



7.0 HOUSING

The housing stock in Middlebury consists of a variety of styles, ages and sizes. A few homes, much like the road network, date from colonial times. During the last three centuries, the stock has expanded many times over. The design, affordability and diversity of the housing stock, as well as the rural setting, contributes to the reason people have chosen to live in the community.

The Plan of Development must determine the appropriate balance among commercial, industrial, and residential uses. How the semi-rural setting and open character of the community is protected over the long term is of paramount importance. A community's housing stock must provide diverse types of shelter for residents, but it must also fit into the Town's environmental setting. Affordability of the housing stock is a concern, as it is shaped by consumer demand and the response of builders to that demand. Another consideration is the level of governmental involvement in the provision of housing, and the extent to which zoning and subdivision policies can shape the types of housing produced or guide their eventual location and layout.



7.1 Housing Trends and Costs

The Middlebury housing stock can be described as homogenous, predominantly consisting of single-family construction within which a large variety of types and sizes may be found. It has been built over two centuries, and perhaps most striking, it has increased greatly in value over the last three to four years.



In 1960, there were 1,533 housing units in Middlebury. By 1970, this figure had increased to 1,749 and by 1980 to 2,168. The 1990 Plan reported 2,427 units in 1988. In 1996, there were 2,469 units.

Middlebury is a suburban community containing largely single-family dwellings. Nearly 95 percent of all houses are single-family detached homes. Only a small number of units are multi-family, with only 2.2 percent in two-family and 2.3 percent in housing containing more than three family units (i.e. elderly housing).

Table 7.1
Composition of Housing Stock
Middlebury CT, 1996

Type	Number	Percent
Single Family	2,340	94.8%
2 Family	54	2.2%
3 or More Family	56	2.3%
Other	19	0.8%
Total	2,469	100.0%

Source: State of Connecticut, 1996.

As would be expected with the high percentage of single-family dwellings, Middlebury contains a high proportion of homeowners. Approximately 84 percent of all houses are owner-occupied. Only 10 percent are rented and the remaining 6 percent are vacant or seasonal dwellings. The ownership levels compare favorably to the national level of 67 percent (see Table 7.2).

Table 7.2
Owner/Renter Status
Middlebury, CT 1990, 1980

	1990		1980	
	Number	Percent	Number	Percent
Owner Occupied	1,980	83.7%	1,795	82.8%
Renter Occupied	247	10.4%	229	10.6%
Vacant and Seasonal	138	5.8%	144	6.6%
Total	2,365	100.0%	2,168	100.0%

Source: Middlebury Plan of Development, 1990; U.S. Census

A significant portion of the housing stock, 23.5 percent, was constructed before 1939. The majority of all housing, however, was constructed after 1970. The 1950 to 1959 time period experienced the highest levels of construction, followed closely by the 1970 to 1979 period. In relative terms, housing construction has slowed in the 1991990s compared to earlier years.



Table 7.3
Age of Middlebury Housing Stock

Year Built	Number	Percent
1990-1996	104	4.2%
1980-1989	296	12.0%
1970-1979	414	16.8%
1960-1969	389	15.8%
1950-1959	432	17.5%
1940-1949	253	10.2%
1939 or earlier	581	23.5%
Total	2,469	100.0%

Source: U.S. Census; Middlebury Plan of Development, 1990

Single-family housing construction has increased in the last half of the 1990's. The figures in Table 7.4 do not reflect the peak levels of the 1980s, but they indicate that land is available and the Town is a desirable location.



Table 7.4
New Housing Permits; 1970 to 1998

Year	New Housing Units
1970	23
1971	22
1972	25
1973	30
1974	26
1975	28
1976	58
1977	34
1978	36
1979	33
1980	24
1981	12
1982	18
1983	27
1984	61
1985	32
1986	44
1987	22
1988	18
1989	11
1990	6
1991	8
1992	12
1993	9
1994	16
1995	31
1996	28
1997	26
1998	34

Source: 1990 Plan of Development; Pomperaug Regional School District No. 15.

Almost as telling, recent housing prices depict that many of the homes are priced above average in relation to the remainder of the State. Nearly 40 percent of the Town's homes have sold in the \$200,000 to \$300,000 price range, well above the nation's current \$160,000 average for new homes.



