

IMPLEMENTING FAIR SHARE IN GLASTONBURY

Recommendations for Action

April 19, 2022



Introduction

This report proposes strategies and policies that the Town of Glastonbury could implement to substantially broaden and increase the options for affordable housing in the community. It reflects Tyche Planning and Policy Group’s analysis, research, and conclusions. Glastonbury non-profit TALK, Inc. (Truth in Action with Love & Kindness) and the Hartford-based civil rights non-profit Open Communities Alliance (OCA) commissioned the report through a Hartford Foundation for Public Giving (HFPG) grant to support community engagement and education on housing segregation and inclusive housing development. For the HFPG grant project, TALK organized educational and advocacy activities in Glastonbury on affordable housing in collaboration with OCA and the Glastonbury MLK Community Initiative.¹

The report’s specific objective is to identify various planning, zoning, housing, and related policies that collectively could help Glastonbury meet its “Fair Share” of the Greater Hartford region’s affordable housing need, which OCA has estimated to be 1,550 affordable housing units over the next 10 years. Both this number and the underlying Fair Share concept more broadly derive from OCA’s Fair Share model, which in turn is based on the policies and successes of New Jersey’s landmark Mount Laurel case doctrine.²

New Jersey’s Fair Share system recognizes that all municipalities must plan, zone for, and take affirmative steps to meet their “fair share” of the regional need for affordable housing, and uses a 10-year time horizon to allow municipalities to make demonstrable progress in increasing affordable housing opportunities. The model developed by OCA for Connecticut similarly would require each municipality in Connecticut to develop a fair share plan that creates a realistic opportunity for achieving the number of Fair Share units allocated to that municipality over a decade. Critically, while OCA’s approach to Fair Share would involve guidelines and unit goals for municipalities to meet, each municipality would be in charge of determining how to create the realistic opportunity for meeting its Fair Share unit targets.

While Fair Share involves setting an ambitious development goal for towns like Glastonbury, there are strategies and policies that Glastonbury can put into place that, in combination, could make it more attainable. This report illustrates some of those strategies and policies, but it is not meant to be exhaustive. Glastonbury and all other municipalities in Connecticut can and should consider a wide range of such policies and strategies, and deploy as many planning and zoning tools as are necessary to address their fair share of the regional need for affordable housing.



Glastonbury has shown itself to be a very popular destination for market-rate housing, particularly single-family housing. According to the U.S. Census Bureau’s 2019 American Community Survey, the town was estimated to have an effective vacancy rate of less than 1% in its ownership stock and 0% for its rental housing stock (ACS 2019, 5-year estimates, Table DP04).

While the calculated Fair Share number for Glastonbury is a seemingly imposing number of 1,550 affordable units, it is important to bear in mind that at the beginning of 2022, there were over 1,100 families on the waiting

1 A non-partisan community organization, TALK’s mission is to foster dialogue on social and political issues and fight injustice. See <https://talk-action.org/>. OCA is a Connecticut civil rights research, policy, and legal advocacy nonprofit that catalyzes action to reverse the root causes of segregation. See <https://www.ctoca.org/>. Glastonbury MLK Community Initiative is a not-for-profit organization whose mission is to provide leadership and active engagement to build an inclusive community. See <https://glastonburymlkci.org/>

2 Fair Share Planning and Zoning is a system that positions each town in Connecticut to lay the groundwork for positive, racially and economically integrative housing growth that is responsive to the regional needs for affordable housing. Inspired by the success of New Jersey’s Fair Share System (<https://fairsharehousing.org/mount-laurel-doctrine>), OCA has developed a Fair Share model and a statewide policy framework for Connecticut, about which more information is available at (<https://www.ctoca.org/fairshare>).

list for units controlled by the Glastonbury Housing Authority. This number reflects those who are informed of, eligible for, and interested enough in such housing to put forward their name for the list. As such, it probably undercounts by a fair margin the true demand even for just the existing affordable housing supply in Glastonbury. Any significant demand almost certainly has the effect of driving up housing costs, particularly for the limited supply of rental units, thus further exacerbating affordability concerns.

Even more important than assessing the demand for the current, limited supply of affordable housing in Glastonbury is recognizing that there is a stark need for far more affordable housing throughout the Greater Hartford region and the state. If one were to conservatively define the currently unmet need for affordable housing by looking only at extremely low-income households (those making less than 30% of the area median income) who are severely cost burdened (those spending more than 50% of their income on housing costs), there are well over 30,000 households just in the Greater Hartford region who require affordable housing. If Glastonbury were to do its fair share to address this vast unmet need, there is no reason whatsoever to believe that the tens of thousands of households in desperate need of affordable housing would simply not come.

In sum, the town’s waiting list, nearly nonexistent vacancy rates, and especially the profound lack of affordable housing throughout the region therefore underscore the reasonableness and critical importance of finding numerous ways to substantially increase the affordable housing supply in Glastonbury. While our analysis necessarily is based on a “if you build it, they will come” approach to the creation of new housing units over a decade, there is no indication that Glastonbury’s market in fact could not absorb them.



The purpose of this exercise is to start with the Fair Share target number of 1,550 and to identify policies, investments, and even specific development opportunities that would move Glastonbury toward the creation of that number of units. Our recommendations represent a menu of options, not an exhaustive or prescriptive list that must be precisely followed by the Town in order to attain the Fair Share target number. For most of our recommendations, we posit a range for the number of possible housing units that could result, but in reality, the number would depend on the level of investment or aggressiveness of policy that the Town chooses to implement. Pursuing several of these recommendations could assist the Town to make significant progress toward its Fair Share target number and the Fair Share objective of being a more equitable and accessible community – though, as noted above, the Town also should consider as many additional strategies as it deems advisable or necessary to help create the realistic potential for achieving its Fair Share goals. The broad recommendations, detailed further below, are as follows:

1. Implement 8-2i Inclusionary Zoning as a fundamental development requirement;
 2. Implement zoning changes that in conjunction with 8-2i regulations are critical to enabling Fair Share units;
 3. Convert municipally owned, unrestricted land to affordable housing;
 4. Make direct town investment in affordable housing development;
 5. Convert underused retail/office facilities to affordable housing; and
 6. Implement other policy & investment strategies.

