



**TESTIMONY
KATHRYN DUBE
CT COUNCIL OF SMALL TOWNS
BEFORE THE
HOUSING COMMITTEE
FEBRUARY 14, 2013**

RE: Proposed HB 5220, AN ACT REVISING THE AFFORDABLE HOUSING LAND USE APPEALS PROCESS.

The Connecticut Council of Small Towns (COST) *supports* **HB-5220**, which includes provisions to establish a more inclusive definition of accessory apartments and determine housing costs with reference to figures specific to the town as opposed to a state or area median.

The State's Affordable Housing Land Use Appeals Act provides that, unless 10% of a town's housing is affordable, the town cannot deny a developer's proposal for affordable housing without a very compelling reason. The law was modified during the 2002 session to allow a town to include "accessory apartments" as part of its 10% affordable housing count. However, under the amended Act, accessory apartments must have a 10 year deed restriction committing the owner to rent the apartment at 30% or less of the tenant's income, and to someone whose income is less than or equal to 80% of the area, or the state's median income, whichever is less.

This provision reduces the number of homeowners willing to have their accessory apartments used to help meet the towns' "affordable housing" obligations. Establishing a more inclusive definition of accessory apartments will help address this give homeowners an incentive to have accessory apartments meet "affordable housing" requirements.

We therefore support HB-5220 as a means of addressing this issue.