



# **TOWN OF MIDDLEBURY**

*Planning & Zoning Commission*

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*Middlebury, Connecticut 06762*

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## **May 4, 2023 SPECIAL MEETING MINUTES**

### **REGULAR MEMBERS PRESENT**

Terry Smith, Chairman  
William Stowell, Vice Chairman  
Matthew Robison  
Erika Carrington

### **REGULAR MEMBERS ABSENT**

Joseph Drauss

### **ALTERNATE MEMBERS PRESENT**

Paul Anderson (arrived @ 6:07 p.m.)

### **ALTERNATE MEMBERS ABSENT**

Frank Mirovsky  
Gerald Lukowski

### **1. Call to Order**

Chairman Smith called the Special Meeting to order at 5:58 p.m.

### **2. Attendance**

Chairman Smith announced Regular Members Smith, Stowell, Robison and Carrington as present. Regular Member Drauss and Alternate Members Lukowski and Mirovsky were absent. Alternate Member Anderson arrived at 6:07 p.m.

**3. Presentation by Town Consultant Hiram Peck of Plan Three regarding Affordable Housing Report**

Hiram Peck reviewed his latest Draft Town of Middlebury Affordable Housing Plan 2023-2028 (see attached) with the members. He confirmed that CT General Statute § 8-30j requires each municipality to prepare or amend and adopt an affordable housing plan for the municipality every five (5) years. Currently there is no penalty for not doing so, however, there is a possibility that the legislature may build one in legislation in the future. He focused on Section 6: What Actions Might Middlebury Consider and the four (4) goals associated with said section. He offered the following comments in addition to the content:

**Goal 1**

- He encouraged the commission members go through available data from entities such as Regional Planning Agency, State of CT, and Partnership for Strong Communities.
- People, both young and old, may want to downsize.
- Perhaps consider rental options so someone can create an accessory dwelling unit for a caregiver.

Chairman Smith questioned how that would be designated as “affordable”

Hiram Peck replied that it would need to be deed restricted, currently for forty (40) years. He went on to share that there is another mechanism in the statutes called The CT Incentive Housing Zone, which was created a few years ago. The developers thought it would be helpful to people if the affordability period was shortened 10-20 years. He wrote a regulation for a few other towns, called The Attainable Housing Overlay Zone. The affordable units in said zone can be deed restricted for as little as twenty (20) years.

Chairman Smith questioned if the person would be required to keep the apartment for forty (40) years.

Hiram replied “no”. He then expressed his doubt that the 10% would be reached. However, he believes the plan should be crafted so that it fits the needs of the Middlebury residents.

Alternate Member Paul Anderson arrived at 6:07 p.m.

Chairman Smith questioned at what point the deed restriction would go away.

Hiram clarified that the deed restriction must be certified on an annual basis. If someone wishes to remove it and the deed restriction is eliminated, then the town would lose credit for it.

- A zoning overlay regulation allowing a slightly increased density, could designate a set percentage of units as affordable. He added that the claim of spot zoning has gone away particularly with the pressure being imposed on towns to create affordable housing.

## **Goal 2**

- Non-profits receiving donated land can take the significant cost of land out of the equation, ultimately making the houses less expensive to create.
- Some towns have a development fund so that for every application that comes in, there is an affordable housing component of the application fee. The funds can ultimately be utilized for affordable housing.
- Banks have an obligation to look at the communities periodically and could assist in various ways, perhaps by way of special interest rates or reviews for their credit.
- AARP has a tremendous amount of material that is very helpful in terms of what they would look like, how they should be constructed, etc.

## **Goal 3**

- CGS 8-30i states that the town has the ability to require or allow inclusionary zoning to be included in its regulations. He suggested 10% of any development with 10 or more housing units.

Chairman Smith questioned if they could increase it for bigger developments.

Hiram Peck confirmed that they could.

Chairman Smith recommended 10% for 10 housing units and possibly 15% for anything over 20 housing units.

Hiram Peck added that many towns shy away from doing that because they believe it to be restrictive. However, with Middlebury having such a low number of affordable units, it might be a good way to start and it can always be changed in the future.

