

February 17, 2026

Esteemed Chairs Felipe and Marx,
Members of the Planning and Development Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to comment on Senate Bill 151, *An Act Prohibiting Certain Land Use and Zoning Limitations on Housing*.

Connecticut needs housing production. But housing policy must be aligned with infrastructure capacity, environmental resilience, fiscal responsibility, and democratic accountability. Senate Bill 151 does not do that. Instead, it mandates sweeping dimensional deregulation across all sewered — and even “planned to be sewered” — areas of the state without regard to capacity, funding, climate risk, or affordability outcomes.

If enacted as written, this bill would:

- Mandate significant density increases without regard to infrastructure capacity
- Eliminate flood mitigation tools such as lot coverage and waterfront setbacks
- Remove height limits that protect light, air, viewsheds, and solar access
- Condition municipal zoning authority on undefined “planned” infrastructure
- Encourage maximum bulk construction, including ‘walling off’ of the waterfront, without any affordability requirement
- Function as an unfunded state mandate shifting financial risk to municipalities

The concerns below are practical and structural, not ideological.

I. MANDATORY UPZONING

Senate Bill 151 caps minimum lot sizes at 5,000 square feet in areas connected or planned to be connected to public water and sewer. This represents a dramatic statewide upzoning. This change applies automatically and uniformly, without any municipal legislative action.

A 5,000 square foot lot equates to approximately 8.7 units per acre before accounting for roads or public rights-of-way. In many Connecticut communities, existing sewered neighborhoods are zoned at substantially lower densities. Zoning often reflects decades of coordinated infrastructure planning and capital investment.

This bill would effectively multiply allowable density in built-out neighborhoods without any confirmation that infrastructure systems can support that increase.

A. *Connection Is Not Capacity*

The presence of sewer or water service does not mean that systems have available capacity for intensification. Most sewer and water systems in Connecticut were engineered to serve neighborhoods built out under the zoning in place at the time of installation. Pipes, pump stations, treatment facilities, and water mains were sized for those densities. They were not designed for:

- Doubling or tripling of dwelling units
- Major increases in peak flow
- Significant increases in impervious surface and runoff

If density increases substantially in built-out areas, the likely consequences include:

- Upsizing of sewer mains and laterals
- Replacement or expansion of pump stations
- Treatment plant capacity expansion
- Water system pressure and fire flow deficiencies
- Roadway reconstruction to accommodate utility replacement

This is not marginal system stress. It is structural reconstruction.

Connecticut municipalities do not have authority to impose impact fees to finance these upgrades. Developers will not rebuild entire neighborhood systems. As a consequence, the cost will fall on municipal ratepayers and taxpayers. In effect, this bill mandates density increases without providing financing tools. That is the definition of an unfunded mandate.

B. “Planned to Be Connected” Is Undefined and Potentially Expansive

The bill does not limit its mandate to areas with existing infrastructure. It applies equally to areas “planned to be connected.” The term “planned” is not defined. In many municipalities, plans adopted decades ago may contemplate eventual sewer expansion to broad areas of town for conceptual future growth. These plans may:

- Not reflect current engineering design
- Not reflect current capacity constraints
- Not be funded
- Not be scheduled for implementation

Under this bill, such aspirational or conceptual planning language could trigger immediate mandatory upzoning. That would mean zoning authority — a legislative function — becomes contingent on historical or conceptual infrastructure planning documents rather than on demonstrated, funded capacity. This is not coordinated planning. It is automatic densification untethered from engineering reality.

C. Conditioning Zoning Authority on Third-Party Utility Actions

Even more troubling, water supply and in some cases sewer service in Connecticut are not controlled by municipalities. They may be operated by:

- Privately owned utilities
- Regional authorities
- Quasi-public entities

These entities may not be accountable to local voters in the way municipal legislative bodies are. Under this bill, if a third-party utility adopts a service expansion plan, or is deemed to have

“planned” expansion, that action could automatically trigger mandatory upzoning and elimination of local dimensional standards.

