

March 6, 2026

Esteemed Chairs Rahman and Kavros Degraw,
Members of the Planning and Development Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to provide technical comments on Raised Bill 5505, *An Act Concerning the Use of Certain Commercial Warehouses for the Housing or Shelter of Persons*.

The proposal addresses an unusual building-use scenario: the conversion of large commercial warehouse structures to house individuals for extended periods. Such conversions raise legitimate questions regarding building safety, sanitation, fire protection, and infrastructure capacity. However, the structure of the bill places the proposed permit process in an uncertain position between two established regulatory frameworks—municipal land use regulation and state health and safety regulation.

The procedural elements of the bill resemble a traditional land-use approval process. The requirement for a municipal permit, the provision for a public hearing, and notification of abutting property owners closely parallel the procedures typically associated with zoning special permits or special exceptions. At the same time, the substantive standards included in the bill relate primarily to interior habitability conditions, including sleeping accommodations, showers and restrooms, potable water, heating and cooling, and minimum floor area per occupant. These types of requirements are normally addressed through the State Building Code, Fire Safety Code, and Public Health Code and administered by municipal building officials, fire marshals, and local health departments.

Because the bill combines zoning-style procedures with health and safety standards, municipalities may face uncertainty regarding how the permit process should be administered. Zoning commissions generally do not regulate interior building conditions such as sanitation facilities, plumbing capacity, or sleeping arrangements. Conversely, municipal officials responsible for enforcing building, fire, and health codes do not typically conduct land-use style hearings with abutter notification.

In addition, the bill refers generally to obtaining “a permit from the municipality” without identifying the municipal official or body responsible for issuing such permit. Clarifying the permitting authority would help ensure consistent implementation across municipalities.

From an administrative standpoint, the underlying issues associated with warehouse-to-housing conversions are primarily related to building safety, sanitation, and infrastructure capacity rather than traditional land-use compatibility. For example, facilities designed for logistics operations often contain minimal plumbing fixtures and limited wastewater capacity for employees, while housing large numbers of occupants may significantly increase demand for water supply, wastewater disposal, and fire protection systems. These issues are typically reviewed by municipal

building officials, fire marshals, and local health departments, and in some cases by water pollution control authorities where sewer capacity is involved.

For these reasons, your Committee may wish to consider structuring the permit more clearly within the municipal health and safety regulatory framework. One possible approach would be to provide that the permit be issued administratively by the municipal building official, in consultation with the local health director and fire marshal, and with review of water and wastewater capacity where applicable. The statute could still require that a public hearing be held prior to issuance of the permit to ensure transparency and public input.

Such an approach would align the permitting authority with the officials responsible for enforcing the applicable codes and infrastructure requirements, while providing municipalities with a clearer and more workable administrative process. Structuring the permit within the municipal health and safety regulatory framework may also provide a more durable foundation for the statute.

Regulations addressing building safety, sanitation, fire protection, and habitability conditions fall within the traditional police powers of the state and municipalities. By contrast, approaches that function primarily as discretionary land-use approvals may present more complex legal questions.

WestCOG respectfully offers these comments to assist the Committee in developing a structure that municipalities can administer while ensuring that conversion of large warehouse structures for residential or shelter purposes meets safety and infrastructure standards.

Sincerely,

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

Francis R. Pickering
Executive Director