

Dear Friends and Neighbors,

For those of us who were in the fight last year to protect private property rights and maintain local control of zoning, I want to share with you that the housing activists in Hartford known as DesegregateCT are back and are already pushing their agenda to enact new state laws that would force Connecticut's cities and towns to increase housing density.

The state legislature will go into session on February 9 and adjourn on May 4, 2022. This is the window of time during which we must re-group and re-focus our energies to defend against DesegregateCT's latest attempt to (1) automatically rubberstamp building permits in neighborhoods in the vicinity of train stations, (2) disallow one-acre, single-family zoning, wherever they can, in order to mandate 1/8-acre single-family zoning instead, and (3) push for regional zoning commissions that would effectively eliminate local planning and zoning bodies.

Although DesegregateCT purports to be a coalition of neighbors and nonprofits in Connecticut, it is in fact an arm of the Regional Planning Association Inc, a New York-based advocacy group for builders and architects. RPA had an ad out looking to hire a Director for DesegregateCT, a full-time staff member of RPA with benefits, offering an annual salary up to \$80,000. And RPA had been looking to hire a Local Organizer at \$20-22 per hour to report directly to the Director. Links to those online ads were later removed. Indeed, DesegregateCT is professionally organized, well-funded, and on the move for their benefactors.

By contrast, what managed to prevent enactment of some of the most egregious state mandates on local zoning pushed by DesegregateCT in the last legislative session was the spontaneous, zero-cost, cooperation of hundreds of regular folks across our state. So many of us attended rallies, wrote letters to the editor, emailed legislators and the Governor, and testified in public hearings, including one that lasted 24 hours.

Rather than only "play defense" and defend the status quo, I believe we should go on offense to demand a substantial modification or repeal of the "Affordable Housing Land Use Appeals Act," known as 8-30g. This act provides that in towns where less than 10% of the housing stock is "affordable" as defined in the statute developers can in effect ignore local zoning regulations governing height, lot coverage, setbacks, traffic congestion, impact on neighboring property values and more, as long as 30% of the developer's units are government subsidized or deed-restricted.

One example of the effect 8-30g can have on a community is the current building proposal at [5 Brookridge Drive](#) in Greenwich, where a single-family home would be replaced by an 86-unit apartment building, of which 26 units would be designated as "affordable." The building would stand approximately 55

feet tall and would include 183 parking spaces. The proposal for a 192-unit development on Church Street in Greenwich is also an 8-30g application.

In the thirty years since its enactment in 1990, only 31 out of the 169 municipalities in Connecticut have met the 10% threshold of 8-30g and complying with it was so problematic that in 2017 the legislature had to allow moratoriums on 8-30g applications for some towns. Clearly, the law is unworkable in practice in many communities.

The baseline for the 10% affordable housing ratio is the federal decennial census, which calculates how many housing units each town must have every ten years. One substantial modification to 8-30g would be to fix the baseline to 1990, when the law originally passed. A key failing of 8-30g is that with each major housing complex that's built, the denominator of overall housing stock increases more rapidly than the numerator of "affordable" housing. A second substantial modification would be to change the law's definition of "affordable" to count housing in each community that is naturally occurring affordable housing (NOAHs) that are not subsidized or deed-restricted.

Our government works for us; if lawmakers have passed a flawed bill, the voters can demand it be changed or repealed. Making life in Connecticut affordable has a lot more to do with attracting private sector jobs, expanding educational choice, and providing tax relief than mandating a housing ratio that is almost impossible for towns to reach.

And while we applaud the visionary efforts and risk-taking of property developers, a special-interest state law that allows developers to ignore local concerns while running roughshod over the rights of smaller, individual property owners is unfair to the population at large.

Many of our towns and cities have taken measures over the years to promote affordable housing, such as the creation of inclusionary housing zones and affording housing trust funds. Despite these efforts, unfortunate statements were made last year by certain proponents of more state mandates on local zoning, including allegations of racism in zoning decisions and statements maligning local zoning commissioners as ignorant and untrained. I hope the discussion about zoning this year will be different and based on policy differences instead of personal attacks.

Our civil society is strongest when we have regular citizens who are actively involved and assertive of their rights. This year, as they have in the past, lobbyists and special interest groups will work to infringe on your property rights. Only by speaking out as we did last year can ordinary citizens ensure fairness and a voice in local planning decisions.

I look forward to working with you all again in this next session to advance good public policy and to stop bad ideas.

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