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Is Our  
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## **Local Government Affairs Program Activities June 2009 Report to the Board of Directors**

To keep you better informed of the state HBA's work in local government affairs, this is the periodic report on the LGA program's activities. It is intended to explain what the LGA program does and the value it provides to the membership. This report provides a general overview of the LGA program, including why and how it got started, recent changes made to the program, and highlights some of the specific regulatory actions taken in specific towns over the past year.

We recognize that it is difficult for members to see the level of activity under the LGA program unless they are directly involved in a specific action. This is an issue for everything the state HBA does.<sup>1</sup> Therefore, you are encouraged to review this report and ask questions so you have a more complete understanding of the LGA program.

### **Background and general overview of the LGA program:**

The LGA program was created because the membership believed it was critical for the HBA to address local regulatory abuses and stop the spread of more intrusive local regulations on the industry. Successes at the state legislative level were not enough to stem the regulatory abuses at the local level. The purpose of the LGA program is to assist local associations and members with land use, environmental, building code and other regulatory issues that arise in the various municipalities. The HBA realized that such issues can have implications for the broader building industry outside of the specific municipality involved.

The program was designed to 1) track what was going on at the local level, 2) provide input into local proceedings on adopting or amending regulations and ordinances, and 3) support these efforts with position papers and talking points that members could use to present the "HBA's case" to influence local regulations. The LGA program specifically does not and should not include work on individual member's projects.

The program does the following (*difficulties we have experienced in program implementation, all reported to the GA Committee, are noted in italics*):

- Solicit and receive information on activities at the town level (e.g., proposed regulations, amendments to plans of conservation and development or PCDs, and permitting

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<sup>1</sup> Admittedly, the HBACT does not market state HBA programs and their successes well. While the HBACT has strong state and local government affairs and public relations expertise, the association remains weak in our overall marketing capability. We're not good at telling members what we do for them and all the successes we have had. To move the state HBA forward, to help local associations generate membership recruitment and retention and to increase stakeholder interest in our activities and programs, more emphasis on association marketing from the HBACT must be done.

difficulties members face in a specific town). This information comes from a variety of sources, such as the statutory public notice registry (applicable to planning and zoning commissions; i.e., the statute drafted by the state HBA), newspaper stories, direct from members, realtors, and other places. *It has been difficult to obtain information from HBA members about what's going on in their towns, but other sources provide a steady stream of potential issues to be addressed.* All information received is reviewed and evaluated. This often requires review of entire ordinances and local regulations and land use plans for potential impact on the industry. It often requires some digging to obtain copies for review (e.g., the notice registry may say a zoning section is being amended, but the actual language of the change needs to be obtained from the town). These tasks can be time intensive.

- Notify members and locals when issues surface that need addressing, such as adverse regulation changes, updates to PCDs, changes to town staff/organization, etc. This also includes drafting and providing talking points and guidance to members and local LGA committees to help address specific issues. It also includes working with coalition groups, such as local Realtor boards or property rights advocates, to present positions to municipal commissions. In working with local HBAs and coalitions, or by providing comments directly to the town, the LGA program has produced positive changes (see the specific action list at the end of this report). *However, it has been difficult to engage members and local LGA committees in pro-actively participating in addressing adverse regulatory changes, such as presenting talking points to a commission or take a public position on issues at a public hearing. Members sometimes expect the HBA to handle the issue without their involvement, or individuals do not become active unless a proposal will directly affect the specific member's immediate interests. Engaging members on PCD proposals is also difficult because members tend to wait until they see regulations that will directly affect them, which often come many months if not years after PCD adoption. On occasion, our only HBA contact in a town is a member who already has approvals for an ongoing or pending development and does not want to make the regulatory environment easier for his competition so he declines to provide assistance.*
- Provide comments directly to towns when needed.
- Provide monthly LGA Updates on local regulatory changes affecting development and building; distribute LGA Updates to LGA member list (open to all members) and post to the web site – monthly LGA Updates produced since Jan. 2005 are archived on the web (click on [LGA Updates](#) under the Government Affairs menu).
- Recent Changes to the LGA Program: Given the challenges of directly engaging members in providing proposed regulations to the HBA, commenting on proposed PCD amendments and pro-actively addressing proposed ordinances and regulations, a new LGA program element was added in 9/2008 by the state Government Affairs Committee. This includes the development of municipal leadership breakfasts or other meetings to begin the formation of positive relationships between HBA members and local political and land use officials. Positive changes in the regulatory environment will begin with establishing good working relationships with policy makers. In working with locals to get these meetings/events organized, one possible avenue to use as a venue is existing regional planning organizations – George has met with CRCOG (Capital Region Council of Governments) to pursue fostering these municipal leader and HBA relationships.

