



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.
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February 11, 2009

To: Senator Jonathan A. Harris, Co-Chair
Representative Elizabeth B. Ritter, Co-Chair
Members of the Public Health Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **Proposed Bill 5255, AAC Watershed Lands**

The HBA of Connecticut is a professional trade association with one thousand three hundred (1,300) member firms statewide employing tens of thousands of CT'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 organized and run the Connecticut Developers Council.

Until we learn more about problems that have occurred that would necessitate the burdensome new regulatory controls proposed by HB 5255, the HBA of Connecticut opposes this proposed bill. Also, being only a proposal and not fully drafted, it is difficult to provide more detailed or constructive comments.

Proposed Bill 5255 seems to be an extensive intrusion of a state bureaucracy into already draconian local development permitting processes. Watershed lands are extensive and it is our understanding they cover a good portion of the state. The waters of Connecticut are extremely well protected under current law. This proposal, therefore, will adversely impact many developments and municipal initiatives across the state with unknown but likely unjustifiable cost-benefits.

Development can and has occurred on watershed lands with appropriate safeguards and conditions that very adequately protect our water resources. If there has been an incident or occasion that led to this proposal, knowing how extensively development is controlled under current laws and regulations we surmise that it is likely an aberration. If additional conditions or requirements on development are necessary to further protect our water resources, a possibly better approach than to authorize yet another state agency's oversight and control of development applications would be to insert appropriate consideration of these conditions or requirements into the zoning enabling statute.

The proposal is also overly broad, e.g., in addition to covering watershed lands, it impacts extend to "any proposed municipal plan of conservation and development or zoning regulations or changes thereto affecting a public water supply" It will authorize a state agency's oversight and intrusion into local land use decisions. This severely impacts and will cause further delays to not only development applications but also municipal initiatives to amend its local plans of conservation and development or zoning regulations.

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Section 8-7d of the general statutes outlines a timeline for processing land use and inland wetland permits at the municipal level. No such timeline exists for state agency reviews or permits, a major obstacle to creating a streamlined, productive regulatory system in this state. Section 8-7d allows for comment on development applications by the public and other agencies and lays out the timeline for public hearings and reaching a final decision. At the very least, if the Dept. of Public Health is to comment on applications occurring on watershed lands they should do so within these existing statutory timelines. And, neither municipalities nor development applicants should be required to pay a fee to DPH to provide comments to local permitting boards and commissions.

Finally, the development industry is toiling under the weight of a very troubled economy. But, putting current economic conditions aside, Connecticut has long suffered under an extremely extensive and byzantine array of land use and environmental approvals. Our current regulatory system, one of the most burdensome in the nation, is one of the primary causes of our low level of economic development and our high housing prices. There is little certainty in our development permitting system and proposed bill 5255 will make it that much worse. **Connecticut needs to strive for a more streamlined, more simple regulatory process with more certain outcomes if we are to compete in a regional, national or global economy.** We have long asserted that we can do this in balance with protecting our environmental and natural resources, but proposed bill 5255 seems to head us in the opposite direction.

For all of the reasons above, please do not support proposed bill 5255. If it is to proceed, we would very much appreciate being included in discussions to draft the bill. Thank you for the opportunity to comment on this legislation.