Table 7.5
1996 Residential Sales Price Distribution
Town of Middlebury

Price Range	Number of Sales	Percent
< \$100,000	15	12.5%
\$100,001-\$200,000	45	37.5%
\$200,001-\$300,000	46	38.3%
\$300,001-\$400,000	10	8.3%
\$400,001+	4	3.3%
Total	120	100.0%

Source: State of Connecticut Department of Community and Economic Development.

7.2 Housing Choices

For a standard subdivision a minimum of 10% of the total parcel should be dedicated as open space. The open space area should contain at least one large contiguous parcel of open space equal to a minimum percentage of the total required area. Environmentally sensitive land such as wetlands and steep slopes should be protected, but not all open space should consist of these lands. Open space offered or accepted for dedication should not be entirely composed of land with significant environmental constraints such as steep slopes above 25% or wetlands or rock outcroppings. This is to insure that in certain situations, some land remains available for recreation use on the site.

Standards should also be developed regarding the layout of open space so that the Planning and Zoning Commission can accept or reject proposed open space based on the standards. Open space should be used a) to provide buffers from adjacent incompatible development, or from noise along major roadways; b) to protect scenic vistas on the property; c) to link other existing or planned open space areas in adjacent subdivisions, and perhaps most importantly, d) to provide usable areas for active and passive recreation for subdivision residents.

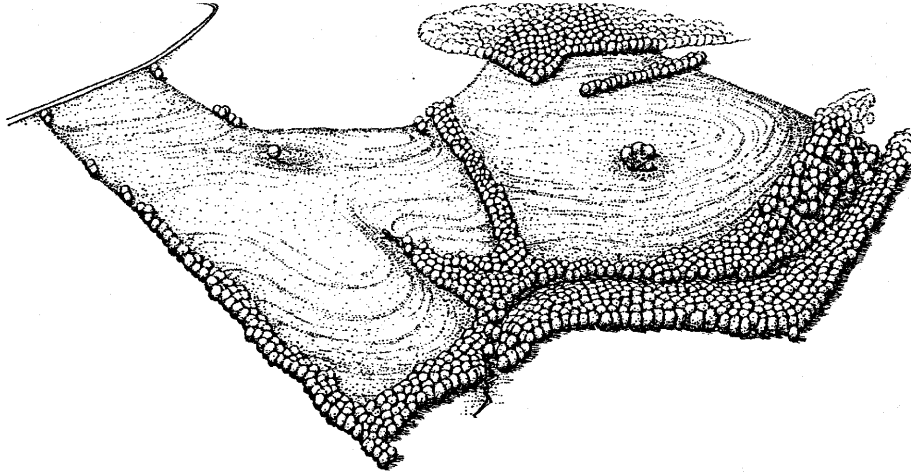
7.21 Cluster or Open Space Subdivisions

Clustering allows houses to be set back from the road and screened from view while helping to preserve open space. The following illustrations (Figures 7.1 and 7.2), used courtesy of Randall Arendt, depict the cluster or open space development principles.

Clustering enables the preserving of areas that would normally be dedicated to private roads. The preserved areas may be used to buffer the residential land from neighboring areas and for natural or public space.

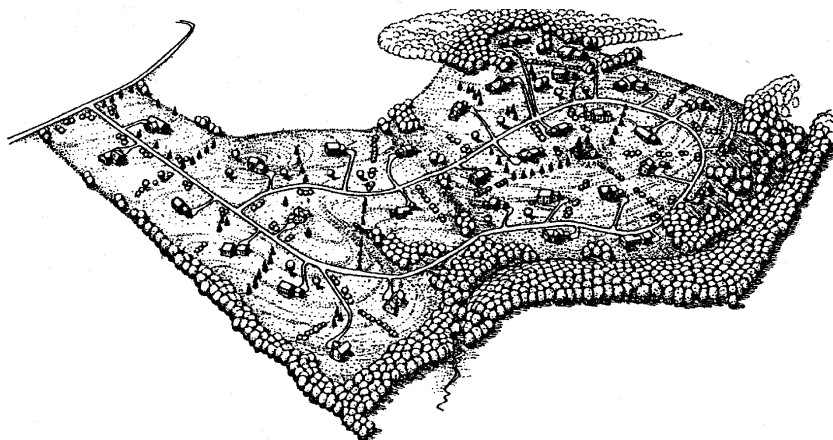
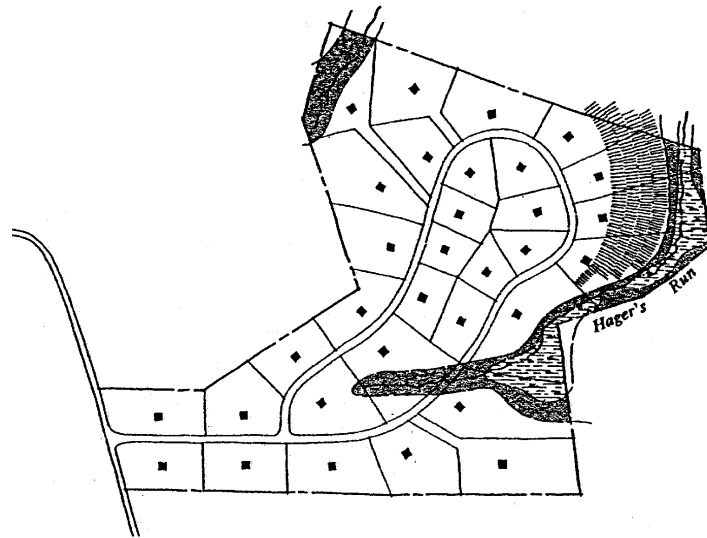