- He stressed the importance of ensuring that the regulations are in line with the CT Building Code.
- Be certain that the regulations do not discriminate against anybody due to equity or diversity so that anyone who wants to apply is able to. He plans finalize wording for this.
- Encourage apartments over retail for people to get started or for older people who wish to be close to a grocery store, coffee shop, etc.

- Affordable housing needs to be well designed. There can be particular zones where there are community development regulations that have different form based codes, allowing for architecture to be regulated.
- A public hearing for an Accessory Dwelling Units (ADUs) would not be necessary provided the standards for the dwellings are created, ultimately saving time and money. The commission could still request to see a site plan.
- He asked that the members give thought to making additions to edits to the regulations.
- An affordable housing overlay zone will give the commission much say as to where they will be located.

#### **Goal 4**

- He suggested that the commission start working on the POCD a year ahead of time and to be sure to include their requirements and feelings involving affordable housing within it.
- The formation of an Affordable Housing Group/Committee should be considered and could be comprised of members from the Land Use, Land Trust, and Conservation.

Hiram reminded the commission that if they choose to adopt the plan, it would then need to go to the Board of Selectmen for adoption and will then be sent to the State of CT.

Matthew Robison questioned what the state actually does once they receive them.

Hiram replied that they will accept it. They are making a lists of who submits them and ones they consider to be reasonably good or poor suggestions. So far, they have not done anything about that. He added that there a many bills in front of the legislature and things may change in the next few months or year. He believes that Mike Santoro from the Department of Housing and his staff are reviewing them. Approximately 2/3 of the towns within the state prepared and submitted a plan. He feels that as the regulations are being revised, it is a good time to get this finished and submitted.

Matthew Robison asked if Partnership for Strong Communities is a private organization. He shared that he was shocked at the population projections for Middlebury with respect to the percentages compared to the rest of New Haven County.

Hiram responded that they are a group of people that primarily deal with things like homelessness, special assistance to communities and was formed by the Melville Charitable Trust. They obtain data from American Community Survey for their projections. They also work in conjunction with CT Data Collaborative and they all work together to average what their projections are. He emphasized that affordable housing can be a really good thing for the community. As a planner, he believes they need to think about not only what is there now but determine what it will look like and what will our children go through and live. He encouraged

working towards a sustainable community moving forward. Some communities have large developments that were undesirable and what is referred to as an 8-30g. application. He wants to plan ahead so the need does not exist and there is no ability to come in and build something that it completely undesirable in the community. The design is important and the key is to become involved early on in the process.

Chairman Smith suggested to put this on the agenda for next month, which will give all of the members the opportunity to ask questions, and offered to forward any questions from the members to Hiram.

Hiram stated that he will continue to work on the regulations as well.

#### **4. Adjournment**

**Motion:** to adjourn the meeting at 6:34 p.m. Made by Erika Carrington, seconded by Matthew Robison. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Brigitte Bessette, Town Clerk

cc: P&Z Commission Members  
Paul Bowler, Chairman, Conservation Commission  
Mark Lubus, Building Official  
Curtis Bosco, Z.E.O.  
Ken Long, Chairman, Z.B.A.  
Attorney Dana D'Angelo  
Rob Rubbo, Director of Health

# Town of Middlebury

## Affordable Housing Plan

2023-2028

**DRAFT**



Historic Example



Current Example

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## Community Values Statement:

In Middlebury, residents know and appreciate small-town living at its best. People are drawn to this Town for its beauty, friendliness, and rural warmth. The local government is committed to its residents because they are the heart of our municipality. In addition, the Commission is dedicated to maintaining the high standard of living our residents have always cherished. All of these efforts ensure our hometown to be a premier Connecticut hamlet. In addition the Commission is committed to ensuring that residents and all who wish to live here and become a positive element in the Town will be welcome and able to participate in the benefits of residing in the community. This plan is proposed as a one element to help provide equity and sustainability for all.

