

City of New Haven  
Care of the  
Legislative Committee of the Board of Alders  
165 Church Street  
New Haven, CT. 06511  
24 August 2021  
Updated: 8 October 2021

Greetings.

I am writing today to express the findings and concerns from PCD (The People's Collaborative for Dixwell) and concerned New Haven residents with the plans as crafted and to urge the Board of Alder's Legislative Committee to table and/or amend the action of moving forward with the Inclusionary Zoning Study 2020 (that was conducted and complied by HR & A Analyze Advise Act out of New York) until protective measures for current residents have been further developed.

The Inclusionary Zoning Study alleged to address the affordability Housing Crisis in New Haven, but after reviewing said Study, We PCD have found instead of being Inclusive it's actually EXCLUSIONARY to the New Haven Residents. The city is proposing that Developers only set aside 5% of their units below market rate for Affordable Housing in Dixwell and surrounding neighborhoods. This is actually 95% UNAFFORDABLE HOUSING for the residents of New Haven, which to us appears exclusionary.

Then the proposal separates the city into three different TIERS at different percentages of affordability which makes no sense when we are one New Haven! Tier 1 at 15% to 8% which is listed as the Core that consist of the Downtown Area. Tier 2 at 5% affordability which is listed as the Strong that consist of the Dixwell, Dwight, East Rock, Mill, River and Long Wharf neighborhoods. Tier 3 at 5% affordability which is listed as the Remainder that consist of the Amity, Annex, Beaver Hill, East Haven, Edgewood, Fair Haven, Fair Haven Heights, Prospect Hill, Quinnipiac, West Rock, Westville and parts of the Hill, Long Wharf, Newhallville and West River neighborhoods. Again, the idea of proposed Tiers sounds exclusionary, and we do not understand why the City would propose the lowest levels of affordability in some of the only neighborhoods left that are affordable to live in. Requiring 5% is NOT enough for Dixwell and the surrounding neighborhoods. Why divide us into Tiers? The entire City needs more affordable housing!

Next, the proposal offers the Developers a way to opt-out of building affordable units, if they pay an "In-Lieu Fee" per Affordable Unit which is an Opt-Out Option which would make the already low 5% Affordable Unit, market rate unit. Allowing the Developers to pay the In-Lieu Fee /Opt-Out Fee which is just a new way of **redlining** because most residents in our neighborhoods cannot afford market rate housing. It would allow the whole building to become market rate rents with no possibility of affordable units at all. This In-Lieu Fee/opt Out Fee would range from \$168,000.00 to \$225,000.00 per unit with even lower In-Lieu Premiums which the Developers would be more than willing and can afford to pay. It is not clear where the fees would go if paid and what then City would use them for. If the In-Lieu Fees are passed through, a suggestion is for the fees to be used to create a 100% Affordable Housing in New Haven but again this purposed requirement appears exclusionary to us!

This Plan marketed as being inclusive of working-class families. Let's not forget that most of these new Developments that are built, include units that are only studios, and 1-to 2-bedroom units for a family of four. Not each family consist of a married couple and two children. It could be A single parent of three or more children, a married couple of three or more children and so on. How many Units consist of 3 or more bedrooms? This proposal uses regional income levels that factor in suburban towns. A four-person household's earnings in New Haven does not match the proposed measurement of \$46k a year, and 58% of all household makes less than 50% of the Area Median Income (AMI). The AMI should be reflective of those in the New Haven, per the New Haven Household medium income earning,

instead of that of Branford, Milford and/or Guilford. We insist that the city change to 60% Affordable Housing city-wide and use New Haven's AMI to measure affordability levels. We're asking to be inclusionary in this process!

The Study proposes to waive a Parking minimum so that Developers could allow for Taller Buildings when New Haven Residents already have expressed not wanting taller buildings more than 4-5 stories high. The net impact of increased luxury development in low-income areas has been gentrification, even if a portion of new construction is set aside for lower-income residents in New Haven, even those units tend to rent for significantly more than the housing they replaced, creating a net loss of actually affordable housing. House and lot flipping has been rampant in recent rezoned areas with landowners cashing in on the value generated by intensifying the land use. Are you more concerned with the Developers Bottom-line and the amount of monies gained by the City of New Haven at the expense of the residents than the quality of life for the New Haven Residents? Most would call that collateral damage!

This Letter is being written on behalf of PCD who are fighting for the rights of the Dixwell/Newhallville and concerned neighboring residents of New Haven. We are concerned about residents constantly being boxed out of major decision that affect us. It was thought that the Alder persons that are selected/elected to office to represent US (New Haven Residents) would actually do just that. It appears every time that residents try to meet and/or have issues of serious concerns that projects are gentrifying the city, we are being ignored. The lack of transparency appears deliberate so that we the residents won't have the time and voice to reference and/or address these projects through-out the city. Why isn't there a Board of Community Professional and Residents to work with those who are making the final decisions for us (New Haven Residents)? Why can't we have inclusive development?

Many times, we have been misrepresented by those that we have elected, perhaps clarification of what the Alders are for and what they do and who it is that they represent is needed. Unless there is an election which they say what we the residents want to hear but once in Office the residents are then taken for granted and excluded. There might be a few of you who actually care but for those of you that make decisions for what you are truly not qualified and due to the all mighty dollar makes you all look bad. It like one Police Officer witnessing another Police Officer wrongly violate a person's rights but due to his complicity he does nothing, not stopping it and/or report it, is just as guilty!

Although COVID-19 has stopped a lot of the day to day and the City of New Haven alleged that it was shut down, we see that city has actually kept on moving selling, building, meeting, and planning without the involvement of the residents. Many of us has tried to keep involved per Zoom which has not always been successful due to technical issues. We did get a chance to meet with City Plan Development Staff, but our concerns have not been addressed. Transparency is still an major issue for the city of New Haven! As the Legislative Board of Alders, you have the power to stop this Inclusionary Zoning Policy in its tracks, until the issues of concerns of the New Haven resident could be addressed. Simply you could table and stop said study and start over, so we have actual affordable housing in our City.

