

Memorandum

To: Planning and Zoning Commission members

From: Michelle Perillie, AICP; Planner

Date: June 1, 2018, *revised 5/27/20*

Re: **Westport's Affordable Housing Regulations and Projects**

Market rate and below-market-rate housing alternatives must be provided in a community to maintain a diversity of residents of all income levels. The housing inventory in the Town of Westport includes market rate housing, below-market-rate housing, and affordable housing as defined by the Connecticut General Statutes¹.

The 2017 Plan of Conservation and Development recommends creating more affordable housing opportunities compatible in scale with existing neighborhoods. §10.4, *Monitor Changing Housing Needs* and §10.5, *Continue to Address Housing Needs* include the following goals:

- *“Seek ways to address changing housing needs while maintaining the character and integrity of Westport.” Pg. 85*
- *“Support and encourage the Westport Housing Authority in their efforts to provide affordable housing opportunities in ways that are compatible with the character of Westport and its neighborhoods.” Pg. 85*
- *“Consider ways of integrating affordable and workforce housing in future projects.” Pg. 85*
- *“Support and encourage non-profit organizations that help address housing needs in ways that maintain the character and integrity of Westport.” Pg. 85*
- *“Consider ways of collaborating with public and private organizations in terms of addressing housing needs.” Pg. 85*
- *“Seek to address affordable housing in ways that are appropriate for the community rather than dictated by private developer.” Pg. 88*

¹Affordable Housing is defined in §8-30g of the Connecticut General Statutes as:

- a) Assisted housing- a housing development that receives financial assistance under any government program; or
- b) Set-aside development- development where not less than 30% of the dwelling units are conveyed by deed containing covenants or restrictions which require that, for at least 40 years after the initial occupation of the development, such dwelling units will be sold or rented at, or below, prices which are 30% or less of a persons or families annual income, where such income is less than or equal to 80% of the state median income or area median income, whichever is less.

The 2007, 1997 and 1987 Plan of Development also encouraged enacting zoning regulations to create below-market-rate housing. Since adoption of these plans, Westport has made strides to implement these recommendations.

The Planning and Zoning Commission, over the course of decades, have adopted zoning regulations to promote a variety of housing choices and opportunities while simultaneously striving to maintain the character and integrity of the town that attracted residents to make Westport their home. While detached single-family homes remain the predominant housing type in Westport, there also exists a diversity of other housing types with various density, location and inclusionary housing requirements, including:

1. Accessory Apartments (both Affordable and Market-Rate), located within single-family homes, see §11.2.4.12 of the Zoning Regulations;
2. Accessory Apartments (both Affordable and Market-Rate), located in detached buildings on properties occupied by single-family homes, see §32-18.9.2;
3. Planned Residential Developments, wherein (Market Rate) Multi-Family dwelling units may be located on a single 15-acre lot with frontage on the Post Road, see §15;
4. Mobile-Home Units and Mobile Home Replacement Units (both Affordable and Market Rate) may be located on a single 4-acre lot with frontage on the Post Road; see §16, MHPD;
5. Open Space Residential District, wherein single-family, Two-Family, and Multi-Family dwelling units (Market Rate) may be located on a single 50-acre lot, in a residential zone, with frontage on an Arterial Street, see §17, OSRD;
6. Apartments and condominiums (both Affordable and Market-Rate), allowing Multi-Family dwelling units on a 3-acre, privately owned property located in a residential zone that abuts a non-residential zone, and has frontage on an Arterial Street, see §19, Residential Affordable Housing Zone;
7. Apartments and condominiums (Affordable, Market-Rate, and Workforce Housing), allowing Multi-Family dwelling units on a 1-acre, privately owned property located in a residential zone that abuts or is across the street from a non-residential zone, and has frontage on an Arterial Street, see §19A, Residential Affordable Housing Zone/Workforce;
8. Apartments (both Affordable, Market-Rate), allowing Multi-Family dwelling units on a 1.5-acre, privately owned property that has a minimum of 400 feet of frontage on the north side of the Boston Post Road, is within 400 feet of the intersection of Morningside Drive and the Boston Post Road, and is within 650 feet of the intersection of Turkey Hill Road and the Boston Post Road, see §19B, Residential-Rental Housing Opportunity/Workforce Zone;
9. Municipal Housing Zone, wherein (Affordable) single-family, Two-Family, and Multi-Family dwelling units are permitted on a single lot, 4-acres in size, with frontage on an Arterial Street, owned by the Westport Housing Authority or the Town of Westport, see §20, MHZ;

