

February 3, 2015

TO: Housing Committee Co-Chairs Sen. Gary A. Winfield and Rep. Larry B. Butler and Members

RE: Public Hearing- February 5, 2015 at Aldermanic Chambers, New Haven City Hall

Thank you for the opportunity to submit testimony today concerning the Affordable Housing Land Use Appeals Act, section 8-30g et seq. of the C.G.S.

My name is Beth Hogan, I am a project manager for the Connection Fund, Inc., part of my responsibility is to develop and rehab housing units for affordable housing. **Instead of addressing each bill (1-32) of the agenda, I will present my general objection to all proposed amendments to the Affordable Housing Land Use Appeals Act.**

Some of the bills proposed specifically limit our citizens' access to affordable housing in direct opposition to the Affordable Housing Land Use Act by requesting the act be repealed.

The Purposes of the Act is to promote affordable Housing in all 169 cities and towns without this statute it is doubtful that affordable housing in more rural communities would even occurred.

The State is Connecticut is dead last among the fifty states in providing affordable housing to her citizens.

This statute assures that there will be opportunities for all citizens to have access and has shown over time to be effective in creating affordable housing units outside the major cities. In reviewing the Affordable Housing Land Use Appeals list for non-exempt municipalities (Amended 2012 housing appeals list vs. 2013 Affordable Housing Appeals list), there has been a significant increase in production. In only two towns did the percentage stay the same. No Town experience a decrease in affordable housing production

Several bills, increase the burden for affordable housing developers such as: requesting handicap accessibility mandates that go beyond what is required by the American with Disability Act and the Fair Housing Act; requesting costly studies to be done by the affordable housing developer; changing to the affordability deed restrictions as if they are currently not adequate or that there is some enforcement issue which is unfounded by the manner in which the statute is written; creating special exceptions based on a specific town's interest; changing the point system to prevent the production of family units and shifting the burden of proof and assuming an appeal by an affordable housing developer to be frivolous (as a statutorily presumption) whereas the Courts (based on Common Law) are well equipped to make a determination of a frivolous finding by a town or an affordable housing developer. All of these Proposed Bills will create a disincentive to prevent affordable housing developers to build Affordable Housing.

The Affordable Housing Appeals Procedure is working as intended. We have seen over the years, affordable housing developments being approved without the need of an appeal. The Incentive zoning initiatives has energized towns to be proactive in engaging in affordable housing development and mix use planning. The Majority of Affordable Housing Development encompasses "Smart growth principles" in land use trends. In fact most award winning developments have an affordable housing component.

For all the above reasons, don't fix what isn't broken however well intentioned. The unintended consequences of many of the bills proposed would set back the gains made in Affordable Housing production and design.

Thank you,

Respectfully submitted,



Beth A, Hogan, Project Manager

The Connection