Subordination of local legislative authority to infrastructure decisions to third parties represents a fundamental shift in governance. Zoning is a legislative act. It should not be indirectly controlled by undefined infrastructure “plans” or by utility decisions outside the municipal legislative process.

D. Infrastructure Must Precede Density — Not Follow It

Sound planning principles require:

1. Demonstrated infrastructure capacity
2. Funded capital improvement plans
3. Sequencing of growth with system expansion

Senate Bill 151 reverses that sequence. It mandates density first and leaves municipalities to solve capacity and financing later. That is not growth management. It is structural risk transfer.

II. ELIMINATION OF LOT COVERAGE LIMITS

Senate Bill 151 eliminates municipal authority to impose lot coverage maximums on single-family homes and townhouses. Lot coverage limits are not aesthetic tools. They are one of the primary regulatory mechanisms municipalities use to control impervious surface area.

Impervious surface, which includes roofs, driveways, patios, and paved areas, prevents rainwater from infiltrating soil. Instead, rainfall becomes runoff. When lot coverage limits are removed, impervious surface increases. When impervious surface increases, runoff volume and peak discharge rates increase. This is not speculative. It is basic hydrology. Stormwater systems are designed to specific recurrence intervals (e.g., 10-year, 25-year storm events). Increasing impervious coverage shifts those thresholds, increasing both frequency and severity of failure.

A. The Physics: Small Increases Multiply at Scale

On a single lot, replacing lawn or pervious ground with roof and pavement may appear incremental. Across an entire neighborhood, however, the cumulative impact can be devastating. If hundreds or thousands of parcels increase impervious surface simultaneously:

- Peak stormwater flows rise sharply
- Drainage systems exceed design capacity
- Overland flow increases
- Basement and roadway flooding increases
- Downstream water bodies receive higher velocity discharges

Stormwater systems are engineered based on assumed impervious coverage ratios. They are not designed for near-total lot coverage. This bill removes the ability of municipalities to maintain those ratios.

B. Many Neighborhoods Have No Storm Sewers at All

A significant portion of Connecticut’s residential neighborhoods, even in sewered areas, rely on:

- Surface swales

- Natural infiltration
- Roadside ditches
- Undersized legacy drainage systems

These systems function only because existing lot coverage levels allow infiltration. When coverage increases dramatically, natural infiltration capacity is overwhelmed. The result is not improved drainage. It is:

- Roadway flooding
- Property damage
- Erosion
- Increased emergency response costs

The only technical remedy for extreme imperviousness is engineered stormwater infrastructure: larger pipes, detention systems, expanded conveyance. Again: Who pays?

C. Conflict with MS4 and State Stormwater Policy

Many Connecticut municipalities are subject to MS4 (Municipal Separate Storm Sewer System) permits under federal and state law. These permits require:

- Stormwater management planning
- Runoff mitigation strategies
- Reduction of pollutant discharge

Lot coverage limits are one of the few land use tools municipalities have to manage runoff generation at the source. Eliminating coverage limits while simultaneously requiring municipalities to meet stormwater compliance standards creates regulatory contradiction. The state would be removing tools while maintaining obligations.

D. Flood Risk Is Not Just Local — It Is Downstream

Stormwater does not remain on the parcel where it originates. Increased runoff from upstream neighborhoods affects:

- Downstream residential areas
- Municipal infrastructure
- Rivers and streams
- Coastal zones

A municipality that removes coverage limits in one area may increase flood risk in another, including areas that are not subject to this upzoning mandate or under its own spatial jurisdiction. Flood risk is cumulative and regional.

E. Financial and Insurance Consequences

Flood risk has measurable financial implications. Increased impervious coverage and elevated runoff can:

- Alter FEMA floodplain mapping over time

- Affect Community Rating System (CRS) scores
- Increase flood insurance premiums
- Increase municipal infrastructure liability
- Impact municipal bond ratings

Insurance markets price risk. If regulatory frameworks encourage increased impervious surface and flood exposure, insurance pricing will reflect that. These costs do not fall solely on new development. They are distributed across entire communities.

