

**Proposed Substitute  
Bill No. 5473**

LCO No. 3164

**AN ACT REQUIRING THE MAJORITY LEADERS' ROUNDTABLE  
GROUP ON AFFORDABLE HOUSING TO STUDY THE ELIMINATION  
OF MUNICIPAL DESIGN REVIEW PROCESSES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-245 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 For the purposes of this chapter:

4 (1) "Acquire a sewerage system" means obtain title to all or any part  
5 of a sewerage system or any interest therein by purchase,  
6 condemnation, grant, gift, lease, rental or otherwise;

7 (2) "Affordable housing deed restrictions" means deed restrictions  
8 filed on the land records of the municipality containing covenants or  
9 restrictions that require a dwelling unit or dwelling units to be sold or  
10 rented at, or below, a price or rent equivalent to not more than thirty per  
11 cent of the annual income of individuals and families earning not more  
12 than eighty per cent of the median income in rent or mortgage payments  
13 for such unit, for a period of not less than forty years;

14 (3) "Affordable housing development" means a development  
15 containing ten or more dwelling units, as defined in section 47a-1,  
16 provided not less than twenty per cent of such units are subject to  
17 affordable housing deed restrictions, and any such unit subject to such  
18 restrictions contains two or more bedrooms and is not age-restricted;

19 [(2) "alternative sewage treatment system"] (4) "Alternative sewage  
20 treatment system" means a sewage treatment system serving one or  
21 more buildings that utilizes a method of treatment other than a  
22 subsurface sewage disposal system and that involves a discharge to the  
23 groundwaters of the state;

24 [(3) "community sewerage system"] (5) "Community sewerage  
25 system" means any sewerage system serving two or more residences in  
26 separate structures which is not connected to a municipal sewerage  
27 system or which is connected to a municipal sewerage system as a  
28 distinct and separately managed district or segment of such system, but  
29 does not include any sewerage system serving only a principal dwelling  
30 unit and an accessory apartment, as defined in section 8-1a, located on  
31 the same lot;

32 [(4) "construct a sewerage system"] (6) "Construct a sewerage system"  
33 means to acquire land, easements, rights-of-way or any other real or  
34 personal property or any interest therein, plan, construct, reconstruct,  
35 equip, extend and enlarge all or any part of a sewerage system;

36 [(5) "decentralized system"] (7) "Decentralized system" means  
37 managed subsurface sewage disposal systems, managed alternative  
38 sewage treatment systems or community sewerage systems that  
39 discharge sewage flows of less than five thousand gallons per day, are  
40 used to collect and treat domestic sewage, and involve a discharge to  
41 the groundwaters of the state from areas of a municipality;

42 [(6) "decentralized wastewater management district"] (8)  
43 "Decentralized wastewater management district" means areas of a  
44 municipality designated by the municipality through a municipal  
45 ordinance when an engineering report has determined that the existing  
46 subsurface sewage disposal systems may be detrimental to public health  
47 or the environment and that decentralized systems are required and  
48 such report is approved by the Commissioner of Energy and  
49 Environmental Protection with concurring approval by the  
50 Commissioner of Public Health, after consultation with the local

51 director of health;

52 [(7) "electronic equipment"] (9) "Electronic equipment" means any  
53 technology that facilitates real-time communication between two or  
54 more individuals, including, but not limited to, telephonic, video and  
55 other conferencing platforms;

56 (10) "Median income" means, after adjustments for household size,  
57 the lesser of the state median income or the area median income as  
58 determined by the United States Department of Housing and Urban  
59 Development;

60 (11) "Multifamily housing" has the same meaning as provided in  
61 section 8-13m;

62 [(8) "municipality"] (12) "Municipality" means any metropolitan  
63 district, town, consolidated town and city, consolidated town and  
64 borough, city, borough, village, fire and sewer district, sewer district  
65 and each municipal organization having authority to levy and collect  
66 taxes;

67 [(9) "operate a sewerage system"] (13) "Operate a sewerage system"  
68 means own, use, equip, reequip, repair, maintain, supervise, manage,  
69 operate and perform any act pertinent to the collection, transportation  
70 and disposal of sewage;

71 [(10) "person"] (14) "Person" means any person, partnership,  
72 corporation, limited liability company, association or public agency;

