

# Town of New Milford, Connecticut



## Affordable Housing Plan

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## Contents

Introduction.....	4
<i>New Milford, Why Affordable Housing Now?</i> .....	6
<i>What Does “Affordable Housing” Mean?</i> .....	7
Overall Residential Patterns.....	8
Changing Demographic Structure and Housing .....	9
Demographics and Demographic Structure .....	10
The Impact of Multi-Family and Affordable Housing on Property Values.....	13
The New Milford Housing Study .....	15
<i>Market Study</i> .....	16
<i>Zoning Regulations</i> .....	17
<i>Housing Needs Assessment</i> .....	18
<i>Affordable Housing Incentives</i> .....	19
The New Milford Affordable Housing Plan .....	20
<i>Removing Regulatory Impediments and Creating Regulatory Incentives</i> .....	21
<i>Minimum Area Per Residential Unit</i> .....	21
<i>Duplex (Semi-Attached Single-Family) Units</i> .....	21
<i>Accessory Apartment</i> .....	22
<i>Multiple Residence District</i> .....	22
<i>Planned Residential Development</i> .....	22
<i>Cluster Conservation Subdivision District</i> .....	23



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<i>Major Planned Development District</i> .....	23
<i>Major Planned Residential Development District</i> .....	23
<i>Other Regulatory Modifications – Non-Impediment Provisions</i> .....	23
<i>Efficient Permitting and Permitted Use</i> .....	24
<i>Inclusionary Zoning</i> .....	24
<i>Permitting Fee Reductions or Waivers</i> .....	25
<i>Property Tax Abatement</i> .....	25
<i>Housing Trust Fund</i> .....	26
Implementation Schedule.....	28

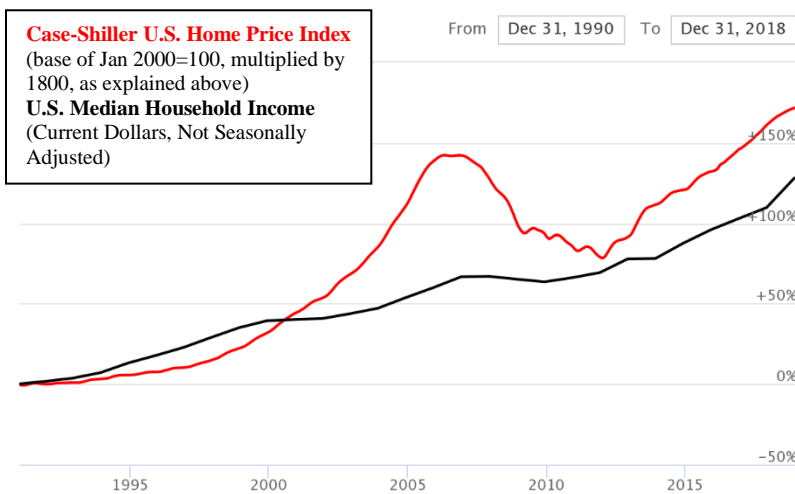


## Introduction

The United States is experiencing a housing crisis and Connecticut is not immune. This is a crisis of housing affordability (i.e., the need for affordable housing) and the social and economic ramifications bestowed upon lower-income, working- and middle-income households who are unable to access affordable housing. Both nationally and locally, the cost of housing has outpaced income growth, especially for low-income households. This has undermined access to quality housing proximate to transportation infrastructure and economic opportunities at affordable prices.

Historically, an average house in the U.S. cost around 5 times the yearly household income. During the housing bubble of 2006 the ratio exceeded 7 - in other words, an average single-family house in the United States cost more than 7 times the U.S. median annual household income. The [Case-Shiller Home Price Index](#) seeks to measure the price level of existing single-family homes in the United States. Based on the pioneering research of [Robert J. Shiller](#) and [Karl E. Case](#) the index is generally considered the leading measure of U.S. residential real estate prices. The index has a base of Jan 2000=100 and is multiplied by 1800 in order approximate the [Average Sales Price of Houses Sold for the United States](#). This ratio is heavily influenced by mortgage interest rates. When interest rates go down the affordability of a house goes up, so people spend more money on a house. For Connecticut and New Milford this affordability crisis is even more challenging than the national crisis. The fact is, in Connecticut and New Milford the cost of housing is less affordable than much of the United States.

Case-Shiller Home Price Index vs. US Median Annual Income



The economic and social ramifications of this affordable housing crisis are substantial. For example, many businesses struggle to retain and attract a qualified workforce because housing costs exceed the means of workforce salaries. Also, society and communities are becoming more segregated by both income and race. The poor, working, and even middle-income families are priced out of prosperous communities that provide the greatest opportunities for upward mobility. Most concerning, minority populations are disproportionately

excluded from prosperous communities, economic opportunities, and improved quality of life. This is due to the correlation between wealth and race in America. Collectively, the economic and social ramifications of our affordable housing crisis often result in lower-income (and minority) populations being isolated in distressed urban and rural communities, with few chances of betterment.

New Milford, like many middle-income Connecticut communities, is not immune to this crisis or the negative consequences of a housing stock that is unaffordable to many households both in New Milford and the Western Connecticut region. New Milford, a picturesque community on the rural urban fringe of the New York metropolitan region and proximate to Fairfield County, is in an area in need of affordable housing.

Planning for affordable housing is foundational to maintaining a vibrant and prosperous community. Without safe, quality, affordable housing, New Milford cannot maintain its prosperity—lack of social and economic diversity and the exclusion of workforce population can and will undermine prosperity. This affordable housing plan is aimed at positioning New Milford to compete for wealth and investment and to maintain a vibrant and prosperous community for generations to come. Becoming and



remaining a vibrant and prosperous community does not occur by happenstance. It requires hard work, dedication, constancy of purpose, and good governance. It also requires the community to provide and maintain a quality housing stock that is affordable to a diversity of social and economic populations. The greatest challenge is that the more aesthetically pleasing, vibrant, and prosperous the community, the less affordable the housing. However, prosperity and unaffordable housing are a good problem to have because it is more easily solved than problems of community stagnation, decline, and an overabundance of affordable housing resulting from weak demand, disinvestment, and abandonment. The problem of affordable housing can be mitigated through intentional efforts aimed at encouraging and providing affordable housing.