### *An Affordable Housing Truth:*

*“A common myth around affordable housing is that it consists only of higher density apartments. This is not true. Affordable housing can be like any other type of housing and comes in many forms, shapes and sizes ranging from single-family homes to duplexes and from townhomes to apartments. It can be privately owned or rented. It can house seniors, families with children, single individuals, or persons with disabilities. It can also come in a range of architectural styles making it virtually indistinguishable from other housing types. While some affordable housing units are owned and managed by public entities, most are privately owned and managed.”*

*Town of Chester, Affordable Housing Plan, adopted May 25, 2022.*

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If this is the case, how do we encourage more affordable housing unit development as required by CGS §8-2 the Zoning Enabling Act, without significantly adversely impacting the existing physical characteristics of the currently built environment? To clearly answer this we might take a look back at the historic development of the region. In addition, we might endeavor to look clearly at what we can accomplish to improve the current

living situations of many existing and potential members of the community we love. How do we make it an even better, more equitable and inclusive environment?

In order to start the discussion we must first ask, what are the variables that cause housing prices to vary so significantly? What effect has recent cost escalation had on the ability of housing providers to establish safe, well-built housing for a wide variety people? People who are not only valuable to complete the fabric of our community, but who are also actually necessary for all the parts of our lives we depend on daily. Some of these people are teachers, carpenters, plumbers, solid waste handlers, recycling staff, municipal workers, shop owners and parents.

#### **Executive Summary:**

The ability to afford adequate shelter in Middlebury, whether it is a single-family home, a multi-family unit, a condominium, or a rented apartment, has become more and more difficult over time for several reasons. At the same time the ability to afford to live close to one's job or family has also become more difficult as well. The supply of adequate shelter, no matter the type has also been made more difficult as the cost for such shelter has increased much faster than many families income. Specific groups like young families, new residents and even senior citizens are having a very difficult time finding or keeping housing as well. This required study is one step in attempting to address these issues in Middlebury.

The Connecticut General Assembly adopted Public Act 17-170 and codified it as CGS 8-30j. This legislation requires each municipality in Connecticut to prepare a plan to address the issue of housing affordability. The plan needs to be updated every five years in order to gauge the progress of how well a municipality is doing with regard to the goal stated in the legislation. The goal is clear and is stated as follows; "to increase the number of affordable housing developments in the municipality." This is typically also stated

as a goal in most municipal Plans of Conservation and Development, but generally lacks implementation detail and structure. The goal is also stated as a requirement of Connecticut General Statutes Section 8-2.

Affordable housing is generally defined as housing which costs 30% or less of a household's annual income. Typically this housing needs to be available to households making less than the area median income. Certain legislation also specifies incomes that are less than the State median income also must qualify for access to affordable housing.

Each municipality can use this planning opportunity to create an Affordable Housing Plan (AHP) that works best for the specific circumstances which exist in that Town so as to optimize the effort and expenditures to help affordable housing be created and occupied in the Town.

Specifically, the following goals are recommended in this Plan by the Town of Middlebury and the Middlebury Planning and Zoning Commission for action on this legislative requirement at this time.

1. Work to create a regulatory environment which will enable the creation of affordable housing units for seniors, young adults and young families.
2. Create an environment using a variety of tools which allow the development of smaller sized housing units as part of a downsizing options program.
3. Work with a variety of groups and institutions to broaden and maintain a variety of options which will assist those in need to become aware of available educational programs, regulations and other opportunities to locate and occupy appropriate housing for their families.

## Section 1: Is an Affordable Housing Plan Required?

Yes. Connecticut law requires it as follows:

- CGS Legislation 8-30j, which became effective July 2017 requires creation of an Affordable Housing Plan by each municipality.

Sec. 8-30j. Affordable housing plan. Hearing and adoption. Amendments. filing requirement.

*(a) At least once every five years, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality.*

(b) The municipality may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan. If the municipality holds a public hearing, at least thirty-five days prior to the public hearing on the adoption, the municipality shall file in the office of the town clerk of such municipality a copy of such draft plan or any amendments to the plan, and if applicable, post such draft plan on the Internet web site of the municipality. After adoption of the plan, the municipality shall file the final plan in the office of the town clerk of such municipality and, if applicable, post the plan on the Internet web site of the municipality.

(c) Following adoption, the municipality shall regularly review and maintain such plan. The municipality may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. If the municipality fails to amend such plan every five years, the chief elected official of the municipality shall submit a letter to the Commissioner of Housing that explains why such plan was not amended.

