



TOWN OF KILLINGLY

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Testimony

SB 1024 An Act Concerning Zoning Authority, Certain Design Guidelines, Qualifications of Certain Land Use Officials and Certain Sewage Disposal Systems

Submitted by Mary T. Calorio, Town Manager

March 11, 2021

Dear Members of the Committee:

As a community leader I write in **OPPOSITION** to SB No. 1024. While I participated in the CCM Desegregate CT working group and made several recommendations within that committee there are areas of this bill which would have unintended consequences to our communities as it is currently written. Many communities around the State do not have sufficient transit, water or sewer services to support large housing developments as outlined within this bill. The bill also has problematic language within its definitions. Many communities have already adopted zoning regulations allowing for accessory dwelling. I urge the Committee to oppose the bill as it is currently written and further explore with the professional organization CAZEO the direct implications of this proposal.

Several of the concerns regarding definitions begins with the definition of the Accessory Apartment. This is defined as follows:

1) "Accessory apartment" means a separate dwelling unit occupied by a family, or a single housekeeping unit, that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations;

Based on this definition the dwelling unit needs only to have a kitchen. No requirement to include a bathroom. It also alludes to the possibility that these units might be exempt from building, fire, and health codes. This could pave the way for substandard housing. Allowing members of our communities to be preyed on by those who will pervert the intentions of this document and create dangerous, discriminatory, degenerating second class level housing. I understand that is not the intention of this bill but would be an unintended consequence cropping up on our communities across the State with no recourse.

Another concern is the Affordable Accessory Apartment definition. Who will be enforcing this deed restriction? What are the enforcement measures if a landlord is violating this restriction? What are the reporting requirements and to whom do they report? This is a feel-good provision that has not fully developed how to practically put these measures in place so that they function. Will the Department of Housing dedicate staff to monitor the facilities, enforce the requirements and receive the reporting? These are just two examples of definitions that have not contemplated the boots on the ground impact.

I support removal of the cap on consulting fees. Consulting fees can occur for a myriad of reasons. Many small towns do not have professional staff to review project designs and assess impacts of proposed developments. Mid-sized towns may have professional staff to perform these reviews but may need further investigation for specific complexities of the proposal. I support utilizing the word “necessary” in Section 2(b) as it references reviews. We strive to incorporate the applicant in the review process.

I support training certification requirements for zoning enforcement officers. Professional development and certification in enforcement should be a requirement for employees working in this capacity. They are enforcing local and state regulations and should be fully trained in that endeavor.

In theory, I support training requirements for land use commission members. However, training must be accessible. All our commission members are volunteers appointed to the commission. Many have full time jobs in other fields. Required training cannot be a roadblock for these volunteers. Virtual on-demand training programs would be necessary. I share the concerns of many communities regarding the struggle to get citizens engaged in volunteering for these commissions. Requiring a member to travel significant distances or take time off from work for training would be unrealistic.

I am in opposition to removing minimum lot sizes for construction of dwelling units. Minimum lot sizes are not meant to limit growth but rather speaks to the environmental conditions within the area to allow for water quality and appropriate sewer systems. Soil suitability cannot be determined in Hartford. This needs to be done at a local level. Lot sizes are to consider the resources available in the area. How much water will a home, building or facility need to operate? Where is that water coming from? If there is no public water supply, how much area is needed for well recovery and maintaining water quality? These are not one size fits all answers. Soil demographics, land contours, wetlands and many other components come into the equation. To make high density housing available as a right will detrimentally impact our natural resources and cause a health crisis.

In summary, while there are sections of this bill that provide needed change there are large portions of the bill that leave our communities open to substandard housing and eliminates local options. I respectfully request the Committee to oppose this bill as currently written. Thank you for your time and your thoughtful consideration.

If you have any questions, please contact me at mcalorio@killinglyct.gov or 860-779-5335.