairfield County, there is more than a \$30,000 difference between the state median income and the area median income. In our area, wages and therefore building costs are higher. The entire state of Connecticut is being treated as if all areas are equal in this respect.

In Westport, any attempt through planning to require affordable and market rate units in the same project to be comparable in size and/or quality of construction is virtually impossible. A reduction in size and number of bedrooms means these units are serving singles or very small families, resulting in few units for larger families needing housing. To be able to rent or sell the affordable units based on income as a percentage of the area median income would help allow comparable units to be built, a goal of this Commission.

It is our understanding that the state and federal affordable housing funding bodies have restrictions based on using the area median income. If the providers of affordable housing can receive funding to help them build through these programs, then their requirements should be investigated as a possibility for changing the way in which affordability is calculated.

The Westport Planning and Zoning Commission asks that you consider our recommendations. We are in the process of writing regulations to expand affordable housing units and can see the downside of the present manner in which moratorium points are awarded, elderly units are counted and income restrictions are calculated.

Thank you for the opportunity to comment.

Cc: Honorable Toni Boucher, Senator District #26
Honorable Joe Mioli, Representative District 136
Honorable Kim Fawcett, Representative District 133