

# Planning and Development Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5390

**Title:** AN ACT CONCERNING TRANSIT-ORIENTED COMMUNITIES.

**Vote Date:** 3/15/2024

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/6/2024

**File No.:**

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

### SPONSORS OF BILL:

Planning and Development Committee

### REASONS FOR BILL:

The purpose of the bill is to incentivize municipalities to adopt transit-oriented development policies. The Office of Responsible Growth (ORG) will coordinate related funds for participating municipalities. The bill also seeks to establish the interagency council on housing development, to establish a fund for the expansion of water and sewage infrastructure, to provide additional funding for certain infrastructure projects, and to include transit-oriented districts in the definition of housing growth zones. All these provisions are intended to remove barriers preventing municipalities creating transit-oriented communities (TOCs).

**LCO 2536:** Substitute language removes brownfield remediation programs from the definition of "discretionary infrastructure funding," substitutes the Office of Policy and Management (OPM) for the ORG coordinator, clarifies the availability of discretionary infrastructure funding on a priority basis to qualifying TOCs, clarifies that the municipality must adopt resolutions concerning qualification as a TOC, allows developers to contribute to a municipal fund in lieu of granting affordable deed restrictions, and clarifies that municipalities rather than transit-oriented districts receive priority funding if the district is located in a priority funding area as set forth in the Plan of Conservation and Development (POCD).

### RESPONSE FROM ADMINISTRATION/AGENCY:

[Office of Policy and Management \(OPM\), Undersecretary, Martin Heft](#)

States OPM's support for transit-oriented development but expresses concern that portions of the bill are duplicative of exists programs such as the Connecticut Municipal Redevelopment Authority (MRDA) and the Office of Responsible Growth (ORG). States that "discretionary infrastructure funding" is defined with specific statutory references and other assistance programs administered by OPM, but no mentioned of transit-oriented development programs administered by the Department of Transportation, Department of Economic and Community Development, and the Department of Housing is made. OPM is opposed to the "public water and sewer rehabilitation or expansion account" since is not subject to the annual appropriations process. Also states that the bill makes no provision to assign these projects to the proper administering agencies.

## **NATURE AND SOURCES OF SUPPORT:**

### **[Chris D'Antonio](#)**

Serves on Enfield's Planning and Zoning Commission and says the bill would help with the TOC of Thompsonville around the new Hartford Line rail station. States that other areas of the state would also benefit from promoting TOCs, and it is the best way to utilize limited resources. States the importance of encouraging mixed use and dense housing development, both for sustainability and to give people options on how they want to live.

### **[Stasia Brewczynski](#)**

### **[Adam Callaghan](#)**

### **[Theo Haaks](#)**

### **[Kyle Horton](#)**

### **[Norwalk Planning and Zoning Commission, Vice Chair, Nicholas Kantor](#)**

### **[Irwin Krieger, Ashford](#)**

### **[Tanner Marchese, Storrs](#)**

### **[Kennedy Mullen, Hartford](#)**

### **[Sandra Olseen, Haddam](#)**

### **[Saira Prasanth, New Haven](#)**

The above individuals offered similar testimony. States that increasing density around transit hubs will improve transit access and housing justice while positively impacting the economy and supporting a more sustainable future. States the Work Live Ride promotes transportation justice and Vision Zero by reducing reliance on cars. Expresses that CT homes are unaffordable due to sprawl and single-family zoning. States that this bill will increase affordability by incentivizing supply near transit, creating more "missing middle" homes, and promoting public and nonprofit housing development. States that by decreasing the percentage of income that must be spent on housing, the rest of the economy will be stimulated. Expresses that the economy will also be boosted by creating more job opportunities and mixed used neighborhoods. The testifier says that the environment will be positively impacted by reduced auto and single-family home emissions. Green space will be increased by incentivizing density.

### **[Thomas Broderick, Trumbull](#)**

States that CT's current land use "regime," is "holding back our economy, damaging our climate, and underutilizing the vast existing investments made by our towns and state."