- All Development reform to 60% Affordable Housing city wide
- AMI rates should go by the New Haven Income Earnings only
- No In-Lieu Fees and/or opt out options allowed
- To not separate the city in Tiers
- No buildings higher than four-five stories in Dixwell
- To Develop a Community & Resident Bard to work with City Committees/Commissions

We want to be able to continue to live in the Neighborhoods that we are born and raised in and to be able to afford to live in with great pride which is not unreasonable. We, PCD, the resident of New Haven urges you to re-think your position in deciding to move forward with his Inclusionary Zoning Study which appears to be Exclusionary and not transparent on your next Legislative Committee Meeting that was scheduled for 10/5/21 and has now been cancelled but not yet rescheduled. It's alleged that new meeting has been scheduled for Tuesday 11/9/21n at 6:00 p.m. but to date it has not been confirmed per the City of New Haven Meeting Calendar.

Respectfully Submitted,

*Lillie Chambers*

Lillie Chambers,  
New Haven Resident &  
People Collaborate for Dixwell Member,

November 9, 2021

Legislation Committee  
Board of Alders  
City of New Haven  
165 Church St.  
New Haven, CT 06510



**Karen DuBois-Walton**  
President

Dear Alders,

I offer these comments on the proposed inclusionary zoning ordinance. The concerns raised here expound on concerns that I have addressed to the city administration, their consultants and entered into record during the City Plan Commission Hearing on this matter.

For the past 14 years, I have served as the President of Elm City Communities/Housing Authority of the City of New Haven and have created the largest number of high quality, deeply affordable units in the city. Additionally, I serve as a Commissioner on the City's Affordable Housing Commission.

More than 50% of New Haven residents are rent-burdened. Pre-pandemic, the median household income in New Haven was just over \$40,000 per year for an average family size of 3 people, and the unemployment rate was over 7%. Considering the median income of New Haven residents, more than half of our cities' residents cannot afford housing costs (*rent plus utilities*) that exceeds \$1,000 per month.

More than 48% of New Haven's households are low income. Twenty-six percent of New Haven residents live in poverty. To put the poverty numbers in context, the poverty rate equates to individuals living on less than \$13,000 annually and families of four living on less than \$26,000 annually. Current estimates published by the Open Communities Alliance suggest that meeting the need for affordable housing requires an additional 25,000 units in this region.

And all of these statistics are worse in our most disadvantaged neighborhoods. In communities that have been historically under-resourced, the unemployment rate is double what it is in other neighborhoods, the median income is just over half what it is in other neighborhoods, and more than one-third of all families pay more than half of their income for rent. Too many people in our city are struggling to make ends meet, and our communities remain highly segregated by income and race.

And much of what we see is the direct result of historical and current day US housing policy that has had its roots in explicit discriminatory practices and that is sustained by practices that perpetuate racial and income discrimination. This proposal fails to address affordability for those most in need, fails to address housing development at a scale that meets the size of the crisis, fails to prioritize city residents and local developer needs and fails to address the segregation problem in our city.



### **Current proposal fails to create real affordability**

- ***Rents are set at affordability levels of 50% AMI for the New Haven-Meriden Metropolitan Statistical Area when need is for housing at much lower income levels.*** Much can be said about the inappropriateness of using this larger region's numbers as opposed to New Haven specific numbers. I will set that aside for the moment and focus instead on the fact that the analysis presented by the city's consultants acknowledge that the largest need for units is in the lowest income brackets, i.e. families living at 0 to 30% of the area median income. By pegging this proposal at 50% of AMI, the city will continue to discriminate against the lowest income and most in need households. In the core market, 10% of units will be pegged to 50% of AMI households with a set aside of 5% for Housing Choice Voucher (Section 8) unit holders. However, there is no requirement that the HCV units go to the lowest income families. An HCV participant may have an income from 0 to 80% of AMI. The current proposal fails to require that the 5% of units targeted to HCV vouchers will go to the lowest income families. Instead, it is conceivable that developers would target HCV participants at the 50% to 80% AMI income level and fail to serve our lowest income families.

This may be addressed by capping the rent charged for an HCV unit to that charged for the 50% AMI affordable units and requiring lease up preference first to families at 0 to 30% of AMI, next to 30 to 50% of AMI and finally from 50 to 80% of AMI.

- ***Fails to account for utility costs--***This proposal, sets rents solely at what is affordable to residents at 50% of the AMI, failing to account for the impact of utility costs which must be taken into account in determining affordability. One- or 2-bedroom unit utility costs based upon our current utility studies can range between \$130 and over \$250 monthly for efficiency to 2-bedroom units which is the predominant unit size in the identified market. These additional potential costs serve to make the units even less affordable.

This may be remedied by requiring that rental costs (housing plus utilities) may not exceed the 50% AMI affordability levels and require use of utility allowance amounts annually published by the local housing authority when calculating rental amounts that may be charged. Alternatively, the landlord could be required to include utilities for the affordable units.

### **Fails to address the need**

- ***Production of market rate units accelerates fair market rate increase-*** Proponents of the unregulated growth of market rate units in the core and adjacent districts often promote the false narrative that the influx of new luxury units has the impact of creating more affordability in other rental stock. While this is often cited, it is not backed up with empirical nor subjective data. New Haven has been the recipient of hundreds of new market rate, luxury units over the past few years. No significant reductions in the city's fair market rent have been noted and potential renters are currently experiencing great difficulty finding rental units in this market at a rent that they can afford.
- ***Need far exceeds production.*** Such focus on IZ proposals diverts us from real efforts to build housing that is not at the luxury end with small set asides of affordable, but instead to orient toward models that incentivize building housing at rates affordable to the population in the city. In other words, are efforts need to be organized toward building housing where the market rate drops toward the designated affordable rates.

