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March 5, 2011

To: Senator Andrew Maynard and Representative Tony Guerrero
Members of the Transportation Committee

From: William Ferrigno, President, Sunlight Construction
Chairman, HBA of Connecticut Developer's Council

Re: Senate Bill 824 and Senate Bill 825

I am a third generation builder and developer specializing in homebuilding. My family has been settled in Connecticut since 1912. I own a small building company that employees typically nine people, and I subcontract to companies that have an employment base of well over one thousand.

I want to thank you for raising SB824 and SB825 and I urge your strong support for them with the expectation that the permitting process at the STC can be made predictable and equitable.

I would like to tell you a story about the STC. In 2005, I received approvals in East Hartford for the development of 66 free standing active adult homes off of Silver Lane. The town had just finished creating new zoning that would encourage such development. The Silver Lane corridor was in need of revitalization, and things were starting to happen with the construction of Rentschler Field, and Cabela's. My site was directly across from a shopping center, the entrance of which was served by a traffic signal. It was logical and to be expected that the entrance to my new development would be opposing the shopping center and would be served by the same traffic signal.

The first surprise was that the STC had jurisdiction over this development. This was because the 66 homes had a gross square footage of 120,000 square feet. Even though the daily trip generations from these homes were very low, I had met the STC criteria of 100,000 square feet. It is important to note that those trip generations were equal to no more than the amount one would expect from a retail facility of 20,000 square feet.

My first introduction to the whims of the STC came after I discovered that they would not review any site or traffic plans until after all approvals were received from the town. They would not even conceptually review them. I had no choice but to wait for that moment, and did indeed file with them quickly after our approvals. I used Fuss & O'Neill, a respected traffic engineer to develop the drawings.

The next surprise occurred when I was told in the review process that a complete downstream review of the State's drainage system along the State highway was needed. **This, in spite of the fact that our post-development drainage flows were actually less than the pre-development condition.** This was due to an on-site drainage detention basin that was designed to hold large storm events. I was told that I might have to make improvements in the State's drainage network. **This entailed extra engineering costs of \$14,000 and 45 days of time.**

Next, the STC required that the traffic signal be completely reconstructed with new equipment. Remember, there was already an existing signal at this intersection that had been updated within the last 15 years. Why weren't all of the "users" of the signal not being asked to pay? All that really needed to happen was that a fourth "head" be put on the existing signal to serve our new road. **The cost for that would have been \$13,000. The cost for the signal as required by the STC was \$134,000.**

With no appeal permissible, I forged ahead and began building. It was 2006, and times were good for my business. I began selling and building homes. In the summer of that year, some of my homes were ready for occupancy. The traffic signal parts had been ordered but the signal itself was not yet re-constructed. With such limited traffic, who would guess that the STC would not allow these first few homes to be occupied? I think you already know the answer. Only an appeal to the Governor, who caused a special hearing to be conducted, got us the relief we needed. By the way, in attendance at the same hearing were Yale University and Big Y supermarket. Seems they were having their own issues with the STC.

In closing, let me say that it all worked out. After tens of thousands of extra dollars and months of delays, and hardship to families, the signal got rebuilt and I just recently finished my project. Upon reflection, I know that if these circumstances had happened in these down times, I could have been forced out of business. **As a final insult, the STC made my homeowners association pay for all of the electricity to operate the traffic signal.** Seems like a small thing, but why didn't the STC require the operational costs to be spread amongst all parties that benefit?

During the process, I met and talked with the Executive Director and many of the staffers of the STC. They are all nice people and to a person claimed they were following "procedures" or "policy". My question is- "Can't we find a better way, or is our State doomed to languish in a sea of draconian red tape"?

Thank you for your time.

Respectfully yours,

William A. Ferrigno, President
Sunlight Construction Incorporated