Expresses that this bill is a compromise and that TOCs are good for the state based upon personal experience. States that too many towns are blocking good development, and that the voluntary opt-in mechanisms and financing incentives of the bill will help towns grow and get the money they need to invest in transit. States the reducing reliance on cars is the most important step to reduce CO2 emissions. Proposes that TOCs are good for the economy and environment. Says that "anti-home" voices will claim this a "mandate" and a "one-size-fits-all" policy, but that is not true. Expresses that demand is high for walkable, mixed-use neighborhoods and that single-family zoning forces a way of life on people. States that this bill is a small step towards "housing abundance."

**[Connecticut League of Conservation Voters, Executive Director, Lori Brown](#)**

States that TOCs is a smart growth principle for affordable housing that meets environmental justice standards. States that this bill provides another zoning tool for land use planners by creating transit-oriented development and incorporating environmental standards, including inland wetlands and watercourse protection. States that this bill ensures that the local inland wetlands and watercourses agencies are consulted during the design of transit-oriented development and that they may hold public hearings as necessary. FEMA hazard areas, public parks, and drinking water supply areas are exempted from inclusion in the transit-oriented zone. Says that the bill creates a state interagency council on housing under OPM to promote responsible, sustainable growth in the state.

**[Kelly Jane Caesar](#)**

States her enthusiastic support for this bill as a young pastor at the First Congregational Church of East Hartford. Says that she sees the need for affordable housing by public transportation from the visitors that come to the church for assistance and members faced with eviction. Expresses that young professional also need housing by transit in walkable neighborhoods.

**[Connecticut Chapter of the American Institute of Architects \(AIA\), Executive Director/CEO, Gina Calabro](#)**

States that architects' work is significantly affected by zoning regulation. Says that TOCs represent the changes necessary to bring zoning policies and practices into the 21<sup>st</sup> century. Proposes that good design is promoting medium density, walkability, safe streets, mass transit, and adaptive reuse for energy conservation. Expresses that the majority of Connecticut residents share these goals. States that TOCs will promote communal spaces, reduce reliance on cars, and pedestrian right of way along with the investment into town centers. States that the bill will increase the housing supply and enable housing diversity. Purports that taxpayer money will go to the most sustainable and inclusive communities. Says that this is also good for the environment by decreasing pollutants and emissions, and it will create safer communities.

**[American Lung Association, Director of Advocacy, Ruth Canovi](#)**

States that transportation is the leading source of harmful pollutants in Connecticut. Proposes the solution is transition to zero-emission transportation and building TOCs. Says that this bill will help build a healthier Connecticut by providing incentives and planning grants to support

TOCs. Stresses the importance of TOCs since traffic pollution contributes to many negative health consequences such as asthma, lung cancer, and heart disease. States that TOCs also promote a healthier lifestyle by increasing regular physical activity and healthier communities.

**West Hartford, Mayor, Shari Cantor**

States that as Mayor, she has personal experience with the importance of designing TOCs to promote economic growth, address the affordable housing crisis, and to address the climate crisis. She adds that it can be very challenging to accomplish this without additional support from the state. The mayor relates the story of the TOD created in 2022 around their CTfastrak stations. Says they are already seeing a surge in housing construction and small businesses, including adaptive reuse proposed for 150 apartments and retail at the Puritan Furniture site. The mayor states that more state assistance would have helped secure more funding for additional development they would like in the area. Expresses the logic of prioritizing funding to technical support from the state to communities investing in TOCs since they are "driving the growth of our state economy." States that this bill will result in more accessible jobs, more affordable homes, and safer streets.

**DesegregateCT, Ryan Cassella**

States that as a pro-homes advocate living in Stamford, this bill is necessary to support the next wave of sustainable community building in the United States. Expresses the need for infrastructure based in equity and accessibility.

**DesegregateCT, Campaign Coordinator, Alan Cavagnaro**

States that he is also a full-time student at UConn and a Planning and Zoning Commissioner in South Windsor, CT. The testimony focuses on Work Live Ride as "an economic success for municipalities." States the bill will create more homes during a housing crisis and that this is not a mandate. Expresses that local voices will not be left out, and how important it is to reduce reliance on cars.

