

Stephen Mason

Application for Zoning Amendment

Supporting Memorandum

The purpose of this Application for Zoning Amendment is to address two main problems attending the amendments made on December 2, 2024: first, the process by which those amendments were made, and, second, the substance of those amendments. This application requests a simple reversion to the regulations as they were before December 2, 2024 as a first step in achieving a thoughtful, comprehensive, well-researched, and logically coherent review of Woodbridge’s Opportunity Housing regulations encompassing all of the zoning districts in the town. This second step must include ample opportunity for meaningful public input, which was missing from the December 2, 2024 amendment process. This approach is essential to reverse the action taken on December 2nd quickly, so as to remove the threat that any additional building applications can be submitted under those flawed amendments.

A. The Process.

1. Notice of the December 2 Public Hearing was ineffective and inconsistent with Woodbridge’s history of transparent decision-making.
 - a. Two notices were placed in the New Haven Register, the second of which appeared on Thanksgiving Day, a federal holiday.
 - b. The New Haven Register is no longer widely read in town.
 - c. Proof that this notice was wholly inadequate is the fact that not a single member of the public offered comment at the hearing. Therefore, the purpose of the legally required public hearing – to hear from the public – failed in its entirety.
 - d. It is clear that town residents would have appeared at the December 2 hearing if they had known about it, for many residents spoke at length at the January 8, 2025 Board of Selectmen meeting and at the February 5, 2025 Housing Committee meeting complaining about the December 2 process and decision.
 - e. Supreme Court Justice Benjamin Cardozo famously wrote that technical compliance with the law may be its mark, but it is never its measure.
 - f. Town leaders have acknowledged the inadequacy of the notice, and have already addressed the situation by creating a new area on the Town website where all legal notices are posted.¹ That, however, does not cure the ineffective notice of the December 2 public hearing.
2. As the December 2 applicant’s attorney Mr. John Knuff stated on the record, the Public Hearing started “a new record”² making prior informal discussions irrelevant. When one watches the

¹ https://www.youtube.com/watch?v=TZrUiYz3JZE&list=PL1cC-rkNEFsEcziA943ApXld9IM6qLG_k&index=30

² <https://www.youtube.com/watch?v=ZiPipaHvDuk&list=PL1cC-rkNEFsFKNV3EG9ExHJZ56ADyIIEG&index=27>

hearing recording it appears that the TPZ members did not understand this important fact, as they asked very few questions. Later in this presentation, the inadequacy of TPZ's inquiry will be described in more detail.

3. Finally, the rushed process by which the December 2 amendments were approved is inconsistent with the treatment that other, much less impactful, matters have received from this Commission. For example, the TPZ opened a Public Hearing on July 1, 2024 to perform a "clean-up" of the regulations to address a series of what were described as "scrivener's errors" in the regulations.³ This Public Hearing was repeatedly continued and did not close until November 4, 2024, even though submissions during the Public Hearing process were minimal (two verbal comments on September 3, 2024, and two written comments on November 4, 2024). The amount of time and attention devoted to what was essentially a copy-editing exercise was vast compared to the time and attention devoted to a substantive revision of the regulations themselves.

B. The Substance.

1. The Applicant appearing on December 2 requested 4 zoning modifications for opportunity housing: (i) maximum height increase from 2.5 to 4 stories; (ii) maximum density increase from 15 to 18 units/acre; (iii) impervious coverage allowance increase from 22.5% to 30.0% of the site; and (iv) required affordable units reduced from 20% to 12% of the total units if half of the affordable units are for 80% AMI (area median income) and half for 60% AMI.
2. The applicant for the December 2 zoning change made it clear to the TPZ that the amendments were designed to facilitate a high-density housing development at 804 Fountain Street. In fact, an application for that development was filed by the same applicant on January 2, 2025, the first business day after the regulations went into effect.⁴
3. Typically, such an opening salvo is not the minimum an applicant will accept. Typically, an applicant will ask for more than he will settle for. But we do not know whether the applicant would have settled for less, since he was never asked which, if any, of his requests were essential.
4. In making his request, the applicant's attorney claimed that Woodbridge's regulations were "pretty aggressive" relative to other towns, but provided no citations of other towns' regulations to substantiate that claim. Details from the zoning regulations in neighboring towns, which will be described in a few minutes, show the opposite, that

³ https://www.woodbridgect.org/agendacenter/viewfile/minutes/_07012024-3115

⁴ The application was withdrawn on February 12, but a new application was submitted March 28th.