Good governance starts with planning and managing mundane qualities of everyday community life, with a view toward continuous improvement. Good governance is about managing, not resisting change, and ensuring that a community can fend off threats, cope with disturbance, and mitigate the negative consequence of well-intended actions and unanticipated occurrences. Having an unaffordable housing stock is often a negative consequence of well-intended actions aimed at maintaining and growing prosperity. The more desirable a community becomes, the greater the demand for housing and increased property value. However, when prosperity—wealth and property value—escalates, social, economic, and racial exclusion threaten to undermine community wellbeing and place prosperity at risk. If the community cannot attract and retain a qualified workforce to provide basic needs and satisfy wants; desirability, and demand suffer, and vibrancy and prosperity wane. Therefore, New Milford must be intentional in its actions and work to maintain and further provide a stock of well-maintained affordable housing if it wants to retain and attract a qualified workforce, the next generation of property owners, and a social and economic future of vibrancy and prosperity. Otherwise, New Milford runs the risk of social and economic stagnation or decline.



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## *New Milford, Why Affordable Housing Now?*

New Milford's Affordable Housing Plan is the result of the Governor prioritizing Connecticut's need for affordable housing and the State Legislature's recent passing of legislation that requires *every municipality to prepare an affordable housing plan at least once every five years*. Also, the legislation requires that the affordable housing plan *specify how the community intends to increase the amount of affordable housing available in the community*.

To facilitate this prioritization of housing affordability and the requirements to plan for affordable housing, the State Department of Housing provided the Town of New Milford a grant to create an affordability plan. That said, it is important to recognize that requirements to plan for affordable housing are not new. Section 8-23 of the Connecticut General Statutes requires that the municipal plan of conservation and development:

- make provisions for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain, and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located... [and to]
- promote housing choice and economic diversity in housing, including housing for both low- and moderate-income households, and encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development...

These longstanding requirements for affordable housing highlight the importance of residential development, housing, and affordable housing in all communities. *Housing is where jobs go at night*. Housing is where individuals and families live their lives. When a community considers land use, housing density, style, and tenure all contribute to its character and economic wellbeing. Homeownership, and the equity derived from homeownership, have been the foundation to creating American middle-income wealth for generations. An unaffordable housing stock that excludes contemporary and future generations from homeownership has and will continue to undermine middle-income wealth creation.

These characteristics of residential development and housing have shaped and contributed to New Milford and its rural-suburban character that has evolved. Today, New Milford's most common land use is single-family residential. Also, 77.8% of New Milford's housing stock is single-family detached, 4.8% single-family attached, 4.9% two-family, and 5.1% three- and four-unit housing. Only 12.2% of New Milford's housing stock is multi-family housing (five units or more). While such high percentages of single-family housing are not uncommon in Connecticut communities, the overreliance on a single-family housing aimed at homeownership (77.8%) can undermine community resilience, creating a lack



of housing diversity that is susceptible to disturbance and slow-moving changes in consumer preferences and housing market demand. Also, overreliance on single-family housing and homeownership privileges middle- and high-income households over lower-income households, resulting in exclusion and the challenge of retaining and attracting a qualified workforce. The fact is New Milford will benefit by planning for greater housing diversity.

### *What Does “Affordable Housing” Mean?*

Too often individuals and communities associate affordable housing with the public housing of decades past. It is important to recognize that affordable housing today is not public housing or public housing of the past. The government learned valuable lessons from the failed policies and experience of past public housing and the negative consequences of clustering large numbers of low-income households into substandard housing. Today, affordable housing policies have moved away from both the public model and clustering. Affordable housing policy today focuses on public-private partnerships and inclusive mixed-income policies to provide much-needed affordable housing. As a result, most affordable housing hides in plain sight, blending into the community, to such an extent that most do not even know the difference between what housing units are market rate and what housing units are qualified affordable.

According to HUD (federal Housing and Urban Development agency), housing is deemed unaffordable if a household pays more than 30% of their gross income for housing. For example, if a household earning \$75,000 per year is spending \$22,500 (30% gross income) or more per year (\$1,875/month) on rent/mortgage and utilities, then housing is unaffordable. To provide context, the median household income for Litchfield County is \$79,906 and the median household income for New Milford is \$89,969.

The problem of affordable housing in Western Connecticut and New Milford is more pronounced than most realize. For example, the Partnership for Strong Communities Housing Data Profiles (2020) for Litchfield County find that 45% of renters, 21% of homeowners without mortgages, and 30% of homeowners with mortgages in Litchfield County are cost-burdened, that is, spend 30% or more of their income on housing. In New Milford, the Partnership for Strong Communities Housing Data Profile (2018) finds that 55% of renters and approximately 29% of homeowners are cost burdened.

Qualified affordable housing, as defined by the Connecticut General Statutes (CGS), Chapter 126a Affordable Housing Land Use Appeals, Section 8-30g, is housing (or households) that receive government assistance or are deed-restricted to be sold or rented at or below prices for which a household pays 30% or less of their income. Qualified affordable housing is different than naturally occurring affordable housing, which is housing that sells or rents at values affordable to households at or below 80% AMI but does not meet the criteria to be included as qualified affordable housing. In most cases, qualified affordable housing developments have 30% or less of the units dedicated as affordable. This low percentage of affordable units in affordable housing developments demonstrates





the policy shift away from clustering lower-income households and ensures a mix of incomes to mitigate the potential negative effects of excessive clustering. CGS 8-30g also sets an affordable housing fair share threshold for communities, stating that Connecticut municipalities should maintain at a minimum, 10% of their housing as affordable. In Litchfield County, as of 2019, 5,033 (5.7%) of the housing stock is qualified affordable housing units. In 2020, 4.69% of New Milford's housing stock is qualified affordable housing (units that count towards New Milford's 10% affordable share according to 8-30g). This equals a total 550 housing units. Of these 550 affordable units, 307 are government assisted, 44 are tenant rental assistance, 182 are qualified mortgages, and 17 are deed restricted qualified units. Therefore, since so few of the total number (and percent) of affordable units are deed restricted, the affordable unit counts are volatile and can shift and change from year to year.

## Overall Residential Patterns

As a rural-suburban community with low-density residential development, and limited public water and public sewer, it is reasonable to anticipate that New Milford will continue to maintain its overall land use pattern and predominant character. It is important to maintain this development pattern, as it contributes so much to the *rural character* of New Milford that is highly desirable, an attractive quality to residents and potential residents. It contributes to New Milford's charm, vibrancy, and prosperity. However, that does not mean that New Milford cannot encourage and accommodate higher density, multi-family, and mixed-use development that provides greater housing choice, affordability, and diversity of households.

Zoning for the lower density areas of New Milford was intentionally designed to reduce density, ensure that new housing blends with the landscape, and protect natural resources—to create the rural-suburban aesthetic. It is reasonable to protect and maintain these areas, development patterns, and character provided New Milford works to accommodate the need for affordable housing through strategic increases in density, multi-family, and mixed-use development in certain and suitable locations within the community. New Milford is fortunate to have suitable locations available to accommodate such developments. For example, New Milford Center and those areas with public water and sewer can accommodate higher densities and multi-family or mixed-use development. In addition, even areas without public water and sewer can accommodate duplex units utilizing an open space cluster development approach to development.



