

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](#))?

This report updates OLR Report [2017-R-0177](#). **This report has been updated by OLR Report [2020-R-0237](#).**

Summary

Seven municipalities have an active moratorium granted under [CGS § 8-30g](#): Brookfield, Darien, Farmington, Milford, New Canaan, Westport, and Wilton. Three municipalities obtained a moratorium that has since expired: Berlin, Ridgefield, 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. Milford subsequently qualified for a four-year moratorium.

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, seven municipalities have an active moratorium. Table 1 lists these municipalities and the date on which their moratoria will expire. Table 2 lists municipalities that previously obtained a moratorium and the expiration dates of these moratoria. As the tables show, four municipalities have obtained two moratoria (Berlin, Darien, Milford, and Trumbull).

Table 1: Active Moratoria

<i>Municipality</i>	<i>Expiration Date(s)</i>
Brookfield	July 24, 2021
Darien	October 7, 2014; October 17, 2020
Farmington	June 20, 2020
Milford	December 31, 2014*; August 20, 2023
New Canaan	June 5, 2021
Westport	March 4, 2023
Wilton	December 28, 2019

*One-year legislatively-granted moratorium

Source: [DOH Moratorium Under Affordable Housing Land Use Appeals Act](#) and DOH officials

Table 2: Expired Moratoria

<i>Municipality</i>	<i>Expiration Date(s)</i>
Berlin	April 1, 2012; March 31, 2017
Ridgefield	October 6, 2018
Trumbull	June 22, 2005; August 9, 2009*

*Four-year provisional moratorium

Source: [DOH Moratorium Under Affordable Housing Land Use Appeals Act](#)

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