Woodbridge's regulations, even before the December 2 Amendment, are much less stringent than other towns. The TPZ failed to ask Mr. Knuff for examples.

5. The applicant claimed that his requests to amend were grounded in the reports of two engineers, who said that the project could not be built under the existing density, height, and coverage regulations. But the applicant did not submit the engineers' reports. Conclusions were simply stated verbally without any written evidence to support them. How do we know the conclusions are accurate? Again, the TPZ failed to inquire.⁵
6. The attorney's Supporting Memorandum, in which he sets out his justification for the requested zoning amendment, quotes extensively from the Town's Affordable Housing Plan, stating that the Plan "makes key findings related to the need for affordable housing in Woodbridge." However, these so-called "key findings" are riddled with errors. As has been repeatedly pointed out in public meetings, the Affordable Housing Plan falsely states that Woodbridge has a declining population and makes unsupported claims about income level and student enrollment. In the interest of time, detailed discussion of these errors has been relegated to Appendix A of this Memorandum.
7. In fact, the errors in the Housing Committee's Affordable Housing Plan have been discussed in Board of Selectmen meetings and Housing Committee meetings multiple times beginning in September of 2023. Why would the TPZ fail to question an applicant's reliance on an Affordable Housing Plan that is known to be flawed?
8. The applicant claimed that he requested reduced affordability requirements because the 20% minimum presented a financial barrier. The applicant offered no financial calculations to justify that claim; his attorney merely stated that the lack of Opportunity Housing applications in Woodbridge to-date was a "testament" to that claim. The TPZ members failed to question that claim.
9. The applicant's engineering reports were based on the specific challenges of this specific site, which are many. The site is an odd pie shape, it is dramatically sloped and rocky, and contains wetlands and a watercourse. Other sites might be far less challenging to develop under the regulations that existed prior to December 2. Why should the specific challenges of a single site lead to such dramatic changes to an entire zone?
10. Not only did the TPZ grant every requested change zone-wide, it gave the applicant even more than he asked for by suggesting his plan should include 3-bedroom units which were absent from the proposal as it was described in informal earlier meetings. When he heard this suggestion, the applicant's attorney was clearly surprised, and said that most towns don't want 3-bedroom units since they drive up school enrollment. Precisely so.⁶

⁵ The Town Planning Consultant did agree with the engineers' conclusions, but the record remains thin without the engineers' report.

⁶ <https://www.youtube.com/watch?v=ZiPipaHvDuk&list=PL1cC-rkNEFsFKNV3EG9ExHJZ56ADyIIIEG&index=27>

11. Taken together, these multiple instances show that the TPZ failed to establish a substantive record justifying the regulatory changes that were adopted on December 2, 2024.

C. The Larger Picture – The Purpose of Zoning Regulations

1. This commission’s own consultant during the 2 Orchard Road deliberations⁷, Glenn Chalder of Planimetrics, emphasized that Zoning regulations should find BALANCE among competing factors, *i.e.*, housing, community, and the environment⁸.
2. Indeed, a Town’s overall zoning scheme should be both balanced and should have an internal logic in the way different areas are zoned. For example:
 - a. The highest density should be in the most “urban” areas.
 - b. Likewise, the tallest buildings should be in the most “urban” areas.
 - c. These logical principles align with current thinking in urban planning sometimes called Smart Growth or New Urbanism⁹. These principles include:
 - (i) Creating walkable neighborhoods;
 - (ii) Keeping neighborhood centers compact and rural land open; and
 - (iii) Promoting a mix of uses (residential, office, and retail).

Woodbridge’s December 2 Opportunity Housing regulations for Zone A are inconsistent with well-established “Smart Growth” principles. These principles have been consistently articulated in many publications. For example, I draw your attention to *Economic Vitality and Land Use*, by the Connecticut Regional Institute for the 21st Century.¹⁰

3. The December 2d zone change upends the balance in Woodbridge’s zoning and lacks internal logic because:
 - a. The highest residential density is now permitted in the least dense area. 18 units/acre in Zone A represents density that is 27 times the density of 1 unit/1.5 acres in the underlying zone.
 - b. The tallest buildings are now permitted in the least dense area.
 - c. There is also no logic to support the lessening of affordability requirements. As shown below, other area towns require 20% or more and have achieved many more affordable units than Woodbridge. Recently, the Connecticut General Assembly’s Housing Committee voted to push forward SB1262, a bill that would create a sales tax break on construction