## Changing Demographic Structure and Housing

Connecticut has been a slow-to-no-growth state for three decades. Job growth has been mostly stagnant and population growth has been anemic. This lack of statewide economic and demographic growth has resulted in changes to Connecticut's demographics and demographic structure that threaten Connecticut's prosperity. It is often said that demographics are destiny. If that is true, then every community in Connecticut should be concerned. In Connecticut and New Milford, the primary outcome of our demographic destiny is that we are aging—growing older. Older populations require more government services, need to be supported by a labor force that is contracting in size proportionally, and resulting in fewer young families with fewer children—further reducing the next generation of our labor force. In addition, older populations spend less on consumer goods and services than younger populations, further reducing economic vitality. In demography, an aging population signifies stagnation at best, and decline at worst. Connecticut, at best has been stagnating for decades.

One of the most notable community concerns related to any proposal for new residential housing development is the impact of new housing on municipal budgets—the potential for new public-school age children generated by new housing units. This fiscal concern results from the fact that funding for the local Board of Education makes up the largest portion of any municipal budget—typically between 50% and 70% of the total municipal budget. In New Milford, the Board of Education budget represents approximately 62.6% of the total municipal budget. However, and unfortunately, assumptions related to the number of public school-age children generated by new housing units are often higher than the actual number of school district enrollments that result from new housing. For example, it is not uncommon for persons or commissions to assume that each new housing unit produces one, two, or even more school district enrollments. These assumptions result from past experiences, memories of prior generations, and failure to understand that the same social-cultural forces that are contributing to the disruption of retail are also disrupting our communities, government services, and school district enrollments.

Changes in demographics and generational changes to lifestyle are resulting in fewer traditional households and fewer school-age children (school district enrollments). For example, some simple calculations can dispel the myth of one or more school enrollments per housing unit. Statewide, Connecticut has 527,829 children enrolled in public schools (State Dept. of Education, 2020) and 1,377,166 households. Divide statewide enrollments (527,829) by households (1,377,166) and several public-school district enrollments equals 0.38 enrollments per household (or occupied housing units). The same calculation can be applied to New Milford. New Milford has 10,512 households (occupied housing units) and 3,733 school district enrollments (3,733 / 10,512) or 0.36 school district enrollments per household (or occupied housing unit). Enrollments of 0.38 per household statewide and 0.36 per household in New Milford are well below the assumed one or more school district enrollments per new housing unit.



Statewide, and in most Connecticut communities, school district enrollments have declined for over a decade. For example, in 2008 statewide school district enrollments were 574,848 compared to 513,079 in 2020 (a loss of 61,769 statewide school district enrollments). In 2008, New Milford's school district enrollment was 5,034, compared to 3,733 in 2020 (a loss of 1,301 school district enrollments or a 25.8% decline).

The disconnect between perceived enrollments from new housing and actual enrollments, and declining enrollments for more than a decade, should cause us to pause, think, and stop opposing housing based on the potential of new school district enrollments. The fact is the demographic structure of our population has changed and the chances of returning to the higher enrollments of the past are little to none. More important, without children—attracting young families with children—Connecticut and New Milford will continue to age and spiral down from economic stagnation to economic decline.

## Demographics and Demographic Structure

School enrollments are not driven by housing—as explained in the data discussed above. School enrollments are driven by demographics and demographic structure. Housing units (and the number of bedrooms within housing units) are simply vessels that can and may house school-age children—but there is no guarantee they will house children or generate school enrollments. Demographics and demographic structure as the driver of school-age children and school district enrollments, informs us that as a population grows older, the number of births (the total fertility rate) and a resultant number of children decrease. A decreasing number of children overall typically results in declining school district enrollments. Declining fertility rates are the primary driver of low and declining school district enrollments. This is the very reason why New Milford's school district enrollments are declining.

The total fertility rate is the average number of children that would be birthed by a woman if all women lived to the end of their childbearing years. Since only women have children, and since all women do not live to the end of their childbearing years, the replacement level of the fertility rate is between 2.1 and 2.3 (births per women) to maintain a stable population—higher rates result in population growth and lower rates result in population decline. Another way of understanding this is to understand how the fertility rate relates to the death rate. The equation for population growth (not including immigration and migration) is births plus deaths equals growth. If births are higher than deaths, the population grows. If births are lower than deaths, the population declines. Table 1. below shows how the fertility rate translates deaths to births. Note that the United States fertility rate is 1.73 and Connecticut's fertility rate is 1.57. That means, in Connecticut, 27 fewer persons are born for every 100 persons who die. Excluding immigration and migration, given enough time at a 1.57 fertility rate, Connecticut's population will decline to zero.



**Table 1. Fertility Rates**

	<b>Fertility Rate</b>	<b>Deaths</b>	<b>Births</b>	<b>Replacement Rate</b>
Above Replacement	2.4	100	120	Births = Growth
Replacement	2.3	100	115	Stable
Replacement	2.2	100	110	Stable
Replacement – USA	2.1	100	105	Stable
Below Replacement	2.0	100	100	Decline
United States	1.73	100	82	-18 Births = Decline
Connecticut	1.57	100	73	-27 Births = Decline

Declining fertility rates, nationally and in Connecticut, are not simply the result of an aging population. Declining fertility rates are also tied to, and the result of, increased economic opportunity (wealth), greater education attainment, and the associated changes in social-cultural behaviors that come with wealth and education. Most importantly, these structural changes in our demographics can be traced across generations. For example, if you are of the Baby-Boom generation (born between 1946 and 1964), you likely have more siblings than you have children. It is also more likely, as a Baby Boomer, you moved out of your parent’s home, got married, and had your first child at a younger age than those in Generation X (born between 1965 and 1980) and the Millennial Generation (born between 1981 and 1996). These slow-moving changes in the way we live and behave are often hard to notice in real-time. However, by studying demographics and social behaviors over time (generation by generation), the changes become noticeable, and their collective impacts can be profound. These changes (and other demographic and social changes) are why school district enrollments have been declining statewide for over a decade and why New Milford’s enrollments declined by 25%.

New Milford is an aging community. In 2000, New Milford’s median age was 42, in 2017 the median age increased to 49.4—well above the national and state median age (Table 2). In short, older populations have fewer children, resulting in fewer school enrollments. Also, older households spend less on consumer goods and services—spending less in retail and hospitality establishments directly impact economic development efforts and community vitality.

