Testimony in opposition to HB 5483

Senator Olsten, Representative Miller, and Members of the Committee:

Thank you for the opportunity to speak in opposition to HB 5483.

In terms of credentials, I provided expert testimony to the Town of Bethel with regard to the proposed crematorium, I have an undergraduate degree in Mechanical and Nuclear Engineering from Columbia University, I am a licensed professional engineer, I have advanced studies in statistics and an MBA in Finance from the University of Pennsylvania.

With regard to HB 5483, we were surprised to learn of this proposed legislation, and object to it on a number of levels.

1. The application by Peter Olson on behalf of B. Shawn McLoughlin and Mono-crete Step Co. of CT, LLC (Mono-crete) to build a crematorium in Bethel, CT (Bethel) already has been rejected by the Bethel Planning and Zoning Commission and is subject to pending litigation initiated by Mr. McLoughlin and Mono-crete. Further, the Bethel Planning and Zoning Commission, with strong support from hundreds of Bethel's citizens, has voted to preclude the building of crematoriums anywhere in Bethel.

2. This proposed legislation deals with a special circumstance and, in reality, is an attempt by the applicant to do an "end run around" the express wishes of the Bethel Planning and Zoning Commission who, if they wanted to, already have the authority to change the zoning of the adjoining property under current regulations. There is no need for this proposed bill.

3. Mono-crete's application already has had a direct negative affect on Bethel's business community and economy, forcing out exactly the type of businesses that Connecticut wants and needs to maintain and attract, and diminishing real estate values. As examples:
A. Soho Bedding, who employs hundreds of workers in the textile business, already has moved their manufacturing operations out of Bethel, to Utah.
B. Connecticut Coining, a parts manufacturing business that employs 22 workers, has halted plans for a 10,000 square foot expansion of its building as well as the hiring of additional employees, and is considering moving out of Connecticut should the crematorium go through.
C. In terms of my own business, GHM Garage, I canceled over $100,000 of planned improvements to the building, which remains vacant, and have listed it for sale.
D. It is important to note that Mono-crete's proposal to build a 1,600 square foot building would add only 2 jobs in Bethel, while putting the town's environment and the health of it's citizens at risk from toxic emissions of known carcinogens including dioxins (agent orange) and furans.

4. That all said, this proposed legislation has much broader implications beyond this one case:
A. Just because a piece of municipal property currently is undeveloped doesn't mean it never will be. Further, relaxing the 500' foot set back, and allowing the use of a piece of land adjacent to an undeveloped piece of municipal property for the building of a crematorium, encumbers the municipal property by precluding its possible future use for development of residential property, thereby impairing its value and limiting the town's options.

B. There are a number of negative land-use and environmental issues associated with crematoriums in general, which impact citizens well beyond 500' - in fact, studies have shown up to 3 miles - from the incinerators. I have submitted to the Bethel Planning and Zoning Commission, and am submitting to you, significant studies and information which detail the detrimental impact of crematoriums on property values and the environment.

In summary:
1. This proposed legislation is unnecessary because the Bethel Planning and Zoning Commission already can do what is proposed if it so chooses.
2. This proposal represents a deeply concerning attempt to use legislation to affect the outcome of a specific zoning application which currently is in litigation.
3. HB 5483 has broad negative implications with regard to usurping local Planning and Zoning Commissions' ability to control local community zoning.
4. For all of these reasons, and many others, HB 5483 should therefore be rejected.

Thank you for your time and consideration.

Mitchell Gross