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Daniel C. Rosenthal
First Selectman

TOWN OF NEWTOWN

OFFICE OF THE FIRST SELECTMAN

March 12, 2021

Honorable Chairs Cassano and McCarthy
Members of the Planning & Development Committee

RE: SB 1024 – STRONG RESERVATIONS

The Town of Newtown has been supportive of Affordable Housing initiatives, including participation in the state sponsored Incentive Housing Study Program, which resulted in the establishment of the Incentive Housing Overlay Zone (IHOZ). Subsequently, the Planning and Zoning Commission (P&Z) has approved two recent IHOZ projects with 60 affordable units. In addition, the Town also has several mobile home parks and approximately 25% the Town's housing stock would qualify as affordable housing if they were deed restricted.

P&Z has also approved regulations allowing apartments above commercial buildings in the business districts of the Town. Recently, the Borough adopted regulations allowing attached/detached apartments and the Town expanded its existing apartment regulation. The Town is also in the process of developing an Affordable Housing Plan under the provisions of 8-30j.

The proposed SB-1024 is pre-mature since the municipalities are submitting their 8-30j Affordability Plans by July 30, 2022. Once these are submitted a statewide assessment of local initiatives can be completed and appropriate legislation can be proposed.

The proposed SB-1024 does not take into account many unintended consequences including, but not limited to, the possible destruction of our Historic Districts, zoning case law conflicts, property tax pressures, environmental issues and numerous conflicts with established case law. There are reasonable locations in towns, including Newtown, for multifamily housing based on lot size, infrastructure and transportation. The locations of multi-family developments should not be based on an arbitrary 50% within ½ mile of a transit hub or ¼ of a mile from a commercial center. Land use planning is a more complicated process that requires an assessment of multiple factors.

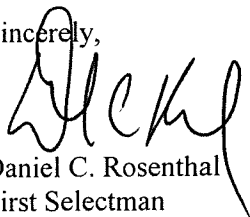
The middle housing “as of right” section of the bill will take away all local zoning considerations for multi-family dwellings and ADU's. For example, mandating building setbacks that are closer than what is currently permitted for sheds. To make all of these uses “as of right” is ignoring all the site-specific issues that arise during a zoning review, parking, location and lot coverage etc.

The proposed undermining of the Water Pollution Control Authorities is unprecedented and giving priority to multi-family housing before other uses including industrial use is contrary to case law that requires consideration of many factors, with environmental concerns prevailing. Not to mention, the potential it has to limit towns' ability to grow their commercial tax bases.

There have been multiple attempts to revise the 8-30g regulation to make it more applicable and acceptable to smaller municipalities. Instead this bill does the opposite and puts more 8-30g conditions on the towns. The legislature and towns should be working together on solving affordable housing issues. This legislation will result in a further divide between the state and the municipalities. This bill will result in litigation and like 8-30g,

further alienate the municipalities instead of working to resolve the housing issues with reasonable and prudent legislation. For the above stated reasons please register my opposition to Senate Bill 1024.

Sincerely,



Daniel C. Rosenthal
First Selectman

cc:

Tony Hwang, State Senator 28th

Mitch Bolinsky, State Representative 106th

Raghib Allie Brennan, State Representative 2nd

Maureen Crick Owen, Newtown Selectman

Jeffrey Capeci, Newtown Selectman

Donald Mitchell, Chair, Newtown Planning & Zoning

Douglas Nelson, Chair, Borough of Newtown, Zoning Commission

Joseph Maher, Warden, Borough of Newtown

George Benson, Director of Planning

Francis Pickering, Executive Director of WestCOG