**Rivers Alliance of Connecticut, Executive Director, Alicea Charamut**

Expresses appreciation for the bill's balance between environmental concerns and transit-oriented development. States how useful the CTfastrak line is for her personally, and that encouraging development along mass transit infrastructure is good for the environment. Expresses appreciation for the bill's requirement that the Zoning Commission consult with local Inland Wetland and Watercourses Agency when a transit-oriented development zone is being created.

**Gus Christensen**

States that he is a member of the Planning and Zoning Commission of Weston. Expresses that this bill is a fair compromise that "will encourage towns and cities to make consensual changes to their zoning codes to encourage the development of much needed housing in transit-rich locations." Says that many residents of Weston have told him that they would like more options for downsizing from their large homes and that their children cannot find affordable housing. He states that "housing costs are the great issue of our time." Expresses his faith in

market economics that the reason housing is so expensive in the state is because of the lack of supply and variety. He says these archaic zoning laws are too difficult to change on the small-town level, so state level action is needed to spur greater diversity of home development.

**Katelyn Czajkowski**

States that she is pro-homes advocate and resident of West Harford. Says this bill should pass to create diverse, walkable homes and jobs with public transit options. Expresses that TOCs will lead to safe streets.

**People Friendly Stamford, Chris Dawson**

States that none of his adult children live in Connecticut due to the cost of housing. Says that more affordable housing is needed to grow CT's economy, and that certain communities aren't doing enough to increase their housing stock. The testifier gives the example of Stamford providing housing for essential workers in Greenwich, Darien, and New Canaan. He expresses the need for statewide zoning reform, but that this bill is a step towards addressing the problem by supporting TOCs.

**CT Roundtable on Climate & Jobs, Executive Director, Aziz Dehkan**

The testimony focuses on the stated benefits of TOCs, such as reducing vehicle dependency, improved accessibility, economic development, enhanced walkability/livability, health benefits, cost savings, environmental sustainability/climate change mitigation, and equity and social inclusion.

**AARP Connecticut, Anna Doroghazi**

States that TOCs will help create community and housing with transportation options for people of all ages, ability levels, and backgrounds. States that Connecticut is one of the oldest states in the nation and many would like to downsize and live independently in TOCs. The testifier expresses how important easy access to transit is to older populations.

**DesegregateCT, Transit Oriented Communities Organizer, Sydney Elkhay**

States that 38% of Connecticut's carbon emissions come from transportation. Underlines the importance of TOCs in reducing auto emissions and mitigating climate change. States that if transportation is easily available, people will choose public transit over cars. Expresses the importance of the environmental benefits of this legislation along with increasing affordable housing.

**The Arc of Connecticut, Executive Director, Win Evarts**

States that concentrating affordable housing around public transit provides more options for people of all ages and abilities while reducing the share of their income that would otherwise be spent on a car. Expresses the importance of TOCs for the disability community both for independent living and social contact.

**Evjen Agency, Broker/Owner, Roy Evjen**

States his perspective on the bill as someone in the housing industry. States that builders are currently NOT building subdivisions at current spread apart zone regulations. The testifier says that builders need more opportunities for density to make the projects worth doing. Expresses that this bill would greatly increase housing supply.

**Matthew Lazell-Fairman, Waterford**

Describes his rural/suburban upbringing, and then states that cars "enable a development pattern that is environmentally destructive, financially unsustainable, inequitable, and exclusionary." States that as a disabled person, suburbia can be very isolating. Expresses that the lack of affordable housing significantly impacts the disabled or elderly. States this bill is a step towards a better future.

**Sustainable Streets Norwalk, Organizer, Paul Fox**

States that this bill will help address Connecticut's housing affordability crisis and traffic problem. Expresses that TOCs will help stimulate affordable housing reduce reliance on cars.