1. Implement 8-2i Inclusionary Zoning as a Fundamental Development Requirement

Concept – Connecticut General Statutes § 8-2i enables municipalities to establish requirements or incentives to set aside portions of new housing development projects as restricted affordable, or provide for a fee in lieu of that set-aside. The entirety of the statute is quite brief:

Sec. 8-2i. Inclusionary zoning.

(a) As used in this section, “inclusionary zoning” means any zoning regulation, requirement or condition of development imposed by ordinance, regulation or pursuant to any special permit, special exception or subdivision plan which promotes the development of housing affordable to persons and families of low and moderate income, including, but not limited to, (1) the setting aside of a reasonable number of housing units for long-term retention as affordable housing through deed restrictions or other means; (2) the use of density bonuses; or (3) in lieu of or in addition to such other requirements or conditions, the making of payments into a housing trust fund to be used for constructing, rehabilitating or repairing housing affordable to persons and families of low and moderate income.

(b) Notwithstanding the provisions of any special act, any municipality having zoning authority pursuant to this chapter or any special act or having planning authority pursuant to chapter 126 may, by regulation of the body exercising such zoning authority, implement inclusionary zoning regulations, requirements or conditions.

The enabling statute sets neither a minimum development size nor a maximum set-aside percentage, requiring only that the number of set-aside units be “reasonable.” The Inclusionary Zoning concept depends upon market conditions -- if the required set-aside is too high, developers will likely choose to develop elsewhere. The Town can review its Zoning Regulations relative to the housing market and calibrate a “reasonable number” that would both allow the housing development market to thrive in Glastonbury and provide for expanded affordable housing opportunities.

For Glastonbury, the implementation of a broad Inclusionary Zoning policy is critical and central to a successful Fair Share strategy, and it enables several of the recommendations below to contribute to the Town’s Fair Share number.

Current Town Policy – The Town of Glastonbury currently provides a density bonus for Planned Area Developments – per Section 4.12.3 of the Glastonbury Zoning Regulations – if a development sets aside at least 20% of units as “Affordable Dwelling Units” as defined in that section. The definition of these units, however, is restricted to ownership and owner-occupied units, and the monthly housing cost cap is 40% of gross income, rather than the 30% that generally is considered the threshold for affordable cost burden. Glastonbury’s density bonus is an optional incentive, rather than an inclusionary zoning requirement, and to date, it has not been widely used by developers.

Proposed Change- Modify the Town’s approach to Inclusionary Zoning from an incentive to a requirement-based system, establish a minimum development size to trigger the requirement for setting aside affordable units, a minimum set-aside percentage, and a formula for making payments into a newly established affordable housing trust fund for developments wishing to opt out of the set-aside. The minimum trigger for Inclusionary Zoning could be adjusted based on the housing development type and zoning district. Preliminary proposals could include the following:

Minimum development size for small-scale housing development: Four (4) dwelling units, whether multifamily or subdivision; and

Minimum percentage set-aside: 16%-25% (between 1 in 4 and 1 in 6, depending on development size), set aside at 80% AML with residents spending no more than 30% of gross income on housing costs.

While the Inclusionary Zoning statute allows for a fee-in-lieu option, Connecticut does not have much of a track record for collecting these fees and then using them to construct a substantial number of affordable units. The Town should prioritize the inclusion of actual, constructed units as part of a development. Requiring a substantial per-unit fee for the in-lieu option, however, would help to push developers in that direction.

Estimates/Yields for Fair Share Calculation – The Town of Glastonbury has a 30-year average of approximately 55 new house permits per year. This number is heavily skewed toward single-family, detached housing. Because the Town has never widely permitted multifamily development, we are making the assumption that there is market potential for inclusionary zone developments. Within the general assumption of “if you build it they will come”, the development of these properties will take place over the decade of this Plan’s scope. In the Fair Share estimate of each policy recommendation, the assumptions behind each calculation are presented, and may be adjusted up or down based on Town preferences.



2. Implement Zoning Changes that are Critical to Enabling Fair Share Units alongside 8-2i Inclusionary Zoning

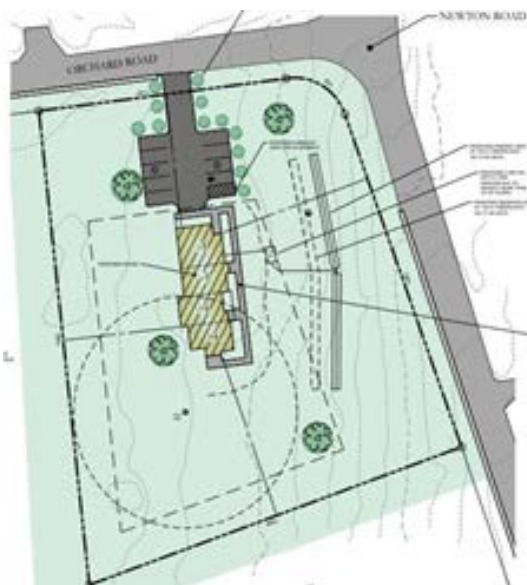
a. Allow Inclusionary “Missing Middle” Housing on Single-Family Lots without Public Sewer/Water Service

Concept – Allow 4-6 unit "missing middle" multifamily housing to be built on single-family residential lots with sufficient design requirements to ensure that the structures reflect the building scale and architectural design that is appropriate and typical of the suburban neighborhood context. A condition of the development allowance would be the requirement that 25-33% of the new units be set aside as affordable, as authorized by CGS section 8-2i (Inclusionary Zoning).

Current Town Policy – The current Zoning Regulations do not allow multifamily developments of more than two units outside of Planned Area Development and Adaptive Redevelopment Zones, which are very limited in number and extent. The Town has not adopted Inclusionary Zoning in its Zoning Regulations.