Reform efforts should be focused at reducing the costs of building overall by reducing the cost of land, streamlining approval processes and eliminating onerous zoning requirements.

**Current proposal maintains and accelerates racial and economic segregation in our city**

- ***Continues to build upon exclusionary/discriminatory zoning of the past***--This inclusionary zoning proposal doesn't reverse the segregation happening in our city. Historically, zoning was used as the tool to continue segregation when Fair Housing laws forbade explicit discrimination. Systems that build upon the existing discriminatory zoning code do not reverse what that original system was designed to do. Inclusionary zoning overlays on top of a segregating zoning code will not correct the fundamental problems inherent in the current system.

The city would do well to investigate Smart Code and other zoning reforms being implemented in other municipalities. Smart Code recognizes the failings of the current exclusionary zoning approaches and moves to form based land use that creates complete, walkable neighborhoods.

**Current proposal prioritizes needs of the large developers over the needs of renters seeking access to affordable housing and over small, local developers**

- ***Creates very few affordable units at significant benefit to developer***-- The city will receive very little benefit from this proposal in terms of the development of new affordable units while the developer will enjoy tax abatement, density bonuses and other zoning reliefs. But the case has not been made for why developer need for financial incentives should outweigh the city's need for taxes, nor has the case been made that the amount of incentive is consistent with the number of units gained.

We consistently hear that developers cannot afford to build affordable without such concessions. And yet, we have not seen the developers' proforma or financing plans that justifies this level of subsidy. Should the city grant such concessions, the city should be entitled to set caps on the profit and developer fees earned on such projects. One only need watch how quickly and profitably some recent New Haven luxury apartment deals have been sold at profit to note the profitability of these deals. The city must avoid further subsidization of housing that is working to drive the cost of housing up in this market and contributing to the lack of affordability in the housing market.

This can be remedied by adopting the safe harbor guidelines and limits imposed on federal and state funded projects that ensure that projects are not over subsidized while simultaneously overly enriching the developer, increasing the in-lieu of fees and limiting the offered tax abatement. Further, if 15% is the base amount required, tax abatement should only be granted to developers that go above and beyond this base requirement. Mixed income developments should strive for percentages of affordable units closer to 30%. Tax abatement incentives should be used to close the gap from a require 15% to the desired 30%.

- ***Places the incentives with large developers at the expense of smaller local developers***—Finally, inclusionary zoning by its very nature incentivizes the interests of large developers. By continuing to incentivize development on large mega block parcels, the city is determining that the only development that will happen will be done by large developers who are from outside of this community, who create wealth off of this community at the expense of the city tax payers and then take that wealth outside of the city. Because the interests of the developers are prioritized, inclusionary zoning proposals remain rich in incentives for developers and light in actual production of affordable units for residents.



Again, exploring Smart Code (which has been adopted in other cities and other parts of the state Hamden and Hartford in particular), the city can create developable parcels of a size and scale that can create development opportunity for smaller, and more likely to be local developers, to create true mixed-use development in walkable neighborhoods that will also enhance the ability to reach our city's other long-term goals--reduced emissions, greener transportation, broader economic development, more affordable housing.

To get there, it is recommended that the city move to a zoning code that prioritizes these goals rather than works against them. Use this opportunity to do zoning reform to incentivize alternative development approaches that reduce costs and create naturally affordable units by reducing development costs. This development approach is also likely to be of a size and scale that smaller, local developers can successfully compete for the opportunities.

For these reasons, I urge rejection of the Inclusionary Zoning proposal in its current form.

The city's new inclusionary zoning policy is wildly insufficient for the scale of the affordable housing problem in our city. Do not continue to build upon a platform that is by design exclusionary. An inclusionary zoning overlay on an underlying broken system will not address the issue of affordability and segregation in our city. We currently live with the results of policy makers of the past who created a discriminatory system. We must take affirmative actions to dismantle and create anew. I urge you to send this proposal back to the drawing board and think in more visionary ways.

If you would like to discuss further, please feel free to contact me at [kdwalton@elmcitycommunities.org](mailto:kdwalton@elmcitycommunities.org). Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Karen DuBois-Walton', with a stylized, flowing script.

Karen DuBois-Walton, Ph.D.

Dear New Haven Alders Legislative Committee,

My name is Sinclair Williams and I live at 95 Division St. I moved to New Haven in 2013 and since then have watched nearly every parking lot downtown developed into apartment complexes that most people I know cannot afford to rent.

I am particularly concerned about developments currently being planned for Science Park, across the street from where I live. As you may know, the same developer that built Winchester Lofts is planning to develop the rest of Science Park. I fear that if we do not make a strong zoning policy, they will build four or five more Winchester Lofts that not only fail to provide affordable housing, but also lead to raising rents and displacement of people in my neighborhood. Therefore, I believe the Inclusionary Zoning policy should be changed in several ways before it is passed.

First, there should be a higher affordability requirement outside of the tier 1 core downtown area. HR&A, the consultants you hired to help craft the current policy, found that 58% of households need deeply affordable housing, and yet the current policy only provides for 5% affordability in Newhallville, Dixwell, Fairhaven and the Hill. I believe the requirement should be at least 20%, as it is in other cities across the country.

Second, I am concerned about the payment in lieu provisions in the draft ordinance. The current draft leaves me with many questions. What exactly is the Affordable Housing Trust Fund? Who determines how those funds will be used? What restrictions will be placed on those funds? I hope that these questions are answered before this ordinance comes to a vote.

Thank you for your consideration,

Sinclair Williams Esq. Attorney, New Haven Legal Assistance

95 Division St.



November 9, 2021

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If you would like to discuss further, please feel free to contact me at [kdwalton@elmcitycommunities.org](mailto:kdwalton@elmcitycommunities.org). Thank you.

Sincerely,

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Karen DuBois-Walton, Ph.D.