F. Removal of Coverage Limits Undermines Climate Adaptation Policy

Connecticut requires climate resilience planning and has adopted policies to address:

- Inland flooding
- Coastal storm surge
- Sea level rise
- Extreme precipitation

Limiting impervious surface is one of the most direct methods of mitigating runoff and heat absorption. Removing lot coverage authority directly undermines those policies. It moves in the opposite direction of resilience planning.

G. This Is Structural Risk Transfer

The elimination of lot coverage limits shifts:

- Hydrologic risk
- Infrastructure cost
- Insurance exposure
- Environmental degradation

from individual development decisions to municipalities and taxpayers. The bill mandates the removal of flood mitigation tools without providing replacement mechanisms or funding. That is not housing policy. It is structural risk transfer.

III. ELIMINATION OF SETBACKS AND HEIGHT LIMITS

Senate Bill 151 caps front and rear setbacks at ten feet, side setbacks at five feet, and eliminates municipal authority to impose height limits on single-family homes and townhouses. It also eliminates the ability to require larger setbacks from water bodies. Setbacks and height limits are foundational zoning tools. Together with lot coverage controls, they regulate the building envelope (the physical mass that may occupy a parcel). These controls determine:

- How much of a lot may be built upon
- How tall structures may rise
- How buildings relate to streets and neighboring properties
- How development interfaces with sensitive environmental resources

When these tools are removed simultaneously, the resulting change is not incremental. It is radical.

A. Expansion of the Buildable Envelope and Predictable Market Response

With five-foot side setbacks ten-foot rear setbacks, no lot coverage limits, and no height limits, the buildable envelope expands dramatically. In real estate markets, especially high-value markets, expanded envelope translates directly into greater development value. The rational response to envelope expansion is:

- Maximize building footprint
- Build to full allowable width
- Increase vertical mass
- Capture additional floor area
- Minimize non-revenue-generating open space

This is not speculative. It is how land residual value analysis works. When regulatory constraints are removed, buildable volume increases and land value adjusts accordingly. The physical outcome is:

- Lot-maximizing structures
- Tall, vertically maximized buildings
- Reduced sky exposure between homes
- Minimal side-yard separation
- Substantial reduction in usable open space

B. Waterfront Walling and the Compounding of Limited Public Access

In shoreline, lakefront, and riverfront areas, these dimensional changes have especially significant consequences. Minimal setbacks combined with unlimited height and lot coverage create the structural conditions for:

- Continuous vertical massing along the water's edge
- Ten-foot building separations
- Limited sky and water visibility between structures
- Dominant building walls replacing visual openness

Connecticut already has constrained public waterfront access. Large portions of the shoreline and many inland water bodies are privately owned. Physical access points are limited. In that context, visual access — the ability to see the water from public roads, sidewalks, and neighborhoods — becomes a meaningful component of the public's connection to coastal and inland resources. When tall, closely spaced structures occupy waterfront parcels, visual corridors are gradually eliminated. Even where physical access remains unchanged, the public experience of the waterfront diminishes. In effect, the water becomes visually walled off. Such 'Malibu-ization' compounds existing access limitations and alters:

- Community identity
- Tourism appeal
- Property value relationships
- Public experience of shared natural resources

Once waterfront parcels are built to maximum envelope, visual openness cannot be restored without demolition. These impacts are permanent.

C. Elimination of Waterfront Setback Authority Undermines Flood Protection and Coastal Resilience

Waterfront setbacks are not aesthetic. They perform essential environmental and safety functions:

- Preserving vegetated riparian buffers
- Providing flood storage capacity
- Allowing natural shoreline migration in response to sea level rise
- Reducing erosion and sediment transport
- Protecting water quality
- Mitigating storm surge damage

Allowing structures to be built as close as ten feet from sensitive water resources reduces buffer capacity precisely when Connecticut faces:

- Accelerating sea level rise
- Increased storm intensity
- More frequent extreme precipitation events

Floodplain and shoreline systems are dynamic. Hard-edge development at minimal setbacks reduces adaptive capacity and increases long-term risk. Stormwater impacts are cumulative. Increased impervious surface near water bodies affects downstream communities and regional flood dynamics. These dimensional changes do not remain parcel-specific. They alter water quality and quantity across a watershed.