Proposed Change- The Zoning Regulations would be amended as follows:

- New definition of “Neighborhood Multifamily” created to define a category of use that is a 4-6 unit development in a single structure with design features to reflect a single-family residential context.
- New design standards regarding bulk, massing, lot placement, parking, building design, and materials be adopted and applied to “Neighborhood Multifamily” developments.
- Allow Neighborhood Multifamily as a as-of-right (staff review) use in all residential zoning districts, with up to six-unit developments allowed on lots with no public sewer/water utilities, if soils demonstrate sufficient suitability (by Public Health Code) to support an on-site wastewater disposal (septic) system.
- Per the “density bonus” provision of CGS section 8-2i, require an Inclusionary Zoning set-aside of 25-33% of Neighborhood Multifamily units to be restricted as affordable. One unit in each 4-unit development and two units in each 6-unit development would be so restricted.



Design example of a Neighborhood Multifamily development proposed for a single-family lot. Source: Open Communities Alliance

Estimates/Yields for Fair Share Calculation - GIS analysis reveals there are 528 residential vacant parcels contained within either RR, RAAA, RAA, RA, or CR Zoning Districts, which are generally served by private well and septic systems. Over a ten-year period, it can be conservatively estimated that 30% of these may be developed under the new Neighborhood Multifamily provisions. Estimating that half will be developed as 4-unit and half developed as 6-unit structures, the number of resulting Fair Share units is 198:

*528 (vacant parcels) * .30 (30% assumption) * 5 (average of 4-6 units) * .25 (affordable %) = 198 Fair Share Units*

A substantial number of existing single-family residential structures also may be converted to Neighborhood Multifamily under this same provision, resulting in 312 Fair Share units:

*10,000 parcels (approximate number of occupied lots within single-family zoning districts) * .025 (2.5% conversion assumption) * 5 units (average of 4-6 units) * .25 (affordable %) = 312 new affordable units*

Fair Share Estimate total: 400-500 Units



b. Allow Inclusionary Moderate Density Multifamily Housing on Single-Family Lots with Public Sewer/Water Access

Concept – Allow 12-16 unit moderate density multifamily housing to be built on single-family residential lots with sufficient design requirements to ensure they are aesthetically appropriate and fit into the surrounding suburban neighborhood. A condition of the development allowance would be an Inclusionary Zoning Requirement that 25-33% of the new units be set aside as affordable per CGS section 8-2i (Inclusionary Zoning).

Current Town Policy – The current Zoning Regulations do not allow multifamily developments of more than two units outside of Planned Area Development and Adaptive Redevelopment Zones, which are very limited in number and extent. The Town has not adopted an Inclusionary Zoning policy within their Zoning Regulations.

Proposed Change- The Zoning Regulations would be amended in the following ways:

- New definition of “Moderate Density Multifamily” created to define a category of use that is a 12-16 unit development in a single structure with design features to fit into the surrounding neighborhood.
- New design standards regarding structure size, lot placement, parking, building design, and materials be adopted and applied to “Moderate Density Multifamily” developments. Allow Moderate Density Multifamily as an as-of-right (staff review) use in all residential zoning districts, with public sewer/water access.
- Using the “density bonus” provision of Section 8-2i of the Connecticut General Statutes, require an Inclusionary Zoning set-aside of 25% of Moderate Density Multifamily units to be restricted as affordable. Three units in each 12-unit development and four units in each 16-unit development would be so restricted.

Estimates/Yields for Fair Share Calculation – This analysis required an estimate of the number of total and vacant single family lots with sewer/water access. Over a ten-year period, it is estimated that 50% of the vacant parcels may be developed under new Moderate Density Multifamily provisions, resulting in 309 Fair Share units:

*175 parcels (approximate number of vacant lots within sewer/water service area, per Glastonbury GIS analysis) * .50 (50% assumption) * 14 units (average of 12-16 units) * .25 (affordable %) = 309 new affordable units*

A number of existing single-family residential structures within the sewer and water service area may also be converted to multifamily under this same provision, resulting in 157 Fair Share units:

*4,500 (approximate number of occupied residential parcels within public sewer/water service area), per Glastonbury GIS analysis) * .01 (1% conversion assumption) * 14 units (average of 12-16 units) * .25 (affordable %) = 157 new affordable units*

Fair Share Estimate total: 350-450 Units

c. Reduce or eliminate minimum lot sizes in certain residential zones

Concept – Change the Zoning Regulation standards for minimum lot sizes in the Rural Residence, Residence AAA, AA, and Country Residence zoning districts, particularly for those that have public sewer/water access. This will allow for the creation of more lots and thus more houses in each geographic area, increasing potential yield and reducing per-lot cost. For units without access to sewer and water infrastructure, arbitrary minimum lot sizes would be eliminated in favor of a soil-based approach.

A “soil-based” approach means the required minimum size of any individual property would be determined by the proposed development and the capacity of the on-site



soils to properly dispose of the wastewater generated by that development. The Public Health code, as implemented by the Town sanitarians, would determine the minimum septic system size, as well as the required separation distances from wells, wetlands, and property lines. Some additional size factors would be included to project potential expansion in the future (e.g., adding a bedroom). The result would be a more objective – and in most cases significantly smaller – minimum development lot size. This approach has been implemented in numerous Connecticut municipalities, including Washington and Thompson, CT.

Current Town Policy – The current Zoning Regulations require minimum lot sizes for these zoning districts as follows:

- Rural Residence Zone: 40,000 square feet (0.92 acres)
- Country Residence Zone: 80,000 square feet (1.84 acres)
- Residence AAA Zone: 40,000 square feet (0.92 acres)
- Residence AA Zone: 25,000 square feet (0.57 acres)

Proposed Change– The Zoning Regulations would be amended for those Residential Districts to reflect the following:

- Rural Residence Zone: No minimum – Soil-based density
- Country Residence Zone: No minimum – Soil-based density
- Residence AAA Zone: No minimum – Soil-based density
- Residence AA Zone: 10,000 square feet (0.23 acres)

In areas within any of these zoning districts where public sewer/water access is available, the minimum lot size would be reduced to 10,000 square feet. For areas within close proximity of existing sewer/water service areas (~500 linear feet), the Town could consider proactively increasing allowable densities to encourage extension, and make the increased density contingent on extension of utility services. For areas without sewer/water access, the minimum lot size would be governed by soil types and the ability of the property to meet public health code requirements for the proper management of subsurface wastewater disposal (septic systems) and minimum separation distances from drinking-water wells.

