

Housing Committee
PUBLIC HEARING
Tuesday, March 1, 2016

Vincent Ditchkus
171 Housatonic Drive
Milford, CT 06460

Thank you to the committee members, today I would like to speak on HB No. 5363.

The changes that are propose are a start, but do not go far enough to protect towns who are constantly being subject to the use of CGS 8-30g by developers who have in no way proven that they have been arbitrarily denied approval of a project for any proposed development of affordable housing. But instead are using the law as a "hammer" to place a higher density project, without ever working with local zoning.

I have testified before this committee on numerous occasions to advocate changes to CGS 8-30g and was a member of the Blue ribbon Commission to Study Affordable Housing.

Communities along major corridors, highways, rail lines, or major bus route are the target of developers and significant changes need to be made.

The law as it stands today is being abused by these same developers and not for what its initial intent was supposed to be, which was to address a statewide need for affordable housing. But that was never the real intent, developers designed the law. It is best described as "recession proof" for their trade, when building higher end homes is profitable during a good economy there is no need to build "affordable housing" but when the economy is down is when this law best suits their needs, higher density means higher profit when higher end home sales are down along with their values.

If there is truly a statewide need for affordable housing and the developers and backers of CGS 8-30g believe that the law is needed to accomplish their goal of providing more affordable housing, they would have objection the following changes.

1. Set up a permanent moratorium whereas No developer may use CGS 8-30g in any community until the lowest communities (s) have increased their affordable housing stock to reach that of the community proposed. ***Example, a developer cannot use the law in a town-A with 5% affordable housing stock until town-B that has 1% affordable housing stock has reached 5%.***
2. Add the following language, ***privately owned homes or rental units at or below the affordable guidelines shall be counted toward their 10% mandate.*** No private owner should be compelled to deed restrict their property for the sake of satisfying a developers "wants".

Currently many towns have rental unit that are at or below what is deemed “affordable” in a proposed developers project. **Example A developers proposed 1 bedroom affordable unit \$1,500/month but the community has apartment’s privately owned for \$1,000/month**

- 3. Setup a State database to track developers use of CGS 8-30g by town/city to include number of previous denials of projects that were proposed for that specific parcel of land This will insure that developers are no arbitrarily being denied. The type of zone currently assigned to that parcel and the proposed changes.**

The 10% mandate is nearly impossible to meet from tables 1-3 when a developer starts building under CGS 8-30g and all other building ceases, the towns housing stock continually increases. From tables 2 & 3 you will see that a town with 20,000 units of housing will have to build an additional 10,000 units of housing to comply with the statute.

Assuming that a town is capable of building 500 of those units per year it would take 20 years to complete, giving the town a ten year freeze on the law. Before the 30 year deed restrictions expire.

While some towns have increased their zoning regulations from 1 acre to 3 acres per housing unit in order to pressure the caricature of the town while others like Milford have changed their zoning to comply and include CGS 8-30g into their new zoning regulations but are still being targeted by developers.

Milford has for example Residential R-5 zoning (5,000 square foot lots) to R-A (1 acre). And just about everything in between. But developers still feel the need to use CGS 8-30g to zone bust the community for profit.

CGS 8-30g is a one size fits all law, but the reality is that it is not being administered as such.

Some of the first law suits brought under CGS 8-30g West Hartford, Avon were built on parcels nearly 10,000 square feet per unit of housing compare that to what Milford is currently facing with 257 proposed units on a 7 acre parcel equivalent to 1 unit per 1,200 square feet. The developer has not been denied or arbitrary decisions by the Planning and Zoning board to build and other type of housing in an OD Office District.

The City of Milford is limited to its options when denying a application of this type simply because it does not have the mandatory 10% set by the State of Connecticut.

While developers continue to target communities like Milford simple because it is easier, more cost effective because other towns do not have the infrastructure, city sewers, city water to

make their project profitable for them, the question must be asked, Are they really doing this to provide "affordable housing"?

Thank you,

Vincent Ditchkus

A Town with 2,000 units of housing would have to build an additional 1,000 units of housing under CGS 8-30g to be exempt for the law.

	Current Units x10%	Developer uses 8-30g 30% of Total must be "affordable"	Current Units of Housing + Total to Be Built	
Current Housing Units	10% Needed for "affordable"	Needed for "affordable" divide by 30% = Total to be built	Adjusted Housing Units	
2,000	200	667	2,667	
<i>Process must now start over</i>				
New adjusted Housing Units	New 10% Needed to meet "affordable"	Total "affordable" to be built; subtract original 10% needed for "affordable" from NEW Needed for "affordable"	New Total To be Built for "affordable: divided by 25% =Total to be built	New Adjusted Housing Units to be built
2,667	267	67	222	2,889
2,889	289	22	74	2,963
2,963	296	7	25	2,988
2,988	299	2	8	2,996
2,996	300	1	3	2,999
2,999	300	0	1	3,000
3,000	300	0	0	3,000
3,000	300	0	0	3,000
Total Units to be built under 8-30g			1,000	

Table -1

A Town with 20,000 units of housing and 5% of affordable housing units would have to build an additional 10,000 units of housing under CGS 8-30g to be exempt for the law.

Assuming no other housing is built.

<i>Current Housing Units</i>	<i>5% Current "affordable" Housing</i>	<i>10% of "Current Housing Units" Needed for "affordable"</i>	<i>Needed for "affordable" divide by 30% = Total to be built</i>	<i>Adjusted Housing Units</i>
		<i>Less Current 5%</i>		
20,000	1,000	1,000	3,333	23,333
<i>Process must now start over</i>				
<i>New adjusted Housing Units</i>	<i>New 10% Needed to meet "affordable"</i>	<i>Total "affordable" to be built; subtract original 10% needed for "affordable" from NEW Needed for "affordable"</i>	<i>New Total To be Built for "affordable: divided by 25% =Total to be built</i>	<i>New Adjusted Housing Units to be built</i>
23,333	2,333	1,333	4,444	27,777
27,777	2,778	444	1,481	29,259
29,259	2,926	148	494	29,753
29,753	2,975	49	165	29,917
29,917	2,992	16	55	29,972
29,972	2,997	5	18	29,990
29,990	2,999	2	6	29,996
29,990	2,999	2	6	29,996
29,996	3,000	1	2	29,998
Total Units to be built under 8-30g			10,005	

Table-3

A Town with 20,000 units of housing would have to build an additional 10,000 units of housing under CGS 8-30g to be exempt for the law.

Assuming no other housing is built.

	<i>Current Units x10%</i>	<i>Developer uses 8-30g 30% of Total must be "affordable"</i>	<i>Current Units of Housing + Total to Be Built</i>	
<i>Current Housing Units</i>	<i>10% Needed for "affordable"</i>	<i>Needed for "affordable" divide by 30% = Total to be built</i>	<i>Adjusted Housing Units</i>	
20,000	2,000	6,667	26,667	
<i>Process must now start over</i>				
<i>New adjusted Housing Units</i>	<i>New 10% Needed to meet "affordable"</i>	<i>Total "affordable" to be built; subtract original 10% needed for "affordable" from NEW Needed for "affordable"</i>	<i>New Total To be Built for "affordable: divided by 25% =Total to be built</i>	<i>New Adjusted Housing Units to be built</i>
26,667	2,667	667	2,222	28,889
28,889	2,889	222	741	29,630
29,630	2,963	74	247	29,877
29,877	2,988	25	82	29,959
29,959	2,996	8	27	29,987
29,987	2,999	3	9	29,996
29,996	3,000	1	3	29,999
29,999	3,000	0	1	30,000
Total Units to be built under 8-30g			10,000	

Table-2