10. Apartments and condominiums (both Affordable and Market-Rate), on lots located within Saugatuck Center, formerly zoned General Business District, with a minimum lot size of 40,000 SF, and 50' of street frontage; see §24A, GBD/S;
11. Apartments and condominiums (both Affordable and Market-Rate) as part of a mixed-use development located on commercially zoned lots, within Westport Center, on the north of the Post Road and east of Main Street, with 75-feet of frontage on a non-state highway local road, with 40% of its perimeter used as a municipal parking lot, see §29B, BCRR;
12. Supportive Housing, wherein Two-Family and Multi-Family dwelling units may be used as living quarters for persons at-risk of being homeless, where health and employment services are provided by the Westport Housing Authority or qualified 501(c)3 non-profit organizations, on lots twice the minimum lot size required by the underlying zone, see §32-1.
13. Affordable Single-Family and Multi-Family dwelling units for Seniors (over age 62) on property at least 1-acre in size, owned by the Westport Housing Authority, see §32-2, Senior Housing Municipal;
14. Group Homes for Seniors, wherein living quarters are provided for up to six (6) unrelated Seniors (over age 62) within a single-family home; see §32-11;
15. Apartments and condominiums (both Affordable and Market-Rate), both Two-Family and Multi-Family dwelling units, on non-residentially zoned properties, see §32-12, Inclusionary Two-Family and Multi-Family Dwellings;
16. Apartments and condominiums (both Affordable and Market-Rate) as part of a Single-Use Development on split-zoned lots located in both the General Business District and Residence A District when an existing non-conforming septic tank manufacturing company with associated contractor's yard will be abandoned by a proposed Multi-Family use, see §32-12.2.3 Permitted Uses;
17. Group Homes for Youth; wherein living quarters are provided for up to eight (8) unrelated persons under the age of 19, within a single-family home, and is regulated by the State of Connecticut Dept. of Children and Youth Services (DCYS); see §32-13;
18. Residential Facility for School Based Education, wherein living quarters are provided for up to eight (8) unrelated high-school-aged persons, within a single-family home, under the supervision of a non-profit organization chartered by the State of Connecticut for educational purposes, who will attend the local high school, see §32-13A;
19. Apartments and condominiums (both Affordable and Market-Rate), both Two-Family and Multi-Family dwelling units, in buildings formerly occupied by a public school, see §32-14, Conversion of School Buildings to Housing;
20. Managed Residential Communities, Multi-Family dwelling units (both Affordable and Market Rate) for Seniors (persons over Age 62), wherein services are provided, allowed in both residential and non-residential zones, on lots at least 6-acres in size and non-residential districts at least 2-acres in size, see §32-15;
21. Small Home Developments, wherein Single-Family, Two-Family, and Multi-Family dwelling units (Market Rate) may be located on a single 1.5-acre lot in the Res A district

with frontage on an Arterial street, wherein at least 60% of the units are owned or occupied by persons over age 55, see §32-24;

22. Apartments and condominiums (both Affordable and Market-Rate), both Two-Family and Multi-Family dwelling units, on properties that must be both residentially and non-residentially zoned, see §39A, Inclusionary Housing Zone Overlay District (IHZ); and
23. Senior Housing including Assisted Living, Full Care and Independent Living Facilities (as defined in §5-2), collectively referred to as (ALFCIL); on lots wholly located within Westport and a minimum of 2-acres in size, see §39A-3, Permitted Uses in the IHZ.

Additional zoning regulations providing housing opportunities were adopted, but no developments have resulted using these regulations to date, including:

1. Redevelopment and/or adaptive re-use of existing non-residential buildings on Riverside Avenue into larger size Multi-Family dwelling units (Affordable and Market Rate), on lots located in both a residential and non-residential zoning district, on lots over 2-acres in size, see §18, Res C;
2. Senior Residential Communities, wherein Independent Living Facilities (both Affordable and Market Rate), Assisted Living Facilities, and Full Care Living Facilities for Seniors (over age 62), may be developed on Town-owned property located on 4-acre residentially zoned lots, and 2-acre non-residentially zone lots, with frontage on an Arterial Street, see §32-15A;
3. Age-Restricted Housing; allows for (Affordable and Market Rate) Multi-Family dwelling units and Continuing Care Retirement Communities for Seniors (over age 62) on private property located on 3-acre residentially zoned lots, and 2-acre non-residentially zoned lots, with frontage on an Arterial or Collector street, see §32-15B;
4. Affordable and Middle-Income Housing, wherein single family, Two-Family, and Multi-Family dwelling units are allowed on property owned by the Town of Westport, see §32-17;
5. Special Needs Housing; allows for Multi-Family dwelling units (100% Affordable) for Special Needs Individuals on property improved with an existing building, owned by the Town of Westport; and located within the Residence A district, see §32-27 (effective 6/3/20).

