



**HOME BUILDERS & REMODELERS ASSOCIATION
OF CONNECTICUT, INC.**

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*Your Home
Is Our
Business*

March 3, 2017

To: Senators Logan and Cassano, and Representative Lamar, Co-Chairs
Representative Zawistowski, Ranking Member
Members of the Planning & Development Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **Oppose HB 6004, AAC Land Use, Zoning, Wetlands and Tax Abatement
Application Transparency**

The HBRA of Connecticut is a professional trade association with about eight hundred (800) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. We build between 70% to 80% of all new homes and apartments in the state each year and engage in countless home remodeling projects.

Our members routinely apply to zoning, planning, inland wetland and other local land use boards and commissions. **We oppose HB 6004 in that it mandates disclosures of certain information (i.e., names, relationships between persons or entities) that go far beyond the purpose of zoning, wetlands and the undefined catch-all "land use" application.**

As was discussed with the nonconforming use legislation, zoning is supposed to regulate the uses of property, not the users. Inland wetlands is supposed to regulate solely potential adverse impacts to inland wetlands and watercourses, not who will be conducting the regulated activity. The names and relationships of various parties may need to be kept confidential for legitimate business reasons. Moreover, this disclosure is completely unnecessary if a zoning commission sticks to its task of regulating uses and associated compliance with its regulations, such as setbacks, building heights and bulk.

The only requirement in the proposed bill that may be legitimate – but only for certain land use applications – is the stated purpose for the use of the subject property. But even that may not be known early in the real estate development process. For example, a zone change request from residential to commercial, industrial to residential, or to a mixed-use form zone outlined in zoning regulations might be the preliminary request but the owner or applicant may not yet know the makeup of the project's site design or mix of uses to be determined later, sometimes much later, e.g., in a final site plan application.

Allowing local land use boards and commissions in this state to regulate property based on users or who the particular developer may be, versus the objective uses of a property, could lead to unintended consequences, arbitrary and unfair results and equal protection claims. **We urge you to not pursue HB 6004 as the way to address whatever water bottling plant issues occurred in Bloomfield, about which we take no position.**

Thank you for the opportunity to comment on this important issue.

Vision: "Building CT's Economy, Communities and Better Lives One Home at a Time"
Mission: "Using Effective Advocacy and New Knowledge to Solve Our Member's Problems"