⁷ https://www.woodbridgect.org/AgendaCenter/ViewFile/Minutes/_10052020-1773

⁸ <https://www.woodbridgect.org/DocumentCenter/View/3992/A---Planimetrics-Submittal?bidId=>

⁹ <https://www.upstateforever.org/blog/land-planning-policy/10-principles-of-smart-growth>

¹⁰<https://ctregionalinstitute.wordpress.com/wp-content/uploads/2010/02/econvitalityandlandusereport.pdf>

materials for developments with 20% affordable units. This threshold in proposed legislation indicates that leaders on the State Housing Committee consider 20% to be a minimum standard.

4. Woodbridge’s own Zoning Regulations themselves include principles and definitions with which the December 2 amendments do not align.
 - a. Zone A is defined in the regulations (Table 1.1) as “Low-density Residential with a minimum gross lot size of 65,000 sq. ft.” And yet, the highest residential density in the town is currently allowed in this so-called “low-density” zone. This illogical, unequitable situation should be carefully examined and remedied.
 - b. The Introduction to the regulations states their purpose: “These Zoning Regulations are intended to guide land use activities in Woodbridge in ways that will maintain and enhance community character and protect the public health, safety, and welfare.”
 - c. Further, Section 1.2 elaborates on the purpose of zoning regulations: “... to prevent the overcrowding of land; to avoid undue concentration of populations; to facilitate adequate provision of transportation, water, sewerage, schools, parks, and other public requirements with full consideration of the character of the districts and their suitability for particular uses; to conserve the value of buildings and encourage the most appropriate use of land throughout said town.” The incongruity of the current regulations with this statement, based on the State’s Zoning Enabling Act, seems obvious. Surely density of 27 times that of the adjacent area would be considered overcrowding and undue concentration; surely a massive four-story apartment building in a neighborhood of average size homes no taller than 2.5 stories on minimum 1.5 acre lots, violates the “low density” definition of the district and fails to “encourage the most appropriate use of land.”

5. The TPZ’s sweeping and swift change to the Opportunity Housing regulations is also at odds with the TPZ’s ongoing effort to update the Town’s Plan of Conservation and Development.
 - a. As part of the POCD process the TPZ conducted a survey available to all town residents. As the POCD consultant SLR noted, “Respondents generally feel that there is an appropriate mix of housing types in the community.... (but) nearly 60 percent stated that Woodbridge’s housing stock is not accessible and affordable to people of different ages and lifestyles and would like to see more affordable single-family structure options in the community”¹¹ (emphasis added).
 - b. In the latest public event regarding the POCD¹², the consultant shared with residents the new POCD’s “Draft Goals, Strategies & Actions.” Goal 1.1 is “Facilitate Sustainable

¹¹ <https://www.arcgis.com/sharing/rest/content/items/c65db35f988f4fc085905894d6439e11/data>

¹² Open House on April 8, 2025

Growth” and Strategy 1.1.1. is “Guide future growth to be consistent with existing land use patterns, environmental protection, and infrastructure capabilities.” There is no indication on the record that TPZ took any of these values/aspirations into account when passing the December 2 amendments, especially consistency with existing land use patterns.

- c. In contrast, should the TPZ adopt the proposed amendment, then the TPZ will have time to achieve Goal 1.1 – and specifically 1.1.1E: “Review for consistency and amend as need the Town’s Zoning Regulations to be consistent with the POCD and the Connecticut General Statutes.” Consistent with that goal, the TPZ should revert back to the Opportunity Housing regulations as they existed at the start of the POCD update in the spring of 2024, and after the POCD is final take up a thoughtful review of the Opportunity Housing regulations for all zoning districts.
6. A comparison of Woodbridge to other towns’ zoning regulations with respect to height, density, and affordability requirements establishes that the December 2 amendments place Woodbridge well outside the local norm. Specifically, a look at the regulations in New Haven, Hamden, Guilford, Orange, and Woodbury shows: (a) none of these towns allow height for multifamily to exceed height for single family in a residential zone; (b) all of these towns severely limit the locations where multifamily can be built -- to areas either adjacent to or in commercial or mixed-use zones; and (c) none of these towns allow density that is anywhere near 27 times the underlying residential zoning density. Also notable is the fact that all of these towns, while having much more restrictive multifamily zoning regulations than Woodbridge, have achieved a much higher percentage of affordable housing.
 7. It is important to note that the building proposed at 804 Fountain Street could not be built on the other side of the parkway in the city of New Haven. The single family density in that neighborhood is 6 units per acre, with a maximum height limit of 35 feet. There is an overlay zone, allowing the West Gate Town Homes Apartment complex, but even the overlay zone imposes a maximum density and height that is dramatically less than the December 2 Woodbridge regulations now allow. The New Haven overlay zone’s maximum is 12 units/acre with the maximum height remaining capped at 35 feet (the same height limit as for a single-family residence).
 8. This comparative analysis shows that it is possible to achieve more housing diversity without loosening regulations to the extent that Woodbridge has done. For brevity’s sake the several towns’ regulations are summarized in Appendix B to this Memorandum. These are just a few examples of nearby towns that are promoting more housing diversity with more precision and more consideration for existing residential neighborhoods than is afforded by the December 2 amendments. Should the TPZ adopt this proposal, and revert back to the Opportunity Housing