In addition, CGS 8-2 also now *requires* that Towns adopt regulations that **“promote housing choice and economic diversity, including housing for both low and moderate income households”** as well as encouraging the development of housing that will meet the needs of the residents of the community. This provides a two-pronged requirement for the production of housing in each municipality in Connecticut. This AHP begins to provide the background and basis for actions by the Town through the Commission, to address these requirements.

This initial AHP is aimed at outlining the status of housing opportunities in Middlebury and identifying the current and future housing needs that exist. In addition, it sets out an outline of how Middlebury can help make several types of housing suitable for various families attainable in the Town. The AHP shows how the Town can assist in providing an increase in “Affordable Housing” for current and future residents of the Town.



One organization which focuses on housing and homelessness, The Partnership for Strong Communities maintains complete data files and inventories of affordable housing for each town in the state. An analysis of this data for Middlebury is included as an appendix to this plan to show the current housing status of residents and housing in Town. Housing experts state that when residents spend too much on housing from their total budget, termed *cost burdened*, there are simply not enough financial resources left to take care of childcare, groceries, medical expenses, and emergencies. This also means that other less essential, but still important expenses are not able to be addressed. These shortcomings affect not only the local economy, but they also dramatically affect the residents, their parents and their children even more directly. The key to addressing these important issues is to strive to provide **attainable** housing for these residents as well.

Middlebury is fortunate to have a high median income level. One essential purpose of this Plan is to provide ways to consider how to provide essential housing to residents and local workers who want to become or remain a significant and positive part of the community.

Thus one of the main goals of this AHP is to work to accomplish the broad requirements as stated in CGS Section 8-2 as stated above. This will require the coordination of many groups within the community as well as work with groups outside the community. The effort to help families of both low and moderate incomes will not only satisfy the legal requirement, it will ultimately make the Town a stronger more equitable, inclusive and diverse community as well.

## Section 2: What is Affordable Housing?

Housing in Middlebury has become more expensive. While this is not surprising it is an issue that needs to be dealt with to help provide the balanced and fair community that will serve all residents in the future. This issue was addressed in one way by the legislature's adoption of the affordable housing appeals procedure known as CGS 8-30g. thirty years ago. In this legislation the housing it intends to help create known as "Affordable Housing" must meet certain criteria which are outlined by several sections of State Law.

**Affordable housing may be defined in part as follows:**

1. The unit costs thirty percent (30%) or less of the annual income of a household earning eighty percent of the Area Median Income; and
2. The unit has been deed restricted so as to ensure that the housing unit will remain "affordable" for a period of forty (40) years; or
3. If they are "ownership" units, they are currently financed by Connecticut Housing Finance Authority (CHFA) or the U.S. Department of Agriculture (USDA).

The details of the Area Median Income according to the Department of Housing and Urban Development's (HUD) latest income data for a household of four in the Waterbury CT HUD Metro Fair Market Rent (FMR) area is approximately \$89,400.

While Middlebury has a median household income of \$120,480 which is \$49,110 greater than in New Haven County, this is also \$40,625 greater than in Connecticut overall. This means that an affordable housing unit for a household income of 80%, or 60% as is used by CGS 8-30g. must comply with the lower area median income level.

These income levels are also adjusted based on family size so that a larger family might have a slightly higher income level but still be considered low or moderate income for housing purposes, and thus qualify for housing.

80% Of AMI (2021) (Waterbury/New Haven)	Middlebury \$99,200*
1 person family	\$ 57,680
2 person family	\$ 65,920
3 person family	\$ 74,160
4 person family	\$ 82,320
5 person family	\$ 88,960

\*The AMI levels vary slightly depending on the source of the data, but the proportionality remains essentially the same dependent on family size.

In Connecticut CGS 8-30g applies to any municipality with less than 10% of its housing stock deed restricted to an Affordable level. It should be noted that while it is clear that some housing typically exists in Town which might be leased or rented for what might seem to be an affordable level, such housing is considered as *Naturally Occurring Affordable Housing* or NOAH. This housing, not being deed restricted as required by CGS 8-30g, does not count toward the 10% cited in the statute to make a municipality exempt from it.

Thus Middlebury is currently subject to the requirements of CGS 8-30g and must allow for the construction of Affordable or mixed-income housing applications unless it can be shown that the development must be rejected to protect

substantial public interests in health or safety. Only thirty-one of CT towns are exempt from CGS 8-30g at this time according to the Affordable Housing Appeals listing maintained by the CT Department of Housing.

