

EXHIBIT 15

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Elizabeth Burdick

MAY 08 2024

5:09 PM

From: Eric <bsaofnl-eric@yahoo.com>
Sent: Wednesday, May 8, 2024 5:09 PM
To: Elizabeth Burdick; Capon, J Anthony; Alex Samalot
Subject: Suggestions for PZ#24-2RESUB (8-30g resubdivision) Affordability Plan
Attachments: Suggestions for 8-30g Resubdivision Affordability Plandocx.pdf

LAND USE DEPARTMENT

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Liz,

Attached are my suggestions and questions on the 8-30g proposed resubdivision.

They are intended to be entered into the record. I will discuss a subset during the hearing unless the applicant includes them in his presentation.

Respectfully,

Eric Treaster

MAY 08 2024

Suggestions and Concerns Regarding the Affordability Plan for the Proposed 18-Lot
§8-30g Resubdivision at 96, 98, & 100 Stoddards Wharf Road – PZ#24-2RESUB

Eric Treaster
May 9, 2024

1. CGS §8-30g-(b) requires (1) Any person filing an affordable housing application with a commission shall submit, as part of the application, an affordability plan that shall include ... and "(E) draft zoning regulations, conditions of approvals, deeds, restrictive covenants, or lease provisions that will govern the affordable dwelling units." There are no draft zoning regulations in the affordability plan.
2. The affordability plan is clear about what constitutes income but is silent regarding what constitutes net or discretionary income. Suppose a prospective buyer satisfies the 8-30g income requirements but has significant binding obligations, such as paying back due medical bills over time, making large alimony and child support payments, or having large monthly minimum credit card payments, but has significant savings. Can that person lawfully purchase a designated affordable home? This issue should be addressed more clearly in the affordability plan.
3. Page 9 of the affordability plan shows the homeowner's insurance for a home purchased by a 60% median income family is estimated at \$65/month. In contrast, on page 10, the homeowner's insurance for a home purchased by an 80% median income family is \$100/month. Why are the insurance premiums different?
4. Pages 9 and 10 show an estimated \$205 per month for utilities. However, Schedule C, the "*Minimum Specifications for Market-Rate and Affordable Homes*," shows the homes will have electric base-ray heat. The homes will also likely have an electric dryer, electric water heater, dishwasher, microwave, and an electric stove and oven. Electricity in Ledyard is expensive. The \$205/month utility estimate shown in the affordability plan does not appear reasonable for a three-bedroom, all-electric home, especially if three or four people occupy the home. Are you certain \$205 is the proper number? This is important because a more accurate number would reduce the maximum sales price of the affordable homes.
5. CGS §8-30g requires that the "designated affordable" and "market-rate" homes be comparable throughout a development. Section IV of the Affordability Plan states that the model, size, and floor plan of the market-rate homes and the affordable homes shall be selected so that each affordable home shall be comparable in size, quality, and appearance to each market-rate home.

Schedule C lists the "*Minimum Specifications for Market-Rate and Affordable Homes*." Although the minimum specifications are provided, the maximum specifications are not. For example, the size, style, number of bedrooms, features, and appearances that will be common to all the homes are not specified.

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Would a market-rate home with central air conditioning, picture windows, upgraded countertops, lighted mirrors, recessed lighting, and French doors be comparable in quality and appearance to the affordable homes? The affordability plan should clarify the differences allowed between the deed-restricted affordable homes and the market-rate homes.

(Other examples include: Will the market-rate and affordable homes be comparable in size? Will they be comparable in "quality"? Can some proposed homes have garages and others not? Can some have four bedrooms, and others have two, three, or five? Can some homes be larger than others? Can some have basements and others be on concrete slabs? Can some homes be ranches, and others can be two stories? Can some have white appliances, and others have stainless-steel appliances? Can some have granite counters, and others have laminate counters. Can some homes have premium raised wood grain vinyl siding that looks like natural wood, and others have only cheap economy smooth vinyl siding? Will some homes have ceramic flooring, and others have vinyl flooring and cheap carpeting? Will some have fireplaces with a brick chimney and others not have a fireplace?)

6. Schedule F in the Affordability Plan addresses the deed restrictions. Page 27 requires the deed to include a statement that "*A violation of the Restrictions shall not result in a forfeiture of title, but the Ledyard Planning and Zoning Commission or its designated agent shall otherwise retain all enforcement powers granted by CGS §8-12.*"

§8-12 provides that the zoning official must order, in writing, the remedy for any condition in violation of the zoning regulations. If the order is ignored, the fine is between \$10 and \$100 per day.

The affordability plan is unclear regarding whether the residents in the affordable homes violate §8-30g if someone wins the lottery and their overall household income exceeds the 8-30g limits after initial occupancy. In the real world, how will the zoning official discover an 8-30g income violation or an 8-30g sales price violation? If a violation is found, who should receive the order to remedy the violation, and what exactly should the order say? When does the \$10-\$100 daily fine begin to accumulate? Can the violator appeal to the ZBA for a variance, and what zoning regulation would be varied? The enforcement procedure for violations of the 8-30g statutes should be clarified in the Affordability Plan.