regulations for Zone A as they existed prior to December 2, 2024, it would then have the opportunity to conduct a thorough examination of the zoning regulations in other Connecticut towns.

D. Proposed Revisions

At the direction of the TPZ Chairman Robert Klee, Woodbridge Land Use Analyst Kris Sullivan sent Applicant Stephen Mason a letter on March 28, 2025 (Appendix C) requesting that he bring “planning studies and best practices and other examples of successful Opportunity Housing.” This request is surprising as the record reflects that TPZ made no similar request to Attorney Knuff when he filed a request for zoning change on behalf of his client, the developer of 804 Fountain Street. It is also worth noting that Ms. Sullivan sent an email on March 17th to the Town Planning Consultant Justin LaFountain, at Chairman Klee’s direction, requesting that the planning consultant “provide a sense of the impact from going back to the previous regulations given the path the Commission had traveled to get to the existing regulations.” How odd – given that the current request is simply to restore the status quo, while the path to the December 2 changes lacked ANY review of the impact the changes would make to the vast zone A acreage subject to the amendments.

Notwithstanding a certain perplexity at the inconsistent approach to these two applications, this application offers concrete examples of successful Opportunity Housing regulations from nearby towns and lays out examples of best practices. In addition, some further thoughts on how TPZ might do a better job in zoning for opportunity housing are suggested here.

The overall goal of the Zoning Regulations with regard to increasing housing diversity in Woodbridge should be to increase smaller, more affordable units without adding a lot of market rate homes. The Town’s infrastructure – its municipal services, public safety, schools, and public works – limits the amount of residential growth that is feasible while striving to expand affordable housing. The Town’s taxation burden on residents is high compared to nearby communities, the elementary school is operating at very full capacity, and the town’s existing suite of public services depends on a volunteer fire department and private garbage collection. Most importantly, the state’s laws and guidance are focused on incentivizing towns to expand the availability of legally affordable homes, not market rate housing.

Further, we should take seriously the statement in our town’s current zoning regulations Section 1.2 as to the purpose of zoning regulations: “... to prevent the overcrowding of land; to avoid undue concentration of populations; to facilitate adequate provision of transportation, water, sewerage, schools, parks, and other public requirements with full consideration of the character of the districts and their suitability for particular uses; to conserve the value of buildings and encourage

the most appropriate use of land throughout said town.” Accordingly, the suggested revisions to the Town’s Opportunity Housing regulations include:

1. Multifamily height maximum should be no higher than single family in residential zones. This change back to the status quo would align Woodbridge with its neighboring towns and prevent incongruous large apartment buildings in established single family neighborhoods.
2. Minimum and maximum parcel size for Opportunity Housing should be established in all zones. For example, in Zone A there should be a minimum of 5 acres, maximum of 10 acres required for multifamily development; in the denser residential zones the minimum should be 1 acre. This change would prevent disproportionately large developments on relatively small lots that could overwhelm established neighborhoods.
3. Set a maximum number of units per project, proportionate to each zone’s underlying density. Again, this change allows for growth but prevents massive scale development that would overwhelm existing single-family houses.
4. Create equity in density levels across residential zones by using the same standard multiplier for maximum density in Zone A that currently applies in Zone B. For example, since the current multiplier in Zone B is 5 times, 5 times applied to Zone A would result in 4 units per acre density. This change restores equity and internal logic to the town’s zoning scheme.
5. Last but not least, restore the 20% affordable unit minimum. This standard is typical in the other towns in our local area and will help Woodbridge achieve more affordable units, both in actual numbers and when calculated as a percentage of our total housing stock.