Most of the larger cities are exempt while nearly all smaller towns are not.

CGS 8-30g requires that at least 30% of the units must be restricted to low and moderate income households for at least 40 years. The 30% is further broken down as 15% which earn 80% of the area median income and 15% which earn 60% of the area median income.

In most court cases to date, developers have prevailed in terms of showing that the importance and need for affordable housing proposed in such applications outweighs other matters which cannot be shown to constitute a clear safety or health hazard to the area of development or to the municipality.



Various definitions for affordable housing exist, but typically considerations also include:

- Applicants must qualify based on household income as a percentage of Area Median Income (AMI), at 30%/60%/80% etc. for various levels.
- Income is adjusted based on family size and may be for rental or purchase.
- Residents may currently work in the community or may want to move to the community where they work or would like their family to live.
- Local businesses are constantly seeking workers to fill open jobs in the local community. Trades and initial/entry jobs provide opportunities to invigorate the community with some affordable units occupied by these residents and families.

## Section 3: What is the Status of Middlebury's Housing Stock?

### Population Overview:

Middlebury's population is 7,577. Data from the Partnership for Strong Communities indicates that Middlebury's population since 2000 has increased by 17.4% or 1,124 residents. However the population has actually decreased by almost 2% between 2017 and 2020. While New Haven County population increased by only 4.8% and Connecticut's population increased by only 5.7%. It is clear that Middlebury was growing more rapidly than many of the surrounding area towns. Of note though is the recent period beginning in 2019 where the population has begun to dip slightly. Overall the population is still expected to increase by 7.2% from 2020 to 2040. This is an increase of approximately 560 additional residents. This is a higher percentage than the County or the State. The Town growth may be attributable to a number of factors. This additional growth indicates that careful planning for all the elements needed to continue to provide for Town residents will need to be taken into account, including housing.

Data also shows that the median resident population age is continuing to rise. The current median age of residents being 45. This data shows that Middlebury has the highest share of elderly population in the region at 32% of those aged 60 and over. This percentage of this group is also higher than New Haven County and Connecticut as a whole.

### Housing overview:

In terms of housing stock the following data provides a brief summary:

Total Housing Units: 3,192

Single Family Units: 2,777 or 87% while 13% are multifamily units.

Housing Units with 4 or more Bedrooms: 25% (New Haven County 17.6%)

Units within developments with 50 or more units: 278

Of Owner occupied units: 79.4% (23% built before 1950 and 29% built before 1970)

Renter occupied units: 12% (14% built before 1950 and 8% before 1970)

Gross Rent: 9.5% of rental cost \$1,500 and over per month.

Building permits: in 1990: 6 and in 2021: 35

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Number of housing units in the structure:

Total Housing Units	3,192	100%
Single family, 1 detached	2,580	80.8%
1 attached	188	5.9
2	16	.5
3 or 4	40	1.3
5 to 9	72	2.3 %
10 to 19	0	0
20 to 49	9	.3
50 or more	278	8.7%
Mobile home	9	.3%

It is interesting that the gross rentals in Middlebury for units costing \$1,500 or more per month are at 9.5% of the units, while in New Haven County that cost applies to 24% of the rental units.

#### Key Findings:

Data collected indicates that “cost burdened households” those that are paying more than 30% of household income for rent or mortgage, are as follows in Middlebury.

Cost Burdened Households: (Renters/Owners spending between 30% and 50% of income on housing)

- Renters: 15%
- Owners (with mortgage): 28%
- Owners (with no mortgage): 11%

Multifamily Housing 13%

Housing Wage: Typical salary needed to rent a 2 bedroom apartment: \$22.88

Number of Renting Households: 12%

Currently listed as Affordable or subsidized units in Middlebury: (Latest available information CT DOH)

2010 Census: 2,892 units, 2021 Gov. Assisted: 77 units

2021 Tenant Rental Assistance: 5 units

2021 SF CHFA/USDA Mortgage: 18 units

2021 Deed restricted: 20 units

Total Assisted: 120 units

2020 % "Affordable": 4.15% Note: This does not include units which are not deed restricted but which may be considered "naturally occurring affordable housing."