**Timothy Gabriele, North Haven**

The testimony describes the affects of climate change has reported by the Intergovernmental Panel on Climate Change (IPCC). States that Connecticut is a commuter state, with 79% of residents commuting to work by driving alone. Expresses that encouraging transit-oriented development will reduce air pollution by increasing access to public transit, helping to mitigate climate change.

**Partnership for Strong Communities, Policy Director, Sean Ghio**

States that this bill will make construction of more affordable housing around transit economically feasible. Expresses that this bill will create diverse and healthy communities. States that reliable and regular transit is a critical asset for lower income families and that this bill will help address the affordable housing crisis. States that after housing, transportation typically the highest cost in a household budget, and this bill would help reduce both those proportions, thus boosting a family's net income and the economy. Additionally, the testifier states that mixed-income transit-oriented housing can reduce the racial and economic segregation perpetuated through restrictive zoning. Expresses that this bill will ensure that TOCs are available to families at all levels of income. They state that this bill will make developing lower cost housing near transit systems easier, thus promoting equity.

**Connecticut Chapter of the American Planning Association, Government Relations Officer, John Guskowski**

States that TODs are planning Best Practice, allowing for compact, walkable communities that include a mixture of residential and commercial components. Expresses that this bill will reduce housing costs and leverage infrastructure to provide broader housing opportunities. They state that this bill improves on previous TOD proposals by establish an "opt-in" system to create TOCs, empowers communities to create their own TOCs, gives credit to



communities with established TOCs, creates an incentive funding system for housing and other development projects within those TOCs without penalizing communities that do not participate. The testimony describes TOCs as an economic development opportunity.

**[DesegregateCT, Director, Pete Harrison](#)**

States that this bill represents the bulk of DesegregateCT's Work Live Ride proposal, initially introduced last session with parts becoming law through SB 998. States that the new bill reflects feedback from legislators, communities/municipalities, and stakeholders to create "an even stronger proposal." They state that the core of the proposal is "to build up local and state planning capacity and collaboration to promote the creation and/or expansion of transit-oriented communities." They state the goal is a "post-sprawl" future for Connecticut. The testimony details the proposal, intent, and changes made due to feedback. Specifically, the testimony addresses the common criticism that communities that want TOCs are already creating them, so no state level intervention is necessary. They state that based on their "TOC Walk Audits, local leadership demonstrated that there are still significant gaps in local capacity and state resources needed to make these districts viable and vibrant."

**[Connor Hornigold](#)**

States that the opponents of this bill that use "the loss of local control" as a reason against it are really upset about "the loss of their racist and classist power." States that this bill sets a standard for reasonable development expectations to create good neighborhoods with efficient services.

**[Jonathan Jensen, Wethersfield](#)**

States that Connecticut is heavily car dependent and TOCs would help address the problem of sprawl. Expresses that public transit is treated like a welfare program when it should be for everyone. Expresses belief that most people want walkable communities with easy transit access.

**[Evonne Klein, Darien](#)**

States that this proposal will address the state's housing shortage and climate crisis. The testimony describes the transit-oriented development in Darien. States that other towns wishing to create TOCs require additional support, and that cities and towns need to unify to create more housing.

**[Daniel Kloyzner](#)**

States that as an engineering graduate student at UConn, he would like to stay and work in Connecticut, but lack of housing options is a serious problem. States that with more housing, more workers would stay in the state.

**[Beacon Communities, CEO, Dara Kovel](#)**

States that access to housing and transit in high opportunity communities can be "life changing for so many Connecticut families." States that public transit is dependent upon supporting housing that is affordable, mixed, and diverse, and that benefits the environment. States belief that housing is a human right, and TOCs help make this possible.

**Connecticut Main Street Center, Executive Director, Michelle McCabe**

States that this proposal will "provide incentive funding to support much-needed housing construction essential to thriving main streets and downtowns across the state." Expresses appreciation of the proposal's consideration of feedback from towns across the state. States that consistency of approach to creating TOCs is important for a streamlined and inexpensive process. States support for the sewer and water fund proposed to help municipalities get the necessary infrastructure for TOCs.