Of course, all of these suggestions are offered with the presumption that the TPZ should complete the pending POCD and conduct a thorough review of existing Opportunity Housing zoning regulations for all zones, so that the resultant changes will be (1) consistent with the new POCD and (2) internally logical from one zone to another.

E. In an effort to be helpful, listed here are a few other ways that our town might add diverse housing without adding market rate homes:

1. Promote Accessory Dwelling Units (ADUs) and incentivize homeowners (perhaps with a tax benefit program similar to Public Act 490) to deed restrict them for 10 years (per current state law) so they qualify as legally affordable units. There are now only six ADUs registered in the town. There may be many more already in existence of which the town building department is unaware, as ADUs used to be prohibited. The Town should encourage residents to register ADUs with the town now that ADUs are allowed as of right. Moreover, education about and promotion of this option can dramatically increase units: the state of California has experienced a nearly 20-fold increase in ADUs in the six years after it started

to promote them.¹³ Further, there is currently a bill in the Connecticut state legislature (sHB7031) that would count any accessory apartment toward the exemption threshold, regardless of whether it is subject to an affordability restriction.¹⁴ If this bill passes it could dramatically increase Woodbridge’s housing diversity without any new market rate construction at all.

2. Require all Active Adult development to include 20% affordable units.
3. Set a minimum number of units above which any multi-unit development must include affordable units.
4. Encourage the Board of Selectmen to invite LISC (Local Initiative Support Corp.) to work with other interested parties in identifying and developing affordable housing projects similar to the successful projects in Madison, Barkhamsted, and Kent described in the Housing Committee’s panel presentation on April 30, 2025.
5. Encourage the Board of Selectmen to develop a means to facilitate eligible individuals to acquire CHFA/USDA mortgages. Most of Connecticut’s small towns have more residents using these programs and thus have added legally affordable housing in existing single-family homes without the need for deed restriction. Currently Woodbridge has only five such units in our affordable housing tally. According to the 2024 Connecticut Affordable Housing Appeals List, Orange has 12, Woodbury has 37.

The full list of suggestions appears as Appendix D to this Memorandum.

F. Impact

One final topic – when you scheduled this public hearing, you asked the town’s planning consultant Mr. Justin LaFountain to provide “a sense of the impact from going back to the previous regulations given the path the Commission had traveled to get to the existing regulations.”¹⁵¹⁶ When Mr. La Fountain addressed the TPZ on December 2, 2024 he agreed with the developer that the 15 units/acre, maximum height of 2.5 stories, and 22.5% maximum impervious coverage made construction at 804 Fountain Street impractical – in other words, he focused on one developer’s challenge relating to one particular property. That was the record on which TPZ’s decision relied on December 2, 2024.

In a memo dated April 29, 2025, Mr. LaFountain offers an unclear but apparently broader statement that the former regulatory requirements are impractical regardless of site characteristics. He states that “challenges arose from the allowed density of 15 unit[s] per acres [sic] being difficult to meet while also imposing a 2.5 story limit and a maximum lot coverage of 22.5%.” But let’s remember that 15 units/acre is a maximum, not a mandatory requirement – so a builder was allowed to build a less dense

¹³ “The Magic of the Granny Flat,” New York Times, September 6, 2023

¹⁴ <https://www.cga.ct.gov/2025/ba/pdf/2025HB-07031-R000241-BA.pdf>

¹⁵ https://www.woodbridgect.org/AgendaCenter/ViewFile/Minutes/_03032025-3309

¹⁶ It is worth noting that there is no similar memorandum in the record relating to the December 2 application.

project under the then-existing regulations, albeit presumably with less profit. There is no data provided either on December 2 or in the April 29 memo to justify an assumption that the prior regulatory requirements were impractical as a matter of economics – at most they didn’t allow a developer to maximize the profit that the density of 15 units/acre might otherwise have afforded.

Further, any “impracticality” in building 15 units per acre while meeting the 2.5 stories and lot coverage limits begs the question whether the TPZ’s response was appropriate. Instead of making the combination of requirements less stringent – as you did on December 2 - you could have kept the height restriction at the height restriction for nearby homes and reduced the density allowed – the units/acre. This would have aligned better with the regulatory approaches of nearby and similar towns cited in this application – towns where completed projects exist, proving effectiveness.