Estimates/Yields for Fair Share Calculation – GIS analysis reveals there are 8,236 residentially zoned parcels contained within either Rural Residence, Residence AAA, AA, and Country Residence Zoning Districts. Only 16 of these have either public sewer or water service. Of these, there are 528 residential vacant parcels contained within either Rural Residence, RAAA, RAA, or CR Zoning Districts.

The reduction in lot size itself does not have a direct impact on set-aside affordable dwelling units that would count toward a Fair Share total, but it would increase development density and lot yield for property owners and developers. In combination with other techniques, such as affordable unit density bonuses and Inclusionary Zoning, a reduction in minimum lot size could contribute to an increase in Fair Share units.

A reduction or elimination in lot size could generate a substantial amount of subdivision activity, or property owners of “large lots” of two-plus acres splitting their properties into two or more smaller (but still substantial in size) parcels. Because a division of land from one lot to two would not trigger most Inclusionary Zoning thresholds, and because most potential property-dividers would most likely not seek to place a multi-family development on their newly-created lot, the Town could seek to encourage affordable housing in an alternative way. In the case of division and creation of a new residential lot (enabled by eliminated lot sizes), the Town could charge an affordable housing fee (empowered by the Inclusionary Zoning statute) of \$5,000 to be placed into an Affordable Housing Trust Fund. The proposed fee is less than 10% of the market rate for an undeveloped building lot.

Fair Share Estimate: There are just over 1,000 existing properties in town that have a single-family residence on a property with over two acres of land. Even in areas without public sewer/water access and average soil conditions, a single acre is more than sufficient to support another single-family dwelling unit. If minimum lot sizes are eliminated and these properties become eligible for a simple administrative split, a large number of additional housing units could be created. With an assumption that 10% of the properties will take advantage of their ability to split and create a new building lot, and the Town is able to capture a \$5,000 Inclusionary Housing fee for these splits, this would generate \$500,000 for the Affordable Housing Trust Fund.

d. Increase Maximum Lot Coverage

Concept – The current Maximum Lot coverage, particularly for higher density residential areas, is quite low (10-15%), discouraging denser development. A higher maximum lot coverage creates more diverse development opportunities, like accessory units or multifamily units. The change in regulation would give residents the freedom to add an accessory unit, a cottage, or a garage apartment on their property.

Current Town Policy – (Glastonbury Zoning Regulations, Section 4, p. 14) The current Zoning Regulations set a maximum of 10-15% lot coverage for CR, RR, R-AAA, R-AA, and R-A zones. For multifamily districts (in PAD, ARZ, and TC/TCMU zones), the maximum lot coverage is 20%.

Proposed Change- The Zoning Regulations would be amended to increase maximum lot coverage to 25-30% for residential zones (CR, RR, RAAA, RAA, RA), and 40-50% for zones that allow multifamily (PAD, ARZ, TC, TCMU).

Estimates/Yields for Fair Share Calculation – Increasing maximum lot coverages gives existing property owners more flexibility and options for furthering developing their property. While this strategy does not require property owners or developers to do anything, it gives them the ability and choice to build bigger units on smaller lots and add on to their property.

Fair Share Estimate: N/A – this is an enabling provision for the increased density produced by new multifamily under 2a and 2b.

e. Streamline and encourage Planned Area Development (PAD) projects for large scale inclusionary developments

Concept – Planned Area of Developments (PADs) can add affordable and market rate multifamily units in a comprehensively-planned and established area.

Current Town Policy – PAD areas, while creating the possibility for flexible residential multi-family development, are significantly limited in Glastonbury in terms of location and density. Section 4.12 of the Zoning Regulations controls the location and development of PAD projects. Specifically:

- Current residential unit density is capped at 3 dwelling units per buildable acre;
- While affordable dwelling units (if 20% or more of the total) would increase density to either 5 units/acre (Residence AA) or 6 units/acre (Residence A), those two Zoning Districts are the only places where affordable housing seems to be allowable in a PAD.
- Minimum tract size is quite large, particularly in more suburban or rural areas of Town. The universe of “qualified” tracts is therefore artificially limited.
- PADs require a complex, costly procedure with ample opportunity for subjective discretion by the Town Planning and Zoning Commission as well as the Town Council.

4.12.2 Minimum Tract Size

The size of tracts for which application for a Planned Area Development Zone may be made shall be controlled by the zone classification of the tract, in accordance with the following table:

<u>BUILDING ZONE MAP</u> <u>ZONE CLASSIFICATION</u>	<u>MINIMUM ACRES</u> <u>CONTIGUOUS TRACTS</u>
Residence A Zone	10 acres
Residence AA Zone	10 acres
Residence AAA Zone	15 acres
Rural Residence Zone	20 acres
Country Residence Zone	25 acres
Planned Business & Development Zone	5 acres
Planned Industrial Zone	5 acres
Planned Travel Zone	5 acres
Planned Commerce Zone	5 acres
Planned Employment Zone	5 acres

*Minimum Tract Sizes
per Glastonbury
Zoning Regulations*

Proposed Change - Middle-density housing within sewer/water service areas has been addressed earlier in these recommendations. Additional adjustments, however, could be made to the PAD standards to facilitate larger-scale residential developments. The Town could reduce the minimum PAD tract size, particularly in areas of sewer and water infrastructure; increase allowable residential development density to allow for soil-based densities in areas away from public sewer lines and for a balancing of residential units and issues of parking and stormwater drainage on smaller lots with access to public sewer and water; and pair the relaxed PAD tract standards with an 8-2i “Inclusionary Zoning” requirement to ensure that a significant portion of the newly developed housing units be restricted for lower income residents. An objective set of regulatory standards would allow municipal staff to review and grant “as of right” approval of PADs. If the Town Plan & Zoning Commission wishes to review these proposals, the application process could be accomplished via a Site Plan review with the same objective standards, thus minimizing the cost, time, and uncertainty of multiple public hearings.



