

## **NO to State-Mandated Zoning and YES to Maintain Local Control and Municipal Home Rule**

Chairs Cassano and McCarthy-Vahey, Ranking Members Hwang and Zullo and

Distinguished Members of the Planning and Development Committee:

Thank you for the opportunity to testify today in regard to SB 1024. My family and I are long time Democrats and for more than thirty years we have lived at 18 Main Street Newtown, CT. I have served locally as a Selectman for four years, fourteen years as Chair or Vice-Chair of the Board of Finance, twelve years as Warden of the Borough and sixteen years on the Borough Board of Burgesses. I presently sit as a Burgess. I have sat on the House of Delegates and Board of Governors of the CT Bar Association for more than twenty-five years, Chaired the Litigation Section, sit on the select Legal Policy and Review Committee that screens all CBA Section legislative positions. I also sit on the Board of Governors of the CT Trial Lawyers, have been a Civil Trial Lawyer for thirty-eight years and have more than 100 Civil Jury trial verdicts. My point simply is that I have extensive knowledge and involvement in Law and Legislation both substantively and procedurally.

There are a myriad of problems with SB 1024, etc. most if not all that will be covered by others. De-zoning Connecticut will not resolve the systemic racism but simply further line the pockets of wealthy developers and law firms that will destroy historic districts and areas that are part of the National Registrar of Historic Places. The de-zoning, one-size-fits-all legislation that includes targeting of Historic Main Street core centers and without even the courtesy of a public hearing is

offensive to transparency, democracy and historic preservation. Moreover, it is inconsistent with the purpose of the CT Historic District legislation, itself.

If de-zoning of CT is passed, Newtown and the Borough's hundred plus years of historic preservation of the Main Street area will be lost. Main Street consists of more than 70 historic houses and buildings most dating back to the 1700 and 1800s. The houses are residential and it hosts the largest Labor Day Parade in the State and more than 3000 Trick-O'-Treaters who come from the surrounding cities and towns, as well. The New York Times has described Main Street as "Pristine Early American Elegance." The Main Street is included within the Borough, the Borough of Newtown Historic District, and the National Registrar of Historic Places. The de-zoning proposed legislation has insufficient mechanisms to protect historic preservation. The limited "reasonable" architectural consideration has previously been given little to no weight by our Courts. As a starting place, Historic Districts, National Registrar of Historic Places should be excluded, and the local zoning commission should be expressly empowered to exclude historic properties and areas it deems worth preservation. The standard of review should be abuse of discretion. Please note, there are numerous other difficulties with the de-zoning proposals.

Instead of de-zoning I would suggest reforming the Affordable Housing 8-30g law to clarify that it doesn't apply to Historic Districts, and more honestly define what is "affordable housing." Newtown has 25% actual "affordable housing" but because the two long time mobile home parks, and numerous attached apartments are not counted by 8-30g, the State wrongly defines towns such as Newtown as not

pulling its weight at the 10% objective. This is wrong and clearly purposed so that mainly large developer properties are included.

Please reject the de-zoning legislation, including SB 1024, and reform 8-30g to fairly and accurately reflect true affordable housing progress in towns such as Newtown.

Thank you for listening.

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