

Planning and Development Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5474

Title: AN ACT REQUIRING MUNICIPAL REPORTS CONCERNING RESIDENTIAL CONSTRUCTION APPROVAL TO THE OFFICE OF RESPONSIBLE GROWTH.

Vote Date: 3/22/2024

Vote Action: Joint Favorable

PH Date: 3/13/2024

File No.:

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SPONSORS OF BILL:

Planning and Development Committee

REASONS FOR BILL:

Connecticut citizens currently face challenges with finding affordable housing, as there appears to be a gap, often cited as above 90,000, of affordable and available homes of all unit types being built throughout the state. Now, there appears to be a lack of available consistent data related to the number of building permits submitted, approved, and denied by municipalities. This bill would require municipalities to submit annual reports to the State Responsible Growth Coordinator concerning residential building permit applications submitted, approved and denied by such municipality. By having data from every municipality on said permit applications, the Office of Responsible Growth would have more information on municipal permit application denial, and could then address where demand for housing units are present and needed.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Daniel O'Keefe, Commissioner Designate, Department of Economic and Community Development](#) – Commissioner O'Keefe voiced opposition to the bill as it would require each municipality to submit a report to the State Responsible Growth Coordinator concerning residential building permit applications. Commissioner O'Keefe stated that this requirement is duplicative of the annual reports on dwelling units, permitted and demolished, that DECD already collects from each municipality per CGS 8-31, and that requiring municipalities to report two similar items to two different state offices could cause confusion and reduce compliance.

NATURE AND SOURCES OF SUPPORT:

Thomas Broderick, Trumbull – Mr. Broderick expressed strong support for the bill. He believed CT is experiencing an acute housing crisis on multiple fronts and stated that the core problem is exclusionary zoning and the arbitrary nature of the permitting process. Mr. Broderick stated that there are not enough homes of all types and there are not enough being built in regions with higher demand. Further, he expressed that planning boards often reject new homes that are not single-family homes on large lots, and that CT citizens do not know how many homes are proposed and rejected each year. Mr. Broderick believed that the bill would shed light on how large the problem is, particularly with building permit applications submitted, approved and denied by municipalities, and that this data could lead to a more housing-abundant state.

Sean Ghio, Policy Director, Partnership for Strong Communities – Mr. Ghio voiced support for the bill, as he believed that the state needs more information on housing development proposals and local level decisions on effective housing policies. He stated that without such knowledge, state policymakers would not know the impact local decisions have on the housing supply shortage. Mr. Ghio further stressed said affordable housing shortage and stated that local planning and zoning commissions decide where and when new homes may be built without any requirements to report aggregate information to the state. He claimed that increasing the transparency and accountability of these commissions could help state policymakers see what housing proposals have been approved, denied, or changed by local commissions, and thus help them make well-informed decisions based on the data. Mr. Ghio further noted that this information would complement the research of the Connecticut Zoning Atlas, and that further analysis including labor market data and information on vacant job positions would create a better understanding of where local housing decisions are most affecting the state's social and economic well-being. Mr. Ghio concluded by pointing to the testimony of Casey Moran and asked the committee to consider the amendments made by Mr. Moran.

John Guskowski, Government Relations Officer, CT Chapter of the American Planning Association – On behalf of the CT Chapter of the American Planning Association, Mr. Guskowski voiced support for the bill, but recommended some minor changes. Mr. Guskowski stated that the requirement of the bill: municipalities reporting annually to the Office of Responsible Growth (ORG) details about the number of residential building permit applications submitted to the building official or planning & zoning commission, would blend a few categories of analysis thereby causing possible confusion and muddle potential analysis. He cited said confusions as; the lag between initial permitting of development and actual construction permitting, not all renovations being equivalent, not all denials of permits being equivalent, and possible double-counting due to the building department administration being independent from the planning and zoning commission administration in most municipalities. Mr. Guskowski stated that the bill could be amended to give the ORG coordinator more discretion to tailor the required reporting, and to also create a reporting form or electronic filing system to ensure that the reporting is as convenient and organized as possible for all municipalities. Mr. Guskowski stated that the bill would provide additional clarity of purpose and a reporting standard for municipal building permit reports.