**Table 2. Median Age**

	USA	CT	New Milford
2017	37.8	40.8	<b>49.4</b>
2000	35.3	37.4	42.0

New Milford’s demographic structure has been transformed by the increasing age of the population. Also, changes in demographics and socioeconomics have transformed household structure. For example, in 1960 only 13.0% of housing units in the United States were occupied by 1-person households. Today, 28% of our nation’s housing stock is occupied by 1-person households. As of 2017, 23.8% of New Milford’s occupied housing stock was occupied by 1-person households. Also, 38.4% of

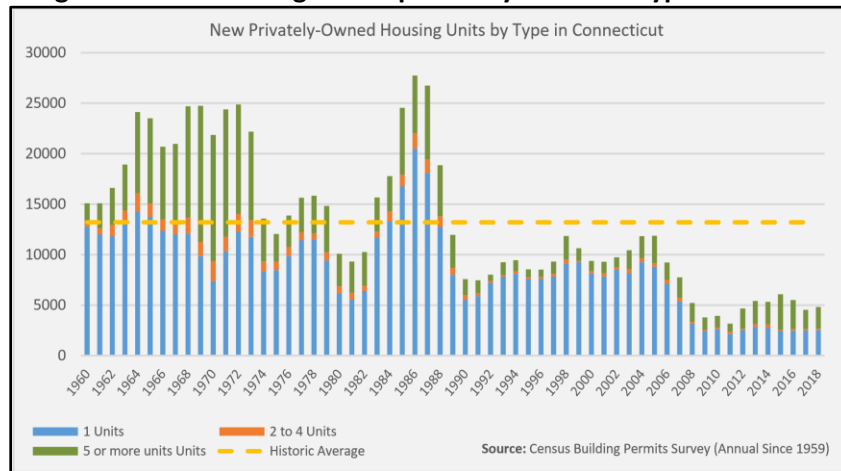


New Milford’s renter-occupied housing units were 1-person households—that means that 38.4% of rental housing in New Milford is not producing any school district enrollments.

Another important change can be seen in married-couple households with children (under the age of 18). In the United States, from 1970 to 2012, the percent of married-couple households with children declined from 40.3% to 19.6%. New Milford is similar. The total family households with children (under the age of 18) in New Milford today account for only 18.74% of total households. These changes in household structure result from both an aging population and social-cultural trends. Today, compared to the decades and generations before, we marry later, marry less, and have fewer children. This explains why New Milford’s school district enrollments have declined substantially.

These changes in demographic and household structure have also changed the housing market. Today, because of stagnant job growth and anemic population growth, Connecticut is developing fewer new housing units per year than in decades past (Figure 1.). Not only is Connecticut producing fewer new housing units, but the type of housing also produced in Connecticut has dramatically shifted over the last decade. From 2004 to 2011, 25% of new housing construction was multi-family—five units or more. Today, 47% of new housing construction in Connecticut is multi-family housing. This demonstrates how these changes in household structure are driving the housing market.

**Figure 1. New Housing Development by Year and Type 1960-2018**



New multi-family rental development (and mixed-use developments), which typically generate fewer than 0.20 school district enrollments per units, have become more popular from a municipal development perspective. Many communities have come to realize that such developments are a fiscally positive land use, generating more in local property tax revenue than the cost of government services, including the cost of education.



Table 3 provides a summary of four recent multi-family rental developments in Hartford region that are intended to demonstrate the positive grand list and tax revenue impact. The table presents the appraised and assessed value of each development and calculated against New Milford’s mill rate to provide estimated tax revenue amount. Most important, approximately and on average 35% (\$700,519) of the tax revenue from these developments has been a net fiscal positive to the host communities. It is also important to mention that Wethersfield and Bloomfield granted tax abatements as part of greater economic development strategies aimed at creating vibrancy and diversify the housing stock for the workforce. If these developments were in New Milford, it is estimated they would add over \$100,000,000 in value to the Grand List and over \$2,000,000 in yearly tax revenue.

**Table 3. New Multi-Family Development and Tax Value**

Name	Town	Units	Appraised	Assessed	New Milford Mill Rate	Taxes
275 Ridge Road	Wethersfield	62	\$10,681,934	\$7,477,360	27.97	\$209,141
Heirloom Flats	Bloomfield	215	\$35,564,400	\$24,895,080	27.97	\$696,315
Tempo at Evergreen	South Windsor	192	\$24,861,000	\$17,402,900	27.97	\$486,759
Mansions at Canyon Ridge	East Windsor	115	\$31,118,500	\$21,782,950	27.97	\$609,269
<b>Total =</b>		<b>584</b>	<b>\$102,225,834</b>	<b>\$71,558,290</b>		<b>\$2,001,484</b>

## The Impact of Multi-Family and Affordable Housing on Property Values

Concerns over the potential of negative impacts of new residential development, especially negative impacts on property values, are common in planning and the land use approval process. One of the foundational concepts of zoning in the original Zoning Enabling Act (1922) is that “such regulations shall be made with reasonable consideration...to the character of the district...with a view to conserving the value of buildings.” The concept of *a view to conserving the value of buildings* needs to be contextualized to the time when it was written and the problems that zoning was designed to solve. The 1920s context was the harsh conditions of the industrial city and the lack of regulatory provisions to deal with incompatible uses and the negative consequences of proximity. In addition to the *character of the district* and *conserving the value of buildings*, zoning was intended to protect us from *fire, panic, and other dangers*, conditions that no longer threaten us in the ways they did in the 1920s industrial city. Simply stated, zoning (along with other policies and regulations) has successfully solved the problem of the industrial city and has created stability and predictability in real property markets. Therefore, today, how we need to conceptualize *the character of the district* and *conserving the value of buildings* has changed. That is, the dissimilarity in uses has been greatly reduced. Also, the negative impacts on the proximate property have been mostly reduced to the most undesirable land uses. For example, undesirable land uses such as airports, landfills, superfund sites, etc., and their impact on residential and other proximate uses have been extensively studied and documented as having potentially negative impacts on adjacent and proximate property values.

However, such concerns and claims of the negative impact created by other less noxious and dissimilar uses have persisted, especially concerns regarding multi-family and affordable housing development adjacent and proximate to existing residential properties. It is even not uncommon to hear claims that new single-family residential development will negatively impact the value of existing single-family residential properties. Fortunately, such concerns and claims have led to academic and industry research on the impacts of new development on existing residential property values. Most importantly, the abundance of academic research has shown that such claims are not substantiated.

For example, a notable and comprehensive longitudinal study by the MIT Center for Real Estate, *Effects of Mixed-Income, Multi-Family Rental Housing Developments on Single-Family Housing Values* (2005), of seven high-density affordable housing developments adjacent to medium- and low-density single-family residential areas in six communities spread across Metropolitan Boston. The researchers stated that the findings “in all seven case study towns lead us to conclude that the introduction of larger-scale, high-density, mixed-income rental developments in single-family neighborhoods *does not* affect the value of surrounding homes. The fear of potential asset-value loss among suburban homeowners is misplaced.” A study by Harvard’s Joint Center for Housing Studies, *The Vitality of America’s Working Communities* (2003), found that apartments posed no threat to surrounding single-family house values.

