



**Testimony
Betsy Gara
Executive Director
Connecticut Council of Small Towns
Before the Planning & Development Committee
March 6, 2024**

The Connecticut Council of Small Towns (COST) appreciates the opportunity to comment in **opposition** to **HB-5390, AN ACT CONCERNING TRANSIT-ORIENTED COMMUNITIES.**

Many municipalities are embracing efforts to pursue Transit-Oriented Development (TOD) to create more vibrant areas near transit stations that include walkable, bikeable areas, mixed-use commercial and residential buildings, job-accessible housing, and retail shops. In fact, Connecticut has initiated several successful programs to support Transit-Oriented Development, including competitive grant programs that provide funding for municipalities and regional Councils of Government.

To date, the state has been successful in supporting TOD projects in many municipalities throughout Connecticut, including Berlin, East Windsor, Enfield, Newington, North Haven, Old Saybrook, Wallingford, West Hartford, Windsor, and Windsor Locks. In addition, in 2022 and 2023, the administration awarded grants for TOD projects in Ansonia, Bethel, Madison, New Britain, Norwalk, Seymour, and Stamford. This funding helps leverage significant private investment to support Transit-Oriented projects in many communities.

In addition, last session the legislature adopted Public Act 23- 204, which includes provisions expanding the Municipal Redevelopment Authority (MRDA) and requiring municipalities that work with MRDA to adopt zoning regulations that facilitate housing growth zones (HGZ) in development districts which include transit stations or downtowns. Under the act, MRDA must approve an HGZ proposal if it determines the proposal will substantially increase the production of dwellings that meet regional housing demand. The legislature also approved the creation of a Responsible Growth Coordinator within the Office of Policy and Management (OPM) to administer Transit-Oriented Development grants.

Rather than build on the considerable progress that the state has made in advancing successful Transit-Oriented Development projects, HB-5390 creates a confusing array of requirements that projects must meet to be eligible for TOD funding. The bill's parameters are likely to undermine efforts to promote TOD under the state's existing programs.



In addition, although the bill purports to provide incentives to support TOD, we are concerned that given the limited availability of brownfields remediation funding, some worthy brownfields remediation projects may lose out on funding because they are not tied to a TOD project or do not meet the parameters outlined in the bill.

We appreciate that Section 4 of the bill calls for the creation of a fund to assist municipalities in expanding water and wastewater capacity. This recognizes that some communities face obstacles in supporting high density developments due to inadequate water and sewer infrastructure. However, the bill does not include any funding for this program.

COST opposes section 7 of the bill, which tacks on a provision overriding the decision of a municipality to opt out of prescriptive accessory apartment provisions and allowing any property owner in a TOD to add an accessory apartment without regard for other considerations. COST opposes this provision as overreaching, particularly given that many municipalities adopted or amended their own accessory apartment provisions rather than be subject to the prescriptive requirements of PA 21-29.

Thank you for the opportunity to comment.