Pete Harrison, Director, Desegregate Connecticut – Mr. Harrison, on behalf of Desegregate Connecticut, voiced support for the bill, as he believed the reporting

requirements of the bill helps the Office of Responsible Growth's (ORG) oversee local Plans of Conservation and Development (POCD) and municipal Affordable Housing Plans (AHP). Mr. Harrison further expressed how the state is undergoing an affordable housing crisis, and how he believed local Planning & Zoning commissions exacerbate the issue by denying homes often on spurious grounds. Mr. Harrison Stated that a comprehensive data source for permits and housing units denied across municipalities, along with records for reasons of said denials, would help the ORG understand where new housing is needed, where there is none, and why. Mr. Harrison stated further that this data would help local governments understand their role in the regional housing market and lead to smarter state and local collaboration on land use policy, generating further support toward the housing crisis locally. Mr. Harrison ended by recommending that the Office of Policy Management consider placing the Geographical Information Systems office under the purview of the ORG. He expressed that there is an opportunity to amplify both offices goals by placing them together.

Jim Horan, Executive Director, LISC Connecticut – Mr. Horan voiced support for the bill, as he believed that it would keep policy makers, elected officials, developers, and housing advocates better informed with the information needed to make decisions, and direct investments that have the greatest potential for positive impact. Mr. Horan further expressed how the state is going through an affordable housing crisis, and that without consistent collection of information related to building permits, both approved and denied, it is difficult to understand where demand is present and which communities are shutting out opportunities for needed growth.

Casey Moran – Mr. Moran voiced support for the bill, as it contained initiatives to better track housing permit application. Mr. Moran voiced his belief on how critical it is for legislature to have ready access to data containing home permits, number of home proposals, locations of said proposals, and how many of these proposals are denied, so that they can make better informed decisions. Mr. Moran stated further that he had some recommended changes for the bill based upon the findings of an exercise he conducted that quantified how many homes are blocked annually in Connecticut, which he did through manually tracking zoning decisions. He said the recommended changes to the bill include; To put more consideration into the pre-review process, for projects that are downsized by developers to be counted as denied homes, to track veto points beyond just the planning and zoning, reporting that includes weighted approval days on a per home basis, to track on a project basis the number of formal /public comments in favor/against a project, and ideally to include separate tracking on approvals that are challenged on procedural grounds. Mr. Moran concluded his testimony by appending a listing from his analysis of all denied housing over a period of fourteen months.

Jim Perras, CEO, Home Builders & Remodelers Association of Connecticut – Mr. Perras, on behalf of Home Builders & Remodelers Association of Connecticut (HBRA-CT), voiced strong support for the bill, as it would require municipalities to submit annual reports on residential building permit applications. However, Mr. Perras stated that HBRA-CT recommended amending the bill to include specific data on types of housing units applied for, and types of units in rejected applications. He explained that HBRA-CT believed that the data would provide more information on the housing needs and challenges at a municipal level. Mr. Perras further expressed how the new data could foster responsible growth and help the state gain further insight into the challenges that developers face when trying to meet diverse needs, promoting a more responsive housing market. Further, through Mr. Perras, HBRA-CT

recommended that the bill be expanded to include data on the duration it takes for an application to progress from submission to obtaining a certificate of occupancy. Mr. Perras stated that this data would give insight into the efficiency of local approval processes and identify better practices for towns to consider. Mr. Perras concluded by stating that the proposed amendments would both enhance the accuracy of the reports and contribute to informed policy making.