Housing Developments

In the 1990's, Westport took the following significant steps to provide a variety of housing types including below-market-rate dwelling units:

- Converted the Saugatuck School to moderately priced dwelling units for older adults.
- Purchased 16 homes on Wassell Lane from the U.S. Government for low to moderate income housing.

The Planning and Zoning Commission has approved the creation of seven (7) affordable accessory apartments since the adoption of the Affordable Accessory Apartment regulation in 2007.

Bradley Commons: A development project at 19 Indian Hill/3 Bradley Lane/86 Saugatuck Avenue was approved by the Planning and Zoning Commission in November 2007 which allowed for the construction of 20 multifamily units with **four new affordable units** to be sold to families whose income does not exceed 80% of the state median income.

575 Riverside Avenue: A redevelopment project approved by the Planning & Zoning Commission in February 2007 and allowed for the construction of **five affordable units** to be rented to families whose income does not exceed 80% of the state median income.

Hidden Brook/Sasco Creek: A Westport Housing Authority redevelopment project at 1655 Post Road East was approved by the Commission on September 6, 2012 and allows for the construction of **21 new affordable units** along with 33 rehabbed existing units to be deed restricted, four of which were restricted to those earning 40% of the State Median Income.

Hale's Court: A Special Permit/Site plan application was approved on December 4, 2008 for development of the Hale's Court site. The project constructed **38 new affordable units** for rent and rehabbed 40 existing units.

Bedford Square: A redevelopment project at 0 Church Lane was approved by the Planning & Zoning Commission on August 15, 2013 and will allow for the construction of **five affordable units** to be rented to families whose income does not exceed 80% of the state median income.

1135 Post Road East: The first IHZ development was approved in February 2015 involving residential and non-residential development including construction of a total of twelve dwelling units including **two affordable dwelling units**.

793 Post Road East: A redevelopment project approved by the Planning & Zoning Commission using the IHZ overlay on March 15, 2018 and will allow for the construction of **six affordable units** that will be rented to families whose income does not exceed 80% of the state median income.

1177 Post Road East A redevelopment project at 1177 Post Road East was approved by the Planning & Zoning Commission on September 1, 2016 and will allow for the construction of 94 studio, one bedroom and two bedroom apartments including **29 new affordable units**. Of these affordable units, 15 will be rented to families whose income does not exceed 60% of the state median income and 14 units will be rented to families whose income does not exceed 80% of the state median income. The remainder of the units will be rented at market rate and as part of a set-aside development.

201 Main Street: A mixed-use project that merges 201 Main Street, 7 & 15 Belden Place and retains two of the three historic structures on the properties. The project was approved by the Planning & Zoning Commission on September 14, 2017 and will allow for the construction of

three affordable units that will be rented to families whose income does not exceed 80% of the state median income.

793 Post Road East: A redevelopment project approved by the Planning & Zoning Commission on March 15, 2018 and will allow for the construction of **six affordable units** that will be rented to families whose income does not exceed 80% of the state median income.

785 Post Road East: A redevelopment project approved by the Planning & Zoning Commission using the IHZ overlay on November 3, 2016 and will allow for the construction of **three affordable units** that will be rented to families whose income does not exceed 80% of the state median income.

54 Wilton Road: A redevelopment project approved by the Planning and Zoning Commission using BCD/R regulations on April 19, 2018 and will all allow for **three affordable units** that will be owned or rented to families whose income does not exceed 80% of the state median income.

35 (aka 33) Elm Street: A development project approved by the Planning and Zoning Commission using BCCR regulations on March 15, 2018 and will allow for **one affordable unit** that will be owned or rented to families whose income does not exceed 80% of the state median income.

1141 Post Road East: A redevelopment project approved by the Planning and Zoning Commission using the §39A IHZ regulation on May 3, 2018 and will allow for **three affordable units** that be owned or rented to families whose income does not exceed 80% of the state median income.

1480 Post Road East: A redevelopment project approved by the Planning and Zoning Commission using the §32-12 IHZ regulation on July 25, 2019 and will allow for **seven affordable units** that be owned or rented to families whose income does not exceed 80% of the state median income.

20 Ketchum Street/518 Riverside Avenue: A redevelopment project approved by the Planning and Zoning Commission using the §32-12 GBD/S regulation on October 17, 2019 and will allow for **three affordable units** that be owned or rented to families whose income does not exceed 80% of the state median income.

In summary, the Planning and Zoning Commission has supported affordable housing in Westport by approving the creation 139 new affordable units within the last 12 years along with existing units that were rehabbed and deed restricted for affordability.

State Initiatives

In addition to responding to directives from the Westport Plan of Conservation and Development, Westport's affordable housing efforts have also been prompted by

policies established at the State level. The State of Connecticut established a goal that affordable housing should represent 10% of the total housing inventory in each municipality throughout the State.