Moreover, why should any changes to the Opportunity Housing regulations have been made zone wide? As noted above, other towns have been much more thoughtful in specifying the location of Opportunity Housing. There is no discussion of that issue in Mr. LaFountain’s memo, perhaps because Woodbridge is an outlier among similar towns on this issue, too.

The TPZ also had and has the opportunity to pivot and focus on increasing the number of more modest projects that are in scale with the existing neighborhoods, rather than focusing on large apartment buildings that are giants compared to nearby single-family homes. As Mr. LaFountain notes, apartment buildings require “hallways, lobbies, elevators/stairwells, etc.” not to mention the gym and other amenities that the 804 Fountain Street developer intends to offer, adding both to overall size and to the cost of construction. Perhaps the town should focus not only on lesser density, but specifically the cottage and/or town house construction that received more favorable public input in the POCD update process to date.

When the TPZ adopted the pre-December 2 Opportunity Housing Regulations, it did so in the midst of the COVID pandemic. Then, too, there was a lack of robust public input and profound lack of comparison to other towns’ opportunity housing schemes. Should the pre-December regulations really be impractical, that is all the more reason to end the pattern of haphazard regulatory adoption and focus instead on a thoughtful, transparent, and deliberate approach to zoning. This application seeks reversion to the pre-December 2 Opportunity Housing regulations not because they are the “perfect fit” for Woodbridge but simply to avoid further ill-considered, four-story apartment projects while TPZ hopefully, finally engages in the robust and collaborative analysis that should precede the adoption of Opportunity Housing regulations.

Mr. LaFountain notes that the 804 Fountain Street application will proceed whatever decision the TPZ makes this evening. That is not the issue. He tries to minimize the significance of the December 2 regulatory changes by noting the TPZ must weigh several factors before granting a “Special Exception” construction permit to the 804 Fountain Street developer, but he fails to note that the excessive height

and density, and reduced percentage of affordable units, is baked into the project by the TPZ's ill-considered adoption of the developer's proposed regulatory changes on December 2, 2024.

In lieu of Mr. LaFountain's impact analysis, let's consider the impacts from the public's perspective. Approving this application is your opportunity to honor your obligation as a public agency to assure that town residents enjoy a meaningful opportunity to hear and comment on proposed changes to zoning regulations. Further,

1. You as an agency will have the opportunity to research and consider the successful Opportunity Housing regulations of other towns,
2. You will be able to survey what undeveloped parcels remain in town near existing sewer and water lines that might be developed in accordance with Opportunity Housing regulations - and look at the topography of those sites in a general sense, rather than rely on the topography of a single site challenged by ledge, slope, and wetlands, as was the case on December 2,
3. You will be able to develop updated Opportunity Housing regulations for all of the zones in town, so as to create a coherent scheme of regulations across the different zones,
4. You will be able to take into consideration the public's preference in both the TPZ's summer 2024 town-wide survey and the Country Club of Woodbridge workshops for smaller-scale affordable housing options, rather than apartment buildings, and
5. You will be able to incorporate the goals and strategies of the new POCD, including Smart Growth principles.

At the December 2, 2024 TPZ meeting you briefly discussed whether to adopt the developer's proposed changes on a site-specific or zone wide basis. Town planning consultant Mr. LaFountain favored adopting the developer's proposed changes on a zone-wide basis but noted that "if there were any issues you could resolve them later on." Tonight, you have heard about many issues surrounding the December 2 zone-wide changes, as well as many ideas for a better path forward. Please approve this application to repeal the December 2 regulatory changes with their many issues, so that you can chart a new path.

Appendix A

Explanation of errors in Woodbridge's Affordable Housing Plan

The Plan states:

- “Over the past decade, Woodbridge has seen slight population decreases and is projected to continue to experience population decreases over the next two decades.” (p. 12)

In fact:

This statement is false. According to U.S. Census data, Woodbridge's population has increased over the past decade.

The Plan states:

- “In Woodbridge approximately 66% of renters and 27% of homeowners are considered cost burdened.” [meaning they spend more than 30% of their income on housing] (p.10)

In fact:

This assertion is based on the American Community Survey, which refers to large national trends and has a very high margin of error¹⁷; there is no way to know whether it is in fact true or false without a very different kind of study, one that is actually based on data from Woodbridge.