In 2018-2019, the “Essex Station” apartments were developed adjacent to the Valley Railroad/Essex Steam Train site. These three buildings were placed on approximately three acres and contain 52 apartment units. The development has access to public water but uses three separate on-site wastewater disposal (septic) systems. The project was developed under CGS Section 8-30g, the Affordable Housing Appeals Act, which means that 30% of the development is income-restricted. In this case, 8 apartment units are restricted to tenants making 60% of the area median income (AMI) and 8 apartments are restricted to tenants at 80% AMI. The remaining 36 units are market-rate rents.

Estimates/Yields for Fair Share Calculation – Relaxing minimum size standards for a PAD-eligible tract enables a significant amount of new development opportunities. A GIS analysis with a query for vacant commercial parcels larger than two acres produces six parcels that could be targeted PAD affordable multifamily. We also queried for smaller vacant commercial parcels (.25-.5 acres) that could host smaller developments, which produces seven more properties. We extended the sewer lines in the area to 500’ via the Buffer Tool, which gave us a visual of how many additional properties might be reached by relatively ‘short’ extensions of the sewer lines. The buffer reached 177 residential vacant properties. Even in a volatile housing market, the area of Northwestern Glastonbury (generally defined as the sewer/water service area) is an extremely strong, attractive area. There are only approximately five (5) vacant residentially zoned parcels within this sewer/water service area, and a very low rental vacancy rate in existing multifamily developments created under PAD. It is therefore a reasonable assumption that an increase in housing supply in this area would be welcomed and relatively quickly absorbed by the market. Working primarily within the vacant properties within a 500’ sewer/water buffer area, we will assume 20 new parcels are developed as some variety of PAD-enabled higher-density multifamily over ten years, with an average of 24 units per parcel and 25% affordable set-aside.

Fair Share Estimate: 120-150 units



3. Convert municipally owned, unrestricted land to affordable housing

Concept – Converting municipally-owned, unrestricted land to affordable or supportive housing can create housing opportunities in areas with high land costs and limited development opportunities. Either through an investment from Town funds or through a partnership with nonprofit/developer, Glastonbury can streamline the development of parcels it already owns, and even offer incentives to nonprofits/private developers who wish to build affordable housing on these parcels. The properties can be made available at either no or reduced cost to nonprofits/developers who commit to affordability requirements.

Current Town Policy – Only town-owned open space parcels are publicly shared on the Town’s website, although there are several town-owned non-open space parcels in Glastonbury. The Town has no specific policies regarding the disposition of its properties, which takes place on an ad-hoc basis.

Proposed Change - Undertake an audit and review of the Town of Glastonbury owned or controlled properties. Eliminate those that are already committed to municipal use such as schools, town building, public works facilities, utility rights-of-way, parks, or previously dedicated open space (i.e properties that have been purchased using local or state open space funds or which are encumbered by a conservation easement). Further eliminate properties with sensitive natural resources such as flood plan or wetland soils that would restrict development. Prioritize those with immediate or nearby access to public utilities, particularly sewer and water. Invest via Town of Glastonbury or private/nonprofit partnership to create housing opportunities on town-owned lands. The Town can make the land available to developers at low or no cost in exchange for a significant proportion of new housing being restricted to lower income residents.

Estimates/Yields for Fair Share Calculation– GIS analysis found that there are 390 town-owned properties in Glastonbury, though additional investigation would have to be undertaken to estimate specific development capacity and potential lot yield. While not all properties would be appropriate for development, there is sufficient variety of size and capacity of these properties to provide some promise for expanding housing opportunities. A few representative examples are shown below:



Lot N-61 is a 32-acre property along Hebron Avenue (State Route 94) with frontage on both Hebron Avenue and Keeney Street. It is in immediate proximity to public sewer and water utilities, which could be easily extended to the site. While the property is bisected by a wetland corridor, the frontage on both Hebron and Keeney provides easy access to develop both sections of the land. A relatively modest density of multifamily units (12 units/acre, which is a reasonable townhouse-style model) of each portion could easily yield 200 units. Because the Town controls the land (and thus the cost of the land), it could require a minimum number of the units be income restricted, and partner with one or more developers to deliver on the project. A higher density of development, as apartments, could reach 20 units/acre without significant difficulties and unit yields could reach 360-400.



280 Western Boulevard is a smaller piece of land, just under 5 acres, but is located along public sewer and water lines and among an area of higher-intensity development. While most of Western Boulevard itself is commercial and office buildings, it is in an area of significant residential activity in the northwest corner of town served by Route 2, and it is close to a multi-use trail system. There are no known wetlands or other major development constraints on the property, other than a slightly narrow configuration for a portion of the land. As a result, a higher density residential development should be easily capable here, and at a yield of 20-24 units/acre could result in 80-100 units.

As noted, these are two of the more promising properties among scores of other Town-owned parcels. Certainly not all of them are similarly suited for development, and the Town has other needs, including right-of-way for utilities or roadways, municipal facilities, open space or environmental conservation land, etc. Just using these two properties as a starting point, however, the opportunity to convert municipally owned land to multifamily housing is substantial. Extrapolating from the two examples above and assuming a 40% affordable/60% market rate split on any projects over a ten-year period could result in several hundred affordable units.

Fair Share Estimate: 400-500 units



4. Make Direct Town Investment in Affordable Housing Development

Concept – The Housing Authority of the Town of Glastonbury, like many other similar municipal entities, has been a leader over several decades of developing and managing available affordable housing. In Glastonbury, the Housing Authority manages over 400 affordable and assisted units, and has been the developer on several projects, including the Herbert T. Clark House and Center Village. The Town, through the current or expanded Housing Authority, could become more active in identifying and developing projects, using a combination of local, state, and federal funding.

