



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

Planning and Development Committee

March 2, 2009

Testimony of
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Office of Policy and Management

Regarding Various Responsible Growth Proposals

Good morning Senator Coleman, Representative Sharkey, and distinguished members of the Planning and Development Committee. Although I had hoped to appear before you today, I am unable to do so. However, I appreciate the opportunity to submit this testimony as Office of Policy and Management (OPM) Secretary Robert L. Genuario's designee to oversee the Office of Responsible Growth that Governor M. Jodi Rell established in Executive Order 15.

First of all, we are pleased that you have placed a high level of importance on regional initiatives and inter-municipal cooperative efforts. As you know, Governor Rell has also placed a high priority on both of these issues and has made them a cornerstone of her budget this year. Additionally, we are pleased that this Committee has also continued to place such a high importance on Responsible Growth, which is consistent with Governor Rell's leadership on this important issue.

With regard to Raised Bill 6463, An Act Concerning Membership on Regional Planning Agencies, we applaud the fact that this Committee has recognized the importance of the participation of municipal chief elected officials in the operation of Connecticut's fifteen (15) Regional Planning Organizations. It is unclear, however, whether this Committee intended for said officials to be members of the same group as the other agency representatives or whether the chief elected officials should constitute a separate and distinct group in each of the regions. I would hope that the Committee would adopt the latter view, rather than the former, as I believe the interests and general expertise of the chief elected officials do not align well with those of the regular representatives in the regions.

With regard to Raised Bill 6464, An Act Concerning Coordinated Preservation and Development, again, I believe that this Committee wisely has seen the virtue of having a group of diverse stakeholders provide input into specific types of projects. However, as I believe that a more proper role would be as an advisory group, as opposed to a group that actually directs the expenditure of funds and approves or denies grant applications, I request that you amend the statute accordingly. The advisory model has worked extremely well and I would cite the success of the Natural Heritage, Open Space and Watershed Land Acquisition Review Board, which has provided advice to the Commissioner of the Department of Environmental Protection since 1998 on the expenditure of state funds for the permanent protection of open space.

On Raised Bill 6465, An Act Concerning Smart Growth and Transportation Planning, we have two concerns. First, not all transportation spending is on new projects for which a Smart Growth review is

appropriate. In fact, a significant portion of ConnDOT's budget is spent on repairing or replacing existing infrastructure. As we all know, a "fix it first" strategy is an important component in assuring that our existing infrastructure remains in use and towards that end, a Smart Growth review process would be neither germane nor appropriate. Second, we are not convinced that the Transportation Strategy Board is the appropriate body to conduct a Smart Growth review. Instead, we believe that any such review would be more appropriately conducted at OPM.

Raised Bill 6466, An Act Concerning Projects of Regional Significance, is important not only because it allows Regional Planning Organizations to establish a voluntary process for applicants to request a pre-application review of projects of regional significance, but also because it provides a statutory definition for proposed projects of regional significance. We applaud and endorse this and any initiative that provides opportunities for Regional Planning Organizations to better coordinate planning and implementation efforts on a regional basis.

As to Raised Bill 6467, An Act Concerning Smart Growth and Plans of Conservation and Development, this Committee rightly recognizes the need for consistency between local Plans of Conservation and Development and the State Plan of Conservation and Development. However, we have concerns regarding the October 1, 2009 effective date of the proposed legislative changes and how that may interface with those municipalities that may be in the process of currently reviewing and revising their local Plans of Conservation and Development.

In addition, requiring towns to assure consistency with the State Plan will undoubtedly raise the cost of the statutorily required ten year review. At this time, when municipalities are already having trouble balancing their budgets, I would hate to see legislation adopted that would make it more expensive for towns to conduct their reviews. This may inadvertently serve as a financial disincentive to towns in terms of either postponing or refusing to conduct the review. This would also constitute an additional unfunded mandate on municipalities and would run counter to the Governor's emphasis this year on relief from unfunded mandates. We would hope that this Committee would reconsider the effective dates for these sections and postpone them until October 1, 2012.

Raised Bill 6469, An Act Concerning Smart Growth and State Planning, calls for a tax incidence study, a state-wide build-out analysis and a statewide geographic system mapping project. While all of these are important to effective long range planning efforts, it is unlikely that the state will have the assets to fund these projects with the projected deficits over the next two fiscal years. Accordingly, as was the case with Raised Bill 6467, we would hope that the Committee would postpone these projects until such time as the State of Connecticut recovers from the current fiscal crisis.

Raised Bill 6585, An Act Concerning Regionalism, provides a mechanism for municipalities to promote regional economic development and share revenue voluntarily.

While again, any efforts that promote regional cooperation should be encouraged, we are concerned that municipalities may not avail themselves of the opportunities under this bill as they each struggle to maintain their individual revenue streams. Additionally, with declining state revenues from all sources, it is unlikely that the state can afford to give up one sixth of its sales tax revenue until the current economic climate is reversed. Again, we would ask that the Committee consider postponing the effective date of various sections of this bill until the current economic crisis is resolved. We are also concerned that not all regions of the state are located in federal economic development districts and that Regional Planning Organizations do not all have the same level of involvement in creating the boundaries of or participating in these districts. We believe that they should be involved and that the boundaries should mirror the boundaries of the Regional Planning Organizations, or combinations thereof. Finally, we would ask that the same powers conferred on Councils of Elected Officials under Section 5 of the bill be extended also to Regional Planning Agencies and Regional Councils of Government.

We are pleased to endorse Raised Bill 6588, An Act Concerning Training for Local Land Use Commissioners. The University of Connecticut's Center for Land Use Education and Research (CLEAR) has long provided training to local land use commissions. Municipalities and Regional Planning Organizations are familiar with CLEAR and recent changes instituted by CLEAR in the manner in which it provides training and how participation is acknowledged have bolstered participation in this invaluable program.

It is both fitting and proper that CLEAR be formally recognized for the value of its past and present work.

Raised Bill 6589, An Act Concerning Land Use Appeals, seeks to create a dedicated court structure to address land use appeals. While we endorse the concept, as was noted above, we believe that there may be unanticipated costs to Connecticut's Judicial System which will not be able to be addressed until after Connecticut recovers from the current fiscal crisis. Accordingly, we would ask that this Committee consider postponing to a later date the bill's current effective date of October 1, 2009. We also believe that changing the effective date would provide the Judicial Branch more time to devise an efficient process to implement the provisions of this bill.

Committee Bill 371, An Act Concerning Inter-municipal Cooperation, echoes another one of Governor Rell's important issues this year. However, as was noted above in our testimony for Raised Bill 6585, we believe the same provisions that you extend to Councils of Elected Officials should also be made available to Regional Planning Agencies and Regional Councils of Government.

Committee Bill 384, An Act Concerning Regionalism in the State, creates a regional grant program for municipalities and is somewhat similar to Governor Rell's two proposed regional grant programs. We would only ask that OPM's responsibilities be limited under Section 1 to be within available appropriations, as it is so limited in Section 2.

Finally, I would like to provide comment on Committee Bill 5544, An Act Concerning Regional Economic Development Plans. As noted above, we generally applaud any legislation that empowers municipalities to cooperate. However, as noted above in my testimony on Raised Bill 6585, we do not know if municipalities will be inclined to share revenues during these difficult economic times and accordingly, for the same reasons cited above, we would ask the Committee to consider postponing the effective date of this bill.

Thank you for your consideration of OPM's views regarding these bills. I look forward to working with this Committee going forward, and will be happy to meet with you to answer questions or address any concerns you may have.