The Plan states:

- “Keeping current residents in town while attracting new residents would seem a priority in terms of maintaining the vitality of the community as well as ameliorating the potential increased proportional tax burden associated with a declining population.” (p.6)

In fact:

This statement is not applicable to Woodbridge, since we do not in fact have a declining population.

The Plan states:

- “Appropriate development of higher density housing with affordable set asides has been proven to provide economic development. While concerns have been expressed that the need for more and diverse housing in Woodbridge will result in higher education costs, many studies and empirical evidence show that the ratio of school children to units in higher density housing is much lower than in

¹⁷ <https://pmc.ncbi.nlm.nih.gov/articles/PMC4232960/>

4- or 5-bedroom single-family structures, and that the net taxes more than pay for the services needed.” (p. 6)

In fact:

This statement is unsupported by any data citation, and besides, is irrelevant to Woodbridge because the enrollment yields in such studies rely on statewide or national averages. On this measure Woodbridge is not average, Woodbridge is extreme. Woodbridge has a unique location (commutable to NYC with post-covid work patterns), school quality as good as or better than Fairfield County, and low home prices compared to Fairfield County. All this makes the demographic of people moving into Woodbridge quite different from other towns. In particular, post-Covid in-migration to Woodbridge is almost exclusively made up of young families with school children. This pattern does not occur statewide or nationwide.

This fact is proven by data from the recent school enrollment study performed by Peter Prowda for the Woodbridge Board of Education¹⁸. Prowda’s report shows that statewide, school enrollment is at a 10-year low, falling by 8% in the past decade. In Woodbridge, enrollment is up 15% in the past decade and projected to increase dramatically over the next few years, even with no increase in the number of housing units in the Town. If you have not already done so, you can read more about enrollment projections in the report commissioned by the Beecher Board of Education.

¹⁸ Beecher Road School, Woodbridge, Enrollment Projected to 2033, Peter M. Prowda, PhD., November 3, 2023

Appendix B

A comparison of Woodbridge to other towns' multifamily/affordable/opportunity zoning regulations with respect to height, density, and affordability

a. **Town of Orange:**

Planned Residential Development (affordable) standards emphasize the need to avoid overwhelming the town's infrastructure:

"In order to allow for the orderly provision of municipal services and so as not to overburden the infrastructure capacity of the town, and so as not to have an undue concentration of housing units, the following limitations will apply:"

PRD is restricted to a few small areas on specifically named streets to the immediate south of the Boston Post Road either in or adjacent to commercial zones.

Max height 2.5 stories/35 feet in residential zone.

30% affordable required (half at 60% AMI, half at 80% AMI).

Max 40 feet height in commercial zone, max 5 acres/50 units per project (*i.e.*, max 10 units/acre)

In 2024 Orange had 2.39% affordable units according to the state 2024 Affordable Housing Appeals List, though according to the First Selectman of Orange, the Town recently received a moratorium by documenting 7% affordable units

b. **City of New Haven:**

804 Fountain Street project would not be allowed on the other side of the Parkway in the city of New Haven. In that zone (RS-2, single family) max height is 35 feet, density is 6 units/acre. Even within small overlay RM-1 zones that allow more density, such as at the West Gate Town Homes Apartment complex, the maximum is 12 units/acre and height is capped at 35 feet.

In the City of New Haven, "Inclusionary zoning" areas are confined to the city center and its immediate surroundings, plus the center of Westville Village.

Affordability requirements differ depending on location ranging from 5%-15% at 50% AMI, deed restriction for 99 years.

In 2024 New Haven had 33.19% affordable units

c. **Town of Hamden:**

Multifamily housing only allowed on specifically named streets adjacent to commercial areas in the two most dense residential zones, not permitted anywhere in the three less dense residential zones

Max height for multifamily is 35 feet in all residential zones

Max density is 7 units/acre in all residential zones
20% of units must be affordable at 80% AMI
In 2024 Hamden had 9.7% affordable units

d. Town of Guilford:

Planned Residential Development- density standard on a sliding scale for each of 9 residential zones.

In downtown (most dense) residential zone, max of 8 units per acre if 30% is affordable; 4.4 units/acre if 12% affordable. Underlying density = 4 units/acre.

In lowest density zone, 0.5 units/acre if 30% affordable; 0.28 units/acre if 12% affordable. Underlying density 1 unit/4 acres.

Height can exceed single family (2.5 stories) only by Special Exception with large setbacks.