Figure 7.1
Conventional Subdivision



*Vacant land with wetland and
25% slope constraints.*

*Maximum lot
configuration in this
traditional 1 acre
subdivision plan.*



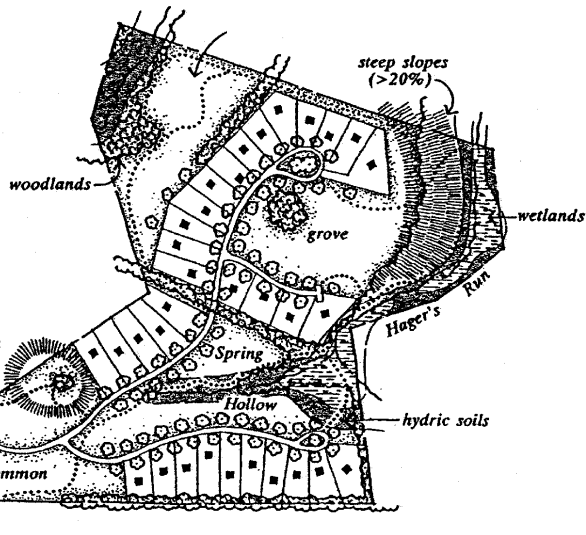
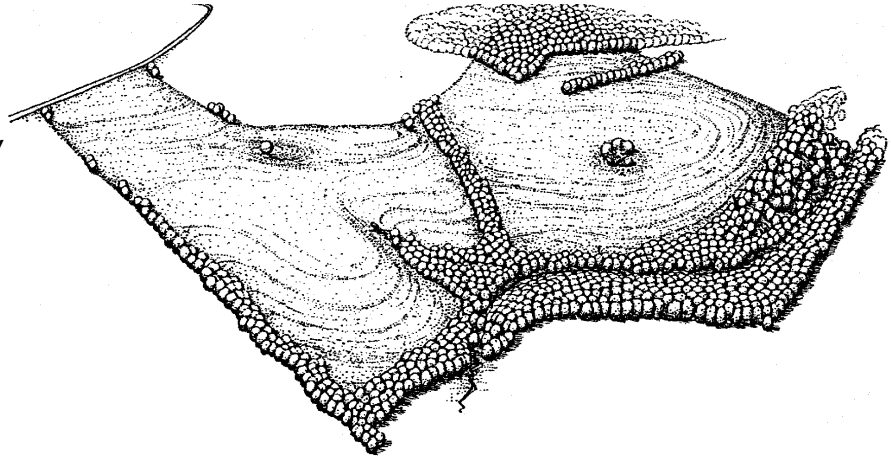
*Little open space and
environmental protection is
afforded by conventional planning.*

Source: Randall Arendt, Natural Lands Trust, 1994.