Current Town Policy – Currently, the Housing Authority of the Town of Glastonbury is the only entity in the Town tasked with the development and management of affordable housing on behalf of the town. Most of the current Housing Authority properties are only available to seniors (62+ years) or disabled residents. As of January 2022, there were over 1,100 names on the waiting list for the Housing Authority's 467 units. Besides the Housing Authority, it is left up to private developers and nonprofits to take the reins on developing affordable housing.

Proposed Change– Contingent on an assessment of the status of the Housing Authority's ability and capacity to expand their work into non-senior/disabled housing development, Glastonbury's strategy could be to do one or more of the following:

- a) Create a new entity to supplement the Housing Authority's work and target properties for affordable housing development;
- b) Work more closely with the Housing Authority to provide them the tools for housing acquisition and construction, and ask the HA to make use of state and federal funding and perhaps even tax increment financing. Ideally the Housing Authority would take the lead in new affordable housing projects in this scenario; or
- c) Work with a private developer with a track record of using Low Income Housing Tax Credits (LIHTC) to compete for federal tax credit financing. The Town's active support and potential financial participation in a competitive LIHTC application process would substantially increase the chances of funding success.

Estimates/Yields for Fair Share Calculation –

Through a combination of local, state, and federal funds, the Housing Authority or new Town housing development entity could target 250 units from both municipally-controlled and identified high-potential properties, assuming a scale of development and cost. A total 10-year investment from combined funding sources is estimated at \$25 million.

Fair Share Estimate: 100-150 units

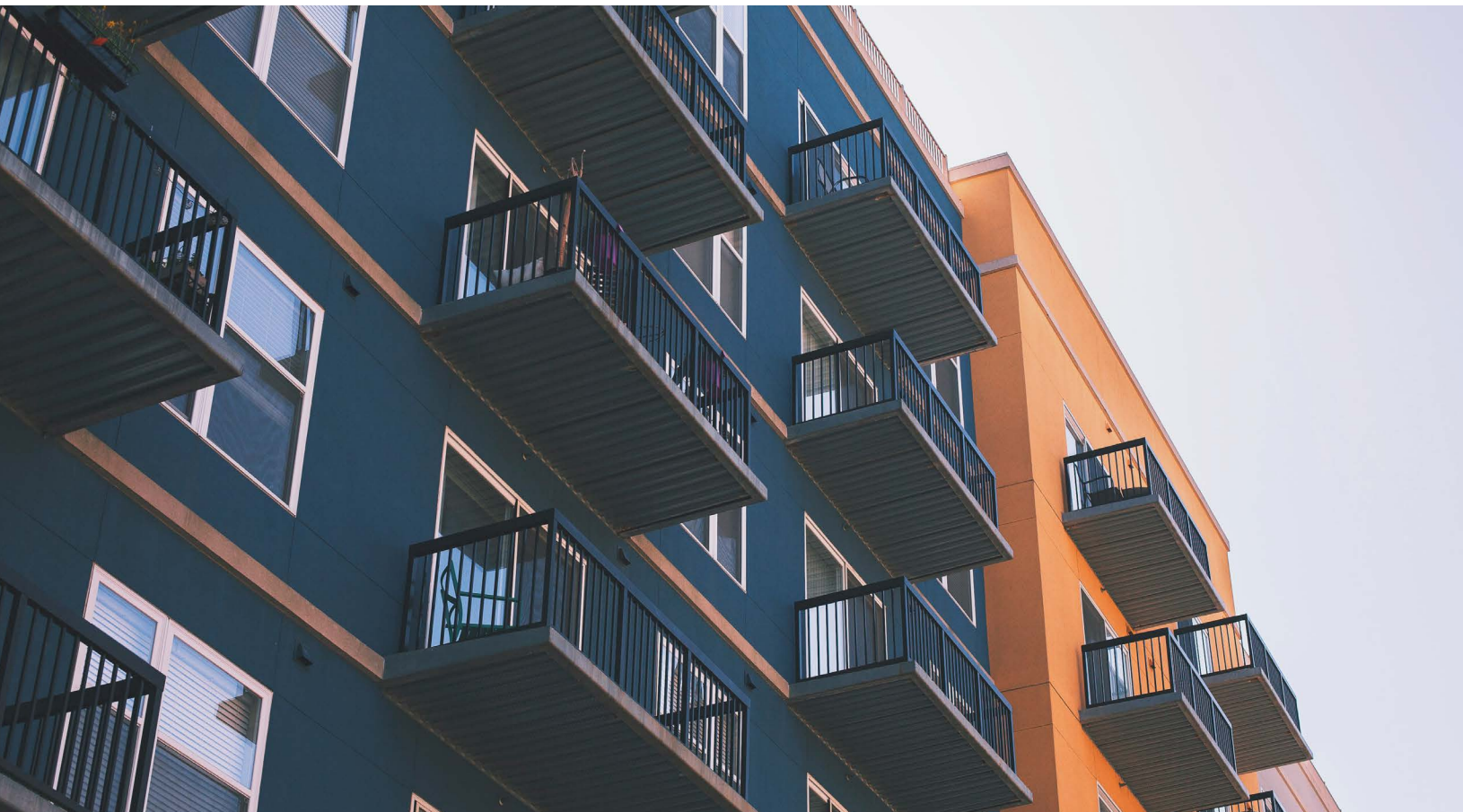


5. Convert underused retail/office facility to affordable housing

Concept – A changing real estate market for office space, accelerated by the work-from-home revelations of the COVID-19 pandemic, has created the need for many building owners to re-think their business model, which in turn may create an opportunity for housing development in existing commercial facilities. One example is shown below – a property listed in the fall of 2021 on Western Boulevard in Glastonbury. This is a 65,000 square foot office building that has experienced a significant drop-off in leases over the past two years. The building is being offered for sale for a list price of \$6,000,000, which is approximately \$100 per square foot. The building is in good condition, and that sale price reflects a value of less than half of the potential cost of new construction.

