



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.
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March 9, 2009

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

From: Bill Ethier, CAE, Chief Executive Officer

Re: Raised Bill 1042, AAC Energy Efficient Developments

The HBA of Connecticut is a professional trade association with almost one thousand, three hundred (1,300) member firms statewide, employing tens of thousands of Connecticut 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.

The HBA of Connecticut opposes RB 1042. The bill amends 8-2, the zoning enabling act, by requiring "that applicants to the zoning commission have the burden to demonstrate that a proposed development is energy efficient."

Given that the State Building Code currently requires energy efficient construction of buildings, which will be enhanced further by HB 6284 (unanimously passed by the Public Safety Committee, and which we strongly support), the "energy efficiency" of a development could include many unknown other requirements. Passive solar energy residences is the only suggested method to demonstrate compliance with the new requirement. But passive solar energy is not always feasible nor desirable by the marketplace. Home buyers may want trees in close proximity to their homes, the shade from which can adversely affect solar access. Home buyers may also want a configuration of their home, due to site terrain, views, lot configuration or other matters that cannot accommodate passive solar access. In cases where passive solar access is not available, or even where it is, what other energy efficient requirements will be placed on developments? Travel time restrictions to workplaces? Proximity to mass transit? Use or reuse of certain construction or land development materials? The list of possible requirements in this new, unknown enabling authority is endless. And, what would non-residential developments have to do to demonstrate that they are energy efficient?

Beyond the requirements of the State Building Code for constructing buildings, we urge the committee to let the marketplace determine what types of further energy efficient development practices it wants (and wants to pay for). We do not need another vague layer of regulatory controls in our zoning enabling statute.

Please do not support this bill. Thank you for the opportunity to comment on this legislation.