73 [(11) "remediation standards"] (15) "Remediation standards" means  
74 pollutant limits, performance requirements, design parameters or  
75 technical standards for application to existing sewage discharges in a  
76 decentralized wastewater management district for the improvement of  
77 wastewater treatment to protect public health and the environment;

78 [(12) "sewage"] (16) "Sewage" means any substance, liquid or solid,  
79 which may contaminate or pollute or affect the cleanliness or purity of

80 any water; and

81 [(13) "sewerage system"] (17) Sewerage system" means any device,  
82 equipment, appurtenance, facility and method for collecting,  
83 transporting, receiving, treating, disposing of or discharging sewage,  
84 including, but not limited to, decentralized systems within a  
85 decentralized wastewater management district when such district is  
86 established by municipal ordinance pursuant to section 7-247.

87 Sec. 2. Section 7-246 of the general statutes is repealed and the  
88 following is substituted in lieu thereof (*Effective October 1, 2024*):

89 (a) Any municipality may, by ordinance, designate its legislative  
90 body, except where the legislative body is the town meeting, or any  
91 existing board or commission, or create a new board or commission to  
92 be designated, as the water pollution control authority for such  
93 municipality. Any municipality located within the district of a regional  
94 water authority or regional sewer district established under an act of the  
95 General Assembly may designate such water authority or sewer district  
96 as the water pollution control authority for such municipality, with all  
97 of the powers set forth in this chapter for water pollution control  
98 authorities, provided such water authority or sewer district agrees to  
99 such designation. If a new board or commission is created, the  
100 municipality shall, by ordinance, determine the number of members  
101 thereof, their compensation, if any, whether such members shall be  
102 elected or appointed, the method of their appointment, if appointed,  
103 and removal and their terms of office, which shall be so arranged that  
104 not more than one-half of such terms shall expire within any one year.  
105 The water pollution control authority of the town within which there is  
106 a city or borough shall not exercise any power within such city or  
107 borough without the express consent of such city or borough, except  
108 that such consent shall not be required for any action taken to comply  
109 with a pollution abatement order issued by the Commissioner of Energy  
110 and Environmental Protection.

111 (b) Each municipal water pollution control authority designated in

112 accordance with this section may prepare and periodically update a  
113 water pollution control plan for the municipality. Such plan shall  
114 designate and delineate the boundary of: (1) Areas served by any  
115 municipal sewerage system; (2) areas where municipal sewerage  
116 facilities are planned and the schedule of design and construction  
117 anticipated or proposed; (3) areas where sewers are to be avoided; (4)  
118 areas served by any community sewerage system not owned by a  
119 municipality; (5) areas to be served by any proposed community  
120 sewerage system not owned by a municipality; and (6) areas to be  
121 designated as decentralized wastewater management districts. Such  
122 plan may designate and delineate specific allocations of capacity to  
123 serve areas that are able to be developed for residential or mixed-use  
124 buildings containing four or more dwelling units. Such plan shall also  
125 describe the means by which municipal programs are being carried out  
126 to avoid community pollution problems and describe any programs  
127 wherein the local director of health manages subsurface sewage  
128 disposal systems. The authority shall file a copy of the plan and any  
129 periodic updates of such plan with the Commissioner of Energy and  
130 Environmental Protection and shall manage or ensure the effective  
131 supervision, management, control, operation and maintenance of any  
132 community sewerage system or decentralized wastewater management  
133 district not owned by a municipality.

134 (c) (1) In any municipality in which single-family homes constitute  
135 not less than fifty per cent of such municipality's housing stock, each  
136 municipal water pollution control plan adopted by such municipality  
137 shall specify such municipality's plan for providing sewer service to  
138 promote the development of housing opportunities consistent with  
139 subdivisions (4) to (6), inclusive, of subsection (b) of section 8-2,  
140 including such municipality's (A) existing and planned sewer service  
141 area or areas, (B) existing or planned lots that allow for use as  
142 multifamily housing, and (C) allocations for specific daily sewage flow  
143 rates that may provide infrastructure to support the development of  
144 multifamily housing. Any municipality that adopts a water pollution  
145 control plan pursuant to this subdivision shall post such plan on the

146 Internet web site of such municipality.

147 (2) For any water pollution control plan required to be adopted  
148 pursuant to subdivision (1) of this subsection, such plan may be  
149 incorporated into such municipality's affordable housing plan adopted  
150 pursuant to section 8-30j and plan of conservation and development  
151 adopted pursuant to section 8-23.

