



**Town of New Fairfield
4 Brush Hill Road
New Fairfield, Connecticut**



**HOUSING OPPORTUNITIES COMMITTEE
REGULAR MEETING MINUTES
Tuesday, May 7, 2024**

Members present: Anita Brown, Chairwoman
Kathleen DiTullio, Vice Chairwoman
Kathy Hull
Rich Kalinka

Also present: Tom Kavaliukkas, Zoning Member

The meeting was called to order at 7:32 pm by Ms. Brown followed by the Pledge of Allegiance.

Correspondence & Announcements

Ms. Brown said she received an email about a person interested in low cost housing programs and she responded that the Committee is working on housing opportunities but there are none available at this time.

Approval of Minutes from April meeting

Mr. Kavaliuskas said his name was misspelled in the previous minutes.

Ms. Hull moved to approve the minutes as corrected, seconded by Ms. DiTullio and passed 3-0-1.

Aye: Brown, Hull, DiTullio

Abstain: Kalinka

NEW BUSINESS

Review, discuss and weigh in on feedback to draft Housing Affordability Plan

Ms. Brown said on April 4th First Selectwoman Melissa Lindsey called a meeting of members of the Planning Commission, Zoning Commission, and Board of Selectmen. Ms. Ayer attended the meeting as it was in person. On April 13th a forum was held by the Commission on Aging on the Next Chapter. Ms. Brown, Ms. Hull, Evan White from Zoning and John Moran attended.

On April 18th the Zoning Commission held a special meeting to specifically discuss goal 3 and the strategies associated with it - items 1, 3 and 4. Ms. Brown asked Ms. Ayer to explain what would be different if they made the proposed changes.

Ms. Ayer made a general comment about Zoning and the comment made that the Commission's role is to protect property values. Ms. Ayer said the Zoning Commissions in the State of

Connecticut get their authority from a zoning enabling act and there is nothing in that act that speaks to protecting property values. Zoning regulations are designed to protect the health, safety and welfare of residents of the Town so this is a misinterpretation of the rule by the Zoning Commission. The Zoning regulations need to comply with the POCD and help to implement the strategies therefrom as they deal with health, safety and welfare.

The Zoning Commissioners were concerned with goal number three:

"Allow the development of smaller sized homes that could be 'downsizing' options for older adults;" specifically strategy one:

Consider allowing duplex or 2-family homes on parcels that can meet on-site well and septic requirements. They requested this strategy be removed. Ms. Ayer said strategy number two which deals with the allowance of attached homes such as townhomes would cover something very similar to strategy number one.

Strategy number four: "Consider a 'town or non-profit sponsored affordable housing' regulation like other small towns that have a local housing organization have adopted" can be used by the local housing trust and Ms. Ayer said she would send along some examples of affordable housing regulations for consideration.

Strategy number three: "Allow homes and buildings in the residential zones to be converted to 2 or 3 dwelling units if they can meet on-site well and septic requirements" the Zoning Commission wanted to delete but the primary reason was protection of property values.

Ms. Brown said there are probably situations such as this already but the structure looks like a one family house. She wondered if this would be a problem if it were left in the plan.

Ms. Ayer said the ADU regulations say the owner of the property will live in either the primary dwelling or the accessory unit.

Ms. Ayer said this is the Housing Opportunity Committee plan and said they don't lose much if they take out the conversion of houses to two or three units because it is costly to renovate houses such as that and most would prefer to do ADUs.

Mr. Kalinka said he would not like to change strategy three to keep the development of smaller size homes but did not see the development of larger houses to two or three units happening. Ms. Hull asked if that would eliminate the possibility in the future and Ms. Ayer said the Zoning Commission could consider any zone change it wants as long as it is consistent with the POCD.

Ms. DiTullio said she would support the taking out of duplexes and two families but leaving in the attached homes.

Khris Hall, founding member of the HOC, said just like the Board of Selectmen changes so does the Zoning Commission with elections. She said if the Zoning Commission were to vote down an application for property value reasons it would be thrown out of court immediately. She said the proposals in this plan are just that and Zoning can choose to accept them or not. She suggested the HOC hold firm on this report and its recommendations.

Ms. Brown said another issue raised was goal number four: "Increase awareness about the Housing Opportunity accessory apartments can create," strategy three last sentence: "Consider whether accessory apartments should be allowed to be rented short term." Mr. Kalinksa said the Town is trying to keep out AirBNBs. Ms. Ayer said an applicant would have to apply for a zoning permit through the short term rental regulations. Mr. Kaviliauskas said Zoning does not allow short term rentals of 6 days or less in an effort to prevent those who might want to come to town and have weekend parties.