D. Height Limits Protect Solar Access, Light, and Environmental Performance

Height limits protect more than views. They preserve:

- Solar access for adjacent properties
- Daylight penetration
- Natural ventilation
- Usable outdoor space
- Privacy

Connecticut promotes rooftop solar adoption. Without height limits, new construction may:

- Cast significant shadows on neighboring solar installations
- Reduce panel efficiency
- Undermine prior renewable energy investments

Once a tall structure blocks sunlight, the effect cannot be reversed. Height and separation also influence microclimate. Closely spaced tall structures increase:

- Shading in winter
- Wind channeling
- Reduced air circulation

E. Teardowns and Displacement in Naturally Occurring Affordable Neighborhoods

The expanded buildable envelope created by eliminating setbacks and height limits does not affect all neighborhoods equally. In high-cost municipalities that contain pockets of modest, older

housing, such as Byram in Greenwich and similar areas across the state, this bill creates strong teardown incentives. Where land value substantially exceeds structure value, and where dimensional limits currently constrain redevelopment scale, removal of envelope limits increases the residual land value of parcels dramatically. The predictable sequence is:

1. Modest homes are purchased for land value.
2. Existing structures are demolished.
3. Maximum-envelope luxury structures are constructed.
4. Assessed values increase sharply.
5. Surrounding property values and tax burdens rise.

This process accelerates:

- Displacement of lower- and moderate-income households
- Loss of naturally occurring affordable housing
- Homogenization of housing stock
- Reduction in neighborhood economic diversity

The bill contains no affordability requirement, no anti-displacement provision, and no preservation mechanism. Deregulation alone does not produce affordable housing. In premium markets, it often accelerates gentrification. The loss of naturally occurring affordable housing is permanent.

F. Fire Safety and Emergency Access Considerations

Setbacks also affect fire separation and emergency response. With five-foot side setbacks (only ten feet between buildings):

- Fire spread risk increases
- Access for emergency services becomes constrained
- Vertical massing amplifies potential fire intensity

Height and separation standards historically evolved in part to reduce catastrophic risk. Eliminating these tools may increase reliance on building code enforcement alone, without regard to cumulative neighborhood conditions.

G. Scale, Predictability, and Investment Stability

Height and setback controls contribute to predictable neighborhood scale. Property owners invest based on understood envelope expectations. When those expectations are removed statewide and replaced with minimal dimensional constraints, uncertainty increases. Uncertainty affects:

- Long-term investment decisions
- Property valuation stability
- Financing conditions

Predictability in land use regulation is a core component of stable property markets.

H. Irreversibility

Unlike policy changes that can be amended in future legislative sessions, the built form consequences of eliminating setback and height authority are permanent. Once constructed:

- Shoreline buffers are reduced
- Solar access is lost
- Viewsheds are blocked
- Naturally occurring affordable housing is replaced
- Neighborhood scale is altered

These changes cannot be undone without demolition. The bill authorizes irreversible transformation of Connecticut's most sensitive landscapes and economically vulnerable neighborhoods without requiring corresponding public benefit. This is not incremental reform. It is structural and permanent alteration of the state's environment.

IV. ELIMINATION OF ARCHITECTURAL AND SITE DESIGN STANDARDS

Senate Bill 151 prohibits municipalities from adopting or enforcing design, architectural, or aesthetic standards for single-family homes. Such standards are often misunderstood as a question about stylistic preferences. They are not. Architectural and site design standards are not primarily about ornamentation or taste. They are tools used to ensure that development functions properly within the public realm. They regulate how buildings interact with streets, sidewalks, neighboring structures, and infrastructure systems.