The State of Connecticut enacted C.G.S. §8-30g in 1990 that provides a special appeals process to a developer, if a housing development containing a specified minimum amount of affordable housing units is denied by a local land use board. This appeals process is only applicable to those communities that do not meet the 10% affordable housing goal. While some cities and larger communities have met the 10% goal, most smaller communities have not.

C.G.S. §8-30g allows a moratorium to the appeals process if a community can demonstrate significant progress in meeting the State's goal. Our office has compiled the necessary documentation and submitted our request for review by the Department of Housing. Our moratorium application was officially received by the CT Department of Housing on December 12, 2018. The time frame for a decision by the Commissioner of the Department of Housing concludes mid-March 2019.

Westport's application was approved and a certificate of affordable housing project completion was published in the Connecticut Law Journal on March 5, 2019. The moratorium took effect upon publishing.

A subsequent moratorium can be applied for as soon as new affordable units not counted toward the first moratorium are constructed and receive certificates of occupancy in sufficient numbers and at affordability levels that can be accorded an additional 207.98 points (based on the 2010 census). The statute states in §8-30g (1)(3) that eligible units completed after a moratorium has begun may be counted toward establishing eligibility for a second moratorium. For these reasons, Westport Planning and Zoning Commission continues to support opportunities to include affordable housing units in residential and mixed use projects.

Memorandum

To: Planning and Zoning Commission members

From: Michelle Perillie, AICP; Planner

Date: April 26, 2019, revised April 15, 2020

Re: **Summary of Affordable Housing in Westport**

Affordable Housing in Westport

Westport currently has 350 units designated as Affordable Housing, pursuant to CGS §8-30g, as they received a Certificate of Occupancy after 1990. This number represents 3.37%% of the 10,399 dwelling units as of the 2010 Census.

There are additional below-market rate housing units in Westport that may or may not equal “affordable housing” but cannot be categorized as such as they were built prior to 1990.

State Initiatives

The State of Connecticut enacted C.G.S. §8-30g in 1990 that provides a special appeals process to a developer, if a housing development containing a specified minimum amount of affordable housing units is denied by a local land use board. This appeals process is only applicable to those communities that do not meet the 10% affordable housing goal. While some cities and larger communities have met the 10% goal, most smaller communities have not.

The State of Connecticut established a goal that affordable housing should represent 10% of the total housing inventory in each municipality throughout the State.

Moratorium

Westport’s moratorium application claimed 216.25 Housing Unit Equivalent points and was approved and a certificate of affordable housing project completion was published in the Connecticut Law Journal on March 5, 2019. The moratorium took effect upon publishing.

C.G.S. §8-30g allows a moratorium to the appeals process if a community can demonstrate significant progress in meeting the State’s goal. A moratorium for a four-year time period on applications for affordable housing pursuant to 8-30g (l) of the Connecticut General Statutes is achieved by justifying to the Department of Economic and Community Development (DECD) that Westport has available affordable residential dwellings which reach a certain threshold relative to the number of total dwelling units in our town.

The statute states that the housing unit-equivalent points required for a certificate shall be equal to two percent (2 %) of all dwelling units in the municipality. Therefore, the number of housing unit-equivalent points Westport needed to qualify for a moratorium is 207.98. This number is determined by using 10,399 dwelling units, which is taken from the 2010 Census, where 2% of that figure equals 207.98.

Affordable Income and Housing Costs

CGS 8-30g requires the calculations for affordable income and housing costs be based on the lesser of the state median income or the area median income for the area in which the municipality, as determined by the United States Department of Housing and Urban Development;

According to the 2020 HUD figures the state median income is **\$99,700** and the area median income is **\$143,400**; therefore, the state median income would be used for these purposes.

2020 Maximum Sale Price of Affordable Units

	<i>80% Max Sale Price</i>	<i>60% Max Sale Price</i>	<i>40% Max Sale Price</i>
<i>1-Bedroom</i>	\$251,928	\$152,329	\$52,729
<i>2-Bedroom</i>	\$298,266	\$178,693	\$59,121
<i>3-Bedroom</i>	\$339,278	\$201,063	\$63,115

*All numbers assume a 20% down payment and a mortgage paid in 30 equal payments at 3.860% interest

2020 Maximum Monthly Housing Costs of Affordable Units

	<i>80% Max Monthly Housing Costs</i>	<i>60% Max Monthly Housing Costs</i>	<i>40% Max Monthly Housing Costs</i>
<i>1-Bedroom</i>	\$1,496	\$1,122	\$748
<i>2-Bedroom</i>	\$1,795	\$1,346	\$897
<i>3-Bedroom</i>	\$2,074	\$1,555	\$1,037