152 (3) Each water pollution control plan shall be submitted to the  
153 Secretary of the Office of Policy and Management. Any municipality  
154 with a water pollution control plan that creates a realistic possibility, as  
155 determined by the Secretary of the Office of Policy and Management, to  
156 provide sewer service to support the development of housing in  
157 conformance with the provisions of subparagraphs (C), (H) and (I) of  
158 subdivision (2) of subsection (b) of section 8-2 and subdivisions (4) to  
159 (6), inclusive, of subsection (b) of section 8-2, shall be eligible for funding  
160 available through the sustainable and equitable infrastructure support  
161 program established pursuant to subdivision (d) of this section. The  
162 secretary shall post each water pollution control plan submitted  
163 pursuant to this subdivision on the Internet web site of the Office of  
164 Policy and Management.

165 (d) The Secretary of the Office of Policy and Management shall,  
166 within available appropriations, establish and administer the  
167 sustainable and equitable infrastructure support program. Funds from  
168 such program shall be available (1) to any developer of an affordable  
169 housing development to cover any sewerage system connection fees; (2)  
170 to any developer of an affordable housing development to cover the cost  
171 of any infrastructure improvements to a municipal sewerage system  
172 necessary to support such development; (3) to any municipality  
173 determined to be eligible by the secretary pursuant to subdivision (3) of  
174 subsection (b) of this section to support sewer infrastructure  
175 development and expansion and technical assistance concerning  
176 municipal sewer expansion, including sewer infrastructure  
177 improvement and expansion grant writing; and (4) for one-time

178 planning grants not exceeding thirty-five thousand dollars to any  
179 municipality seeking to update such municipality's water pollution  
180 control plan to conform with subsection (c) of this section. Funds from  
181 the program shall be awarded by the secretary, at the secretary's  
182 discretion, on a competitive basis, with priority given to developers or  
183 municipalities based on (A) cost efficiency of a proposed development,  
184 (B) for a municipality, the percentage of a municipality's housing stock  
185 that will be served by the municipality's water pollution control plan,  
186 and (C) for a municipality, the extent to which such plan advances the  
187 purposes of subparagraphs (C), (H) and (I) of subdivision (2) of  
188 subsection (b) of section 8-2 and subdivisions (4) to (6), inclusive, of  
189 subsection (b) of section 8-2.

190 [(c)] (e) Any municipal sewer authority in existence prior to October  
191 1, 1978, shall be deemed to be the water pollution control authority of  
192 such municipality unless the legislative body of the municipality, by  
193 ordinance, determines otherwise, and such water pollution control  
194 authority shall be deemed the successor to such sewer authority for all  
195 of the purposes of this chapter. All acts of any such sewer authorities  
196 from October 1, 1978, to June 1, 1979, are validated. The provisions of  
197 this subsection shall not apply to any action pending in any court or any  
198 right of appeal under this chapter existing on June 1, 1979.

199 Sec. 3. (*Effective from passage*) The majority leaders' roundtable group  
200 on affordable housing, established pursuant to section 2-139 of the  
201 general statutes, shall conduct a study concerning the potential  
202 elimination of any municipal design review process required in  
203 connection with residential developments. The study shall include, but  
204 need not be limited to, (1) an analysis of current required design review  
205 processes and the impact of such processes on the cost and development  
206 time of affordable housing, as defined in section 8-39a of the general  
207 statutes, (2) the identification of barriers within such design review  
208 processes that may hinder the construction or renovation of such  
209 affordable housing, and (3) the examination of successful models from  
210 other jurisdictions that have streamlined or eliminated such design

211 review processes for such affordable housing. Not later than January 1,  
212 2025, the roundtable group shall submit a report, in accordance with the  
213 provisions of section 11-4a of the general statutes, on its findings and  
214 any recommendations to the joint standing committees of the General  
215 Assembly having cognizance of matters relating to planning and  
216 development and housing.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2024</i>	7-245
Sec. 2	<i>October 1, 2024</i>	7-246
Sec. 3	<i>from passage</i>	New section