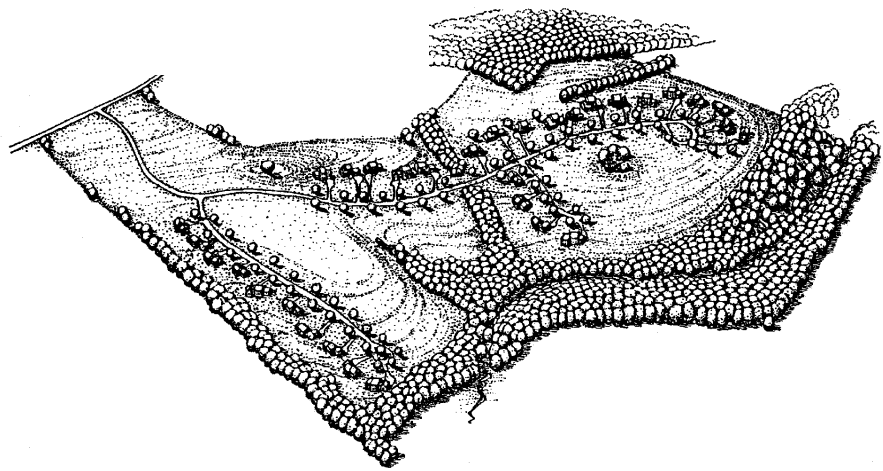
Figure 7.2
Cluster Subdivision

The same vacant land can be used residentially and for open space purposes.



The cluster plan groups homes more closely, but at the same density as allowed by conventional subdivision.

The resulting development is sensitive to the environmental constraints, while allowing for residential uses.



Source: Randall Arendt, Natural Lands Trust, 1994.



Many communities have adopted cluster or open space subdivision regulations. A cluster subdivision is one in which individual single-family units are grouped on smaller lots with the rest of the land preserved as open space. The ability to develop on smaller lots is a trade-off for leaving a specified percentage of the land in open space. With cluster subdivisions there is no increase in density. By allowing them, the community would be provided a mechanism for open space preservation.

Developers should be allowed to develop cluster subdivisions by special exception. Because much of Middlebury's land has environmental constraints and because its residents would like to preserve the semi-rural, small town quality of life that exists, development should be encouraged which is sensitive to those goals. Regulations can be developed into a workable framework for environmentally sensitive, aesthetically pleasing cluster development. Cluster provisions should allow lower or varied minimum lot size and yard requirements. Density would be no greater than that achievable under a standard subdivision layout. Standards for siting the cluster lots should include increased setbacks along property boundaries and buffers and screening. In exchange for flexibility in lot size and arrangement, the developer would be required to dedicate either to the Town, a private lands trust or a homeowners' association, a greater amount of open space than is currently required under the subdivision standards. Thirty (30%) percent is suggested as a reasonable minimum open space requirement in cluster development.

7.22 Elderly Housing

The Middlebury Zoning Regulations establish an area for multi-family development for the elderly on Regan Road. Many of the standards established for that development are good, but they are so narrowly written that they preclude the development of elderly housing anywhere else in the community. New standards should be developed for the location of elderly housing. Among the provisions which should be required: 1) Access to water and sewer 2) Proximity to convenience shopping areas 3) Location on a collector roadway 4) Buffering of the project from adjacent residential areas. This housing type is needed and desired by the community as long as its location is carefully discussed and selected. Sites in the Four Corners area should be investigated as possible locations for additional elderly housing. The development of such housing might also be appropriate near certain sections of Straits Turnpike or in conjunction with a Planned Residential Development as discussed below.

Congregate Housing sufficient for town residents, as well as Life Care facilities, would round out a complete range of housing opportunities for the elderly. Congregate housing could be defined as: apartment units limited to elderly persons, in a complex having a common dining room with kitchen facilities providing one or more meals each day to all residents, plus other services, as part of their rent. Life care facilities include care for the frail elderly. Some life care developments have facilities similar to nursing homes as part of the project.

The Planning and Zoning Commission should also further study and consider allowing small privately owned (package) sewage treatment plants to serve elderly housing complexes.



Market rate housing developed under these special exception procedures should be required to obtain a waiver to federal housing age discrimination laws so that sales can be limited to those over 55.

7.23 Affordable Housing

The type of housing built in Middlebury and the high cost of these homes may affect the future demographic characteristics of the community. As the price of new construction increases in Middlebury, young couples who grew up in Town and would like to settle here, and elderly citizens on fixed incomes who can no longer maintain their large home but want to remain in Middlebury, may have to look elsewhere in the region for their housing needs. Also, it may become increasingly difficult for one wage earner families to purchase homes in Middlebury. Two earner households of modest means will also find it difficult to afford the type of housing currently being built here. If most households consist of two wage earners, services that rely on volunteers, such as the fire department and emergency squad may be affected, since these new households may not have the time to volunteer.

