



**Testimony  
Betsy Gara  
Connecticut Council of Small Towns  
Before the  
Housing Committee  
February 5, 2015**

- **SB-123, AN ACT CONCERNING CREDIT FOR EXISTING AFFORDABLE HOUSING STOCK.**
- **HB-5802, AN ACT CONCERNING THE RESPONSIBLE GROWTH OF AFFORDABLE HOUSING.**
- **HB-6128, AN ACT CONCERNING REVISIONS TO THE AFFORDABLE HOUSING LAND USE APPEALS ACT.**
- **SB-407, AN ACT CONCERNING REVISIONS TO THE AFFORDABLE HOUSING APPEALS PROCEDURE.**

The Connecticut Council of Small Towns (COST) *supports* the above-referenced bills, which attempt to address concerns facing municipalities in complying with the state's affordable housing laws.

Towns are making tremendous strides in complying with the affordable housing laws to diversify and increase housing stock in an effort to meet affordable housing goals. At the same time, however, numerous laws have been adopted to require municipalities to comply with state and federal laws aimed at preserving and protecting the state's environment and natural resources.

Balancing affordable housing goals with efforts to support responsible growth creates difficulties and uncertainty for Connecticut's small towns. For example, the court in *Eureka V, LLC v. Planning and Zoning Commission of Ridgefield et al.*, held that, given the numerous state laws designed to protect the state's water resources, a proposed housing development in a drinking water watershed must be subject to density restrictions.

State statute should be amended to allow towns to appropriately balance affordable housing laws with state and federal environmental laws to address this conflict.

In addition, COST supports efforts to amend Section 8-30g of the general statutes to assist smaller communities in meeting affordable housing goals. 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. For smaller communities, this threshold is difficult to meet. SB-123, by providing municipalities with a process for receiving credit for existing affordable housing stock, will help address this concern.

COST also supports HB-5802 which recognizes that meeting the 10% affordable housing goal is difficult, given the number of competing issues. Towns that have made progress toward meeting the 10% threshold should not be penalized.

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

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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 onerous provision will reduce the number of homeowners willing to have their accessory apartments used to help meet the towns' "affordable housing" obligations. COST supports efforts to address this issue.

COST urges support for the numerous proposed bills that have been introduced that recognize that the current process is flawed and should be adjusted.

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