City of New Haven  
Attn: BOA, Legislative Committee  
165 Church Street  
New Haven, CT  
06510

Dear Legislative Committee Members,

My name is Caitlin Maloney and I am a community organizer with New Haven Legal Aid. I am also a member of People's Collaborative for Dixwell, a group of residents informing and effecting change in the development, revitalization, and planning of Dixwell and surrounding neighborhoods. Keeping Dixwell's legacy alive and building for a more just and equitable future.

I am writing to provide testimony on the Inclusionary Zoning Policy that is being presented for public hearing on November 9, 2021 before the legislative committee of the board of alders.

As I have engaged in this work around affordable housing and equitable development for the past four years in the City of New Haven, I have learned a lot about the concerns and struggles of New Haven residents. I've personally experienced my own share of housing insecurity, growing up as a foster kid and experiencing the class struggles of working class people, so these issues mean a lot to me.

For the past few years, I have built relationships with many New Haven residents who have ongoing concerns about a lack of affordable housing options for working class, predominantly communities of color in this city. I have heard multiple residents share that that they have seen the population shift and housing opportunities decline.

On the surface, I understand why an Inclusionary Zoning Policy would appear to be a useful tool to increase affordable housing in New Haven and I applaud you for looking into ways to do this. However, City development staff have missed the opportunity to provide meaningful resident feedback, and instead have relied on an outside consulting firm to inform this legislation.

What PCD and other residents are calling for is one that does not lead to further unaffordability, gentrification and displacement of New Haven's working class communities. The "set aside" rate of only 5% of units for lower income residents in neighborhoods surrounding the Downtown Area, in return for developers to pay no taxes for a period of time and have other incentives seems to be a backward deal. To me, it feels as if the incentives you are providing developers to build new mostly unaffordable (95% worth) units far outweighs the affordability benefits that would be provided to residents of New Haven.

Another issue we see with this policy is that the Inclusionary Zoning is not based off of real incomes of residents who live in New Haven's working class communities, so you are essentially measuring the affordability levels on people who do not even need this type of legislation. The city's proposal uses regional income levels that factor in the suburban towns. We should always be using New Haven's median income to determine affordability levels.

At the end of the day, we believe this policy is not strong enough to ensure we are providing affordability for New Haven's working class neighborhoods. Having a policy like this may make sense in places like Downtown and in neighborhoods that already have very high rents, but the proposed "set

aside units” at 5% will have higher rents than the housing that would traditionally exist in many of these neighborhoods that surround Downtown.

In conclusion, we are not trying to stop Developers and City representatives from considering the affordable housing crisis that exists in New Haven. We are trying to ensure that this policy goes further and takes into consideration the housing insecurity that exists for so many residents in New Haven, especially since Covid-19.

Thank you for taking the time to read this letter.

Kindly,

Caitlin Maloney

98 Fairefiew Ave, West haven CT 06516

City of New Haven  
Attn: Board of Alders, Legislative Committee  
165 Church Street  
New Haven, CT  
06510

Dear Alders,

I am providing testimony on my concerns about the Inclusionary Zoning policy that is going before the legislative committee for public hearing on November 9, 2021. I live at 434 Dixwell Avenue, New Haven CT and am speaking from the perspective of a resident, and not from my position as an employee of the City of New Haven.

My main concern with this policy is that it doesn't do enough to provide affordable housing in my neighborhood and other surrounding neighborhoods in New Haven at a time when we see many inexpensive developments being built. This policy would provide developers incentives to begin building in my neighborhood and requiring 5% affordability would actually make 95% of these new developments unaffordable to me and my neighbors. I would like to plan for my retirement over the next few years, and I personally worry that there will be no affordable places for me to rent left in my neighborhood. I think the City should amend this policy so that that the percentage is higher, and that we are measuring affordable levels off of the Area Median income of New Haven, not the county, which includes Branford, Guilford, Milford, and other towns that make much higher incomes than folks in Dixwell, Newhallville, Fair Haven and the majority of neighborhoods that this policy would impact.

I agree with the opt-out "payment in lieu of taxes option for developers, but in the development agreement there should be allocations for job creation, rental assistance, etc and this fund should be closely monitored with a staff designation for oversight.

If we pass an inclusionary zoning policy, it needs to be stronger. Please accept my testimony, and take your time to write a policy that will keep our city affordable so that we have places to live and are not pushed out. Thank you for your time.

Sincerely,

Pat Solomon

434 Dixwell Ave,

New Haven CT





## **Public Testimony on Inclusionary Zoning, Ordinance Text and Map Amendment Delivered to Legislation Committee on 11/09/2021**

Good evening,

My name is Elias Estabrook. I live at 106 Newhall St, New Haven.

I am a commissioner on the City of New Haven's Affordable Housing Commission. My testimony tonight is my own and does not represent the views of the Commission.

I think this ordinance text and map amendment has some good parts. We need inclusionary zoning for the areas where market-rate housing is already booming. I think that the details of the Strong Tier, in the neighborhoods surrounding Downtown and Wooster Square, need some amending.

I grew up in Somerville, Massachusetts. It's a historically working-class city bordering Boston that went through a major market-rate housing boom over the last few decades, like Boston and Cambridge. Today, many of my former high school classmates and I could not afford to rent there. Average rent for an apartment was over \$2,300 per month in 2015.<sup>1</sup> I do not want to see New Haven, my current home, go the way of Somerville, with housing prices rising out of reach for many residents.