The Steeplechase housing development, approved as a Planned Residential Development (PRD), is an example of quality affordable housing mixed within a planned neighborhood. The PRD offers incentives to potential developers while equaling providing the Town with additional affordable housing and open space.

Former seasonal homes around Long Meadow Pond and near Lake Quassapaug can be considered affordable. In addition, some of the older housing stock in neighborhoods such as those around Yale Avenue are relatively affordable. However, outside of these areas, no new housing is being built that is within reach of families with moderate incomes such as town employees and school teachers. Several programs could be developed that would allow the town to provide for its employees, school teachers, young families and the elderly. Providing more housing for these families, who might otherwise be priced out of the Middlebury market, could have positive side effects by making those who work for the community more a part of the community.

In addition, if other housing types were constructed that are smaller and more economical for the elderly, they could move out of homes that are currently too large for their needs or which they cannot maintain. As these larger, older homes come onto the market, a supply of affordable housing will be created and younger families who require more space can move in.

The above issues should be carefully evaluated when considering whether or not Middlebury's housing stock should be diversified. The type of housing built will directly affect the type of people who move into the community and the type of people who work here. The town presently relies mostly on the regional market to meet the needs of its municipal employees and elderly. Places such as Waterbury are building housing affordable to some households. Most of this new housing is comprised of multi-family or townhouse condominiums, of which there is an adequate supply, but which does not necessarily meet the needs of all types of households seeking affordable housing. However, another option available to Middlebury is the institution of zoning mechanisms



and housing programs that allow for the construction of housing accessible to families of moderate means.

The state is beginning to take a more active role in the entire range of housing issues. The Connecticut General Assembly passed legislation which requires municipalities to examine the need for affordable housing in their communities.

Other legislation authorizes Connecticut municipalities to set up programs in which developers provide housing affordable to moderate income families in exchange for a density bonus allowing extra units to be built above these which could be constructed under the base zoning. Middlebury should establish such a program.

7.24 Accessory Units

Another method which can be used to provide housing for elderly households is the accessory apartment unit. An accessory unit is created within an existing home or may also be constructed within a new home. It provides rental housing opportunities in the absence of traditional multi-family developments.

The use and creation of accessory units for elderly persons should be controlled and regulated by the community. Accessory units should meet certain standards and be required to obtain a certificate of zoning compliance from the Zoning Enforcement Officer. Alternatively, the Planning and Zoning Commission could approve applications under a special exception procedure. Standards should regulate the size and appearance of the accessory unit, as well as place limits on occupancy and ensure that the septic system can handle the additional sewage flow. In addition, the owner of the main dwelling unit could be required to occupy either the main dwelling or the accessory unit.

7.25 Subsidy Programs

Many communities have used public subsidy programs to provide housing opportunities to first time homebuyers and to the elderly. These can include direct federal, state or local participation.

Among the many subsidy programs available are the following:

- Below market rate mortgage financing through the Connecticut Housing Finance Agency (CHFA).
- Department of Housing and Urban Development (HUD) Section 202 funding for elderly housing developments.
- Grants and low interest loans from the state to non-profit housing organizations for the construction of elderly housing.
- Tax abatements or reduction for elderly property owners.
- Contribution of land by the Town to facilitate construction of elderly housing, with the land purchase to be funded through the Town's capital budget.
- Energy conservation loans from the State to homeowners.



- Housing site development grants from the State for housing developed primarily for moderate income families.
- State down-payment assistance program which provides a low interest loan for down-payments.

7.3 Lakeside Design Districts

There are several areas in the Town of Middlebury where summer vacation cottages have been converted to year round use. These include the Long Meadow area along Long Meadow Pond in southern Middlebury, the Tylers Cove area adjacent to the eastern shore of Lake Quassapaug, and a small area on the western Shore of Lake Quassapaug. Because these communities were developed for seasonal use, they do not conform to the zoning regulations which ostensibly govern them. These areas also rely on septic systems for their sewage disposal on parcels which may prove inadequate in the long term. The Tylers Cove and Long Meadow area are discussed below in the context of establishing Lakeside Design Districts (LDD). The LDD would recognize the unique characteristics and attributes of these two areas by revising some of the strict zoning standards they cannot meet. By establishing these districts and appropriate regulations, the town can continue to exercise control over their orderly future development.

