



**HOME BUILDERS & REMODELERS ASSOCIATION  
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**ENVIRONMENT COMMITTEE  
Public Hearing Testimony  
February 28, 2024**

**To: Chairpersons Lopes and Gresko, Ranking Members Harding and Callahan, distinguished Members of the Environment Committee**

**From: Jim Perras, HBRA-CT CEO**

**Regarding H.B. No. 5218 AN ACT CONCERNING THE ESTABLISHMENT OF RIPARIAN BUFFERS AND REVISION OF CERTAIN INLAND WETLANDS PROVISIONS. (Support with amendments)**

The Home Builders and Remodelers Association of Connecticut (HBRA-CT) is a professional trade association with nearly 900 hundred business members statewide, employing tens of thousands of Connecticut residents. Our association of small businesses is comprised of residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry. We build between 70% to 80% of all new homes and apartments in Connecticut each year and engage in countless home remodeling projects.

1. The HBRA of CT has concerns about the Provisions of Section 1 that compel the DEEP to unilaterally develop uniform setback requirements for development near streams, rivers, and inland wetlands. A wetland buffer permit is already required in Connecticut before a zoning permit can be issued for activities that take place within a wetland's 75-foot upland review area. This area is also known as a "buffer".

Buffers help reduce the effects of human activity on wetlands. For example, the Connecticut River Gateway's riparian buffer standard requires that all vegetation be kept within 50 feet of the Connecticut River, its tributaries, and marshes. This standard also requires the use of low growth and mature trees to preserve the traditional river scene. In Connecticut, a permit is required to conduct activities that may impact inland wetlands or watercourses. This includes:

- Any operation or use of a wetland or watercourse involving removal or deposition of material
- Any obstruction, construction, alteration, or pollution of such wetlands or watercourses

Setbacks are a non-disturbance zone created at the discretion of a wetlands board. Mandating state uniform standards would limit a local commission's flexibility to act in the best of the town, its residents, and the environment. Here is a real-world example: A

developer member of the HBRA recently worked with a town to reduce setback requirements on his property to 25 feet from a wetland. Doing so allowed this developer the ability to build the same number of units on two different areas of the property rather than three separate areas as originally planned. The result of that arrangement allowed the developer to donate significantly more open space than originally planned.

We would encourage the DEEP, DOH and stakeholders to study the implications of a standardized setback requirement and its potential negative impacts on the environment and the highest and best use of land, in addition to the potential negative impacts on housing production and affordability and to report back to this Committee. **For these reasons the HBRA asks that the Committee strike Section 1 for this bill.**

**The HBRA of CT supports Sections 2 and 3 of this bill** which would require the DEEP to update its training for inland wetland commissioner to include recent statutory and case law changes and compel all staff and members to take the updated training every five years.

Mandating regular training for inland wetland commission members is essential for streamlined development. Inadequately trained members may inadvertently hinder the process by misinterpreting regulations or lacking awareness of evolving standards. This can lead to prolonged approval timelines, increased project costs, and uncertainty for developers. A well-versed commission ensures consistent and accurate application of environmental guidelines, fostering a transparent and efficient development process. Timely approvals benefit housing initiatives, addressing the pressing need for increased housing options in Connecticut. The proposed legislation safeguards against potential setbacks arising from misinformed decisions, promoting a more responsive and effective planning and development framework.

Thank you for the opportunity to provide testimony on HB 5218. **Please amend HB 5128 to strike Section 1 of this bill in its entirety and renumber the remaining sections accordingly.**