According to data presented by LCI staff in September, the average rent in New Haven increased about 5-7% from 2020 to 2021. In September 2021, a one-bedroom cost \$1,600 on average; a three bedroom cost between \$2,000 and \$2,500.<sup>2</sup> We know that 51% (over half!) of New Haven residents were cost-burdened in 2020, meaning they paid over 30% of their income every month for housing expenses.<sup>3</sup> About 1 in 4 renter households (23%) were paying over 50% of their income for housing.<sup>4</sup> With the rise in rents since 2020, it is possible that even more households are burdened right now. In early 2019, New Haven's Affordable Housing Task Force suggested that thousands of affordable units are needed to meet the need of families at lower income levels.<sup>5</sup>

Market-rate developers and some housing policy analysts will suggest that we can build thousands of market-rate units everywhere to increase the region's supply of housing and thereby bring down housing prices in the long-term. If thousands of college-educated millennials are actually coming to New Haven to rent market-rate apartments, then we should build market-

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<sup>1</sup> <https://www.somervillema.gov/sites/default/files/housing-needs-assessment-2015.pdf>

<sup>2</sup> Minutes of September 2021 Affordable Housing Commission Meeting. Livable City Initiative, City of New Haven.

<sup>3</sup> Partnership for Strong Communities. 2020 Housing Data Profiles, New Haven. <https://housing-profiles.s3.amazonaws.com/2020/New%20Haven.pdf>

<sup>4</sup> Partnership for Strong Communities. 2020 Housing Data Profiles, New Haven. <https://housing-profiles.s3.amazonaws.com/2020/New%20Haven.pdf>

<sup>5</sup> "Affordable Housing Report and Recommendations." City of New Haven Affordable Housing Task Force. January 24, 2019.

rate units Downtown that they can afford. But there are thousands of residents in New Haven that are also demanding housing units – units that are affordable to working class and very low income households. Hundreds of affordable units could be produced Downtown through this Inclusionary Zoning policy.

The Purpose section of the ordinance text and amendment states that, “This policy will support the provision of safe and affordable housing options in areas of opportunity, especially for communities that have been historically marginalized, including low-income and communities of color.” To stay true to this purpose, I think the City’s inclusionary zoning policy should prioritize the construction of mixed-income developments in Downtown, Wooster Square, Long Wharf, and Westville village. Dixwell, Dwight, the Hill, Newhallville, and Fair Haven are not affluent areas “of opportunity” and they already provide some affordable housing options for communities of color. Some of this housing is subsidized and some is naturally occurring affordable housing.

I am concerned that rising prices (i.e. gentrification) in the lower-income neighborhoods surrounding Downtown could lead to “exclusionary displacement” of long-time, existing residents.<sup>6</sup> This type of displacement happens when housing prices for many properties in a neighborhood rise and there is a decreasing number of affordable housing options for low-income households to choose from.<sup>7</sup> This may prevent their ability to stay in the neighborhood. Building 95% market-rate developments in vulnerable neighborhoods could raise the rents of apartments that are currently affordable and have this exclusionary effect. I think the City needs to be strategic about where it allows and facilitates more market-rate development. To me, the negatives impacts to communities of color and low-income households of a market-rate boom in these neighborhoods outweighs the potentially positive, long-term impact of the boom contributing more units to the housing supply in the Greater New Haven region. For these neighborhoods, I think the City should design a Tier of this Inclusionary Zoning policy to require at least 30%-60% of units be affordable to residents with incomes between 30% and 80% of AMI. The City could provide a menu of different combinations of units and income limits. Setting the policy this way would prevent predominantly market-rate developments from driving displacement in these neighborhoods, and it would mean that City would need to seek out non-profit and private affordable housing developers as well as collaborate with LCI and its Housing Authority (Elm City Communities) to develop new housing that is primarily affordable.

As we discuss the details of this Inclusionary Zoning policy – such as the percentage of units that should be affordable – in these public hearings, I think it is important that we look to other cities with successful models. For example, Cambridge, MA and Stamford, CT are small cities that have had inclusionary zoning for over 15 years.<sup>8</sup>

Thank you.

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<sup>6</sup> <https://www.huduser.gov/portal/sites/default/files/pdf/DisplacementReport.pdf>

<sup>7</sup> <https://www.huduser.gov/portal/sites/default/files/pdf/DisplacementReport.pdf>

<sup>8</sup> <https://inclusionaryhousing.org/designing-a-policy/affordability-preservation/> ;  
<https://www.cambridgema.gov/CDD/housing/inclusionaryhousing>

**Deborah Powell**  
**Testimony, Public Hearing on Inclusionary Zoning**

Good evening. My name is Deborah Powell. I live at 31 Lombard Street, New Haven.

I'm a senior. I've been a homeowner for over 40 years in Fair Haven. The taxes and upkeep for a house are expensive especially when you are retired and on a fixed income. I know some seniors are considering selling their homes and moving into smaller apartments. Unfortunately, the apartments in most cases will cost them more than their current mortgages payments. I think that developers should be investing in affordable apartments for seniors, not just luxury apartments.

I have seen the many luxury apartments going up downtown. Developers of these luxury apartments need to build just as many affordable units in the city as well. If they do not build affordable units then at least they should pay into a fund for affordable housing to be built in that same city.

The community would welcome developers more if they would include them rather than exclude them on every project they undertake. I do not think the city should be giving tax breaks to developers unless they contribute to affordable housing for the community. I am a taxpaying homeowner, and I do not get any tax breaks as those developers do.

Rahul Shah  
November 9<sup>th</sup>, 2021  
rdshah357@gmail.com

## **Written Testimony in Support of OR-2021-0016**

My name is Rahul Shah; I am a homeowner in Wooster Square. I am writing in support of OR-2021-0016 which will improve access to affordable housing in New Haven for families in need.

Our city is in a housing crisis that disproportionately affects underresourced individuals and families. Multiple recent large-scale construction projects in New Haven have offered no direct benefits to our city's most underserved and represented a tragic lost opportunity to help provide affordable housing options.

Apologists for these types of constructions will say that New Haven should continue to build-up as much market-rate housing as possible without requiring developers to allocate units for low-income individuals or families. There is no doubt that New Haven needs to increase its housing stock, but we do not need to choose between no new developments at all and developments with only market-rate housing. Requiring developers to provide a portion of their apartment towards affordable housing is long overdue.