The findings of the MIT and Harvard studies are further substantiated in a recent study by Kem C. Gardner Policy Institute at the University of Utah. The study, *The Impact of High-Density Apartments on Surrounding Single-Family Home Values in Suburban Salt Lake County* (2021), analyzed the construction of 7,754 units between 2010 and 2018 and the impact of these multi-family rental developments on single-family home values within a half-mile of the new apartments. The researchers found:



*...apartments built between 2010 and 2018 have not reduced single-family home values in suburban Salt Lake County [...] However, denser development continues to be a politically controversial topic on city council agendas as existing residents often bring up negative impacts on home values. Single-family homes located within 1/2 mile of a newly constructed apartment building experienced higher overall price appreciation than those homes farther away.*

Overall, academic research shows that multi-family development, which is most often of a higher density than single-family residential development, either has no impact or a positive impact on adjacent and proximate single-family residential property values. For example, a study by the University of Washington, *Denser Development is Good for Single-Family Home Values* (2012), found single-family home values increase when located near denser development.



The National Association of Homebuilders, *Market Outlook: Confronting the Myths about Apartments with Facts* (2001), found that single-family residential property values within 300 feet of multi-family rental housing increased by 2.9%. Researchers at Virginia Tech University, in a study titled *Price Effects of Apartments on Nearby Single-Family Detached Residential Homes* (2003) concluded, multi-family rentals that were well-designed, attractive, and well-landscaped, increased the value of proximate single-family residential housing. What was most interesting about the Virginia Tech study, as explained by Eskic (2021), were the researchers three possible reasons to explain their findings:

1. new construction serves as a potential indicator of positive economic growth;
2. new apartments increase the pool of future homebuyers for current homeowners; and
3. apartments with mixed-use development often increase the attractiveness of nearby communities as they provide more housing and amenity choices.

These three possible explanations are important. They highlight the importance of continuous investment in a community, providing a modern, diverse, and competitive housing stock—the positive economic growth, the need to attract newcomers to the community to create a pool of future homebuyers, and the amenity value of diverse housing stock that offers housing alternatives for other residents already in the community—retaining young adults and empty-nesters who seek to remain in the community but need and want housing other than larger single-family homes.

While claims of negative property impacts are likely to persist in the local land use approval process, the unbiased academic research is clear in its findings, *apartments posed no threat to surrounding single-family house values and the fear of potential asset-value loss among suburban homeowners is misplaced*. This is important for New Milford, especially the land use boards and commissions, to understand and embrace. New housing development, including multi-family and affordable housing, when well designed and aesthetically pleasing, does not negatively impact the value of adjacent and proximate housing.

## The New Milford Housing Study

To produce the New Milford Affordable Housing Plan, a housing market study was conducted to assess the local and regional housing market with the aim of determining affordable housing need, identify impediments to housing and affordable housing, and identifying potential strategies that New Milford could implement to promote, encourage, and provide qualified affordable housing. In doing so, the study reviewed and gave due consideration to state and regional planning efforts by reviewing and considering the State of Connecticut *2020-24 Consolidated Plan for Housing and Community Development* (Draft), the Western Connecticut Council of Governments (SCCOG) *2020-2030 Regional Plan of Conservation and Development*, and the State of Connecticut *2018-2023 Conservation &*





*Development Policies: The Plan for Connecticut (Revised Draft)*. Review and due consideration were also given to past studies by the Town of New Milford. This included, *New Milford Housing Workshop Report (2018)*, the *Town-Wide Market Analysis (2020)*, the *New Milford Plan of Conservation and Development (2010)*, and the *Town of New Milford Zoning Regulations*.

This comprehensive analysis of the housing market resulted in four reports that provided the foundation to this Affordable Housing Plan. The reports include the following:

- Affordable Housing Market Study
- Recommended Modification to Land Use Regulations
- Housing Needs Assessment
- Housing and Affordable Housing Incentive Programs

In addition to these studies and reports, a public meeting was held with the New Milford Housing Partnership, who advised the process this Affordable Housing Plan, to provide insights and feedback on a preliminary draft of this plan. In addition, a public information meeting is scheduled for July 21, 2021, to receive public comment and input on the Draft Affordable Housing Plan. The Affordable Housing Plan was filed with the Town Clerk and posted on the New Milford website 35 days before the Town Council held a public hearing on August 00, 2021 to adopt the Affordable Housing Plan. The following are short summaries of the four abovementioned reports produced as part of this Plan.

### *Market Study*

A Housing Market Study (regional and local) was conducted as part of this Affordable Housing Plan. The study was approached as if we were trying to determine the demand for new housing development in New Milford. The study found, consistent with the housing needs assessment, the greatest housing demand is for rental housing serving households at or below 80% (AMI) based on HUD Fair Market Rents. Also, the study revealed demand is greatest for one-bedroom units serving one- and two-persons households. By utilizing the HUD Fair Market Rents—a different metric than the one used in the housing needs assessment—it was determined that demand exists for 2,363 units, with 986 at 80% AMI, 662 at 50% AMI, and 715 at 30% AMI. These findings provide a framework for both strategies and the review and assessment of applications to develop affordable housing. New Milford should encourage one-bedroom rental units aimed at households at or below 80% AMI. While market demand exists for such units, the financial and economic feasibility of developing units below 60% AMI will not be possible without one or more forms of public participation. For example, the utilization of Low-Income Housing Tax Credits (administered by CHFA), local property tax abatements, or the creation of new funding sources through a local housing trust fund.