**Julianna McVeigh, New Haven**

States that a "transit-oriented approach" is beneficial for the environment, housing production, and increasing access to healthcare/healthy foods. Expresses this proposal is a "critical opportunity" to prioritize the duties of the ORG to create walkable neighborhoods with employment opportunities. The testifier expresses the need to make affordable housing a priority in CT, and then comments on three specific sections of the proposed bill.

- Section 2: States this section demonstrates a "commitment to balance between the need for development and protection for human health and environment."
- Section 3: States that including a representative from the Connecticut Equity and Environmental Justice Advisory Council and the Department of Energy and Environmental Protection (DEEP) would ensure the values of environment justice are met.
- Section 4: Stresses the importance of sewer and water infrastructure.

**Nick Menapace, Niantic**

States he enjoys living near downtown Niantic and all the amenities of a walkable community but knows too many are priced out in CT from this kind of lifestyle due to a lack of affordable housing options. States significant gaps in infrastructure, such as the absence of bike racks, hinders alternative modes of transportation. Expresses that this bill will help create mixed-use, higher-density neighborhoods and "fosters collaboration at the local and state levels." States that Work, Live, Ride is necessary for CT to evolve for current residents and prospective.

**The New London Human Services Network, Co-Convener, Jeanne Milstein**

States that this proposal should provide the state and towns with the necessary tools to create diverse, walkable homes with jobs in areas with public transit. States that this legislation is needed to codify what the ORG will do to help towns create TOCs and to organize the actions of state agencies. Expresses that the housing shortage will not be solved by market forces, which are responsible for creating the problem, and that the housing crisis is an emergency.

**Casey Moran, Hartford**



States that the root of the housing crisis is the inability to build more homes. Undertook an independent research project analyzing housing data from the past 12-months. The testifier found that the housing crisis is caused by a shortage of homes, zoning codes that have made functionally all new housing go through an arduous permitting process with multiple veto points. Expresses need for regulation reform to allow homes to be built again, particularly in dense, walkable neighborhoods by public transit. States the importance, with the example of Newington, that the areas around transit hubs are developed well.

**[Fairfield County's Community Foundation, President & CEO, Mendi Blue Paca](#)**

The testimony describes the work of the Fairfield County's Community Foundation to ensure residents have access to affordable housing, but states that the state still has a long way to go. States that zoning laws favoring single family zoning are used to limit the number and type of housing built. States that this bill will promote common-sense land use and increase the housing supply. Expresses that the proposal will create walkable neighborhoods with access to transit, which will aid in equitable housing opportunities.

**[Connecticut Legal Services, Attorney and Policy Advocate, Raphael Podolsky](#)**

They state they support the bill in the way it "incentivizes the development of housing units in TOCs while also recognizing that such developments should serve mixed-income population." The testifier expresses concerns on the "fee in lie" alternative and think the option should not be available. They state there is risk such a development would never occur, and few affordable housing units will be produced.

**[Larry Rizzolo, Guilford](#)**

The testifier states that he is a member of Guilford's Planning and Zoning Commission as well as a variety of local planning and housing groups. States that the bill was revised with the help of the League of Conservation Voters and the Connecticut Land Conservation Council to protect environmental sites within TOCs, and to help support infrastructure development such as sewer and water. Notes that the flexibility provided by this bill is not a "one-size-fits-all" approach. Expresses that Guilford's development goals would be helped by passage of this bill.

**[Connecticut Voices for Children, Legislative Coordinator, Eli Sabin](#)**

States support for the bill in increasing affordably housing, promoting socioeconomically diverse communities, and incentivizing transit-oriented development policies. The testimony describes in details the benefits of TOCs.

**[Denise Savageau, Greenwich](#)**

States that as a retired Environmental Planner, she supports this bill and the work it does to include inland wetlands and watercourses authorities in planning development. States that this bill strikes a balance between development and protecting the environment.