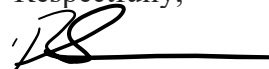
During multiple public meetings I have attended, several developers have been entirely disinterested in discussing concerns over affordability. When asked why no units for one new construction would be dedicated to low-income housing, its developer replied that this was because there is no requirement to do so. This mentality is totally out of sync with what our city needs.

I support this proposal; however, it could be strengthened by increasing the minimum percent of affordable units that should be provided for new constructions. In particular, upon reviewing Attachment 6 "Map Overlay Inclusionary Zoning," I feel all currently designated 'strong' regions should be reassigned to 'core' regions,' and that constructions in all such areas be held to the minimum requirements needed in 'core' regions.

We live in a wonderful city. It is a privilege for developers to build in New Haven, not the other way around. We can, and should, demand more from developers. This legislation is a critical step in the right decision, and I urge you to vote in favor. The long-term success of New Haven relies on your support.

If you have any questions, please do not hesitate to contact me.

Respectfully,



Rahul Shah



## Real inclusionary and affordability

Cynthia Teixeira <cynthia354@icloud.com>

Tue 11/9/2021 11:57 AM

To: Public Testimony <PublicTestimony@newhavenct.gov>

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The suggestion that developers will build housing units with ONLY 5% affordable units is a slap in the face to the residents of New Haven, and particularly for those who live in the areas such as Dixwell, Dwight, Newhallville, Fair Haven and the Hill. The ever encroachment of non- affordable housing into these neighborhoods suggests the old tried and true- move them out - where people will not be near services, their houses of worship , their jobs or transportation. I can see now where this is headed. People of lesser means will once again be relegated to the outskirts, allowing the influx of those with means. This will affect those of color more, as well, which makes me think it's what us being sought. What is the real conscience of the city administration- you want our votes, you need to listen to and heed our voices. I worked in the public sector for 46 years and the writing has been in the wall. Tear it down and upscale- pushing whole neighborhoods out. It's way past time for real change. Build and grow the city,sure, but not at the expense of it's loyal residents. Build so that at least there's real affordability factor-95% percent unaffordable is unconscionable. The least you can do is make new construction equitably distributed.

Submitted by: Cynthia Teixeira

Sent from my iPhone

**November 9, 2021**

Melissa Google-2 <melissalytrelle@gmail.com>

Tue 11/9/2021 2:43 PM

To: Public Testimony <PublicTestimony@newhavenct.gov>

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November 9, 2021

To whom it may concern,

My name is Melissa, I'm a long time resident of the Dixwell Avenue / Newhallville Neighborhood as well as a long time resident of this great City of New Haven. I would like to testify in opposing to have the zoning approved.

We understand the growth of the city but what we disapprove of is the Gentrification, Displacement & Inequality amongst the black and brown communities and minority neighborhoods. We want fairness, full transparency and honesty when it comes to what's being done in the community we feel we are being pushed out. We would like to change the way politicians work when it comes to the changes within our communities by working together genuinely to help build better City by speaking directly with the community and the people living there.

If you want to make change do it by changing the way you overlook the community, change it by the way you interact with the community, change it by building a rapport then a honest relationship with the community. We together can be the first to make a change working together to strengthen the community not take it from us.

Thank you,  
Melissa L. Singleton

Sent from my iPhone

## Written Testimony for Affordable Housing and inclusionary zoning

Myra Smith <myrasmith@ccahelping.org>

Mon 11/8/2021 1:56 PM

To: Public Testimony <PublicTestimony@newhavenct.gov>

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Good evening. Thank you for allowing me to speak this evening regarding the important issue of affordable housing. I am speaking as an individual and as a member of Mothers and Others for Justice, a grassroots organizing group sponsored by Christian Community Action.

My name is Myra Smith. I have lived in the Hill North neighborhood of New Haven for 11 years, and I am in search of housing which is truly affordable. I recently after numerous years of applying for Section 8, finally received a voucher. I felt such a relief come over me as I have lived in a 1 bedroom apartment for 11 years. I have a 17 year old daughter and a 21 year old son. Thank god for their grandmother allowing them both to stay with her a majority of the time so that we all wouldn't be cramped up in a 1 bedroom apartment. I finally received my voucher in September and I'm thinking finally I will be able to get a bigger affordable place for my family. I was in for some rude awakenings while searching for an apartment. Vouchers have a set limit of up to how much Section 8 will pay for an apartment. I am currently looking for a two bedroom apartment. Section 8 will pay up to \$15.81 for a 2 bedroom in New Haven, which I thought was fantastic. Little did I know that most 2 bedrooms that I looked at were either way more than that, the ones that weren't were in areas with high crime and where is considered the "Hood." Even those apartments had requirements such as must have 3x's income or a credit score above 650. If we had 3x's the income we wouldn't need section 8! I never thought that even with rental assistance housing would still be unaffordable. There is no wonder that the shelters are full, 211 is overwhelmed with calls for needs for shelter and housing, hotels are filling up with families recently evicted, homelessness among youth is growing at an alarming rate, and the waiting lists for affordable housing and subsidies are filled with thousands and thousands of people!! This is my testimony and the reality of countless people!

In the interest of time, I want to also state clearly 2 requests.

The first is that affordable housing be truly affordable for those living in the city of New Haven where the average household income is \$42,222, much less than the nearly \$70,000 area median income on which the definition of affordable housing is based.

My second request is that inclusionary zoning be truly inclusionary. There is no way that requiring new construction of buildings with more than 10 units to set aside 5-10% of the units as being affordable to those earning no more than 50% of the area median income can be considered to be inclusionary.

In summary, I ask that the terms "affordable housing" and "inclusionary zoning" be redefined so that ample numbers of truly affordable units become available to the residents of New Haven.