FY 2021 Income Limit Area	FY 2021 Income Limit Category	Persons In Family				TOTAL
		1 BR (1 - 2)	2 BR (3 - 4)	3 BR (5 - 6)	4+ BR (7+)	
New Milford Affordable Housing Gap	Extremely Low (30%) Units	(715)	(81)	73	282	(440)
	Very Low (50%) Units	(662)	334	462	419	553
	Low (80%) Units	(986)	159	464	1,868	1,505
<b>TOTAL</b>		<b>(2,363)</b>	<b>412</b>	<b>999</b>	<b>2,569</b>	<b>1,618</b>

### Zoning Regulations

The comprehensive review of the New Milford Zoning Regulations identified provisions that create impediments to the production of housing and affordable housing in New Milford. The impediments and potential changes and improvements to the Zoning Regulations include:

- **Minimum Area Per Residential Unit Requirements:** Remove the minimum floor area requirements, allowing the building code (and public health code) to determine minimums. This change is required from case law (*Builders Service Corp. vs E. Hampton, Connecticut Supreme Court*) that found such minimum standards are illegal and recent State legislations that now prohibits such minimum floor area requirements.
- **Duplex (Semi-Attached Single-Family) Units:** Allow semi-attached units in all residential zones, as-of-right, just as single-family detached units are allowed and encourage such units in cluster subdivisions.
- **Accessory Apartments:** Remove the provision limiting such dwellings to persons aged 55 or older and allow such units as accessory to all single-family dwelling units—this is now required as-of-right by State law. Reduce the minimum parking requirements.
- **Multi-Residence District:** Allow the multi-family uses as-of-right via site plan, not special permit since the required zone change application to designate an area as a Multiple Residence Zone provides the Commission the greatest authority to deny such an application—if the location is not suitable for such use. Further reduce bulk, area, and density impediments that undermine the financial feasibility of such developments.
- **Plan Residential Development:** Eliminate or reduce the 5-acre minimum lot size, allow the public health code and number of bedrooms to control density, and reduce the minimum required parking (recommended parking requirements: 1.25 spaces per 1-bedroom units, 1.75 spaces per 2-bedroom units, 2.0 spaces per 3-bedrooms, and do not require additional visitor parking).
- **Cluster Conservation Subdivision District:** Allow and encourage duplex (semi-attached single-family) dwelling units.



- **Major Planned Development District:** Eliminate or reduce the minimum acre requirement. Eliminate the 1-mile separation distance. Increase the percent of townhouse and multi-family units. Allow up to 36-units per building. Remove the age restricted provision. Increase density to 10 to 14 units per acre, allow 35% building coverage, and reduce the required parking (as noted above). In addition, provide contribution to the housing trust fund in-lieu of affordable housing if 15% affordable units at 80% AMI are not provided.
- **Major Planned Residential Development District:** Reduce the minimum required parking to 1.25 spaces per 1-bedroom units, 1.75 spaces per 2-bedroom units, 2.0 spaces per 3-bedrooms, and do not require additional visitor parking.
- **Other Regulatory Modification – Non-Impediments:** There are a series of regulatory amendments and modification recommended that improve the legality and functionality of the Zoning Regulations but do not directly related to barriers and impediments to affordable housing.

### *Housing Needs Assessment*

The Housing Needs Assessment provided a comprehensive assessment of New Milford’s housing stock and the need for affordable housing. The below table provides a summary of the financial characteristics of housing that demonstrates the affordable housing need in the community. New Milford’s greatest need for affordable housing is at household incomes below \$50,000 per year, including both owner- and renter occupied housing. In addition, the Census data reveals additional affordable housing needs serving incomes between \$50,000 and \$75,000 per years, especially rental housing.

The Housing Needs Assessment combined with the Affordable Housing Market study demonstrates the need, price-point/household income, number, and tenure (mostly renter-occupied) that is needed in New Milford. The findings of the housing needs assessment are as follow:

- **Owner-Occupied Housing:** Providing affordable owner-occupied housing is costly and challenging. Therefore, New Milford should work with non-profit development corporations to encourage such housing production and opportunity. Most important, New Milford should seek to diversify the housing stock available for home ownership. For example, providing more semi-attached housing (i.e., townhouses and duplexes) that is typically less expensive to purchase than conventional single-family detached housing.
- **Renter-Occupied:** Below household incomes of \$20,000 there are 262 households spending more than 30% of their income on housing and for incomes of \$20,000 and \$49,999 there are 796 household spending 30% or more for housing. From \$50,000 to \$74,999 there are 180 households spending 30% or more on housing. This demonstrates housing need, specifically the



need for affordable rental housing. This is consistent with the Affordable Housing Market study that found demand existed for 2,363 affordable housing units, with 986 at 80% AMI, 662 at 50% AMI, and 715 at 30% AMI.

**Table 4. Financial Characteristics of Housing – Housing Costs as Percent of Household Income**

MONTHLY HOUSING COSTS AS % OF HOUSEHOLD INCOME	Occupied Units	%	Owner-Occupied Units	%	Renter-Occupied Units	%
<b>Less than \$20,000</b>	646	6.1%	355	4.3%	291	12.5%
Less than 20 percent	10	0.1%	0	0.0%	10	0.4%
20 to 29 percent	19	0.2%	0	0.0%	19	0.8%
30 percent or more	617	5.9%	355	4.3%	262	11.2%
<b>\$20,000 to \$34,999</b>	998	9.5%	480	5.9%	518	22.2%
Less than 20 percent	49	0.5%	39	0.5%	10	0.4%
20 to 29 percent	62	0.6%	21	0.3%	41	1.8%
30 percent or more	887	8.4%	420	5.1%	467	20.0%
<b>\$35,000 to \$49,999</b>	964	9.2%	613	7.5%	351	15.1%
Less than 20 percent	78	0.7%	78	1.0%	0	0.0%
20 to 29 percent	99	0.9%	77	0.9%	22	0.9%
30 percent or more	787	7.5%	458	5.6%	329	14.1%
<b>\$50,000 to \$74,999</b>	1,530	14.6%	1,079	13.2%	451	19.4%
Less than 20 percent	382	3.6%	323	3.9%	59	2.5%
20 to 29 percent	526	5.0%	314	3.8%	212	9.1%
30 percent or more	622	5.9%	442	5.4%	180	7.7%
<b>\$75,000 or more</b>	6,233	59.3%	5,614	68.6%	619	26.6%
Less than 20 percent	3,431	32.6%	3,095	37.8%	336	14.4%
20 to 29 percent	2,151	20.5%	1,873	22.9%	278	11.9%
30 percent or more	651	6.2%	646	7.9%	5	0.2%
Zero or negative income	65	0.6%	41	0.5%	24	1.0%
No cash rent	76	0.7%	(X)	(X)	76	3.3%

At incomes below the poverty level (approximately 30% AMI), affordable housing cannot be addressed simply through the removal of impediments in local regulations, codes, and permitting procedures. Addressing this market segment of greatest need requires intentional actions and government interventions. Even though the greatest need is at the lowest income segment of the housing market, the needs assessment reveals that additional need exists in New Milford at or below household incomes up to \$75,000, which is approximately 93% AMI. This is a segment of the housing market that can be served by private development, provided the local regulations allow and encourage such housing.

### *Affordable Housing Incentives*

The exploration and review of potential housing incentive tools and programs that the Town of New Milford could employ to proactively encourage and provide affordable housing revealed several



opportunities and viable approaches to intervene in the affordable housing market. The following is a summary of the tools and programs that could be implemented in New Milford.