**[The Arc Connecticut, Director of Advocacy, Carol Scully](#)**

States that persons with intellectual developmental disabilities, developmental disabilities and autism (IDD) are experiencing a housing crisis. Access to affordably housing with transportation is vital to the IDD community. States that CT's high cost of living make it very hard for those with disabilities to afford housing. States that TOCs would allow people with disabilities to age in place and provide a community with social support. Expresses that disabled people are more likely to face homelessness, poverty, medical debt, and to be food insecure. States that this bill will improve opportunities for the IDD community.

**[Hartford Foundation for Public Giving, Public Policy Officer, Chris Senecal](#)**

State that this bill would provide easier access to public transportation and create the density necessary to make the construction of quality affordable housing economically viable. Expresses that making it possible for more Hartford residents to live in higher opportunity neighborhoods will help to dismantle structure racism and advance equitable social and economic mobility for Black and Latine residents of Greater Hartford.

**[Connecticut Working Families Power, Policy and Communications Director, Roger Senserrich](#)**

The testimony describes the housing crisis in Connecticut. States that Connecticut is not building enough homes and that this is the result of public policy. States that increasing supply will lower prices, and this will increase opportunity in the state. Expresses that most wealth and opportunity in the current economic expansion have gone to landlords and homeowners. States that encouraging and supporting municipalities in building more and denser housing with access to transit, many of these problems can be addressed.

**[Connecticut Climate Crisis Mobilization, Melinda Tuhus](#)**

The testimony states the organization's goals of accelerating transition to 100% clean renewable energy and net zero greenhouse gas emissions by 2030, an end to environmental racism, and an economy based in human needs. They state this bill will help realize those goals. They state the importance of reducing emission by shifting from reliance on cars to mass public transit. Expresses the benefits to the environment of reducing sprawl to preserve open spaces.

**[Elm City Communities/Housing Authority, President, Karen DuBois-Walton](#)**

States how this bill will increase housing affordability for Connecticut residents by creating more housing, denser and diverse housing, and access to public transportation. States that this proposal will provide opportunity and access for those traditionally kept from high-opportunity neighborhoods. Emphasizes that this bill uses incentives, not regulation, to promote housing development.

Additional testimony in Support:

**[Mary Jo Kestner, Guilford](#)**

[Citizens for Progress PAC, Chairman, Jason Kohl](#)  
[Hannah Leckman, Hamden](#)  
[Kevin Schwarz, West Hartford](#)  
[Jay Stange, West Hartford](#)  
[DesegregateCT, Organizer, Haritha Subramanian](#)  
[Owen Tacy, New London](#)  
[Liz Teare](#)

Four submitted Anonymous testimony in support.

**NATURE AND SOURCES OF OPPOSITION:**

[David Bauer](#)  
[Mary Connolly](#)  
[Greg Dal Piaz](#)  
[John Hair](#)  
[Joan Liska](#)  
[Nora Maloney, Cos Cob](#)  
[Peter McGuinness, Stamford](#)  
[John Miranowski](#)  
[Joseph Moran](#)  
[Andrea Sandor](#)  
[Claudia Shaum](#)  
[John Tartaglia](#)  
[New York University, Professor, Peter Wrampe](#)

The above individuals offered similar testimony. States that the bill is vague concerning housing density requirements and the number of allowed units. Claims the bill is contradictory in who has control, the municipality Planning and Zoning Commission or OPM. States that if OPM has final word, then the municipality will not control its own "destiny and future development." States that the bill "is a bonanza for developers." Says "as of right" zoning is "an affront to the public." Also states concerns for environment impact on natural resources, specifically tidal marshes on the coastline. States that by incentivizing communities to participate in a newly created housing program, small towns will be unfairly "deprioritized" for discretionary funding. The testifier is against state "mandates or the removal of local voices in the development process."