Thank you

Myra Smith

Mothers and Other for Justice

203-936-7833

[myrasmith@ccahelping.org](mailto:myrasmith@ccahelping.org)

[newhavenmyra@aol.com](mailto:newhavenmyra@aol.com)

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**Myra C. Smith**

**Neighborhood Services Advocate**

## Testimony- housing not affordable.

club rights <clubrights12@gmail.com>

Mon 11/8/2021 11:25 AM

To: Public Testimony <PublicTestimony@newhavenct.gov>

### **Please be cautious**

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Im writing this testimony and I'd like to remain anonymous, I have been living in New haven, Ct for more than 10 years, I am part of MOFj (mothers and others for justice) , Most of New Haven is not affordable , the only areas I find affordability for people with or without housing choice vouchers is in the not desirable areas where there is more hangout, corner stores, liquor stores, and where I would not move to. Also nearby more desirable areas are always put for rent for much more money about 2400 for a 3 bedroom apt or house for rent and many places also say they do not want pets, or some better areas say academic rental and also furnished home and they do not allow a 1 year lease, also some are only rented out for airbnb like a vacation rental. Also for these houses in order to apply they want head of household to pay and also 18 and over to pay and they are taking our money knowing they are not really going to rent it to us. It has been impossible to find something worth moving to, also apts do not allow us to have a washer and dryer, I saw some recent houses for rent with horrendously small bedrooms, no closet space, very odd layout, one 3 bedroom house had a room inside of a room, who is going to want someone passing by their room in order to get to the other bedroom, also one had a bathroom inside the living room, one was in horrendous condition and the owner wanted 2 months deposit. Where I dream of living I cannot find a place to rent.

Another issue is if you want to live in a single family house for rent you are responsible for paying extra money for yard work , and snow removal, the water bill and one owner even said I'd be paying sewer , even if you have low income, those expenses are extra. In new haven also an adult single male applied for housing in new haven housing authority and they accepted his application and then later said he didnt have ssi so his application was no good and he s had to live with strangers and rent a room which is the only thing he could afford and that is not right, alot of opportunities for housing choice vouchers want people to have ssi or they dont qualify. Recently new haven is offering housing for certain locations in horrible areas, only people that dont know the area would want to move there.



Good evening, thank you for giving me the opportunity to speak tonight. My name is Madison Laprise and I'm currently a student at Yale, but I've lived in Connecticut my entire life. I am part of a group on campus called YHHAP (Yale Homelessness and Hunger Action Project) that partners with a New Haven grassroots organization named Mothers and Others for Justice to ensure that our work is informed by people who have experienced homelessness or have been closely affected by it.

I'm here tonight to speak on the need for affordable housing, and why the proposed luxury apartments are not the answer.

A living situation is defined as affordable if the cost of housing and utilities combined does not exceed 30% of the Area Median Income. Area median income is calculated on the level of the New Haven Country, whose AMI is \$70,000. This number, which we use to determine what is and isn't affordable, isn't reflective of what is truly affordable for the city itself, since the AMI of New Haven is a much lower figure at \$42,222.

It is imperative that 'inclusionary zoning' in our city truly be inclusionary to the New Haven resident. As it stands now, inclusionary zoning posits that all newly constructed units with 10 or more buildings set aside set aside 5-10% of units such that they are affordable to the county's AMI. However, we already know that the county AMI is not reflective of New Haven's needs. I request that there be more housing opportunities in New Haven that meet, not greatly exceed, these guidelines. We cannot continue using the county's metric of affordability when New Haven is a clear outlier in terms of wealth and opportunity. New Haven needs housing that is genuinely affordable more than it needs luxury housing scaled up to meet the standards of the county.

Thank you.

Benjamin Trachten  
679 State Street  
New Haven, CT 06511

November 9, 2021

Honorable Board of Alders – Legislation Committee  
Alder Charles Decker, Chair  
New Haven City Hall  
165 Church Street  
New Haven, CT 06511

RE; **Testimony in opposition to Inclusionary Housing Zoning Ordinance**

Honorable Charles Decker and Committee members:

My name is Benjamin Trachten and I am a New Haven resident and local attorney with an office at 679 State Street. I live in Westville where I have lived for 38 years. I have spent the last 15 years participating in different ways in zoning and planning in the City both as a BZA member and Chair and as a private attorney presenting applications to BZA and other commissions. In addition, for nearly ten years I served as counsel for a local affordable housing developer with hundreds of scattered site and clustered units throughout the region. I am not fundamentally opposed to affordable housing and just want to offer a few objections that prevent this plan from being workable.

- 1) Nature of the problem – to begin with, New Haven provides an enormous amount of affordable housing as compared to every other town and city within 30 miles of the Green. Over 30 percent of our housing stock is considered “affordable”. This does not include units that have rents low enough to be considered “affordable” but without formal restriction. A significant number of such units exist. The real issue is poverty but no one wants to talk about that. Instead, we just keep trying to dump the responsibility of housing deeply poor people on market participants that have no expertise and no possibility of producing a successful outcome, private developers. To date, I can’t think of a single successful project where a private developer chose to build affordable units without getting tax credits or a loan that closes the income gap that providing affordable housing will invariably create. While time and again, our economic development staff tries to encourage developers to offer up a few affordable units to insure that projects pass through the labyrinth of an approval process that we already have, its just not right to bow to “feelings” that people currently have that rents are unaffordable and that private developers should bear the cost of providing such housing.
- 2) Timing – we are in an unprecedented building boom and a plan like the one in front of you tonight would have a chilling effect on private development. There is no money available to fill the acknowledged “funding gap” which will total millions of dollars for projects under this proposal. Specifically, the calculations of fiscal impact are based on a 30 year cost to the

developer but the restriction period is 99 years. How does that make any sense? The time to enact inclusionary zoning (if ever) is when we are in a recession and private development slows and government steps in to make gap-funding available. Not now.

