

February 1, 2013

Dear Representative Fawcett,

Please accept this email as testimony for the upcoming public hearing on the 8-30g Affordable Housing Statute. I am currently serving in my 10th year as a member of the Town of Fairfield Planning and Zoning Commission. In this capacity I have heard 8-30g applications and been involved in efforts by the Town to create affordable housing and in creating zoning regulations to promote affordable housing.

The 8-30g statute was well intentioned but I believe that amendments to that statute are warranted. I have witnessed how the statute has been used and abused in Fairfield and surrounding towns in the past 23 years since it was enacted. Too often the statute is used by developers as a threat to the town and its residents, thereby giving a negative connotation to the term "Affordable Housing". There have been many situations in Fairfield and surrounding towns where the goal does not appear to be to build affordable housing but rather to subvert local zoning regulations and build something that is either not Affordable Housing or which provides minimal benefit to the community at a cost to public welfare and safety.

While I would not argue for a repeal of 8-30g I think the State Legislature should consider several amendments to the statute such as those listed below.

Exemptions – If a municipality has an approved Affordable Housing Plan they should be able to review subsequent 8-30g Applications based on this plan. The municipality should be allowed to consider said plan as a basis for approving or denying Affordable Housing applications.

Senior Housing – with an aging population and shifting demographics the availability of Senior Housing is a major concern facing our state and town. Senior housing should be counted as affordable housing for the purpose of establishing a municipality's eligibility for an exception from the provisions of 8-30g. Incentives should be created to promote the development of Senior Housing.

Connections to Mass Transit and Commercial Areas – applications for Affordable Housing Development must include evidence from the applicant of how the development will be connected to mass transit and commercial areas.

Considerations in denials of Affordable Housing Applications – a judge should be allowed to consider: 1) findings by the local Planning and Zoning Commission that the subject land is unsuitable for the proposed development; 2) concerns about the degree of non-conformity with regulations concerning height, setbacks and grading; 3) whether the number of units proposed outweighs the Commission's concerns about the proposed development.

Compliance with Principles of Smart Growth – I would support Proposed Bill 6117 which would require proposed Affordable Housing Developments to comply with clearly defined principles to create housing opportunities.

Appeals – legislation should enacted to discourage frivolous appeals

Thank you for your consideration of these comments.

Regards,

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