This indicates that as long as the total number of units deemed "Affordable" is less than 10%, the Town remains subject to CGS 8-30g.



## Section 4: What is Middlebury's Population profile?

Most current population count in Middlebury is 7,771.

Middlebury residents are typically older and less racially diverse as compared with populations in New Haven County and Connecticut. As of 2020 the following population by race data is shown for the Town.

RACE	Middlebury	New Haven County
Asian	419 (6%)	4%
Black	31 (.3%)	13%
Hispanic	390 (5%)	19%
White	6,722 (87%)	62%
Other	209 (2%)	3%

As noted earlier Middlebury's median age is 45. The median age in New Haven County is 38 and is 39 in Connecticut. This information provides some information and guidance as to what policies might be effective in dealing with housing questions based on age for residents in the future.

The average household size in Middlebury, at 2.6 persons per household, is slightly larger than New Haven County and Connecticut both at 2.5. This data will be important to track in the future as revisions to this AHP are considered. The specific mix of resident's age will dictate the potential solutions to housing questions as they may well be age directed. It is currently fairly common for the number of members in the household to decline and the number of households to increase. This trend too should be monitored in order to help determine the proper policy trend direction in the future. It is noted again that average household size varies from data source to data source. However the relationship between Middlebury and other regional towns remains the same.

Middlebury's population is projected to increase more significantly than New Haven County and the State in the coming years. While population estimates are simply projections, they are based on expected trends. These trends tend to take into account population increases due to trends such as in-migration and school enrollment projections. In Middlebury these projections\* are significant.

	Middlebury	New Haven County	Connecticut
Population	7,771	855,733	3,570,549
Pop. Proj. (2030)	8,522 (+9.7%)	891,371 (+4.2%)	3,633,994 (+1.8%)
Pop. Proj. (2040)	8,828 (+13.6%)	900,635 (+5.2%)	3,654,015 (+2.3%)
Pop. change 2000-2010**	+17.4% (increase)	-	-
Pop. change 2010-2020**	0.0% (decrease)	-	-

\*Source: CT State Data Center \*\*Source: U.S. Census Bureau

It is noted that municipal population increases have slowed significantly in 2020. The projected increases for 2030 to 2040 are projections and are not yet able to be confirmed. However the aging trend has remained constant for seniors.

While the population projection increases are notable, the fact that this AHP needs to be revised at least every five years will allow for some advance planning to be accomplished prior to 2030 and 2040. It is recommended that these projections be monitored closely and adjustments to any longer range planning policies be adjusted accordingly to take these changes into account.



## Section 5: How Do Middlebury's Current Policies Affect Affordable Housing?

There are two primary documents that guide land use in a Connecticut municipality. They are the most current Plan of Conservation and Development (POCD) and the currently adopted Zoning Regulations. The current Middlebury POCD was adopted in 2015. The POCD is required to be reviewed for revisions at least every ten years. The POCD review will likely begin in 2024 so that it can be revised and adopted in 2025 as scheduled. Currently the Commission is nearing a comprehensive revision of the current zoning regulations. It is anticipated the revised regulations will be reviewed and adopted in 2023.

With regard to affordable housing the current **POCD** makes note of the issue as follows:

Page 10 Housing Goal: Middlebury should retain single-family detached housing as its primary residential type, while allowing for a range of alternative housing types and densities consistent with maintaining the Town's character and quality of life.

Objective: #2: Develop regulations which provide more affordable housing opportunities for residents of Middlebury by allowing a small density increase in housing development which dedicate a certain number of units as affordable, in accordance with State Statutes.  
#7: Strive to provide for acquisition of land to be used for the construction of elderly housing by private developers.  
#8: Encourage the development of more elderly housing, for those residents 62 and over who may not be able to otherwise afford to remain in Middlebury, or who have special medical or financial needs. However there is no need for additional 55 and over age restricted market rate housing, as has been widely developed in the region, as there is a significant surplus.

In addition the section of the POCD on Housing Affordability cites some of the information regarding the sales process of housing in Town. This section does cite the fact that market rate housing in Middlebury is quite expensive compared to other towns and the region. It also notes that these prices fluctuate considerably for a variety of reasons.

