



**TESTIMONY
BART RUSSELL
CT COUNCIL OF SMALL TOWNS
BEFORE THE
HOUSING COMMITTEE
FEBRUARY 17, 2009**

**Re: Proposed HB 5240, AN ACT CONCERNING THE THRESHOLD FOR
COMPLIANCE WITH AFFORDABLE HOUSING**

The Connecticut Council of Small Towns (COST) *supports* HB-5240, which would amend Section 8-30g of the general statutes to require accessory apartments to be considered as affordable housing.

The State's Affordable Housing Land Use Appeals Act provides that, unless 10% of a town's housing is affordable, the town cannot deny a developer's proposal for affordable housing without a very compelling reason. The law was modified during the 2002 session to allow a town to include "accessory apartments" as part of its 10% affordable housing count.

However, under the amended Act, accessory apartments must have a 10 year deed restriction committing the owner to rent the apartment at 30% or less of the tenant's income, and to someone whose income is less than or equal to 80% of the area, or the state's median income, whichever is less. This onerous provision will reduce the number of homeowners willing to have their accessory apartments used to help meet the towns' "affordable housing" obligations.

We therefore support HB-5240 as a means of addressing this issue.