2020 Maximum Family Income Adjusted for Family Size

Family Size	80% of State Median Income	60% of State Median Income	40% of State Median Income
1 person	\$55,832	\$41,874	\$27,916
2 people	\$63,808	\$47,856	\$31,904
3 people	\$71,784	\$53,838	\$35,892
4 people	\$79,760	\$59,820	\$39,880
5 people	\$86,141	\$64,606	\$43,070

Memorandum

To: Mary Young, Planning and Zoning Director

From: Michele Perillie, AICP/CFM, Planner

Date: September 18, 2002, *Revised April 15, 2020*

Re: **Affordable Housing as defined in Connecticut General Statutes §8-39a & §8-30g**

Section 8-39a-Affordable Housing for Municipal Housing Projects

Affordable housing – means housing for which persons and families pay 30% or less of their annual income, where such income is less than or equal to the area median income (\$143,400) for the municipality in which such housing is located, as determined by the US Dept. of Housing and Urban Development.

Section 8-30g-Affordable Housing for Privately Owned Housing Developments

Affordable housing development – means a proposed housing development that is:

- A) **Assisted housing-** This is a housing development that has received financial assistance under any government program; or
- B) **Set-aside development-** This is development where not less than 30% of the dwelling units will be conveyed by deed containing covenants or restrictions which shall require that, for at least 40 years after the initial occupation of the development, such dwelling units will be sold or rented at, or below, prices which are 30% or less of their annual income, where such income is less than or equal to 80% of the state or area median income, which ever is less.

According to the 2020 HUD figures the state median income is **\$99,700** and the area median income is **\$143,400**; therefore, the state median income would be used for these purposes.

- Of the 30% required affordable units, at least 15% of the dwelling units shall be sold or rented to families whose income is less than or equal to **60% of the state median income (\$99,700)**, or no more than **\$59,820**, adjusted for family size.
- The remainder of the affordable dwelling units shall be sold or rented to families whose income is less than **80% of the state median income (\$99,700)**, or no more than **\$79,760**, adjusted for family size.

Attached:

- 2020 HUD State Median Income, Effective 4/1/20
- 2020 HUD Area Median Income, Effective 4/1/20

2019 Affordable Housing Appeals List - Exempt Municipalities

Town	Total Housing Units 2010 Census	Government Assisted	Tenant Rental Assistance	Single Family CHFA /USDA Mortgages	Deed Restricted Units	Totally Assisted Units	Percent Affordable
Ansonia	8,148	349	752	140	9	1,250	15.34%
Bloomfield	9,019	558	99	341	0	998	11.07%
Bridgeport	57,012	6,395	4301	916	19	11,631	20.40%
Bristol	27,011	1,908	884	1,102	0	3,894	14.42%
Danbury	31,154	1,590	1254	571	296	3,711	11.91%
Derby	5,849	275	281	110	0	666	11.39%
East Hartford	21,328	1,592	869	1030	0	3,491	16.37%
East Windsor	5,045	559	43	105	0	707	14.01%
Enfield	17,558	1,340	219	652	7	2,218	12.63%
Groton	17,978	3,727	99	376	10	4,212	23.43%
Hartford	51,822	10,394	8,474	1514	0	20,382	39.33%
Killingly	7,592	520	147	201	0	868	11.43%
Manchester	25,996	1,851	962	964	32	3,809	14.65%
Meriden	25,892	1,962	1,249	1038	11	4,260	16.45%
Middletown	21,223	3,019	1,068	520	25	4,632	21.83%
New Britain	31,226	2,913	1,550	1151	117	5,731	18.35%
New Haven	54,967	9,407	6,721	1009	478	17,615	32.05%
New London	11,840	1,598	507	502	96	2,703	22.83%
North Canaan	1,587	148	1	14	0	163	10.27%
Norwalk	35,415	2,169	1,425	427	636	4,657	13.15%
Norwich	18,659	2,221	789	562	0	3,572	19.14%
Plainfield	6,229	377	173	228	0	778	12.49%
Putnam	4,299	383	64	84	0	531	12.35%
Stamford	50,573	4,210	1,913	434	1270	7,827	15.48%
Torrington	16,761	908	406	538	17	1,869	11.15%
Vernon	13,896	1,509	439	383	12	2,343	16.86%
Waterbury	47,991	5,344	3,290	1787	21	10,442	21.76%
West Haven	22,446	1,024	1,756	456	0	3,236	14.42%
Winchester	5,613	349	168	90	0	607	10.81%
Windham	9,570	1,763	594	368	0	2,725	28.47%