A. Design Standards Shape How Neighborhoods Function

Municipal design standards commonly address:

- Garage placement and width relative to the facade
- Number and placement of curb cuts
- Front entrance orientation
- Window placement and facade articulation
- Building massing and proportional relationships
- Relationship of structure to sidewalk

These standards affect:

- Pedestrian safety
- Traffic conflict points
- Walkability
- Visibility and natural surveillance
- Emergency access
- Streetscape continuity

For example:

- If garage doors dominate a facade and multiple curb cuts are introduced, pedestrian crossing conflicts increase. That is not aesthetic — it is traffic engineering.

- If building entrances face away from the street, passive surveillance decreases. That is not stylistic — it affects public safety.
- If blank walls line sidewalks, pedestrian environments degrade and walkability declines. That is not cosmetic — it affects how people use public space.

Design standards shape how neighborhoods operate.

B. Relationship to Transportation and Infrastructure

Design and site standards are often coordinated with:

- Complete streets policies
- ADA accessibility planning
- Bicycle and pedestrian safety
- Transit-supportive development

Eliminating architectural standards removes municipal authority to require:

- Active frontages
- Sidewalk-oriented entries
- Safe driveway spacing
- Massing transitions near transit corridors

In effect, it severs the connection between land use and transportation planning. That is particularly problematic in sewered areas, which are often where walkability and transit support are most viable.

C. Scale and Transition Management

Architectural standards also regulate building massing and proportionality. They allow municipalities to manage transitions between:

- Commercial corridors and residential areas
- Higher-density and lower-density neighborhoods
- Waterfront and inland areas

Without such standards, buildings may meet minimal dimensional requirements but still overwhelm adjacent structures in scale and mass. This is not a subjective judgment. It is a measurable three-dimensional condition. Scale compatibility supports:

- Property value predictability
- Neighborhood stability
- Reduced land use conflict

Eliminating all design authority eliminates these transition tools.

D. Public Realm and Economic Stability

The quality and coherence of the built environment influence:

- Property values

- Small business viability
- Tourism appeal
- Investment confidence

Predictability matters in real estate markets. When architectural and massing standards are entirely removed, unpredictability increases. Uncertainty discourages long-term investment and can destabilize established neighborhoods.

E. Design Standards Are Performance Tools, Not Luxury Preferences

Design standards can be structured as objective performance criteria, such as:

- Maximum driveway width percentages
- Required entrance transparency
- Building plane articulation thresholds
- Minimum window area on street-facing facades

These are measurable and enforceable. They are not subjective aesthetic judgments. By prohibiting all architectural standards, the bill eliminates even objective performance-based tools that ensure buildings contribute positively to the public realm.

F. Walkability and Public Safety

Well-designed neighborhoods support:

- Lower traffic speeds
- Increased pedestrian activity
- Greater passive surveillance
- Reduced crime opportunity

Urban design research consistently demonstrates that facade transparency, entrance orientation, and reduced curb cuts improve safety outcomes. Removing architectural standards removes a key municipal tool for shaping safer, more walkable environments.

G. The Broader Structural Consequence

This provision does not merely prevent subjective aesthetic regulation. It eliminates municipal authority to regulate how buildings interface with:

- Streets
- Sidewalks
- Adjacent properties
- Infrastructure systems

That authority is central to comprehensive planning. By stripping design standards entirely, the bill reduces zoning to a minimal checklist and removes the ability to shape functional, integrated neighborhoods. That is not simplification. It is deconstruction of coordinated planning.

V. ELIMINATION OF GROWTH PHASING AUTHORITY

Zoning is not merely a use allocation tool. It is a mechanism for sequencing growth over time in coordination with infrastructure and capital investment. Dimensional standards — including lot size, setbacks, coverage, and height — are part of that sequencing framework. Senate Bill 151 removes these tools in sewerred or “planned” sewerred areas, effectively eliminating the ability of municipalities to phase development in alignment with infrastructure capacity and fiscal planning.

