

WESTPORT UNITED FOR RESPONSIBLE DEVELOPMENT, INC.
2 SHADOWLAWN DRIVE
WESTPORT, CT 06880

February 5, 2015

HSGtestimony@CGA.CT.Gov

Re: Connecticut Affordable Housing Statute 8-30G

Dear Sirs:

My group, Westport United for Responsible Development, Inc., was formed in November 2014 to fight the proposed redevelopment of the Westport Inn. Westport United is not opposed to affordable housing; to the contrary, our members support affordable housing and diversity of housing in Connecticut.

However, our group objects to the following:

- 1) Sheldon Stein and Phil Craft, the owners of the Westport Inn, propose to demolish the property and replace it with a 200 unit apartment complex, using the 8-30G statute. The land area is approximately 2.8 acres. The developer proposes to build a 363,000 square foot building on this small site, containing five stories plus two levels of parking. The proposed building height would be in excess of 80 feet.
- 2) This proposed development violates virtually every zoning law in Westport. Under Westport's current zoning law, the maximum height for any building is two stories, 35 feet. Under current zoning law, the maximum number of units which this developer could build is approximately 50 – 60 units based on Westport P&Z affordable housing amendment. The Affordable Housing Zone (R-AHZ) in the town of Westport, allows for multi-family type of residential development with a percentage of units designated as affordable housing pursuant to §8-30g of the Connecticut General Statutes as required by the Statute at the time a site plan to develop the property is filed. The intent is to assist the town in meeting the statutory goals of affordable housing. Building coverage in an affordable housing zone (R-AHZ) shall not exceed 25% of the net lot area. Building height shall not exceed two and one-half (2 ½) stories and a height of thirty (30) feet. **The proposed development is over 80 feet in height.**
- 3) The proposed development would change the small town character of Westport and would place extraordinary burdens on traffic on Route 1, fire response, police response, and schools. There have been a large number of traffic accidents and fatalities in this immediate vicinity, and a 200 unit apartment complex would make this serious life safety issue much worse. There are serious concerns as it relates to accessibility of town fire equipment needed for buildings of more than two stories and the impact on other buildings on properties adjoining the development (including a pediatric center).
- 4) Sheldon Stein of Ranger Properties, the owner of the Westport Inn, bought the property in 2007. His reported basis in the property is over \$16,000,000, and my understanding is that hotel occupancy is poor. In my opinion, the only way that he can recover his investment is to build a massive, dense development under 8-30G. The 8-30G laws cannot be abused to give a developer more buildable units and density than local zoning laws would permit.

- 5) In my opinion, the 8-30G laws must be modified to specify that local zoning laws concerning height, density, and number of units must be strictly observed by any developer who proposes an 8-30G development.
- 6) The current operation of the 8-30G law may be unconstitutional. We all bought our houses in Connecticut assuming that no one could build a 10 story sky scraper in our back yards. Unfortunately, the 8-30G law permits just that type of development, because developers are abusing the 8-30G statute to trump local zoning laws. In that way, the 8-30G statute may deny equal protection of the zoning laws to our citizens.

I am a partner in a real estate development firm. My company owns 500 BIC Drive in Milford CT, which is the former BIC manufacturing facility. A local developer proposes to build a 257 unit 8-30G apartment complex on a 7 acre site next to our 34 acre property. This proposed development would be located immediately adjacent to a high pressure Iroquois natural gas line.

This proposed development at 460 BIC Drive raises serious life safety concerns. Most of the affordable housing developments in Connecticut are truss construction, fully sprinklered, and they are constructed of light weight wood. Light weight wood construction is a longstanding safety issue among fire fighters.

On January 21, 2015, the 400 unit Avalon Bay apartment complex in Edgewater NJ burned for over 24 hours. Approximately 250 housing units were destroyed. Over 500 fire fighters and over 50 emergency response vehicles from 35 surrounding towns in New Jersey failed to stop this fire. The building was constructed of light weight wood, truss construction. Truss construction is also proposed for the 8-30G apartment development at 460 BIC Drive. In these buildings, the sprinkler heads are located below the trusses. The air pockets above the trusses permit fires to spread rapidly, often resulting in fatalities to residents and fire fighters. These apartment complexes can become death traps.

In August 2000, on the same site in NJ, a project called Avalon River Mews was destroyed by fire. This fire also destroyed 9 homes, 12 cars, and damaged other commercial buildings in the area. The NY Times reported that The Fire responders had trouble extinguishing the blaze in 2000 because a ruptured gas line in the center of the apartment complex fed the fire.

The major concern is the high pressure natural gas transmission line located on the on 460 BIC Drive property. Another major concern is that water pressure on BIC Drive may be insufficient to fight a fire at a high rise apartment complex. At 500 BIC Drive, we have a 250,000 gallon supplemental water tank to fight fires in the event that public water pressure is inadequate. In my opinion, the Milford Fire Department may not be able to fight a fire on this site if the water pressure is inadequate, particularly because of the high pressure natural gas line on the site.

Yet in spite of these massive life safety concerns, the Planning and Zoning Board in Milford is seriously considering approving this 8-30G project.

In my opinion, the State Legislature should reinstate Milford's moratorium until the life safety impact of this project and other lightweight wood truss buildings can be properly assessed.

I am happy to answer any questions which you may have.

Joseph Coci, III
President
Westport United

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