

March 2, 2026

Esteemed Chairs Felipe and Marx,
Members of the Housing Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to submit testimony on Raised Bill 5362, *An Act Implementing the Recommendations of the Majority Leader's Roundtable*. WestCOG supports the bill's incentive-based refinements and statutory clarifications, has no objection to most of its provisions, and offers the following comments on selected sections.

I would also like to express gratitude to House Majority Leader Jason Rojas for the opportunity to serve on the Majority Leader's Roundtable on Affordable Housing. The Roundtable's discussions were thoughtful, substantive, and solutions-oriented. This legislation reflects many constructive ideas advanced during that process. The comments below are offered in that same spirit.

I. SECTIONS 2 AND 3 – SUPPORT

WestCOG supports Sections 2 and 3.

Section 2 improves procedural clarity within the affordable housing appeals process by requiring a stay of pending appeals while a municipality's application for a certificate of affordable housing project completion is under review. This alignment of litigation timing with moratorium determinations reduces the risk of procedural overlap and inconsistent outcomes. Concentrating judicial assignments for §8-30g appeals further promotes consistency and predictability in the adjudication of complex affordable housing cases.

Section 3 reinforces the statute's incentive-based structure by aligning moratorium eligibility with compliance under the housing growth planning framework. By modestly adjusting moratorium thresholds for municipalities that have received a final letter of eligibility under §8-13gg, the bill creates a clearer linkage between planning-based compliance and relief under §8-30g.

Municipalities that engage in housing growth planning and demonstrate measurable progress are afforded proportionate regulatory predictability. Section 3 also clarifies the transitional period between moratorium expiration and the next housing growth plan submission deadline, reducing the risk of procedural gaps during planning cycles.

Taken together, these sections strengthen predictability, reward strong planning, and improve coordination between housing growth plans and the affordable housing appeals framework.

II. SECTION 5 – SUPPORT

Section 5 harmonizes §8-2s with the revised moratorium framework and clarifies that the one-quarter housing unit-equivalent (HUE) point awarded for residential-zone transit community middle housing is awarded in addition to, rather than in lieu of, other applicable points.

This clarification strengthens, rather than conflicts with, the incentive structure without expanding zoning mandates beyond those already enacted in SS PA 25-1. It ensures that municipalities choosing to allow transit community middle housing in residential zones receive full credit under the moratorium calculation framework. Because this section enhances statutory clarity and reinforces incentive-based housing policy, WestCOG supports it.

III. SECTION 7 – INSTITUTIONAL ACCOUNTABILITY AND COMPLIANCE DETERMINATIONS

WestCOG respectfully raises a structural governance consideration regarding Section 7, which assigns to the Council on Housing Development responsibility for reviewing and determining whether municipal and regional housing growth plans satisfy statutory requirements. Because such determinations may have direct legal consequences, including moratorium eligibility and exposure under the affordable housing appeals framework, they operate as formal compliance determinations under state law.

WestCOG recognizes that the Council on Housing Development was established in SS PA 25-1 and that elements of this governance structure predate the current bill. The concern raised here is therefore not new to Bill 5362. However, Section 7 continues and reinforces this structure, and it is therefore appropriate to examine the institutional alignment of these functions.

Municipalities rely on clear and stable legal standards when making land use, infrastructure, and housing planning decisions. Where statutory protections hinge on compliance findings, those determinations should be rendered within accountable state government structures operating under established administrative law principles. Predictability, procedural clarity, and institutional neutrality are essential to both local planning and public confidence in statutory enforcement.

The Council on Housing Development is a quasi-public entity. Despite its statutory authority, it is not structured as an executive branch regulatory agency subject to traditional administrative procedures, conflict-of-interest safeguards, or established review mechanisms. Assigning compliance determinations to a quasi-public body raises broader questions of institutional precedent and governance design.

This observation is offered as a matter of structural alignment rather than policy disagreement. WestCOG respectfully suggests that determinations affecting municipal statutory rights and obligations be situated within accountable state government structures designed for procedural clarity and durability, while preserving the policy objective of meaningful housing plan review.

IV. CONCLUSION

WestCOG appreciates the Committee's continued efforts to refine Connecticut's affordable housing statutes. We support the bill's incentive-based improvements and respectfully request consideration of the governance issue raised in Section 7 to ensure institutional clarity, accountability, and long-term durability in the administration of the statute.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Francis Pickering". The signature is written in a cursive style with a long horizontal stroke at the bottom.

Francis R. Pickering
Executive Director