[Carol Scully, Director of Advocacy, The Arc Connecticut](#) – Ms. Scully, on behalf of The Arc CT, voiced support for the bill, as she believed it would improve access for affordable housing for persons with intellectual developmental disabilities (IDD) and developmental disabilities (DD). Ms. Scully expressed how the housing crisis affects those with either IDD or DD through many factors including but not limited to: a lack of accessible and affordable housing, significant housing-related discrimination across multiple sectors and a lack of accessible transportation. She expressed that even with underfunded housing programs, like section 8 housing vouchers, Connecticut's high cost of living still prevents people with IDD or DD to age in place in a community of their choice, and that most municipalities must work to create a higher percentage of accessible affordable housing for these individuals. She stated further that a large percentage of the disabled population is left without any housing assistance, and that those that do have the assistance can often face challenges from the effects of systemic racism on poverty and housing. Ms. Scully stated that the bill would allow for the collection of data at the municipal level on the number of permits and housing units denied, the reason for their denials, and that said data would help inform where affordable housing is in want.

NATURE AND SOURCES OF OPPOSITION:

The following people submitted testimony in opposition of the bill, as they stated that decisions made by local zoning and planning boards are local matters, and that local commissions should not be accountable to the state. They stated further that data with no explanation is not helpful given the circumstances, and that builders could skew reported data points. They expressed that the bill, if moved forward, should include information on the reasons for denials or adjustments on proposed projects:

[Maureen Ciardiello](#)

[Mary Connolly](#)

[John Hair](#)

[Andrea Sandor](#)

[Warren Serenbetz](#)

[Maria Weingarten](#)

[Betsy Gara, Executive Director, Connecticut Council of Small Towns](#) – Ms. Gara voiced opposition to the bill, as she believed it imposed duplicative reporting requirements on municipalities. Ms. Gara stated that Public Act 23-204 already requires municipalities to annually report to the state Department of Economic & Community Development (DECD) on both the number of new dwelling units permitted and the number of units demolished within the municipality. She also further stated that the DECD already compiles accessible municipal data on housing and demolition permits, and that state agencies could receive

updates on housing permits and real estate trends from a Commercial Record subscription. Ms. Gara further expressed how municipal reporting requirements are becoming burdensome due to the number of state statutes that already require municipalities to report data to them.

[Anne Manusky, President, Connecticut Republican Assembly](#) – Ms. Manusky, on behalf of the CT Republican Assembly, voiced opposition to the bill, as she stated that it would usurp the civil liberties of Connecticut citizens. She further stated that the bills have not been reviewed for constitutionality.

[Zachary Mckeown, Advocacy Manager, Connecticut Conference of Municipalities](#) – Mr. Mckeown, on behalf of the Connecticut Conference of Municipalities (CCM), voiced opposition to the bill, as he believed it to be duplicative and adds to an already long list of burdensome municipal data reporting requirements. He stated that municipalities are already required to report to the State Department of Economic & Community Development (DECD) information including both the annual number of dwellings permitted and the number of dwellings demolished. Through Mr. Mckeown, CCM stated a desire for state departments to share data between themselves. To this end, CCM wanted the committee to amend the bill so that the DECD is required to share the data collected under PA 23-204, Sec.199, with the Office of Responsible Growth. Failing this, they asked the committee to reject the bill.

[Katie Montgomery](#) – Ms. Montgomery voiced opposition to the bill, as she believed it ignored the historic status of certain districts, and that a local commission is accountable only to the residents of the municipality.

[Joanne Romano](#) – Ms. Romano voiced opposition to the bill, as she believed it would allow developers to bypass local zoning and participate in predatory building practices. She stated further that this would impact wetlands, nursing homes, and historical districts. The additional testimonies were submitted in opposition:

[Kathryn Chester](#)

[David Landau](#)

[Harry Clark](#)

[Gary Corigliano](#)

[Linda Dalessio, Doctor](#)

[Michelina Giuliani](#)

[Eddie Imp](#)

[Laine Johnson](#)

GENERAL COMMENTS:

[Brian Rathbun](#) – Mr. Rathbun provided commentary on the bill, and stated a belief that The citizens of Connecticut need to change how they look at issues with housing. Mr Rathbun further stated a belief in educating people on money spending as opposed to further taxation and cited supporting existing programs such as CHFA and USDA loans.

Reported by: Ben McSheehy

Date: 04/2/2024