Ms. Brown said it is not necessary to have the last sentence in strategy three. She said the First Selectwoman was concerned with the wording of goal six: "Make sure the strategies in the town's adopted housing plan are implemented over the coming 5 years," strategy four last part of the last sentence: "it could be a line item in the town budget to support the ongoing work of the HOC." The First Selectwoman was concerned this could lead to the Town being responsible for funding housing or it could be interpreted as such.

Ms. Ayer said many towns put a portion of property conveyance fees towards purchasing properties versus taking it out of the Town budget. Ms. DiTullio said her understanding was that donations to the Town were not a tax write off but the Planning Commission could ask for a cash in lieu of or a property donation for a subdivision split which could go to a municipal housing fund. Ms. Ayer said she did not know if the Town had that regulation for fees in lieu of.

Ms. Brown said some other changes were made to the Plan including information on aging in place and changes to the committee member names. Ms. Ayer said she still needs to work on the timeline piece. Ms. Brown asked if she should send the proposed changes to the Planning and Zoning Commissions and Ms. DiTullio said the Committee should vote first. Ms. Ayer said this will have to be reposted for 35 days for a review period. She said the Committee could let the Commissions know they have made some changes and that all the suggestions were taken into consideration.

Ms. Hull said she was not at the meeting where the duplex issue was raised and asked if it was more than one person who said something. Ms. DiTullio said it was at least two. Mr. Kavaliauskas said the Commission is pretty much in consensus on this issue.

Ms. Brown moved to make the adjustments to the Housing Affordability Plan as discussed during this meeting: deleting strategy one, goal three and strategy three, goal three; to remove the last sentence of goal four, strategy three; and to remove the last part of the sentence re: town funding from goal six, strategy four, seconded by Ms. DiTullio.

Ms. Brown said in regards to goal three, strategy one the duplex or two family homes are met in strategy two. Mr. Kalinka said this was clarifying a duplication.

Ms. Brown said deleting goal three was the conversion of two or three dwelling units. Ms. DiTullio said the duplexes attached homes was covered under strategy two.

Ms. Brown asked about the timeline and Mr. Kalinka said there is no reason to rush this now as the Town is in the budget process. Ms. Brown said they can post the revisions for 35 days before going back to the Board of Selectmen for approval.

*The motion passed unanimously.
Aye: Brown, DiTullio, Hull, Kalinka*

Discuss next steps regarding Housing Trust

Ms. DiTullio said the current make up of the Housing Trust is four members and they recently voted to see if the HOC would be interested in partnering with them to help grow membership. Mr. Kalinka asked if that would be a conflict and Ms. Ayer suggested some members could join but probably not all the members. She said it would be consistent with the HAP to do outreach to let people know about the Trust. Ms. Brown suggested someone from the Trust be invited to speak at a HOC meeting. Ms. Ayer suggested that the Trust put together a one page flyer on what they do for interested people. Ms. Hull suggested a co-meeting and each person could invite someone who might be interested in joining the Trust.

Follow Up on Commission on Aging's April 13 Forum (Housing)/May 4 Sip 'n Stroll

Ms. Brown said the forum was well received as people are eager to know what opportunities are available for them. Ms. Hull said one participant wanted to know why there are not more available rental apartments.

Ms. Brown said they were able to hand out draft copies of the plan at the Sip & Stroll event and people had a lot of questions about the Committee and what is affordable housing.

OLD BUSINESS

Acknowledge ongoing approval of consultant contract

Ms. Brown said she had signed the continuation contract with Ms. Ayer through the end of the year. She said the funding was through capital and is not tied to the budget so it has already been approved.

*Ms. Brown moved to approve the extension of the contract for Ms. Ayer's consulting services through the end of 2024, seconded by Ms. Hull and passed unanimously.
Aye: Brown, Hull, DiTullio, Kalinka*

Board Comments

Mr. Kalinka said it was a very productive meeting.

Ms. Brown noted on May 1st the Zoning Commission held a meeting to discuss amendments to affordability regulations in Town brought forward by the law firm Cohen & Wolfe on behalf of a client who is interested in the October House property. They want to change the requirement for

five acres down to four. There will be an in person meeting on May 15th. Mr. Kavaliauskas said it is not just for that property but for the whole town.

Public Comments

There were none.

Adjourn

Ms. DiTullio moved to adjourn the meeting at 8:55 pm, seconded by Mr. Kalinka and passed unanimously.

Aye: Brown, Hull, DiTullio, Kalinka

Minutes recorded by:

A handwritten signature in blue ink that reads "Stephen R. Badd".

Recording Secretary

Received by email on 05/10/2024 @ 8:30 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield