

CIULLA & DONOFRIO, LLP

127 WASHINGTON AVENUE
P. O. BOX 219
NORTH HAVEN, CONNECTICUT 06473

TELEPHONE (203) 239-9828
FACSIMILE (203) 234-0379
www.cd-law.com

RICHARD F. CONNORS
DIRECT DIAL: (203) 234-0380
OF COUNSEL

JEFFREY M. DONOFRIO
DIRECT DIAL: (203) 239-9829

JENNIFER N. COPPOLA
DIRECT DIAL: (203) 239-3642

LOUIS J. DAGOSTINE
DIRECT DIAL: (203) 234-2699

March 1, 2012

Senator Stephen Cassano
Representative Linda Gentile
Planning and Development Committee
Legislative Office Building, Room 2100
300 Capitol Avenue
Hartford, Connecticut 06106

Re: HB 5320

Dear Senator Cassano and Representative Gentile:

I was asked to contact you on behalf of the Town of North Haven regarding HB 5320 to share their concerns with the proposed amendment to C.G.S. 8-27.

Pursuant to C.G.S. 8-27, the Town of North Haven has an Ordinance, Section 88-2 entitled "Conditions for building permit" which states the following: "In accordance with the provisions of Section 8-27 of the Connecticut General Statutes, no building permit for the erection of residential dwellings on lots abutting unaccepted highways in the Town of North Haven shall be granted before said unaccepted highway has been substantially completed and approved by the Board of Selectmen or a majority thereof." For decades, the Building Department of the Town has required that the binder course of pavement be laid prior to issuance of any building permits for an approved development. The reasons for this are obvious -- public safety, to maintain neighboring roads and properties, for benefit of purchasers, etc.

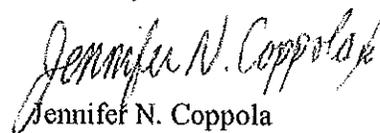
The Town of North Haven strongly believes that the Planning and Development Committee needs to thoroughly consider the implications that the proposed amendment will have upon the municipalities. Specifically, when a road is left uncompleted by a developer, residents will look to the municipality to rectify the problem. North Haven has dealt with this situation firsthand and has on more than one occasion been subjected to litigation. While the Town understands the Legislature's desire to improve the State's real estate market, it cannot accept and

Senator Stephen Cassano
Representative Linda Gentile
Planning and Development Committee
March 1, 2012
Page 2

must protest doing so at the cost of exposing the municipalities to additional unnecessary expense and more importantly, removing control over road construction from the municipalities. As you are well aware, municipalities in Connecticut are already facing many fiscal challenges and taxpayers are continuing to battle the effects of the multi-year economic malaise. Exposing taxpayers to additional costs as a result of legal fees and the potential liability that HB 5320 would present is not acceptable to the Town of North Haven.

On behalf of the Town and our firm, thank you in advance for presenting the above to the Planning and Development Committee.

Sincerely,


Jennifer N. Coppola

JNC/vd