In addition to enabling the development of more PAD lots into affordable multifamily housing, existing commercially zoned lots can be re-zoned as PAD to accommodate more multifamily development. There are several commercial vacant lots surrounding some key PAD zones, particularly in north-west Glastonbury, near Somerset Square on Glastonbury Boulevard.

Current Town Policy – The majority of the large office buildings in Glastonbury are in the Town Center and Planned Employment Zoning Districts, on either side of Route 2 interchanges in the northern section of town. These two zoning districts do not allow the sort of larger-scale multifamily development (or redevelopment) envisioned by this recommendation. Virtually all of the properties in this area are served by public sewer and water lines. The Town does have a Planned Area Development (PAD) process to enable multifamily development, but that conversion is neither simple nor specifically targeted to promote affordable housing development or the conversion of former commercial properties to residential.



Proposed Change- Modify the Zoning Regulations to enable the streamlined redevelopment of existing underused office facilities as housing. This could be accomplished through a modification of the current PAD system or the creation of a separate Special Development District process for the re-use of existing commercial buildings. Beyond an Inclusionary Zoning requirement, the reduced development costs, reflecting the existence of the building, parking, and utilities, could enable a larger percentage set-aside of affordable housing. The Zoning process could be structured to allow this conversion either as-of-right or via a simple Site Plan review process, in exchange for a minimum of 40% of the units restricted for low-income residents. This enabling regulation would expand the redevelopment and income potential for owners of these building. The building in the above example, with 65,000 square feet, could easily host 75 apartment units (average unit size 780 square feet, subtracting 10% of total area for common/utility space).

Estimates/Yields for Fair Share Calculation – Current trends indicate that traditional office use in suburban settings will continue to struggle in the near term, leading to a reasonable possibility that multiple office buildings of the type described above would be available at below-market prices and would be attractive redevelopment targets. The development of three similar projects over a 10-year period could result in over 100 affordable new affordable units.

Fair Share Estimate: 100-150 units



6. Implement Other Policy & Investment Strategies

a. Purchase of restrictions on existing apartment units as an alternative to new housing construction

Concept – The Town of Glastonbury has approximately 2,500 renter-occupied multifamily apartment units, the vast majority of which are rented at market rates (without income restriction). More than 25% of these units charge more than \$1500 per month for rent, and per the Partnership for Strong Communities, approximately 40% of renters are cost-burdened and must spend more than 30% of their annual income on housing expenses. Simply put, many rent levels exceed the typical renter’s ability to comfortably afford. In an effort to relieve this burden, particularly on renters below the Area Median Income, the Town could set aside funds to reduce rent levels by purchasing 10-year restrictions on existing market-rate housing to make rental units available to lower-income renters. The investment focuses on two principles: widely distributing affordable housing across existing multifamily developments will avoid concentrations of lower-income neighborhoods; and it is cheaper to subsidize existing housing than it is to construct new housing.

Current Town Policy – Aside from the Housing Authority’s management of its affordable housing units and role in administering state/federal rental vouchers, the Town of Glastonbury does not have a rental assistance program that would enable lower-income residents to access existing apartments/multifamily developments.

Proposed Change– Create a municipal program, funded by local budget (or bonding) and available state and federal support, to fund 10-year buy-down of costs on existing market-rate apartments to make affordable. This program would solicit participation from owners of existing multifamily developments and purchase a restriction on one or more units that would be in effect for 10 years, and would involve the same sort of income verification and documentation required by the CGS Section 8-30g program.



The general approach of this program: For a current unrestricted \$2000/month 2BR unit, reduce the rent to \$1200/month over 10 years to be affordable= \$100,000/unit.

Estimates/Yields for Fair Share Calculation – This exercise assumes a combined local/State/Federal investment of \$10 million over a 10-year period to acquire rental buy-downs.

Fair Share Estimate: 100 units

b. Create a Municipal Down-Payment or Entry-Level Affordable Purchase Incentive Program

Concept – The vast majority of housing options in Glastonbury are owner-occupied, detached, single-family residences. Market dynamics (such as demand for housing that outstrips supply), land costs, and minimum lot sizes contribute to making the purchase of a home in Glastonbury prohibitive for many first-time or lower-income homebuyers. There are two primary existing mortgage/purchase assistance programs – Connecticut Housing Finance Authority and U.S. Department of Agriculture – that allow these buyers to access homes in Glastonbury who would not otherwise be able to afford to buy in town. As

of the 2020 Affordable Housing Appeals List published by the Connecticut Department of Housing, 133 homeowners had taken advantage of one of these programs – almost exactly 1% of the Town’s housing inventory. A combination of a more concerted effort to promote these existing programs, aforementioned zoning changes, and a new local supplement will expand the availability for lower-income homebuyers to enter the Glastonbury market.

Current Town Policy – The Town of Glastonbury has no specific policies regarding ownership assistance, and the Glastonbury Housing Authority is focused primarily on rental units. While CHFA and USDA assistance is available to Glastonbury homebuyers, neither the general Town nor the Housing Authority website provide any guidance or resources about these programs.

Proposed Change- Create a municipal program, funded by local budget (or bonding) and available state and federal support, to fund first-time homebuyer programs to bring down the barrier to entry for purchasers. These funds could be modeled on USDA or CHFA programs, but would provide supplemental funds for down payment assistance and closing costs. The program would be funded at a level of \$2.5 million over a ten-year period, with a maximum individual assistance package of \$25,000. In exchange for this assistance, the home-buyer’s realized appreciation in home value, upon resale, could be capped in a way that ensured the subsequent buyer would also receive some cost relief and the home would continue to be affordable for an additional cycle. Alternatively, the Town could offer this assistance without the re-sale restriction in order to encourage generational wealth-building and reduction of related racial wealth disparities.

Estimates/Yields for Fair Share Calculation – This exercise assumes an investment of \$2.5 million (supplementing CHFA/USDA funding) over a 10-year period to assist with home purchases.