Also, despite the challenges of getting direct member involvement, the activities noted above have continued in earnest.

### **Conclusion:**

Members who face specific issues regarding proposed changes to regulations in the towns in which they work have benefited greatly from LGA program activities. The list above is just the last year's efforts – many other specific actions have been taken in prior years. It is vital both as a member service and a significant component of HBACT's overall government affairs advocacy work to build on the LGA program's strengths, recognize and accept the difficulty of energizing direct member involvement, and continue to adjust the program to achieve more regulatory victories at the local level.

The LGA Director is available to attend local general membership meetings, local board meetings, local LGA committees or other group meetings to explain the program and work specific issues. If any local association would like more information on the program or would like George to attend a local meeting, please give him a call at 860-521-1905 or send an email to [grafael@hbact.org](mailto:grafael@hbact.org).

We also continue to encourage all members to send us any information they come across regarding pending regulatory or planning changes at the local level or to volunteer to present the HBA's positions or talking points to municipal leaders.

Please feel free to also provide any comments or questions to Bill ([bethier@hbact.org](mailto:bethier@hbact.org))

see specific action list – below

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### **A “sampling” of specific actions taken to address LGA issues in specific municipalities – roughly over 2008:**

- **Burlington** (HF) - Worked with members to oppose changes to proposed stormwater regulations.
- **Canterbury** (EC) - Worked with realtors to oppose proposed moratorium.
- **Colchester** (EC) - Provided comments to town planner on proposed affordable housing regulations that helped table the changes.
- **East Haddam** (HF) - Worked with realtors to oppose proposed changes to subdivision regulations.
- **Griswold** (EC) - Worked with members to oppose proposed moratorium extension.
- **Killingly** (EC) - Provided information to town that resulted in the town revisiting green building regulations.
- **Litchfield** (NW) - Provided comments to realtors on proposed changes to zoning regulations.
- **Montville** (EC) - Worked with local HBA to notify members and landowners on proposed wetland regulations that would have increased regulated area.

- **Newtown** (FF) - Provided comments to member regarding proposed changes to open space requirements.
- **North Stonington** (EC) - Provided comments opposing proposed changes to zoning regulations.
- **Orange** (NH) - Organized landowners to fight proposed zoning changes.
- **Pomfret** (EC) - Worked with realtors to oppose changes to zoning regulations that would limit use of property for home-based occupations.
- **Portland** (HF) - Provided comments to town opposing proposed changes to notice requirements.
- **Scotland** (EC) - Worked with PZC member to draft cluster subdivision regulations.
- **Simsbury** (HF) - Provided comments to town opposing proposed fee increases.
- **Stonington** (EC) - Provided comments on proposed affordable housing regulations.
- **Tolland** (HF) - Provided comments to town in opposition to proposed “minimum buildable area” requirements.
- **Willington** (HF) - Worked with member to organize landowners to fight proposed change to zoning regulations.

**A “sampling” of specific actions taken to address LGA issues in specific municipalities – roughly over first half of 2009:**

- **Darien** (FF) – Provided comments on proposed regulations for stormwater management.
- **East Lyme** (EC) - Provided comments on proposed regulations for stormwater management.
- **Ellington** (HF) - Worked with members and local HBA to defeat proposed fee for maintenance of stormwater facilities.
- **Hamden** (NH) – Provided comments on proposed changes to zoning regulations.
- **Killingly** (HF) - Provided comments offering alternatives to proposed green-building regulations.
- **Plainville** (HF) - Provided input on update to Plan of Conservation and Development.
- **Redding** (FF) - Worked with member to address possible litigation related to unreasonable fees.
- **Somers** (HF) - Worked with local HBA to oppose proposed open-space subdivision regulations.
- **Waterbury** (NH) - Provided comments to town planner on propose changes to zoning regulations.
- **Greater Hartford Region** (HF) - Worked with Capital Region COG to develop strategies for higher-density development.
- **Statewide** - Provided comments to DECD Commissioner regarding sewer availability in relation to the State Locational Guide Map.