



State of Connecticut
GENERAL ASSEMBLY
STATE CAPITOL
300 CAPITOL AVENUE
HARTFORD, CONNECTICUT 06106-1591

September 30, 2021

Honorable Mayor Joseph Carfora
250 Main Street
East Haven, CT 06512

SENT VIA E-MAIL ONLY

**Re: Act NOW to Protect Our Local Zoning;
Opt-outs of state-mandated parking and accessory apartment regulations**

Dear Honorable Mayor Carfora:

I write to you today, in conjunction with Senator Paul Cicarella, the ranking member of the legislature's Housing Committee, to urge your swift action to prevent a State-override of our local zoning regulations with respect to parking requirements and accessory apartments.

This past session, the majority in Hartford passed, and Governor Lamont signed into law, P.A. 21-29, which reorganized the State's zoning enabling act to give it more clarity and make it easier to both follow and administer. In principal and in practice, we supported the legislation's underlying objectives to increase housing opportunities and make our zoning laws easier to administer. However, we both strongly opposed mandates in the legislation overriding local towns' parking regulations and imposing a one-size-fits-all approach to accessory apartments (commonly known as "in-law" apartments). Neither of us support a top-down, one-size-fits-all approach to zoning. Rather, we believe that zoning decisions are best left to informed, connected stakeholders in our communities as opposed to Hartford bureaucrats.

Specifically, Section 4(d)(9) of P.A. 21-29, prohibits a town from requiring "more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms." The following is a comparison of the State mandate under P.A. 21-29 and the closest applicable portions of our current parking regulations:

	State Mandate Under P.A. 21-29	E.H. Regulations
Single Dwelling Unit (1 BR)	1 Space	2.5 Spaces
Single Dwelling Unit (2+ BR)	2 Spaces	2.5 Spaces

As you can see, the State mandates significantly reduce our existing parking requirements – a sixty percent (60%) reduction in the case of one-bedroom dwellings and a twenty percent (20%) reduction in the case of two-plus-bedroom dwellings.

Further, Section 6 of P.A. 21-29 provides that zoning regulations shall permit at least one accessory apartment as of right on each lot that contains a single-family dwelling. This mandate essentially acts to convert nearly EVERY (*emphasis added*) single-family home into a two-family home, a change which threatens to overtax essential fire, police, and public safety services and which could drastically affect parking and quality-of-life in neighborhoods throughout town.

In my role as “ranking member” on the State’s Planning and Development Committee, I was able to extract two valuable concessions during the drafting and debate of this bill, both of which Senator Cicarella fought to help preserve during the Senate debate. Specifically, towns are permitted to opt out of the State’s parking and accessory apartment mandates if they hold certain hearings and follow certain procedural requirements. I am contacting you today, with the support of Senator Cicarella, to urge you to contact the town’s land use counsel so that they may advise our planning and zoning boards on the suitability of exercising these opt-outs. Section 5 of P.A. 21-29 provides the procedure to opt out of the parking mandate. Section 6(f) provides the procedure to opt out of the accessory apartment mandate, which must be completed on or before January 1, 2023.

I am enclosing a copy of P.A. 21-29 for your review and reference. I trust that you will consult with your legal team, and particularly your land use counsel, on the appropriateness of exercising the opt-outs we are bringing to your attention. We believe that P.A. 21-29 represents a significant infringement upon local zoning autonomy. It may represent good policy in some towns, but in others its mandates could be disastrous. We believe zoning decisions are best left to local residents, who understand the particular challenges and development goals of the towns they serve, and we will continue to oppose legislation like P.A. 21-29 that seeks to replace local control with State mandates.

Senator Cicarella and I are willing to make ourselves available to further discuss the impact of P.A. 21-29. We hope you will urge our local zoning commission to take this matter seriously and take whatever actions are necessary and appropriate to protect our community’s best interests on this specific issue and on the general issue of local zoning control.

Very truly yours,



Joseph H. Zullo, 99th Assembly District,
Ranking Member – Planning & Development Committee
in conjunction with



Paul Cicarella, 34th Senate District
Ranking Member – Housing Committee