



State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

REPRESENTATIVE STEPHEN HARDING, JR.
ONE HUNDRED SEVENTH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 4200
300 CAPITOL AVENUE
HARTFORD, CT 06106

CAPITOL: (860) 240-8700
TOLL FREE: (800) 842-1423
Stephen.Harding@housegop.ct.gov

MEMBER
ENERGY AND TECHNOLOGY COMMITTEE
FINANCE, REVENUE, AND BONDING COMMITTEE
JUDICIARY COMMITTEE

Housing Committee March 1, 2016

TESTIMONY IN OPPOSITION OF HOUSE BILL 5363 - AN ACT CONCERNING THE AFFORDABLE HOUSING LAND USE APPEALS PROCEDURE

Dear Co-Chairs Senator Winfield, Representative Butler; Vice Chairs Senator Osten, Representative Rose; Ranking Members Senator Hwang, Representative Kupchick; and esteemed members of the Committee:

I am offering this testimony this afternoon in regards to H.B. 5363. Even though I recognize that this bill addresses the 8-30g affordable housing laws in our State, I am here to testify that it does not go nearly far enough.

My district is currently one of many throughout the State to have been relegated to the negative side effects of our current law. Even though we understand why these affordable housing laws are in place, there is no way any legislator could have intended the exceeding overreach which 8-30g provides developers.

I am joined here this afternoon by dozens of my fellow residents from my longtime hometown of Brookfield. All of these residents care deeply for our town and cherish the beautiful landscape it provides ourselves and the rest of the State of Connecticut. We all understand and appreciate the value of affordable housing, but we equally appreciate the autonomy of our fellow residents on our land use and zoning boards to have the authority to uphold and protect our town's regulations, which has taken decades of effort to develop.

Over the past four months an out of town developer has placed an 8-30g application in front of our local zoning board, because 30% of this developer's residency will be going towards 8-30g housing, it has rendered our local zoning laws absolutely useless. Even though our zoning laws specifically state that no building is to exceed 3 stories, this developer has placed an application which requests a 6 story building, two times our town's limit. Because of Connecticut's current affordable housing law our zoning board has absolutely no ability to deny this application on the grounds of its gross zoning

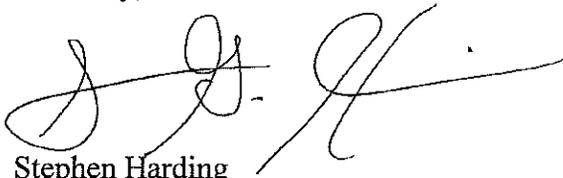
violations. 8-30g has given developers a license to develop whatever he or she chooses. It is obvious to everyone, and should be obvious to all of you, that this particular developer and many others throughout our State are not developing these projects because affordable housing is of any importance to them. They are doing this simply because 8-30g gives them the latitude to build anything, without any restrictions, and further allows them to drive up their profits at all costs.

If this development comes to fruition it will alter our town's landscape for generations. Additionally and more importantly, it will significantly place our first responders at risk if there ever were to be a fire at this location. Brookfield is fortunate enough to have an outstanding group of volunteer firefighters. The very large majority of these members are not professional and do not have the training possible to combat a 6 story fire. In fact, they don't even have equipment that properly and effectively reach a 6th floor. Thus, our zoning laws do not permit such projects, but, as discussed, 8-30g completely disregards any of these safety measures placed in our zoning laws.

In closing, while I support the bill and the concept of reforming 8-30g, I respectfully request this committee to take into consideration the proposals I have made regarding this law. Significantly lowering the percentage for communities to be immune from 8-30g would be a proper step in the right direction to effectively combat the outrageous consequences of this law, placed upon our municipalities. Also, allowing for certain areas of a town to be immune from 8-30g would also be a positive measure. In this particular instance, Brookfield has devoted decades to developing our downtown in a certain manner. For the first time in a lifetime, this development is finally underway. There is no reason why an 8-30g project should be allowed to completely alter plans that residents have spent half their lives contemplating and working on.

I thank you for your time and kindly request your attentiveness to my constituents concerns throughout this afternoon's public hearing. I am happy to answer any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Harding', with a long horizontal flourish extending to the right.

Stephen Harding
State Representative – 107th District
Bethel • Brookfield • Danbury