

8-30G-AFFORDABLE HOUSING COMMITTEE

HARTFORD-FEB 14, 2013

MY NAME IS VINCENT MAIOLO AND I LIVE IN FAIRFIELD CT.

FIRST OF ALL LET ME THANK THE HOUSING COMMITTEE FOR HOLDING THIS PUBLIC HEARING AND GIVING ME A CHANCE TO VOICE MY COMMENTS CONCERNING STATE STATUTE 8-30G.

I'M NOT A LAWYER, I'M NOT A DEVELOPER, I' M A CT. CITIZEN THAT WOULD LIKE TO ADD MY OPINION TO THIS DISCUSSION AND SAY A FEW WORDS THAT I HOPE-- WILL JUSTIFY THIS COMMITTEE TO TAKE POSITIVE ACTION TO **AND AT THE VERY LEAST**, IMPROVE THE CHALLENGING 8-30G STATE STATUTE IN 2013.

CT. CITIZENS, THROUGHOUT THE STATE WHO LIVES AND COMMUNITY'S THAT WILL BE AFFECTED BY 8-30G ARE THRILLED, A MEANGFULL AND THOUGHTFUL DIALOG BETWEEN BI-PARTASEN CT. LEGISLATORS ARE TRYING TO FIND COMMON GROUND TO LAY THE GROUNDWORK TO "FIX" THE BROKEN 8-30G LAW.

AS THIS COMMITTEE IS VERY AWARE, ALTHOUGH WELL INTENTIONED WHEN WRITTEN SOME 24 YEARS AGO, 8-30G, HAS NOT IN THE PAST AND IS NOT IN THE PRESENT WORKING AND IF NOT MODIFIELD, WILL NOT WORK IN THE FUTURE.

IT IS NOT WORKING FOR WELL INTENDED DEVELOPERS, IT IS NOT WORKING FOR OUR TOWNS AND CITIES AND MOST IMPORTANT, IT IS NOT WORKING FOR THE INDIVIDUALS AND FAMILIES IT WAS PROPOSED TO HELP.

AS WE ALL KNOW, MANY CT. LAWS THAT ARE DEBATED AND IN-ACTED TO BECOME A STATE LAW, ARE WELL INTENTED, BUT AFTER A NUMBER OF YEARS AND THOUSANDS OF HOURS OF OBSERVATIONS OF HOW THAT LAW IS ACTUALLY MEETING THE DESIRED INTENT, SHOULD RESULT, AS THIS COMMITTEE IS ASSEMBLED,IN DISCUSSING WAYS TO IMPROVE THAT LAW THAT WILL RESULT IN- FAIRNESS TO ALL WHO MAY BE AFFECTED BY THIS REGULATION.

THE CURRENT 8-30G LAW IS ONE OF THOSE LAWS THAT MUST BE RE-VISITED THIS SESSION TO INSURE ALL LEGISLATORS, WHO PARTAKE IN THESE DISCUSSIONS, ----WILL USE ALL ITS UNITY AND STRENGTH AND PUSH THEIR POLITICAL PARTY AFFILIATIONS AND GEOGRAPHIC LOCATIONS ASIDE AND SHARE MUTUAL RESPECT TO REACH THE ENVISIONED GOAL OF 8-30G.

I WOULD ALSO LIKE TO TAKE THIS OPPORTUNITY TO MENTION THE NEED FOR AFFORDABLE HOUSING FOR THE SENIORS IN OUR COMMUNITIES WHO HAVE GIVEN SO MUCH TO THEIR TOWNS AND CITIES OVER THE YEARS WHO NOW FACE THE REAL POSSIBILITY OF NEEDING AFFORDABLE HOUSING, OR LEAVING THAT TOWN AND THE STATE THEY HAVE CHARISHED AND SUPPORTED FOR DECADES. --THESE SENIORS FOR MANY REASONS, WHO WOULD LIKE TO STAY IN THEIR COMMUNITIES NOW FACE THE NEED TO SELL THEIR HOMES, MOVE OUT OF STATE OR MOVE IN WITH THEIR CHILDREN AND OTHER RELATIVES, ALSO REQUIRE AFFORDABLE HOUSING ATTENTION.,

THROUGHOUT THE STATE, WE ALL HAVE ALL READ OR HAD FIRST HAND EXPERIENCE OF SEEING MANY DEVELOPERS THRENTENING OR USING 8-30G AS A MEANS FOR ONLY THEIR FINANCIAL GAIN AND WHO HAVE TOTAL DISREGUARD FOR OUR TOWNS ZONING LAWS, OUR NEIGHBORHOOD'S-- CHARACTER, SAFETY AND HEALTH WHEN PRESENTING THEIR 8-30G APPLICATION.