[Jeff Becker](#)

Expresses agreement with Senator Gordon's comments during the public hearing. Says nothing is more important than the water supply. Is against "bureaucrats deciding things that they know nothing about." Describes in detail when a representative from DesegregateCT came to speak in Easton and describes him as "totally ignorant." States that this demonstrates why having DesegregateCT or any other group drive development is "a very bad idea." The importance of local control is underscored, as is the testifiers disagreement with DesegregateCT's testimony concerning the drivers of housing costs. Expresses that TOCs would place undue burden on small towns and asks questions about Accessory Dwelling Units (ADUs). States the bill does not address the ability to work from anywhere and that the bill does not address the "root cause" of housing unaffordability, "gross wage

inequality." Describes problems from sea level rise that the bill does not address. The testifier then copied a Greenwich Free Press article, *Quiqley: The Corporate Interests Behind DesegregateCT* (March 19, 2022).

**Harry Clark**

States that the bill is an "overbearing mandate from a central power." States that housing is a human right, but municipalities need to make their own choices. The testifier underlines the importance of local control, says this bill is unnecessary. Expresses belief that if this bill passes, "most of Connecticut would end up overcrowded, with a declining quality of life, that a steady exodus would begin."

**Connecticut Council of Small Towns (COST), Executive Director, Betsy Gara**

States that many communities are already pursuing transit-oriented development (TOD) and utilizing competitive grant programs. Says that the state has successfully supported TOD projects in many municipalities. States that the expansion of the Municipal Redevelopment Authority (MRDA) in Public Act 23-204 last session and the requirement that municipalities work with MRDA to adopt zoning regulations that facilitate housing growth zones (HGZ) in development districts has already accomplished much. States that this bill creates "a confusing array of requirements that projects must meet to be eligible for TOD funding." COST also opposes section 7 of the bill, which they say allows a property owner to add ADUs without regard for other considerations.

**Connecticut Water Works Association (CWWA), Executive Director, Betsy Gara**

Opposes section 4 of the bill as originally written. They state they support efforts to increase funding to expand access to public water supplies, but all that is required to do so is extremely expensive, which the testimony expands on in detail. The CCWA requests that "rather than creating a fund that is limited to addressing public water supply expansion needed to support transit-oriented development...support additional funding for the Public Water System Improvement grant which can be used to meet broader public water supply needs."

**Geddis Architects PC, Barbara L. Geddis**

States that the bill is vague concerning who the decision maker is, local Planning and Zoning or the state. Also states that the definition of TOCs is confusing. Expresses concern that communities that do not "opt-in" will be penalized.

**Lower Connecticut River Valley Council of Governments, Executive Director, Samuel Gold**

States that RiverCOG strongly supports TOD, but not this bill. They state that the bill "skips planning and jumps to zoning and implementation." RiverCOG calls for requiring municipalities to create Transit Oriented Development Plans, then the application of "carrots and sticks" as required. They state this is preferable to someone from OPM defining what is "reasonable" TOD in each municipality. RiverCOG says they prefer "addressing the unique

challenges and opportunities of each site." The additional specific comments on the proposed bill are

- Not all rail, rapid transit, and bus stations, as defined in the bill, support TOD equally
- There is still no planning requirement
- Bill will tie municipalities to guidelines no one has seen
- There should be an agreed upon methodology for assessing housing needs before housing needs are incorporated as a metric in the review procedure
- The "as of right" development may crowd out the mixture of uses necessary to support TOD
- Confusion regarding eligibility of discretionary funding
- Zoning Commission cannot not make resolutions that pre-decide future applications, even their own

### **[Connecticut General Assembly, State Senator, Jeff Gordon](#)**

The Senator describes his history as Chair of Woodstock's Planning and Zoning Commission. He distinguishes between "affordable" housing, as defined by 8-30g and "affordability" of housing, which he believes to be a better assessment tool. He defines "affordability" of housing as those who would fall within the ALICE definition (Asset limited, Income Constrained, Employed), as well as those looking to start families and seniors. He states that 8-30g also fails in important aspects of land use planning and zoning. The Senator also states his environmental concerns, particularly for watersheds. He stresses the importance of local control in each municipality. He states, "Having state government take a one size fits all, top-down approach does not work." The Senator's additional comments include stating that the bill is vague as to the requirements of housing density and the number of units, that decision making should remain with the municipality and not OPM, that he disagrees with the "as of right" process, and that communities that do not "opt-in" would be "deprioritized" for funding.