A. *What Growth Phasing Accomplishes*

Sound growth management requires three coordinated steps:

1. Assessment of infrastructure capacity
2. Adoption of a funded capital improvement plan
3. Adjustment of zoning to align with that capacity

Municipalities routinely use zoning to:

- Direct higher density toward areas with excess capacity
- Maintain lower density where systems are constrained
- Sequence expansion of sewer plants or water mains
- Align development with road improvements

This is not anti-growth. It is coordinated growth. By imposing uniform density allowances regardless of capacity or funding status, the bill reverses this sequencing logic. It mandates density first and leaves infrastructure solutions to follow. That inversion of sequencing increases long-term public cost.

B. *Capital Improvement Planning and Bonding*

Municipal infrastructure is financed through long-term capital planning and municipal bonds.

Bond rating agencies evaluate:

- Debt load
- Capital improvement schedules
- Infrastructure condition
- Risk exposure

When zoning tools are removed and density increases are triggered automatically, municipalities lose the ability to:

- Forecast infrastructure demand accurately
- Align borrowing with phased growth
- Control timing of system expansion

This increases financial uncertainty. It may also accelerate infrastructure deterioration by forcing systems to operate beyond intended capacity. That is not efficient fiscal management.

C. *Infrastructure Reconstruction vs. Strategic Concentration*

Forcing intensification in built-out neighborhoods often requires:

- Opening paved roads
- Replacing legacy pipes
- Expanding pump stations
- Retrofitting drainage

This is among the most expensive forms of infrastructure investment. By contrast, concentrating growth in areas with:

- Underutilized capacity
- Transit access
- Existing large-diameter mains
- Planned mixed-use centers

is more efficient and cost-effective. The bill removes the municipal ability to prioritize growth where systems can support it most efficiently. It replaces strategic concentration with blanket densification.

D. Transitional Zoning and Conflict Mitigation

Growth phasing also allows municipalities to:

- Manage transitions between districts
- Gradually step up density
- Prevent abrupt scale conflicts

Without dimensional control, density increases can occur suddenly and unevenly, generating:

- Land use conflict
- Infrastructure stress
- Litigation
- Public backlash

Coordinated phasing reduces these conflicts. The bill eliminates that moderating mechanism.

E. Risk Transfer to Municipalities

By mandating density increases while removing phasing tools and not providing revenue mechanisms, the bill shifts risk to municipalities. Municipalities would be responsible for:

- Infrastructure upgrades
- Flood mitigation
- Emergency response expansion
- Maintenance of intensified systems

without corresponding authority to manage sequencing or financing. This is structural risk transfer.

F. Reversal of Comprehensive Planning Principles

Comprehensive planning rests on integration:

- Land use

- Infrastructure
- Transportation
- Environmental systems
- Fiscal capacity

Zoning is one of the primary instruments that binds these elements together. By stripping dimensional tools in broad categories of neighborhoods, the bill reduces zoning to a minimal compliance regime and disconnects it from capital planning. That is not modernization. It is de-coordination of the planning system.

VI. A BETTER PATH FORWARD

Housing production should be:

- Directed to areas with demonstrated infrastructure capacity
- Linked to funded capital plans
- Supported by infrastructure financing tools
- Aligned with climate and resilience policy
- Structured with clear affordability requirements

Density should follow demonstrated capacity. Policy should align with fiscal and environmental reality. Democratic land use authority should not be subordinated to undefined infrastructure “plans.” Note that nothing in this letter argues against housing production. It argues for housing production aligned with infrastructure capacity, affordability requirements, and resilience policy.

VII. CONCLUSION

For these reasons, I respectfully urge the Committee to **reject** Senate Bill 151 in its current form.

Connecticut can and should expand housing supply. But it must do so in a way that integrates infrastructure, environmental resilience, affordability, and fiscal responsibility — not in a way that shifts risk to municipalities and permanently alters communities without securing public benefit.

Should you have questions or require additional information, please do not hesitate to contact me. Thank you for your consideration.

Respectfully submitted,



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