- **Density and Density Bonuses:** Implementing the recommended zoning regulation changes aimed at removing impediments to affordable housing. This includes two additional recommendations beyond those discussed above:
  - Create an Affordable Housing Overlay Zone for areas served by public water and sewer.
  - Create an inclusionary zoning provision that requires all residential development of 10 units or more to provide a percent of the total units as qualified affordable units.
    - This provision could include a fee-in-lieu-of affordable housing provision to provide funding for the Housing Trust Fund as an alternative to developing the units.
- **Efficient Permitting:** Create a more efficient permitting process. Specifically, reduce overreliance on special permit uses for multi-family residential and mixed-use developments.
- **Permitting Fee Reduction or Waivers:** Amend the permitting fee ordinance to allow for reductions or waivers of permitting fees for affordable housing developments or units.
- **Property Tax Abatements:** Allow and grant tax abatements for affordable housing developments or units.
- **Housing Trust Fund:** Create an affordable housing trust fund to raise and capture funding dedicated to aid in the development of affordable housing and target the funds and support for affordable housing that serves households at or below 50% median income.

## The New Milford Affordable Housing Plan

This section is the Affordable Housing Plan—the specific policies, programs, and strategies to implement to encourage and provide more qualified affordable housing in the town of New Milford. It is important to recognize, it is not enough to simply adopt this plan and implement the recommended strategies. Encouraging and providing affordable housing is challenging and difficult work. It is easy to lose momentum and the political will required to achieve the desired outcomes of inclusion and investment. Therefore, New Milford must embrace this plan, the need for affordable housing, and the desired outcome as a new philosophy of improvement, inclusion, and betterment for the community. This requires a constancy of purpose to implement the plan and achieve the desired outcomes. New Milford must work, continuously and passionately to provide affordable housing.

## *Removing Regulatory Impediments and Creating Regulatory Incentives*

The following are specific recommendations for modifications and improvements to the New Milford Zoning Regulations aimed at removing impediments to housing, investment, and the creation of affordable housing. By implementing such changes, New Milford can and will create a more predictable land-use system, ensure greater confidence in housing developers and investors, and encourage greater investment, in the form of infill development, redevelopment, and new development within the areas of the community that can accommodate development and best serve the needs moderate- and lower-income household in New Milford and the region.



### *Minimum Area Per Residential Unit*

- Past case-law and recent legislative changes make the inclusion of minimum area per unit requirements illegal. Remove these provisions throughout the Zoning Regulations.

### *Duplex (Semi-Attached Single-Family) Units*

- Allow duplex units on minimum lot sizes that are the same as the minimum lot sizes for single-family residential units in the zoning districts where duplex units are allowed.
- Allow duplex units in all residential zoning districts as-of-right—the same permitting processes as single-family detached dwelling units.
  - Conversion of Existing Dwellings.
    - Remove the 500 square foot minimum dwelling unit size provision from 025-080(1).
    - Reduce the minimum parking of two spaces per unit to 1 space per unit.
    - Reduce the 500 square feet per unit of open space to 250 square feet unit.
  - Consider allowing three-family and four-plex units in R-5, R-8, and R-20 zones.
  - Consider allowing semi-detached single-family housing (duplex units) through a zero-lot line provision. This would allow two-units or townhouse units developed on individual lots but designed where the property line splits the wall separating the units. Such a provision could allow for duplex or townhouse units in a village setting—similar to what is allowed in MPRDD zone. A zero-lot line provision would also require a small minimum lot size and zero side-yard provision as part of the approach.



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### *Accessory Apartment*

To improve the existing accessory apartment regulation, and encourage greater utilization of this regulation, make the following changes:

- Remove the provision limiting accessory dwellings to persons ages 55 and older.
- Expand the applicability of the accessory dwellings to be allowed in all single-family dwellings—removing the minimum land area requirements and the five-year since certificate of occupancy provisions.
- Remove minimum living area provisions.
- Reduce the parking requirements from a minimum of four spaces (combined primary and accessory dwellings) to a minimum of three 3 spaces combined total.

### *Multiple Residence District*

- Allow the multi-family uses as-of-right via site plan, not special permit, since the required zone change provision to establish the Multiple Residence District provides the Commission the ability to determine suitability of the use and location.
- Section 035-040: increase the 25% ground cover and aggregate ground cover provision to 40% or 50%.
- Remove the “soil having no severe limitations’ provision and trust the Public Health Code.
- Section 035-050: Consider allowing a flexible maximum height more than 35 feet.
- Remove the minimum distance between buildings or reduce to 30 feet.
- Increase the maximum of 12 units per building to 36 units per building.
- Remove the provisions for two egresses, fire rating, and the reference to the State Building Code.
- Remove the minimum floor area provision.
- Section 035-070 Parking Area: Remove the “No portion of any such parking area shall be more than one hundred fifty (150) feet from the entrance of any building served” provision.
- Section 035-090 Landscaping and Recreation: remove the minimum playground area, six family reference and additional area provision, and the slope provisions.

### *Planned Residential Development*

- Eliminate or reduce the 5-acre minimum lot size.
- Allow the Public Health Code and number of bedrooms, not number of units, to control density and unit yield in areas not served by the public sewer and water.



- Reduce the minimum parking requirements and tie the minimum parking requirements to the number of bedrooms per unit. Use the following per-bedroom requirements: 1.25 spaces per 1-bedroom units, 1.75 spaces per 2-bedroom units, and 2.0 spaces per 3-bedroom units. Do not require additional visitor parking.

#### *Cluster Conservation Subdivision District*

- Allow semi-detached (duplex) housing units in conservation subdivisions.

#### *Major Planned Development District*

- Section 117-010 Purpose: Eliminate or reduce the minimum acres requirement.
- Remove the 1-mile separation between such districts.
- Section 117-030 Permitted Uses: Increased percent of townhouses and multi-family units allowed to 50% of total units.
- Allow 36 multi-family units per building.
- Eliminate the 55 years and older provisions.
- Section 117-040 Design and Development Standards:
  - Increase the allowable density to 10 to 14 units per acre.
  - Increase building coverage to 35%.
  - Reduce the minimum parking requirements and set it to the number of bedrooms per unit. Use the following per-bedroom requirements: 1.25 spaces per 1-bedroom units, 1.75 spaces per 2-bedroom units, and 2.0 spaces per 3-bedroom units. Do not require additional visitor parking.
- Section 117-050 Open Space: Reduce the required open space to 40%.
- Section 117-060: Require 15% affordable at 80% AMI and allow 5% to be fee-in-lieu of affordable housing paid to the Housing Trust Fund.

#### *Major Planned Residential Development District*

- Reduce the minimum parking requirements and set it to the number of bedrooms per unit. Use the following per-bedroom requirements: 1.25 spaces per 1-bedroom units, 1.75 spaces per 2-bedroom units, and 2.0 spaces per 3-bedroom units. Do not require additional visitor parking.