### **[Connecticut Realtors, General Counsel, Jim Heckman](#)**

"CTR opposes as of right provisions for real estate development." They express concern that development of transit areas near waterfront will significantly reduce property values. They also state their opposition to deed-restricted development requirements. They express concern that this proposal will harm private development and adversely affect costs for affordable developments.

### **[Westport RTM, Chair Planning and Zoning Commission, Matthew Mandell](#)**

States that "strides" have been made in "addressing concerns," but the bill is "unsettling, problematic, and should not move forward." States that the bill conflicts with MRDA and that municipalities that do not comply will be penalized by being deprioritized for funding. Expresses that this proposal is for state control rather than local control. States opposition to "as of right" as used in the bill to "bypass local P&Z decisions as well as inland wetland commissions."

### **[Connecticut Conference of Municipalities \(CCM\), Advocacy Manager, Zachary McKeown](#)**

States that transit-oriented development (TOD) is a state priority and that the state offers many competitive grant programs to aid municipalities. States that many municipalities already pursue TOD policies. States that MRDA should be the focus and that this bill would penalize municipalities. CCM does not support the priority funding mechanism described in the bill, as it would be unfair to communities without rail or transit districts. CCM does support the intent behind the Office of Responsible Growth.

**[Stamford Neighborhoods Coalition, Barry Michelson](#)**

States that this proposal is "a serious threat to home rule, undermines local land use controls, and are destructive to the uniqueness of our individual cities and towns." The testifier is against a "one-size-fits-all approach." Expresses opposition to "social engineering through mandates, developers paying for as-of-right approval, eliminating public participation in the application and approval process, and a State Responsible Growth Coordinator."

**[Connecticut Business & Industry Association, Public Policy Associate, Peter Myers](#)**

States that they are supportive of "properly incentivizing transit-oriented development" but not how this bill prioritizes funding for TOCs over those that opt-out. Expresses worry that this could negatively impact the economic development of municipalities that do not have TOCs.

**[Western Connecticut Council of Governments, Executive Director, Francis Pickering](#)**

The testifier states that WestCOG opposes the bill because it is redundant to legislation passes last section concerning MRDA and ORG. They state that MRDA may be "better positioned to partner with municipalities to realize developments, given its authority under state law to acquire, finance, operate, and market facilities, and to borrow money and issue bonds."

**[David G. Rhodes, Storrs-Mansfield](#)**

States that this bill is not suitable for small/rural communities, such as Mansfield. States that communities are being pushed to increase housing density without proper infrastructure to support it. States, "the bill endangers the very character that makes Connecticut a great place to live." States that the bill "empowers developers over towns to build whatever they want." The testifier expresses opposition to "as of right" development. He states that DesegregateCT is a front for business developers.

Additional testimony in Opposition:

**[Jennifer Cherry, HR Business Partner](#)**

**[Gary Corigliano](#)**

**[John Emanuel](#)**

**[CT169Strong, Alexis Harrison](#)**

**[M.Lynch](#)**

**[Rolf Obin](#)**

**[John Public](#)**

**[Christine Rebstock](#)**

**[CT169Strong, Founder, Maria Weingarten](#)**



[Jessica Wysocki, Wallingford](#)

Seven submitted Anonymous testimony in opposition.

**GENERAL COMMENTS:**

[Connecticut Land Conservation Council, Executive Director, Amy Blaymore](#)

State's that their goal is to safeguard "natural and working lands, prioritize the vital role of nature-based solutions in mitigating the escalating effects of the inter-related crises of climate change and biodiversity loss, and ensure that everyone everywhere has access to the benefits of nature." They state they want to do this while collaborating to address community needs. They state the bill includes measure to address environmental concerns and avoid development-related impacts by formally involving the local inland wetlands and watercourse agency and exempting certain land uses. The testifier expresses that the bill provides for collaboration between land trusts, municipal land use commissions, housing advocates, and other community groups to create affordable and sustainable housing.

**Reported by: Breanne Clifton**

**Date: 4/4/2024**