7.31 Tylers Cove

Tylers Cove is a small grouping of 38 year-round and seasonal homes on the eastern shore of Lake Quassapaug. Many of the units are almost directly on the lakeshore and lack land for septic fields. As a result, a number of the units rely on holding tanks for their sewage disposal. Most of the units draw their water supply from the lake.

The ownership situation in Tylers Cove is one of the most unusual anywhere. Residents were paying lease fees to the former owner. They invested in construction and upgrading of their units with no assurance that the lease on their property would be renewed. The group of cottage owners then formed a corporation which purchased the land. Thus, a corporation owns the land. The cottage residents own stock in the Corporation but do not have title to their cottages, which currently are allocated through a lease agreement similar to the previously existing one. The development is not a cooperative because there is as of yet no shareholder interest in the units themselves due to the great disparity in the size, composition and occupancy status of the units. The group is now trying to convert the corporation into one which will be recognized as a condominium or cooperative under the provisions of the common interest ownership act in the State of Connecticut.

Under the existing R-40 zoning, all the units in Tylers Cove are nonconforming, which leads to difficulties when owners want to expand or modify their units. Once the ownership questions are resolved, the Town of Middlebury should investigate the possibility of establishing a Lakeside Design District for the Tylers Cove area which would recognize its status under the common interest ownership act. Procedures would be set forth for dealing with the addition or modification of units in a standard way, such as by special exception to the Planning and Zoning Commissioner by the filing of a Certificate of Zoning Compliance application with the zoning enforcement officer.



Standards should be developed within the district which would require that the sanitary system capacity for the individual units would not be exceeded and that a minimum setback standard be maintained with respect to the lakeshore. It may be appropriate to incorporate a standard that would allow no expansion of units toward the water.

7.32 Long Meadow

Land development problems within the Long Meadow area were given attention in the 1973 Plan, in which a redevelopment scheme for the area's undeveloped portions was prepared. Since that time, however, little has been accomplished.

The Long Meadow area was developed in the 1920s with about 4,700 twenty by one-hundred foot lots which were sold in conjunction with newspaper subscriptions. Most of the lots were never built upon. When zoning was introduced in Middlebury, the entire area was zoned to require 5,000 square foot lots. In 1965 the zoning was changed to require a minimum of 20,000 square feet per lot, and in 1977 the zoning was changed again to require a minimum of 40,000 square feet in the area. This resulted in the merger of all lots not already developed into a single parcel of land for each owner in the area, thus requiring subdivision approval for any separate transfers. In 1985 the Town accepted, and in a simultaneous action, abandoned the forty-foot wide streets within the area.

Today, about eighty houses exist. There are some year round residences and some seasonal ones. Some parcels have more than an acre of land and some have significantly less than one-half acre. Over the past several years the Town has been taking title to a number of tax delinquent parcels in the area and has been reselling them to adjacent property owners who wish to expand their lots.

Most of the remaining undeveloped parcels are held in the estate of one owner. The Town of Middlebury is the other major landholder with the rest of the vacant land divided among many owners.

The issue is how to best permit the eventual development of the remaining vacant areas in Long Meadow while resolving development problems, such as inadequate septic systems, which exist now. The Town should, therefore, consider establishing a Lakeside Design District for the Long Meadow area.

Any future development in the area must be with accessible water and sewer. Within the district itself, relaxation of some of the current town standards regarding roadway widths will be needed. The roadways established in the Long Meadow area were forty feet wide. While the current status of these roads is unclear, since it was abandoned by the Town, the forty foot width would be sufficient for the construction of roadways which conform to the proposed town standards. Right-of-way widths would, however, be ten feet less than the suggested minimum.

By virtue of the merger of all undeveloped lots under single ownership into single parcels, lot lines no longer present obstacles and the Lakeside Design District standards can be more flexible.



Any redevelopment of the area should be accomplished only with the dedication of large amounts of open space to the town or to a land trust. Access to the lakefront should be maintained for all property owners.

The Town should continue its program of selling foreclosed properties to adjacent property owners and should work to swap properties where feasible, if such transaction would result in a more logical development pattern.

A Planned Residential Development overlay zone may also be a possibility for redesign of the Long Meadow area. The LDD should recognize clustering or PRD as an option. However, this should be allowed only by special exception if the difficulties of dealing with a variety of property owners can be overcome and if the Planning and Zoning Commission finds that a PRD would not be detrimental to the area's character.