2019 Affordable Housing Appeals List - Non-Exempt Municipalities

Town	Total Housing Units 2010 Census	Government Assisted	Tenant Rental Assistance	Single Family CHFA /USDA Mortgages	Deed Restricted Units	Totally Assisted Units	Percent Affordable
Andover	1,317	18	1	29	0	48	3.64%
Ashford	1,903	32	0	35	0	67	3.52%
Avon	7,389	244	13	43	0	300	4.06%
Barkhamsted	1,589	0	6	20	0	26	1.64%
Beacon Falls	2,509	0	3	46	0	49	1.95%
Berlin	8,140	556	54	138	10	758	9.31%
Bethany	2,044	0	2	12	0	14	0.68%
Bethel	7,310	152	27	157	78	414	5.66%
Bethlehem	1,575	24	1	9	0	34	2.16%
Bolton	2,015	0	1	28	0	29	1.44%
Bozrah	1,059	0	3	30	0	33	3.12%
Branford	13,972	233	60	176	0	469	3.36%
Bridgewater	881	0	0	1	0	1	0.11%

Brookfield	6,562	155	23	111	77	366	5.58%
Brooklyn	3,235	189	9	70	0	268	8.28%
Burlington	3,389	27	0	44	0	71	2.10%
Canaan	779	1	4	4	1	10	1.28%
Canterbury	2,043	76	1	64	0	141	6.90%
Canton	4,339	211	17	49	32	309	7.12%
Chaplin	988	0	0	36	0	36	3.64%
Cheshire	10,424	258	22	97	17	394	3.78%
Chester	1,923	23	3	16	0	42	2.18%
Clinton	6,065	105	8	58	0	171	2.82%
Colchester	6,182	364	35	146	4	549	8.88%
Colebrook	722	0	1	6	1	8	1.11%
Columbia	2,308	24	2	63	0	89	3.86%
Cornwall	1,007	28	2	3	0	33	3.28%
Coventry	5,099	103	5	133	20	261	5.12%
Cromwell	6,001	212	8	197	0	417	6.95%
Darien	7,074	136	11	2	104	253	3.58%
Deep River	2,096	26	5	30	0	61	2.91%
Durham	2,694	36	1	27	0	64	2.38%
East Granby	2,152	72	1	43	0	116	5.39%
East Haddam	4,508	73	5	59	0	137	3.04%
East Hampton	5,485	70	5	86	25	186	3.39%
East Haven	12,533	542	152	313	0	1,007	8.03%
East Lyme	8,458	396	20	90	19	525	6.21%
Eastford	793	0	0	16	0	16	2.02%
Easton	2,715	0	0	2	15	17	0.63%
Ellington	6,665	260	5	107	0	372	5.58%
Essex	3,261	58	4	21	16	99	3.04%
Fairfield	21,648	231	115	63	126	535	2.47%
Farmington	11,106	470	107	143	155	875	7.88%
Franklin	771	27	1	16	0	44	5.71%
Glastonbury	13,656	604	44	131	2	781	5.72%
Goshen	1,664	1	0	4	0	5	0.30%
Granby	4,360	85	1	47	5	138	3.17%
Greenwich	25,631	863	459	16	33	1,371	5.35%
Griswold	5,118	137	53	165	0	355	6.94%
Guilford	9,596	186	10	35	0	231	2.41%
Haddam	3,504	22	1	27	0	50	1.43%
Hamden	25,114	937	725	512	4	2,178	8.67%
Hampton	793	0	1	13	0	14	1.77%
Hartland	856	2	0	4	0	6	0.70%
Harwinton	2,282	22	4	33	0	59	2.59%
Hebron	3,567	56	3	44	0	103	2.89%
Kent	1,665	58	4	5	0	67	4.02%
Killingworth	2,598	0	0	19	5	24	0.92%
Lebanon	3,125	26	3	83	0	112	3.58%
Ledyard	5,987	32	7	225	0	264	4.41%
Lisbon	1,730	2	0	60	0	62	3.58%
Litchfield	3,975	140	2	25	19	186	4.68%
Lyme	1,223	0	0	4	8	12	0.98%
Madison	8,049	90	2	11	33	136	1.69%
Mansfield	6,017	175	130	100	2	407	6.76%
Marlborough	2,389	24	1	27	0	52	2.18%
Middlebury	2,892	77	4	26	20	127	4.39%
Middlefield	1,863	30	3	19	1	53	2.84%
Milford	23,074	726	227	199	74	1,226	5.31%
Monroe	6,918	32	2	54	8	96	1.39%
Montville	7,407	81	54	259	0	394	5.32%

Morris	1,314	20	4	7	0	31	2.36%
Naugatuck	13,061	493	317	349	0	1,159	8.87%
New Canaan	7,551	175	22	4	21	222	2.94%
New Fairfield	5,593	0	4	63	17	84	1.50%
New Hartford	2,923	12	7	54	15	88	3.01%
New Milford	11,731	307	42	172	17	538	4.59%
Newington	13,011	531	116	472	36	1,155	8.88%
Newtown	10,061	134	9	98	26	267	2.65%
Norfolk	967	21	2	4	0	27	2.79%
North	5,629	62	12	51	0	125	2.22%
North Haven	9,491	343	57	93	23	516	5.44%
North	2,306	0	0	29	6	35	1.52%
Old Lyme	5,021	60	1	18	3	82	1.63%
Old Saybrook	5,602	50	10	22	73	155	2.77%
Orange	5,345	46	8	13	6	73	1.37%
Oxford	4,746	36	4	32	0	72	1.52%
Plainville	8,063	205	53	298	22	578	7.17%
Plymouth	5,109	178	16	195	0	389	7.61%
Pomfret	1,684	32	2	13	0	47	2.79%
Portland	4,077	185	88	73	0	346	8.49%
Preston	2,019	40	6	40	0	86	4.26%
Prospect	3,474	0	7	52	0	59	1.70%
Redding	3,811	0	1	17	0	18	0.47%
Ridgefield	9,420	175	6	34	69	284	3.01%
Rocky Hill	8,843	235	45	195	0	475	5.37%
Roxbury	1,167	19	0	5	0	24	2.06%
Salem	1,635	0	2	30	0	32	1.96%
Salisbury	2,593	24	2	2	14	42	1.62%
Scotland	680	0	1	25	0	26	3.82%
Seymour	6,968	262	29	114	0	405	5.81%
Sharon	1,775	32	1	2	0	35	1.97%
Shelton	16,146	254	46	124	82	506	3.13%
Sherman	1,831	0	1	7	0	8	0.44%
Simsbury	9,123	289	50	93	0	432	4.74%
Somers	3,479	146	7	33	0	186	5.35%
South	10,243	443	52	228	9	732	7.15%
Southbury	9,091	90	5	39	0	134	1.47%
Southington	17,447	499	69	329	51	948	5.43%
Sprague	1,248	20	13	29	1	63	5.05%
Stafford	5,124	257	25	125	0	407	7.94%
Sterling	1,511	0	7	29	0	36	2.38%
Stonington	9,467	441	24	96	0	561	5.93%
Stratford	21,091	524	424	366	33	1,347	6.39%
Suffield	5,469	296	3	50	15	364	6.66%
Thomaston	3,276	104	7	91	0	202	6.17%
Thompson	4,171	151	14	51	0	216	5.18%
Tolland	5,451	90	2	95	3	190	3.49%
Trumbull	13,157	315	20	92	189	616	4.68%
Union	388	0	0	5	0	5	1.29%
Voluntown	1,127	20	1	27	0	48	4.26%
Wallingford	18,945	354	123	309	35	821	4.33%
Warren	811	0	0	1	0	1	0.12%
Washington	2,124	14	3	4	23	44	2.07%
Waterford	8,634	123	35	257	0	415	4.81%
Watertown	9,096	205	29	218	0	452	4.97%
West Hartford	26,396	643	837	361	250	2,091	7.92%
Westbrook	3,937	140	5	28	29	202	5.13%
Weston	3,674	0	2	6	0	8	0.22%
Westport	10,399	265	59	3	50	377	3.63%

Wethersfield	11,677	705	111	287	0	1,103	9.45%
Willington	2,637	160	4	35	0	199	7.55%
Wilton	6,475	158	6	15	52	231	3.57%
Windsor	11,767	154	269	436	26	885	7.52%
Windsor	5,429	137	162	234	0	533	9.82%
Wolcott	6,276	313	9	174	0	496	7.90%
Woodbridge	3,478	30	8	5	0	43	1.24%
Woodbury	4,564	60	3	29	0	92	2.02%
Woodstock	3,582	24	0	33	0	57	1.59%
	1,470,724	90,396	45,438	29,038	5,157	172,277	

Memorandum

To: Mary Young, Planning and Zoning Director
Members, Planning and Zoning Commission

From: Michelle Perillie, AICP/CFM, Planner

Date: June 13, 2018, revised April 16, 2020

Re: Achieving a Moratorium on Affordable Housing

A moratorium for a four-year time period on applications for affordable housing pursuant to 8-30g (l) of the Connecticut General Statutes is achieved by justifying to the Department of Economic and Community Development (DECD) that Westport has available affordable residential dwellings which reach a certain threshold relative to the number of total dwelling units in our town.

The threshold is determined by assigning housing unit-equivalent (HUE) points to dwelling units based on two factors: *whether they are rentals or for sale (rentals are accorded higher points) and what level of affordability are they restricted to by deed (80%, 60% or 40% of State Median Income).*

The most recent census conducted in 2010 indicates that Westport contains 10,399 dwelling units. This is the basis upon which our office has been keeping track of our projected housing unit-equivalent points as affordable housing units are approved through the Planning and Zoning Commission.

The statute states that the housing unit-equivalent points required for a certificate shall be equal to two percent (2 %) of all dwelling units in the municipality. Therefore, the number of housing unit-equivalent points Westport needed to qualify for a moratorium is 207.98. This number is determined by using 10,399 dwelling units, which is taken from the 2010 Census, where 2% of that figure equals 207.98.

Units do not receive points toward the moratorium until a Certificate of Occupancy is issued. Furthermore, documentation is required to verify that each of the units meets the requirements of the statute including the deed restrictions which have been filed on the land records prior to occupancy.

Currently Westport has 216.25 housing unit-equivalent points. This is comprised of the following completed projects:

Completed Projects	Expected Housing Unit-Equivalent Points
20 Cross Street	4.75
10 West End Avenue	9.00
Bradley Commons	4.00
553 Riverside Avenue	7.50
Hales Court	83.00
Hidden Brook/Sasco Creek	30.25
Bedford Square	7.50
Coastal Point, 1135 Post Rd E.	3.00
1177 Greens Farms, 1177 Post Rd E	67.25
Approved Points	216.25
Affordable apartments, six locations (<i>Not used toward Moratorium</i>)	9.00

Our office submitted an application to the Department of Housing for a four-year moratorium on the obligation to process affordable housing applications based on CGS 8-30g because we have exceeded 207.98 housing unit-equivalent points. The projects listed in the table above are completed projects that have been accorded Housing Unit Equivalent points because they have been constructed and certificates of occupancy have been issued by the Building Department. The nine HUE's accorded to the six Affordable Apartments were not included in the moratorium application. This was due in part to the short term of the required deed restriction (10 years) and the fact that this term is soon to expire for a number of the Affordable Apartments. The moratorium application claimed 216.25 Housing Unit Equivalent points as we did not include the Affordable Accessory Apartments.

Our office compiled the necessary documentation and submitted our request for review by the Department of Housing. The statute requires in §8-30g (l)(4)(B) that our application include documentation of the location of each dwelling unit being counted, the number of points each dwelling unit has been assigned, and the reason based on the statutes for assigning such points to each unit. A copy of this application is available for inspection in the Westport Town Clerk's office and in the Planning and Zoning Department office.

Our moratorium application was officially received by the CT Department of Housing on December 12, 2018. The Commissioner of the Department of Housing concluded that our application was complete and published a notice in the Connecticut Law Journal stating that public comment will be accepted for a period of thirty (30) days. The notice was published on December 25, 2018 and the comment period ended on January 24, 2019. The statute states that no later than ninety (90) days following the receipt of an application, the commissioner will approve or reject the application and provide a written statement giving the reasons for the decision. This time frame for a decision by the Commissioner of the Department of Housing concluded on March 19, 2019.

Westport’s application for was approved and a certificate of affordable housing project completion was published in the Connecticut Law Journal on March 5, 2019. The moratorium took effect upon publishing.

Second Moratorium

A subsequent moratorium can be applied for as soon as new affordable units not counted toward the first moratorium are constructed and receive certificates of occupancy in sufficient numbers and at affordability levels that can be accorded an additional 207.98 points (based on the 2010 census). The statute states in §8-30g (l)(3) that eligible units completed after a moratorium has begun may be counted toward establishing eligibility for a second moratorium. For these reasons, Westport Planning and Zoning Commission continues to support opportunities to include affordable housing units in residential and mixed use projects.

There is one project approved and CO’ed:

Completed Projects (ZCC and CO issued)	Potential HUE Points
793 Post Road East	9.00
Total Approved and Constructed points	9.00

There are three approved projects under construction currently.

Approved Projects (Under Construction)	Potential HUE Points	Anticipated time frame for completion, if known
201 Main Street	4.50	Conditional ZCC, expiring 5/25/2020.
1141 Post Road East	3.00	Zoning Permit issued.
33 Elm Street	1.50	
Future anticipated points	9.00	

There are three other projects for which affordable housing is required that have been approved but are not yet under construction.

Approved Projects	Potential HUE points	Anticipated time frame for completion, if known
1480 Post Road East	10.50	
20 Ketchum Street/518 Riverside Avenue	4.50	
785 Post Road East	4.50	
54 Wilton Road	3.00	
Future anticipated points	22.50	

There are 40.5 points which have been constructed and/or approved and can be used toward a future moratorium.