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February 14, 2013

Planning and Development Committee  
Room 2700, Legislative Office Building  
Hartford, Connecticut 06106

RE: **8-30g – The Affordable Housing Land Use Appeals Process**  
**House Bill #5428 – An Act Concerning the Definition of Set-Aside Developments**  
**House Bill #5430 – An Act Concerning the Affordability Term for Affordable Housing Units**  
**House Bill #5501 – An Act Concerning Penalties for the Illegal Sale or Rental of Affordable Housing Units**  
**House Bill #5625 – An Act Exempting Certain Municipalities from the Affordable Housing Land Use Appeals Act**

Ladies and Gentlemen of the Housing Committee:

The eight municipal planners representing the towns and cities of the South Western Region of Connecticut collectively unite to submit comment on the affordable housing land use appeals process, commonly referred to as 8-30g.

Affordable housing is truly one of the most critical issues within our region. As municipal planners, we strongly support the spirit of 8-30g, and we are all motivated by a common goal of increasing affordable housing stock throughout within our region and across Connecticut. In order to achieve this, we support sensible modifications to 8-30g that widen the population eligible to reside in such housing, ensure that affordable units remain so on a long-term basis for future generations, and reward municipalities that are proactive in developing affordable housing plans incorporating various strategies that have been promoted by Connecticut in recent years.

Our principles for simplifying and incentivizing 8-30g are denoted below, and include the proposed legislation related to each objective that we support:

1. **Require set-aside development units to remain affordable in perpetuity, rather than allowing the deed restriction to sunset after 40 years (House Bill #5430 – An Act Concerning the Affordability Term for Affordable Housing Units);**
2. **Change the definition of set aside development to require that all affordable units be set aside for those whose income is less than or equal to 60% of state median income (House Bill #5428 – An Act Concerning the Definition of Set-Aside Developments);**

3. Install penalties on deed restricted affordable units that are illegally sublet or sold at levels no longer considered "affordable" based on 60% of state median income (House Bill #5501 – An Act Concerning Penalties for the Illegal Sale or Rental of Affordable Housing Units);
4. Exempt municipalities from 8-30g applications at locations not depicted in their housing affordability plan provided the municipality has a housing affordability plan approved by their legislative body\* (House Bill #5625 – An Act Exempting Certain Municipalities from the Affordable Housing Land Use Appeals Act).

\* Municipalities must demonstrate a commitment to increasing affordable housing through strategies such as:

- o Establishing Incentive Housing Zones as defined by CGS 8-13m;
- o Establishing inclusionary zoning regulations as defined by CGS 8-2i or establishing inclusionary zoning fees;
- o Establishing Affordable Housing Trust Funds;
- o Developing zoning districts or floating zones that allow multi-family housing.

The time has arrived to strengthen 8-30g by providing municipalities struggling to meet its requirements with incentives to increase compliance, and to do so in a responsible manner that promotes smart growth in accordance with the context of the built environments that promote a strong quality of life for all.

Respectively Submitted,

The South Western Region Municipal Planning & Zoning Directors:

Jeremy Ginsberg (Darien); Diane Fox (Greenwich), Steve Kleppin (New Canaan), Michael Greene (Norwalk), Norman Cole (Stamford), Tracy Kulikowski (Weston), Larry Bradley (Westport), Bob Nerney (Wilton)

Copies: The Hon. Terrie Wood, State Representative

The Hon. Jonathan Steinberg, State Representative

Hon. Gordon Joseloff, Westport First Selectman/SWRMPO Chairman  
SWRMPO Board

South Western Regional Planning Agency Board

Dr. Floyd Lapp, SWRPA Executive Director

Craig Lader, SWRPA/SWRMPO Legislative Liaison