

House Republican Press Release

March 4, 2008
Press Office: 860-240-8700

Rep. Miller Calls for Investigation of Avalon Bay Affordable Housing Proposal



*Project Adversely Affects Environment; Access by
Emergency Vehicles Difficult*

State Representative Lawrence G. Miller, R-122nd District, today called for an investigation by the General Assembly's Public Safety Committee and the State Fire

Marshal into the Avalon Bay project, a proposal consisting of six buildings in excess of four stories.

The proposal will adversely affect the environment around Cut Spring Road in the area of Pumpkin Ground Brook. In addition, the only access to the proposed development for emergency and first responder vehicles is through an undersized Merritt Parkway bridge underpass, Representative Miller said.

The developer appealed the affordable housing court decision to the Connecticut Supreme Court, which reversed the housing court's ruling based on legal technicalities raised by Avalon Bay's attorneys, and sent the matter back to local land use boards, Representative Miller said.

The proposal has already cost Stratford residents more than \$450,000 in legal costs relating to appeals by the developer of adverse local land use board decisions. The Affordable Housing Court upheld denials of the developer's application by the Zoning and Inland Wetlands commissions.

Noting that lawyers for the town had submitted "substantial evidence" under the state's affordable housing law that supported the decision by the affordable housing court, Representative Miller contended the high court brushed off expert testimony from the local fire marshal and environmental experts that supported the original denial of the developer's appeal by the affordable housing court.

The Supreme Court decision favoring the developer will mean even higher costs to Stratford taxpayers if, as expected, local land use boards once again reject the application. "The total legal cost to the town of opposing this ill-conceived development could be as much as \$750,000, which could mean higher property taxes for the people of Stratford," Representative Miller said.

"The decision of the Supreme Court is irresponsible. The justices have clearly put their agenda of increasing the number of affordable housing units in Connecticut above safety and the environment," Representative Miller charged.

“I have attempted to amend these laws in a number of instances but the Democrat majority in Hartford has no interest in changing the affordable housing law even though it has not succeeded in substantially increasing the number of affordable housing units in Connecticut,” Representative Miller said.

“The affordable housing law is nothing more than a costly land use mandate for Connecticut towns. It has been one of the state legislature’s most embarrassing failures and one which has cost taxpayers more than \$10 million,” Representative Miller said. “The people of Connecticut are demanding that the state legislature do the right thing and repeal the affordable housing law. They want local land use boards, who best understand local conditions, to have their authority over land use decisions restored.”

“Giving state courts the final authority over development in Connecticut communities usually means unelected judges with little or no knowledge of local needs and conditions will rule in favor of unaffordable housing developers and against the safety and environmental concerns of the people who will have to live with the consequences of an uninformed judicial decision for years to come,” Representative Miller said.