

Julia Pemberton
First Selectman



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Town of Redding

February 15, 2017

Attn: CT General Assembly Housing Committee

RE: Hearing for CT General Statutes, Section 8-30g to protect the State's Water Supply on Feb. 16, 2017

Dear Co-Chairmen Butler, Slossberg, and Hwang, Vice Chairmen, and Members of the Housing Committee,

At its recent meeting February 14, 2017, the Redding Planning Commission reviewed the following proposed amendment and voted to recommend its enactment. This amendment to the Affordable Housing Land Use Appeals Act - Connecticut General Statutes, Section 8-30g has been drafted to protect the State's precious public water supply watersheds.

Subsection (g), should be amended by inserting the text which is shown below in bold and italics in Subsection (g) (2) (A).

(g) Upon an appeal taken under subsection (f) of this section, the burden shall be on the commission to prove, based upon the evidence in the record compiled before such commission, that the decision from which such appeal is taken and the reasons cited for such decision are supported by sufficient evidence in the record. The commission shall also have the burden to prove, based upon the evidence in the record compiled before such commission, that (1) (A) the decision is necessary to protect substantial public interests in health, safety or other matters which the commission may legally consider; (B) such public interests clearly outweigh the need for affordable housing; and (C) such public interests cannot be protected by reasonable changes to the affordable housing development, or (2) (A) the application which was the subject of the decision from which such appeal was taken would locate affordable housing in an area which is zoned for industrial use and which does not permit residential uses; ***or is located in the watershed of a public drinking water supply reservoir;*** and (B) the development is not assisted housing, as defined in subsection (a) of this section. If the commission does not satisfy its burden of proof under this subsection, the court shall wholly or partly revise, modify, remand or reverse the decision from which the appeal was taken in a manner consistent with the evidence in the record before it.

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— **Purpose of this Amendment:** —

Protection of the purity, wholesomeness and quality of the Connecticut's public drinking water supplies is at least as essential to the health, safety and economy of the state's citizens as safeguarding its industrial sites. Public water supply watersheds are an indispensable resource for the State's future, and their protection is an urgent necessity of public policy.

Population growth factors and climatic change variability have demonstrated the importance and of protecting the public water supply. Our recent and recurrent drought conditions are a reminder of the need for protecting this ever more stressed resource. Connecticut being a small state with limited reserves of water for the needs of its increasing population needs to focus on this critical resource.

Since enactment of Section 8-30g, many of these watersheds have been under assault by development interests utilizing this section to maximize the profit of building at higher densities than allowed by local regulations.

This amendment is wholly consistent with the State's Conservation & Development Policies Plan 2013-2018, which urges protection of the state's essential water resources and location of new higher density development where urban infrastructure - such as water and sewer service, jobs and public transit are available.

Thank you for your consideration.

Regards,

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