Fair Share Estimate: 100 units

c. Allow Accessory Apartments and Second Units As-Of-Right

Concept – Public Act 21-29, passed in June 2021, amends CGS § 8-2 (Zoning Enabling Statute) to set a “default” of allowing Accessory Apartments as-of-right in all residential districts across the state. This significantly broadens the ability of single-family property owners to add an additional attached or detached dwelling unit to the property for use by family or tenants. This in turn creates wider housing opportunity and more available dwelling units at lower costs. The property owners must still apply and comply with all applicable building, fire, public health codes, as well as the setback, bulk, height, and other basic zoning standards set for single-family residences. The Act allows for an opt-out of this default authorization if, no later than January 2023, both the Zoning Commission and Town legislative body hold a public hearing and cast a super-majority vote in that direction.

Current Town Policy - Accessory Apartments, or Accessory Dwelling Units, are not currently allowed or referenced in the Zoning Regulations.



In most residential districts, no new two-family dwellings are allowed, although two-family dwellings that existed prior to 1974 are considered legal and conforming (Glastonbury Zoning Regulations, Section 4, p. 16-28). Unless the Zoning Commission and Town Council opt out of the terms of Public Act 21-29, Accessory Apartments will become authorized in all residential districts.

Proposed Change - Create and adopt a new Zoning Regulation that covers a blanket as-of-right authorization for Accessory Apartments in residential districts in accordance with the terms of Public Act 21-29, Section 6.

Estimates/Yields for Fair Share Calculation – There are approximately 10,800 single family residences in Glastonbury, plus approximately 500 undeveloped, residentially-zoned properties. The Accessory Apartment allowance is enabling, not prescriptive, so no property owner is forced to add a unit. A conservative estimate for the market would be 5% of the single-family residences to add an Accessory Apartment, Duplex, or second unit over the first ten years they are authorized, which results in approximately 560 new accessory dwelling units. Because there is no specific requirement in the Public Act nor the likely Town of Glastonbury Zoning Regulation, it is not anticipated that this action, in and of itself, would result in a Fair Share result. It would, however, increase the overall housing supply and range of opportunities, particularly at the lower end of the rental market in Glastonbury.

d. Provide Financial Incentives for Affordable Accessory Units

Concept – While most Accessory Apartments are generally available for individuals and households making less than the area median income, it is rare that these “affordable” units count toward the Town’s total supply that would qualify under either CGS Section 8-30g or a Fair Share calculation. The reason for this is that these units are considered “naturally occurring affordable units” and are not protected by any deed restriction or income limitation that guarantee they remain affordable, regardless of housing market prices. Once it enabled the as-of-right creation of Accessory Apartments, the Town of Glastonbury could capture some current and future units as affordable using incentives. By providing a local property tax abatement or similar incentive, as well as administrative support, many property owners could be persuaded to place income limits or deed restrictions on their accessory units and make them available to lower-income tenants. In many cases, the difference between market rents for an accessory unit and restricted “affordable” rents may be very close, and it is only a matter of paperwork to convert the otherwise uncredited apartments to be included in the Town’s official inventory.

Current Town Policy – As the Town currently has no broad allowance for Accessory Apartments generally, there is no existing incentive program for restricting these units as affordable for any duration. Incorporating the policies of Public Act 21-29, is the first step to enabling affordable Accessory Apartments.

Proposed Change - The Town could create a two-part policy to encourage the development and restriction of Accessory Apartments. The first part involves an analysis of market rate apartments and the rental-payment threshold for low- and moderate-income renters to determine an annual “delta” between market and affordable rents. Based on that difference, a property tax incentive or financial payment would be provided to those apartment owners who agree to restrict their rents for a period of 10 years to lower income tenants. This would provide the financial incentive for landlords to “remain whole” for rental income, while providing the availability of this important unit for affordable housing. The second part involves the Town providing administrative assistance to these landlords. Advertising of availability and annual income verification for eligible renters can be a paperwork hassle and strong disincentive for landlords to restrict these units. The Town could take on the economy of scale to assist numerous property owners with this paperwork, thus removing the administrative burden and facilitating wider housing availability. From a cost standpoint, this would not be a major investment for the Town. A tax incentive paid to property owners would be offset by the increase in property value (and property tax assessment) based

on the addition of the accessory unit. Providing the administrative function to promote the program and undertake paperwork assistance would likely mean adding a full-time Town Hall employee, which is a relatively minor expenditure – and may be facilitated by existing Housing Authority staff - to manage a program town-wide.

Estimates/Yields for Fair Share Calculation – A prior estimate for creation of accessory apartments targeted approximately 560 new units over ten years. If the Town removed all the disincentives (loss of rental income and paperwork burden) to restricting these units as affordable, it is conceivable that 10% of those accessory apartments could be set aside and made available to lower- and moderate-income renters.

Fair Share Estimate: 50-60 units



Conclusion

The recommendations in this report provide strategies and policies that the Town of Glastonbury should consider implementing to substantially increase the number of affordable housing units that are available to residents of the town and region. Some recommendations depend on political, market, and land variables that prevent us from quantifying possible outcomes. For the following recommendations, however, we were able to estimate a range of Fair Share unit outcomes, which suggests the possibility of a significant impact for Glastonbury's affordable housing future:

1. Allow inclusionary "Missing Middle" Housing on single-family lots without public sewer/water service: **400-500 units**
2. Allow inclusionary Moderate Density Multifamily Housing on single-family lots with public sewer/water access: **350-450 units**
3. Reduce or eliminate minimum lot sizes in certain residential zones – **\$500,000** for Affordable Housing Trust Fund through Inclusionary Housing fee for administrative split of two acre lots
4. Streamline and encourage Planned Area Development projects for large scale inclusionary developments on vacant properties: **120-150 units**
5. Convert municipally owned, unrestricted land to affordable housing: **400-500 units**
6. Make direct investment in affordable housing development through local, state, federal funds: **100-150 units**
7. Convert underused retail/office facilities to affordable housing: **100-150 units**
8. Purchase restrictions on existing apartment units: **100 units**
9. Create a municipal down-payment or entry-level affordable purchase incentive program: **100 units**
10. Provide financial incentives for affordable accessory units: **50-60 units**



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