



Connecticut
Housing
Coalition

Planning and Development Committee Public Hearing
March 2, 2011

Testimony of Betsy Crum
Executive Director, Connecticut Housing Coalition

**Oppose H.B. 5479, AN ACT CONCERNING CONSIDERATIONS IN
AFFORDABLE HOUSING APPEALS.**

Thank you for the opportunity to testify today. My name is Betsy Crum, and I am the Executive Director of the Connecticut Housing Coalition. The Coalition represents a network of over 250 community-based, affordable housing organizations across the state. Our membership includes nonprofit and for-profit developers, social service agencies, property managers, resident associations, and diverse other housing practitioners and advocates. As an organization dedicated to creating and preserving affordable housing in Connecticut, we have intimate knowledge of the challenges and rewards of developing affordable housing in our cities and towns.

Appeals Procedure Background

In 1989, Connecticut enacted landmark legislation to overcome exclusionary zoning practices. The Affordable Housing Appeals Procedure established a new standard of review for municipal zoning decisions concerning affordable housing. Under the Appeals law, a developer denied an opportunity to build affordable housing by a local land use board may appeal the rejection in court. The judge must then determine whether the town's reasons for its denial "clearly outweigh the need for affordable housing." In applying this standard, the court respects bona fide objections, such as genuine traffic safety or sewer problems, for turning down a housing proposal. But zoning decisions based on insubstantial or inappropriate reasons aimed at excluding affordable housing are overturned.

Since its passage, approximately 4,700 units of affordable housing and an additional 5,500 market rate units have been produced as a result of this law. While impressive, it should also be noted that the courts have repeatedly decided in favor of towns when their reasons for denial were legitimate and based on fact. One-third of all decisions have been in favor of the municipality. Further, several amendments were made to the law in 2000, increasing its effectiveness, giving municipalities more safeguards, and closing several loopholes.

The Affordable Housing Land Use Appeals Procedure has provided high-quality affordable, workforce and market rate housing across the state while respecting the legitimate oversight and regulatory rights of local governments.



Connecticut Housing Coalition

2-8-2011 Housing Committee Testimony

Page 2

Meeting Our Housing Needs

In spite of the strong successes of the Appeals Procedure, the need for affordable housing in Connecticut remains great, and essential to our future success. The State's 2010-2015 "Consolidated Plan for Housing and Community Development" reports that "the state will need approximately 67,888 to 75,893 additional housing units (owner-occupied and rental) by 2015 to meet the growing needs." Economic and racial diversity are critical components of any healthy community, and high quality housing leads to stable families, thriving children and vibrant neighborhoods. More than that, housing means opportunity, jobs, growth and revenue for our state with new. New construction and renovation of real estate is one of our clearest economic drivers. Apartments and homes built provide places for our teachers, police and firefighters to live. Local housing opportunities reduce congestion on our highways from commuters. Businesses will choose to locate or expand in Connecticut when their employees can afford to live here. In short, housing is an engine of economic expansion. Housing is where jobs go at night.

But make no mistake: the spirit of "Not in My Backyard" with respect to affordable housing still threatens to derail efforts to create affordable developments. One illustration is the current proposal by the Middletown-based nonprofit Women's Institute to build 75 units of affordable housing for low-income and disabled Veterans on the campus of the VA-Connecticut Healthcare Systems campus in Newington. While most of us can agree with the importance of providing opportunities for Veterans and their families, this proposal has given rise to virulent and organized opposition. The project is being opposed because it is affordable and serves individuals and families that need services due to their disabilities. Threats have been mailed to the developer, public meetings have turned into shouting matches, and the Town Planner and Mayor have received countless calls and letters asking that the project be stopped. While the opposition has been clear, the project has not been derailed, due in part to the strength of the zoning law that permits it to continue.

Oppose Efforts to Amend 8-30g in H.B. 5479

Since the law was first enacted, the legislature has seen contentious debate and countless bills and amendments directed at the Affordable Housing Appeals Procedure. Effective compromises with broad, bi-partisan support have been forged, and all towns benefit from more effective tools to review proposals and to enforce standards upon developers. Most importantly, a greater proportion of housing that is produced is more affordable and for a longer period. In short, 8-30g works, with all of the protections suggested in H.B. 5479.

I urge the members of the Planning and Development Committee to maintain an effective Affordable Housing Appeals Procedure and take no action on the bill before you. Thank you.