

March 11, 2021

**Subject: Mansfield Planning and Zoning Commission Statement  
in Support, with Modification, of Senate Bill 1024**

Dear Chairman Cassano, Chairwoman McCarthy Vahey, Vice Chairman Needleman, Vice Chairwoman Goupil, Ranking Member Senator Hwang, Ranking Member Zullo, and Distinguished Members of the Connecticut General Assembly Joint Planning and Development Committee:

The Mansfield Planning and Zoning Commission is encouraged to see the Desegregate CT platform included in this year's legislative session for consideration. Over the past eight months, people from across the state have come together to discuss the ways in which zoning has contributed to segregation in Connecticut and how we can begin to reverse those impacts. The platform established by Desegregate Connecticut seeks to expand housing options available to all residents; thereby reducing the overall cost of housing and giving more residents a true choice in the place they call home. **We offer this letter as a statement of our support for this legislation, with a few suggested modifications.**

The Mansfield Planning and Zoning Commission has been following this initiative since its conception, and has already made some of the changes that are contemplated in the platform, such as:

- Allowing accessory dwelling units through an administrative zoning permit instead of the special permit process. Requirements associated with this change such as owner-occupancy of either the principal residence or accessory dwelling unit; cap on unit size; and confirmation that the lot can support the additional wastewater demands from the local public health authority ensure that these units fit into the context of the neighborhood in which they are built.
- Directing higher density residential development to locations with the infrastructure to support it. Prior to recent changes, multi-family development in Mansfield required both a zone change and a special permit. Today, we have four zoning districts in which multi-family residential uses are authorized with a special permit. This change converted our traditional commercial districts into mixed-use districts, consistent with the smart growth development areas identified in our Plan of Conservation and Development.
- Requiring that at least 10% of new units in residential developments with more than five dwelling units be affordable to households at or below 80% of median income. This change has not stifled interest in development of multi-family housing. Since the affordable housing requirement was adopted, the Commission has had pre-application meetings with developers for projects that would create over 1,000 new dwelling units (of which at least 100 would be designated affordable) if all were to be approved.

- Allowing affordable and mixed-income developments with site plan approval in a newly created housing opportunity district within walking distance of our downtown, senior center, and community center. This district was created through the initiative of the Mansfield Non-Profit Housing Development Corporation. While the MNHDC created the district and is the first to apply it to a specific property, it is available for other property owners as well.

In addition to the above changes, we are also working on changes to our regulations to accommodate “missing middle” housing in appropriate locations. We are excited by the potential of the model form based and street codes proposed in the Desegregate Connecticut platform as establishing standards to ensure quality design appropriate to the physical context of a neighborhood will be essential to the success of missing middle housing.

### **Requested Modifications to S.B. 1024**

After reviewing the S.B. 1024 at a special meeting on February 11, 2021, the Commission respectfully requests that the following revisions be considered:

- **Section 6(1) starting on line 438 related to Transit-Oriented Development.** This section would require mixed-use developments and multi-family housing within a half mile proximity of a municipality’s primary transit station. Transit station is defined earlier in the bill as a rail station, bus rapid transit station, ferry terminal, or bus terminal. While the first three terms in the definition are clear, the term bus terminal may be so broad as to apply to a central bus station in a community. For example, Mansfield’s own Nash-Zimmer Transportation Center serves as a hub for the Windham Regional Transit District, FasTrak, and UConn shuttles, but is not a traditional “terminal”. Other small communities in the state, especially those that are rural in nature, may have similar issues designating a “primary transit station”. We suggest applying a population based minimum requirement of 30,000 residents to resolve concerns in small communities that have limited transportation service and do not have the type of main street corridors envisioned in the bill.
- **Section 7 starting on Line 496 related to the Affordable Housing Land Use Appeals Process.** While the Commission supports the proposed change relative to accessory dwelling units, we request that you also consider amending provisions of subsection (k) related to mobile and manufactured homes. Mobile homes are a naturally occurring form of affordable housing; however, many mobile and manufactured homes are not considered affordable pursuant to the standards outlined in subsection (k). Per current statute (and the proposed bill), a mobile or manufactured home may only be counted as an affordable unit if it is either:
  - subject to binding covenants and restrictions limiting occupancy to households that meet certain affordability criteria; or
  - located in a resident-owned mobile manufactured home parks that is subject to deed restrictions and loans requiring certain percentages of units to be affordable to households at various income levels.

In our community alone, these provisions exclude hundreds of mobile and manufactured units that are some of the most affordable places to live. The Commission requests that

subsection (k) be amended to include any mobile or manufactured home in a municipality's count of affordable units.

- **Section 9 beginning on Line 593 related to Continuing Education for Land Use Commissioners.** While the Commission strongly supports the idea of requiring regular training for members of land use bodies, we respectfully request that the training be changed to a biennial requirement. Having such training every two years would be in line with the frequency of the training currently offered by the Connecticut Bar Association related to land use law and reduces the potential that training will become repetitive for members.

In conclusion, we again state our support for Senate Bill 1024 with the modifications as noted and hope that the General Assembly will work collaboratively to adopt legislation that expands housing choice and opportunity for all Connecticut residents.

Sincerely,

A handwritten signature in blue ink that reads "Paul Aho". The signature is written in a cursive style with a large initial "P".

Paul Aho  
Chair

- c: Planning and Zoning Commission  
Mansfield Town Council  
Ryan Aylesworth, Town Manager  
Glenn Mitoma, Chair, Mansfield Human Relations Commission  
Kathy Ward, Mansfield Non-Profit Housing Development Corporation