Average Home Values\*:  
Middlebury: \$378,715 - \$403, 260  
New Haven County: \$289,914  
Connecticut: \$315,745

\*Zillow, 2019, includes single-family, condos and apartments

The above Goal and Objectives in the POCD set a fairly narrow set of parameters for increasing the stock of affordable housing. This AHP suggests a few additional considerations the Commission and the Town may wish to consider.

Zoning regulations are the actual mechanism which may permit the Town to consider some alternatives which may allow for the creation of affordable housing which would fit the small town character Middlebury wishes to retain but also would also address the issues that providing such housing would address.

The POCD does specifically cite a need to assist those who may wish to remain in Town but may have medical or financial constraints. It is suggested that a few other reasons may also be cited as reasons to address this need. Consideration might be given to elderly residents who may wish to down-size but remain in Town. The cost of upkeep for a large residence will continue to increase. The ability to remain in Town by seeking a smaller more appropriate sized dwelling unit, whether single-family or a condo or apartment, may well serve this need.

The location of well-designed smaller residential units in proper locations will be a key element for both local acceptance and excellence of design. These units can be part of what is termed *light density*.

## **Section 6: What Actions Might Middlebury Consider?**

Based on the available data and the requirements of the CGS 8-30j, the following items are recommended for discussion and consideration as ways to increase the affordable housing supply to an appropriate level in Middlebury. In addition to CGS 8-30g, 8-30j, other statutes also exist which may provide a basis for some actions as well.

**Goal 1. Encourage the development of affordable rental options for seniors and young people. The Commission should;**

- a. consider regulation and policy changes which may help facilitate development which focuses on the creation of affordable units for seniors and young people.
- b. consider ways to allow seniors who want to remain in town to remain in their homes or to downsize if they want to do so. This might be facilitated in part, by the Commission using various rental options or by facilitating/easing the creation of accessory dwelling units (ADUs) in existing single family homes.
- c. consider close coordination with Social Services to determine the specifics of the needs of seniors and young people in finding or relocating to appropriate, safe housing. This may also include encouraging the housing of health aides or au pairs in existing housing as of right.
- d. encourage and assist local and regional social services to use available technology to help create or advertise existing educational programs or alliances that might assist with these housing issues.
- e. consider creating a zoning overlay regulation which would allow the creation of slightly increased density in appropriate town/village center areas.
- f. consider regulation changes to ease installation of items such as access ramps, driveway connections and necessary alarms for assistance.

**Goal 2. Encourage the formation and operation of a local nonprofit housing entity by;**

- a. encourage donations of private or public (non-open space) lands to nonprofit development entities which are interested in creating affordable housing with physical characteristics which fit well with existing development.
- b. encourage local nonprofits to create a development fund for the creation of small to medium size affordable housing development projects.
- c. encourage coordination between local nonprofits, lending institutions and local, regional and state governmental agencies who may help with some aspect of affordable housing development.
- d. consider coordination of housing efforts with interested organizations such as AARP or lending institutions which have a community obligation to monitor and assist in certain development issues.

**Goal 3. Consider zoning regulation revisions which would assist in promoting affordable housing creation by;**

- a. consider the adoption of an inclusionary zoning regulation (CGS 8-30i) which requires that 10% of any development with 10 or more housing units be included as deed restricted affordable housing units in such development.
- b. revise zoning regulations so that significant aspects of the regulations, such as minimum dwelling unit size be coordinated with the CT Building Code.
- c. revise zoning regulations with equity, diversity and inclusion in mind so that all sectors of the housing market are able to be served for the betterment of the entire community.
- d. revise or clarify zoning regulations so that live work developments, such as apartments over retail do not require any connection to the business.

- e. revise regulations so that while addressing affordable housing the design and desirable physical characteristics of the community are considered as well.
- f. revise regulations to ease the creation of desirable ADUs within existing dwellings and in appropriate outbuildings on existing developed properties.
- g. examine zoning regulations to determine if additional or revised mixed use regulations could assist in creation of additional affordable housing opportunities in such areas.
- h. consider adopting an affordable housing overlay zone regulation such as that authorized by the CT Incentive Housing Zone legislation.