MANY TIMES, AFTER THEIR INITIAL DEVELOPMENT APPLICATION HAS BEEN DENIED BY SOLID REASONONG BY THE TOWNS PLANNING AND ZONING DEPTS, DEVELOPERS, --AND THEIR LAWYERS KNOW, IN MANY CASES, AS CURRENTLY WRITTEN, THEY CAN EXPLOIT 8-30G FOR THEIR PERSONAL GAIN BY SIMPLY OVER RIDING THE VAST MAJORITY -----OF LOCAL WELL THOUGHT OUT PLANNING AND ZONING LAWS THAT HAVE TAKEN YEARS TO DEVELOP.

IF THE DEVELOPERS INITIAL 8-30G APPLICATION IS DENIED THEY ARE GIVEN A SECOND OPTION BY PRESENTING A MODIFIED 8-30G PLAN. IF THAT OPTION IS DENIED THEY HAVE A 3<sup>RD</sup> OPTION—SUEING THE CITIES AND TOWNS IN CIVIL COURT THEN THEY HAVE A 4<sup>TH</sup> OPTION AND PRESENT A SETTLEMENT PLAN-----TO THE CITIES AND TOWNS TO HOPEFULLY SATISFY THEIR DEVELOPMENT PLANS. THIS EXPENSIVE, LONG DRAWN OUT PROCESS—  
IS NOT---- THE INTENTION OF 8-30G.

IN MY EXPERIENCE OF ATTENDING MANY MEETINGS ON THE SUBJECT OF 8-30G, IT IS VERY DISCOURAGING AFTER MANY HOURS OF TESTIMONY, HOURS OF NEIGHBORSHOOD MEETINGS, TOWNS PLANNING DEPTS. HOURS TRYNG TO GIVE PRE-HEARING ADVICE TO DEVELOPERS AND MANY HOURS OF PLANNING AND ZONEING HEARINGS,THE BURDENSOME PROHIBITIVE COST--- TO THE DEVELOPERS AND THE NEIGHBORS FOR LAWYERS, ---SAFETY AND TRAFFIC CONSULTANTS AND IN MANY CASES, THE EVENTUAL COST TO ALL THE TOWNS TAXPAYERS FOR DEFENDING LAW SUITES FILED IN CIVIL COURT AND A POSSIBLE APPEAL FOR THAT COURTS DECISION THAT CANNOT ONLY COST CITIES AND TOWNS IN CT. MANY THOUDSANDS OF DOLLARS AND MAY TAKE 12 TO 18 MONTHS FOR A FINAL DECISION DICTATES THERE MUST BE A BETTER WAY TO IMPLEMENT--- 8-30G.

AT YOUR MEETINGS I'M SURE YOU HAVE DISCUSSED MANY WAYS TO AMEND THIS STATE STATUTE, FIND SOLUTIONS TO LOSSEN THE STRAPS THAT TIE THE HANDS OF ALL OUR TOWNS PLANNING AND ZONING COMMISSIONS ----WHEN IT COMES TO 8-30G GUIDELINES AND HELP SATISFY EVERYONES APPITITE FOR A FAIR --AFFORDABLE HOUSING PROGRAM -- SUCH AS-

OVERLAY ZONES

INCENTIVE HOUSING ZONES

ACCESSARY APARTMENTS

UP TO DATE -----DETAILED AFFORDABLE HOUSING PLANS---- WITH REASONABLE ACCOMPLISHMENT -----BENCHMARKS DATES

DEVELOPERS INCENTIVES PROGRAMS TO BUILD AFFORDABLE HOUSING IN DESIGNATED AREAS CLOSE TO TRANSPORTATION AND RETAIL.

