

**TOWN OF DARIEN
PLANNING & ZONING COMMISSION**

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March 2, 2021

Connecticut General Assembly
Joint Housing Committee
Via email to: HSGTestimony@cga.ct.gov

RE: S.B. 804 AN ACT CONCERNING INCLUSION IN CERTAIN COMMUNITIES
H.B. 6430 AN ACT CONCERNING HOUSING AUTHORITY JURISDICTION
H.B. 6521 AN ACT CONCERNING CHANGES TO ZONING & AFFORDABLE
HOUSING REQUIREMENTS CONCERNING ACCESSORY
DWELLING UNITS AND PROHIBITING LIST-BACK AGREEMENTS

Dear Chairmen Lopes and McGee, Vice-Chairmen Anwar and Smith, Ranking Members Cicarella and Polletta, and Members of the CGA Joint Housing Committee:

Thank you for the opportunity to submit testimony on proposed S.B. 804, H.B. 6430, and H.B. 6521. On behalf of the Town of Darien Planning & Zoning Commission, we ask for your support in protecting and preserving local control over zoning, land use, and housing matters affecting our Town and all 169 communities in the State of Connecticut. It is our understanding that there are several proposals being considered that would, to varying degrees, negatively impact Darien's ability to govern itself and make land use decisions that fit the unique needs of our community. As the Town of Darien continues to evolve, we believe that local control of review and decision making are essential to meeting the current and future needs of our residents, protecting local environmental, natural, and historic resources and maintaining transparency and accountability in connection with the land use process.

Legislation to be put forth by the Joint Housing Committee in each of these three bills, would in part, transfer decision making away from our locally elected officials, largely eliminating the long established right of municipalities to manage their own land use. It is our understanding that proposals will modify existing flexibility and local discretion on a wide range of policies and issues relative to:

- Decisions regarding accessory dwelling units (ADUs);
- Housing density, especially in areas within ½ mile of commuter train stations, or a ¼ mile of commercial corridors;

- A reduction in parking requirements;
- Permitting and public hearing procedures, including the elimination of Special Permit review by the Planning & Zoning Commission, in many cases;
- Required training for land use board members;
- The “Character” of new development;
- Creation of one size fits all zoning guidelines;
- Capping peer review fees;
- Traffic and sewer standards; and
- Housing authority jurisdiction.

While these proposals purport to have admirable/desirable goals, we strongly believe that all of these policy areas are best handled by Darien’s own elected officials and trained/certified professionals staffing the Town, not the State of Connecticut or an appointed State or regional authority. Providing land use board members with educational and training opportunities will continue to contribute to successfully applying a mix of these concepts in our community and others throughout the State.

We emphasize that Darien has advocated for and made tremendous progress during the past two decades in growing the availability of affordable and multi-family housing throughout our community. This has included the implementation of an inclusionary zoning regulation requiring that 12 percent of housing units, within developments inclusive of more than four residential units, be designated as deed-restricted affordable units. Since 2000, of the more than 850 multi-family housing units constructed and approved for construction in the town, about 32 percent are deed-restricted affordable units. We further note that the Planning and Zoning Commission recently approved 300+ additional multi-family units, 12 percent of which are being developed as affordable units, including units to support the developmentally disabled population. These units were approved as part of three separate mixed-use, transit oriented development (TOD) projects, within a quarter-mile of our commuter rail stations.

Darien will continue to review project applications and to make decisions regarding the most appropriate areas of the Town to be designated for affordable and multi-family housing units. Additionally, the Town will soon embark on the 2021 State-mandated 8-30(j) Affordable Housing Plan, which is expected to identify additional areas of the Town that could be rezoned to increase density and provide more housing diversity within our Town. The Town also continues to evaluate, recommend, and implement other tools for increasing housing diversity and inclusivity within the community.

We recognize that work needs to be done throughout the State and in all of our communities to increase affordability and housing options for all, and that changes to our zoning regulations are likely warranted in certain areas. The Darien Planning & Zoning Commission, partially in response to ongoing housing and zoning reform discussions throughout the State and within our own community, is currently in the process of undertaking numerous zoning amendments to address identified issues. These amendments include changes regarding accessory dwelling units (ADUs), inclusionary zoning standards, parking requirements, and elimination of minimum house/apartment sizes, to name a few.

As a Commission, we are in full agreement that taking a proactive approach, as we have done in our Town since 1998, is the best way forward to addressing these sensitive issues. However, it is our experience, that implementing policy at the local level, is far more effective with respect to garnering support from the community when compared to requiring compliance with State mandates. We reject the concept that the Town's residents are better served by one-size fits all rules than by their own locally elected officials and urge the Joint Housing Committee to reject voting S.B. 804, H.B. 6430, and H.B. 6521 out of Committee. Perhaps there are opportunities to create a study committee to review best practices with respect to promoting affordable and inclusive housing throughout the State. We would be honored to share our successes with others and welcome you all to the Town of Darien for a visit and to see our successes in person.

Sincerely,

A handwritten signature in dark ink, reading "Stephen P. Olvany". The signature is written in a cursive, flowing style.

Stephen P. Olvany, Chairman
Darien Planning & Zoning Commission

Cc: Planning & Zoning Commission
Jayme Stevenson, First Selectman