

Moratoria Granted Under CGS § 8-30g

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Issue

Which municipalities have qualified for a moratorium on appeals taken under the Affordable Housing Land Use Appeals Procedure (i.e., a temporary suspension of appeals under [CGS § 8-30g](#))?

Summary

Six municipalities have an active moratorium granted under [CGS § 8-30g](#): Brookfield, Darien, Farmington, New Canaan, Ridgefield, and Wilton. Four municipalities obtained a moratorium that has since expired: Berlin, Darien, Milford, and Trumbull.

For background information on [CGS § 8-30g](#), see [OLR Issue Brief 2017-R-0158](#).

Background

Municipalities with an active moratorium are not subject to appeals taken under [CGS § 8-30g](#), with limited exceptions relating to proposals for small or low-income government-assisted housing developments ([CGS § 8-30g\(l\)\(2\)](#)).

Under [CGS § 8-30g](#), a municipality is eligible for a “certificate of affordable housing project completion” (i.e., moratorium) each time it shows it has added a certain number of affordable housing units over the applicable time period (for first moratoria: since July 1, 1990; for subsequent moratoria: from the date the first moratoria was obtained).

Additionally, the legislature can grant a moratorium to a municipality through legislation, which it has done once. [PA 14-217 § 222](#) granted a partially-retroactive, one-year moratorium to municipalities meeting specific criteria. According to the Department of Housing (DOH), Milford was the only municipality to qualify for a moratorium under this provision.

Lastly, municipalities are eligible for a provisional moratorium if the DOH commissioner does not act on a moratorium application within 90 days after receipt. Provisional moratoria last as long as regular moratoria, or until the DOH commissioner rejects the moratorium application. (Trumbull is the only municipality to have obtained a provisional moratorium.)

Municipalities Granted a Moratorium

According to DOH, six municipalities have an active moratorium. These municipalities, and the date on which their moratoria will expire, are listed in Table 1. Table 2 lists municipalities that previously obtained a moratorium and the expiration dates of these moratoria. As the tables show, three municipalities have obtained two moratoria (Berlin, Darien, and Trumbull).

Table 1: Active Moratoria

<i>Municipality</i>	<i>Expiration Date</i>
Brookfield	July 24, 2021
Darien	October 17, 2020
Farmington	June 20, 2020
New Canaan	June 5, 2021
Ridgefield	October 6, 2018
Wilton	December 28, 2019

Table 2: Expired Moratoria

<i>Municipality</i>	<i>Expiration Date(s)</i>
Berlin	April 1, 2012; March 31, 2017
Darien	October 7, 2014
Milford	December 31, 2014
Trumbull	June 22, 2005; August 9, 2009*

*Four-year provisional moratorium

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