In 2024 Guilford had 2.33% affordable units

e. Town of Woodbury:

Max height 35 feet in residential zone

Multifamily max 4 units/acre

Multifamily restricted to areas clustered near commercial corridor

Elderly housing must have pedestrian access to retail and public services

No regs on minimum affordability

In 2024 Woodbury had 2.2% affordable units

Appendix C

March 28, 2025

Mr. Steve Mason
815 Fountain Street
Woodbridge, Connecticut 06525

Re: Public Hearing on Zoning Amendment

Dear Mr. Mason,

This letter is to let you know that the Town Plan and Zoning Commission received your application to amend the Zoning Regulations regarding opportunity housing developments at its regular meeting on March 3, 2025. At that meeting the Commission scheduled a public hearing on your application for its regular meeting on Monday, May 5, 2025. That meeting will start at 6:30 pm and will have public hearings as the first item on the agenda. The meeting is scheduled to be held in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

You and/or your designated representative must be in attendance for the public hearing to provide a presentation on your application and answer any questions that the Commission may have relative to your application.

The Commission has specifically asked you as applicant come with your own planning studies and best practices and other examples of successful Opportunity Housing.

Sincerely,

Kristine Sullivan, Land Use Analyst
Town of Woodbridge.

Regular and Certified Mail Return Receipt Requested # 7008 0150 0000 3300 4841

Appendix D

Complete list of suggestions of ways that our town might add diverse housing without adding market rate homes:

1. Promote ADUs and incentivize homeowners (perhaps with a tax benefit program similar to Public Act 490) to deed restrict them (10-year requirement, per state law). There are currently only six ADUs registered in the town. There may be many more already in existence of which the town building department is unaware, as ADUs used to be prohibited. The Town should encourage residents to register ADUs with the town now that ADUs are allowed as of right. Moreover, education about and promotion of this option can dramatically increase units: the state of California has experienced a nearly 20-fold increase in ADUs in the six years after it started to promote them.¹⁹ Further, there is currently a bill in the CT state legislature (sHB7031) that would count any accessory apartment toward the exemption threshold, regardless of whether it is subject to an affordability restriction.²⁰ If this bill passes it could dramatically increase Woodbridge's housing diversity without any new market rate construction at all.
2. Focus efforts to add smaller, lower priced housing in walkable neighborhoods with public transportation and access to daily shopping needs, in alignment with principles of New Urbanism/Smart Growth and recommendations from housing experts hired by Woodbridge such as David Fink. As Mr. Fink said at a presentation to the town on October 25, 2021, "putting (housing) near a highway is good, at least people can get on and off pretty quickly...Woodbridge has the area down near the Merritt, maybe that's the best place...and if you put it in a good place, you'll provide the residents with access to the services that they need. Attendant benefits are that you will reduce sprawl, cut auto emissions, and enhance mass transit."²¹
3. Work with LISC to explore affordable housing projects similar to those in Madison, Barkhamsted, and Kent as discussed at the Woodbridge "Housing: Key to Sustainable Growth" panel presentation on April 30, 2025.
4. Expand the GBA zone to include properties on Landin Street that are currently in the GB zone (this would permit small second story apartments over retail, such as the Woodbridge Running Company).
5. Permit second story small apartments over retail in the BI zone (Lucy Street, D'Andrea's Plaza).

¹⁹ "The Magic of the Granny Flat," New York Times, September 6, 2023

²⁰ <https://www.cga.ct.gov/2025/ba/pdf/2025HB-07031-R000241-BA.pdf>

²¹ <https://www.youtube.com/watch?v=7Dbk-yDfv-Q&t=64s>

6. Expand mixed use in Dev 2 Zone to include Opportunity Housing (currently only Active Adult/mixed use is permitted).
7. Require all Active Adult development to include 20% affordable units.
8. Set a minimum number of units above which any development must include affordable units.
9. Incentivize converting unused or underutilized existing buildings to 100% affordable housing, but avoid current commercial space.
10. Seek to partner with interested parties to create small affordable housing developments in their un- or underutilized buildings.
11. Facilitate eligible individuals to acquire CHFA/USDA Mortgages. Most of CT's small towns have many more residents using these programs and thus have added legally affordable housing in existing single-family homes without the need for deed restriction. Currently Woodbridge only has 5 such units in our affordable housing tally. According to the 2024 Connecticut Affordable Housing Appeals List, Orange has 12, Woodbury has 37.