THE STATE--- MUST WORK ALONG SIDE THE TOWNS/CITIES TO FIX 8-30G, NOT JUST POINT TO THE BROKEN & OBSOLLETE STATE STATURE & SAY ---

“THE 8-30G LAW SAYS THE OVERWELLING BURDEN IS ON THE TOWNS/CITIES— DO IT OR FACE THE CONSIQUENCES.”

THREATS AGAINST NEIGHBORHOODS, LAWSUITS FILED AGAINST CITIES AND TOWNS --SPOT ZONING PROPOSALS AND WIDE SPREAD NEGATIVITY IS NOT IN THE INTEREST OF A SUCCESSFUL 8-30G PROGRAM

IF THE STATE OF CT. REALLY WANTS THE 8-30G AFFORDABLE HOUSING PROGRAM TO BE SUCCESSFUL,IT MUST HAVE FAIR , ---REALISTIC AND STREAMLINED REGULATIONS NOT THE MAGNITUDE OF HUNDREDS OF PAGES OF POLICY THAT INCLUDES A COMPLICATED POINT SYSTEM AND A CONFUSING INTERPUTATION OF THAT LAW.

AS I MENTIONED AT THE BEGINNING OF MY COMMENTS I'M ENCOURGED BY YOUR BI-PARTISAN EFFORT ON THIS SUBJECT AND IM CONFIDENT YOU RECOGNIZE, -FOR THE BENEFIT OF ALL THE CITIES AND TOWNS IN CT. ITS.RESIDENTS AND FOR THE PEOPLE THIS LAW IS INTENDED TO HELP YOU MUST AMEND THIS LAW FOR THE SOLE PURPOSE OF IT BEING REASONABLE AND FEASIBLE TO ALL INVOLVED PARTIES. THE EXSTREME BURDEN ON THE TOWNS AND CITIES IN CT. TO ADHERE TO THE CURRENT 8-30G GUIDELINES ARE NOT REASONABLE OR FEASIBLE.

AGAIN, AS YOU KNOW 8-30G IS NOT WORKING FOR ANYONE.

AGAIN I APPLAUD THE COMMITTEE'S FOCUS, UNITY AND YOUR STRENGTH TO REACH A SOLUTION TO ONCE AND FOR ALL PRESENT AN 8-30G STATE STATUTE THAT IS FAIR AND ATTAINABLE FOR THE CT. TOWNS AND CITIES AND TO ITS POPULATION.

PLEASE DO NOT WASTE THIS UNIQUE OPPORTUNITY OF ACCOMPLISHMENT -----TO MAKE THE INFORMED CITIZENS AND THE STATE OF CT.-PROUD OF YOUR WORK AND ALSO SET AN EXAMPLE TO OTHER STATE COMMITTEE'S THAT BI-PARTISAN DIALOG THAT ADDRESSES CHANGE FOR THE GOOD OF ALL, ALTHOUGH DIFFICULT, IS A BENCHMARK FOR ACHIEVMENT.

YOU HAVE A CHANCE TO DO SOMETHING GOOD—YOU HAVE A CHANCE TO MAKE A DIFFERENCE YOU HAVE A CHANCE TO MAKE 8-30G WORK FOR THE CITIES AND TOWNS AND THE CITIZENS OF CT.-**CHALLENGE YOURSELF---**

MAKE THIS YOUR DUTY—MAKE THIS IS YOUR RESPONSIBIITY---

THE EASIEST THING YOU CAN DO--- IS DO NOTHING -----AND PASS THIS PROJECT ON TO NEXT YEARS HOUSING COMMITTEE -----AS IT HAS BEEN PASSED ON TO YOU—PLEASE----- DO NOT LET THAT HAPPEN.

ALL OF YOU HAVE BEEN ELECTED BY YOUR DISTRICTS VOTERS AND CHOSEN FOR THIS COMMITTEE TO ADDRESS THE 8-30G BROKEN STATE STATURE AND OFFER SOLID AMENDMENT RECOMMENDATIONS FOR PASSAGE .

ALTHOUGH A DIFFICULT ASSIGNMENT, WITH BI-PARTISEN PARTICIPATION AND MEANINGFULL DIALOG IT IS ONLY ACHIEVABLE,-IF YOU WORK HARD -----TOGETHER AND MAKE IT ----- - ACHIEVABLE.

GOOD LUCK & THANK YOU FOR YOUR ATTENTION