- 3) Missing items of this program – if you look to other municipalities like Minneapolis Minnesota, you'll see an ordinance with some thought and resources behind it that actually works. There is a municipal loan program that closes the gap. There is a rational time frame for affordability, of 10 or 15 years. There is support. There is a rational approach, not some slapped together plan by a bunch of interns and consultants. That is not how you get good legislation.
- 4) Duration – A 99 year restriction is, essentially, permanent. No other municipality that I found imposes such a long duration restriction.
- 5) Targeted subsidy group- By targeting 50 and 30 percent AMI tenants you mix deeply poor occupants into a building with market rate tenants. But most market rate tenants paying 2-3000 per month for a 2 bedroom apartment simply don't want to brush elbows with deeply poor residents. Its not a feeling that comes from a place of racism or bigotry, its just a fact of life that many very low-income tenants at those low AMI numbers will be living very different lives than the market rate tenants. And given the choice, the market rate tenants will simply rent in buildings with no restricted units which will force the price of market rate units in Inclusionary buildings to drop which will decrease the likelihood of success of such developments. Its basic human nature and basic math.
- 6) Administrative burden – No one has quantified the cost of hiring staff and training them in compliance with such regulations. At every stage of an affordable housing development there will be required scrutiny that didn't previously exist. A fair estimate for staffing levels to manage initial review for zoning compliance, legal review of project documents to ensure compliance, operational review, and overall post construction review could be as high as 10 staffers or more. And this is not considering the added time for figuring out the FAR bonus, benefits for unit size, and the proposed tax benefits. All of these require specialized knowledge and can't be easily integrated into work that current staff already does. Certainly, dumping the burden of these tasks on existing staff (who are already at an historic low at City Hall) is not feasible. It typically takes me 2-3 months to get an answer to basic zoning questions, can you imagine the wait for answers to questions of first impression under a new ordinance with new staff with no experience? Because to bring in experienced staff you will have to spend hundreds of thousands of dollars per year on staffing alone. We can't afford that now.
- 7) Compliance by private developers - Private developers are simply not equipped to manage tenants earning 50 percent AMI or below no matter how much of an FAR bonus or tax relief you provide. In my time as counsel to a local non-profit low income housing developer, I recall the shocking amount of compliance documentation that each unit and each tenant required. I really can't recall a single tenant file that wasn't 5 inches thick with every "income qualifying" document needing to be reviewed, scrutinized, corrected, packaged for review by project managers, and so on. And, at 30-50 percent AMI tenants need support by way of dedicated services. This is an additional cost that developers will have to bear. Dumping that responsibility on private developers will lead to one of two results: higher staffing costs passed on to all tenants, or non-compliance. And the tenants that lose out will be the exact tenants meant to benefit from inclusionary zoning. I know the City will never have the resources to police what it

enacts. We don't have enforcement for basic zoning violations now; how can we expect to police enforcement of a massive change like the ordinance as proposed?

I am a lifelong democrat, a liberal, and I think deeply about housing issues. I love good design, and smart density, and well thought out plans that offer simple solutions to complex problems. This proposed Ordinance amendment is a social experiment brought on by good intentions but horribly misguided and ultimately will hurt the average resident of New Haven; your constituents. The more market rate units that are created, the more downward pressure on rents beyond downtown and Wooster square.

The time for experimentation is not now; it's when the housing market crashes or slows and developers slow down construction of market rate housing. Its when the State makes money available to close the funding gap that half-baked ideas like this ordinance will create.

As many commentators noted in recent articles on this proposal, the impact of this ordinance will be modest at best. At worst, it will chase off developers interested in doing solid market rate developments in New Haven to towns and cities that don't have punitive inclusionary and affordable regulations. This is very simple.

I encourage you to ask the hard questions, make the proponents respond to the issues that me and many other interested parties bring up, and ultimately find that this plan is not right for New Haven now.

I ask that these comments be read into the record in full.

Benjamin Trachten

679 State Street

New Haven, CT 06511

Good evening. Thank you for allowing me to advocate for housing policy that will address the needs of low income people in a meaningful way.

Thank you very much for allowing me to speak tonight and to share a little about how I became impassioned about the issue of affordable housing

I first came to New Haven a little over 20 years ago to begin working as a physician at Yale. My life then consisted of being dropped off at the door of the Hospital, reading radiographic studies all day and teaching our residents, and then leaving - barely looking to either side until I arrived home in Hamden.

After an early retirement, I decided to pursue a second career in social work. As I began my fieldwork at Christian Community Action, it was as if my eyelids had been pried open. By then I was no longer living in Hamden. I frequently rode on Howard Avenue, noting the state of disrepair of many of the homes - in neighborhoods that friends who had been long time residents of New Haven told me had once been considered very fashionable. My friends' comments were frequently followed by tongue clicking or such trite words as "what a shame."

It is time to do more than click our tongues. With our eyes wide open, we must work to change the policies that have allowed the disparities in housing between the haves and the have nots to be perpetuated.

With my student's cap in place, I wanted to learn the facts about housing. Almost immediately, I realized the fallacies of the math which governed policy regarding housing. In addition, I learned a whole new vocabulary including abbreviations which forced legislators and others to think of those dealing with housing challenges as being at x% of the FPL or as having x% less than the AMI.

It is time to think of the housing challenged as human beings, each with his or her own story.

It is time to recognize that the area median income in New Haven County of nearly \$70,000.00 on which the definition of affordable is based is nearly \$30,000 more than the median income of the residents of the city of New Haven. And so, if housing is considered to be affordable if the funds spent for it + utilities do not exceed 30% of the area median income, it is going to be critical to have an accurate AMI for this calculation. Specifically, 30% of \$70,000 = \$21,000 which is nearly twice as much as 30% of \$42,000. So what may be affordable in other parts of the County will not be affordable to many in the city of New Haven.

It is time to stop patting ourselves on the back for creating the concept of inclusionary zoning. It just is not inclusionary of those for whom it was intended. How is allotting 10% of units in new housing to those earning up to 50% of the AMI supposed to help those in the city of New Haven? We need to critically examine the numbers. Fifty

percent of the AMI is \$35,000.00, exactly  $\frac{5}{6}$  of the median income in the city of New Haven.