**Goal 4. Consider alternative solutions for addressing the local affordable housing issue. The Commission might also;**

- a. consider recommending or encouraging the conversion of “struggling” properties into affordable housing units by asking a nonprofit to examine the possibility of such development, keeping in mind the environmental health and safety code limitations of the property.
- b. examine whether there exists any Town owned (non-open space) property which might be suitable for affordable housing development.
- c. examine whether any institutionally owned property, such as churches or schools might be available for such density if developed at a reasonable and acceptable density for affordable housing.
- d. consider acknowledging the need on affordable housing by adopting a policy For future inclusion in the POCD to increase the affordable housing by at least 10% of existing level per year.
- e. consider asking Social Services Department to consider forming an affordable housing group/committee to educate, discuss and inform the community on affordable housing issues.

The above possibilities at a minimum should be discussed considered by the Commission. Selected options would then be detailed and set for adoption as part of Section 7. Goals and Implementation of the Affordable Housing Plan.



## **Section 7: Goals and Implementation.**

The broad goals of this Affordable Housing Plan are as follows:

1. To increase the number of affordable housing units in Middlebury, especially for seniors, young families, and those in need of equitable treatment.
2. To help insure that affordable housing units, whether rental or ownership are created in areas where they are most needed and fit best with surrounding development in terms of density and design.
3. To create affordable dwelling units which help promote equity and sustainability for all existing and future residents in Middlebury as through follow through and coordination of the efforts cited in this AHP.
4. To implement the selected actions by helping facilitate, discuss, educate and coordinate the selected affordable housing efforts with any and all groups interested in constructive and positive progress in the matter of affordable housing creation.
5. To consider the location for affordable housing units to have access to transit when and where it may be available and associated with other mixed use development that will benefit the operation of both uses.
6. To strive to help create at least 10% more units of affordable housing per year as part of the Affordable Housing Plan for the community using the actions cited in this Plan or other actions that may be derived or considered.

In order to achieve these broad goals the specific action listed in Section 6 of this Plan should be adopted and acted upon as part of the Commission's responsibility under CGS 8-30j.



## Section 8: Appendix/ Resource and Information Sources and Examples.

- Middlebury Plan of Conservation and Development 2015
- Middlebury Zoning Regulations
- Naugatuck Valley Council of Governments, Regional Housing Profile (Att.)
- Partnership for Strong Communities, Housing Data Profiles. (Att.)
- CT General Statutes 8-30g.
- CT General Statutes 8-30j.
- CT General Statutes 8-2.
- 2021 Income Limit Data from US Department of Housing and Urban Development
- 2018 American Community Survey
- CT Department of Economic and Community Development (DECD)
- CT Department of Housing, 2021 Affordable Housing Appeals List. (DOH)
- 2021 Affordable housing Appeals List, Partnership for Strong Communities



Older, established housing unit



Colonial design, smaller housing unit

## Various Examples of Well Designed Affordable Housing Types



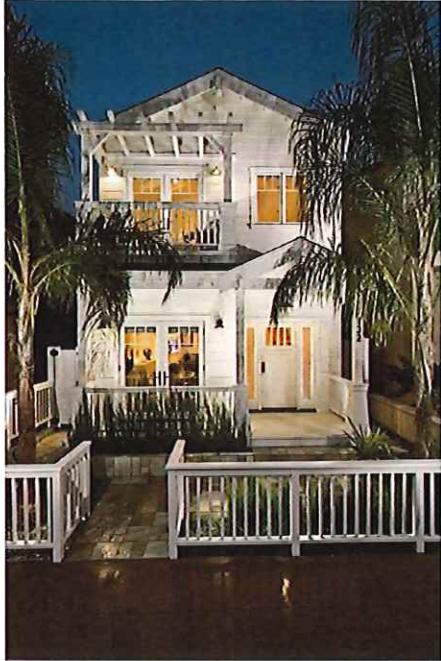
Small, well designed, small lot, classic colonial style.



Small carriage house  
on possible larger  
property.



Small sq ft, high tech, energy efficient, small lot.



Small lot, well designed, suitable for infill application.



Small duplex, modern design, small lot. infill type development.



Apts over village shops. Well designed. Walkable.



Suburban duplex, well designed converted rehab.

END