#### *Other Regulatory Modifications – Non-Impediment Provisions*

- **Section 010-010 Statement of Intent and Purpose:** Include the statutory language from CGS 8-2 that requires zoning to *promote housing choice and economic diversity in housing, including*





*housing for both low- and moderate-income households, and encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development.*

- **Section 015-010 Definitions:** Update and revise the definitions for Affordable Housing and Affordable Housing Developments. As presented, definitions create ambiguity as to statutory references.
- **Section 025-100 Special Permit Uses in Residential Districts:** Multi-Family Dwellings (3-units or more) should be allowed in residential zoning districts. Set clear special permit standards and utilize the public health code to define density in areas without public water and sewer.
- **Chapter 40, 45, 55, and 60 – Business Districts:** Allow multi-family or mixed-use developments in these commercial/business districts.
- **Appendix B – Schedule of Fees:** Amend the fees to provide a waiver or reduction provision for developments that include affordable housing. Said waivers or reductions could apply to either the affordable housing units or the entire development.

#### *Efficient Permitting and Permitted Use*

- Conduct a comprehensive review of uses allowed by zone. In doing so, consider the following:
  - Reduce the numbers of uses that require special permits—especially multi-family and mixed-use residential.
  - Allow residential units above the ground floor in existing buildings via staff review and approved zoning permit.

#### *Inclusionary Zoning*

- Create an inclusionary zoning provision that requires all residential developments of 10 units or more to provide a minimum of 10% of the units as qualified affordable housing.
  - Provision should apply to single-family subdivisions, multi-family, and mixed-use (with residential) developments.
  - Single-family subdivisions should provide 10% qualified affordable housing units at 80% AMI or pay a fee-in-lieu of affordable housing—payable to the Housing Trust Fund.
  - Multi-family housing developments should provide 15% of the total units as qualified affordable housing. Of the qualified affordable housing units, 75% should be provided at 80% AMI and 25% provided at 60% AMI.



### *Permitting Fee Reductions or Waivers*

- Amend the Land Use and Building Permitting Fee Schedules to provide for reductions in permitting fees for multi-family, mixed-use, and qualified affordable housing units.
- Create a provision to allow permitting fees for qualified affordable housing units to be waived. Alternatively, waivers could be structured to specifically address end-user housing costs. In doing so, consider the following:
  - Application, permitting, and certificate of compliance fees for all multi-family and mixed-use housing developments, regardless of affordable units, be reduced by 50%.
  - Qualified affordable housing unit application, permitting, and certificate of compliance fees waived—zero fees for the qualified units.
  - For housing developments that provide qualified affordable housing units at or below 50% AMI, all application, permitting, and certificate of compliance fees are reduced by 90%, and all fees for qualified affordable housing units are waived.

### *Property Tax Abatement*

- Create a Qualified Affordable Housing tax abatement policy following Section 12-65b (Agreements between municipality and owner...of real property...fixing the assessment of such property...) of the Connecticut General Statutes to provide tax abatement consideration for multi-family and mixed-use housing developments that provide qualified affordable housing units.
- The following is a framework for thinking about the Qualified Affordable Housing tax abatement policy and how it is be structured to incentivize affordable housing development:
  - The policy should be flexible in its structure and utilization to avoid binding the Town or applicants to tax abatements that may not work.
  - Structure all abatements to fix the current tax value for tax paid so that New Milford does not lose taxes.
  - Allow tax abatements for mixed-use and multi-family housing developments regardless of the inclusion of qualified affordable housing units.
  - Allow tax abatements to be considered for the entire project, including market-rate units and commercial property in mixed-use development. Such a policy could offer different degrees of abatements in terms of the number of years and percent value of abatements for market-rate housing and commercial developments than the qualified affordable housing units.
  - Consider a flexible sliding scale abatement structure that utilizes the number of years the abatement is available for, and the percent value of abatements offered considered



against the percent of qualified affordable units provided and the household incomes those units will serve. For example:

- The more qualified affordable housing units are provided, the more years taxes are abated for.
- The lower the household income required for qualified affordable housing units, the more years and higher percent of abatement value offered.
- For qualified affordable housing units serving household incomes at or below 50% AMI, offer the maximum number of years (10-years) and maximum percent abatement (100% abatement).
- The incentive of tax abatements could be offered to owners of existing naturally occurring affordable multi-family housing units (including duplex and three-family units) to deed restrict those units as *qualified affordable housing units*.
- Such a policy could also be utilized to incentivize the rehabilitation of such units as part of the tax abatement—longer and larger abatement for naturally occurring affordable housing units that are renovated before the tax abatement for the qualified affordable housing deed restrictions are applied.

### *Housing Trust Fund*

- In accordance with the Connecticut General Statutes, Chapter 98, Section 7-148(c)(2)(K) (and Chapter 124, Section 8-2i. Inclusionary Zoning), establish a New Milford Affordable Housing Trust Fund intended to raise funds to encourage and support the production of qualified affordable housing. The Trust Fund could then be utilized for providing grants, loans, or other incentives to affordable housing developments (and/or affordable units or qualified renters) for the creation of qualified affordable housing units (and supportive housing) that target households at or below 50% AMI.
- The following is a framework for policies that can be utilized to raise revenue for the Trust Fund, administration, and dispersion of funds to incentivize the production of qualified affordable housing.
  - Create a line item in the Town of New Milford budget to fund the Trust Fund each year. It is recommended that a minimum amount is established for yearly funding to ensure that Trust Fund receives revenues.
  - Capture a percentage of building and land use permitting fees to be allocated to the Trust Fund. Alternatively, create a surcharge on all building and land use permitting fees to be allocated to the Trust Fund.
  - Promote the Trust Fund for tax-deductible donations from residents and businesses, including organizing and hosting yearly fundraising drives and events.



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- Pair the Trust Fund with the inclusionary zoning provision that requires a fee-in-lieu of affordable housing for all residential developments of 10 units or more that do not provide qualified affordable housing units.
- Designate the New Milford Housing Partnership as the Affordable Housing Trust Fund Advisory Committee to administer the Trust Fund and related activities.
- Develop an application process for private and non-profit affordable housing developments to apply for grants, loans, or other incentives to incentivize the production of qualified affordable housing units that target households at or below 50% AMI.



## Implementation Schedule

Implementation of the Plan is a gradual and continual process—a continuous process of working towards improvement through achieving the goals and objectives of the Plan. While some recommendations can be carried out in a relatively short period, others may only be realized towards the end of the plan implementation period, and some may be even more long-term in nature. Furthermore, since some recommendations may involve additional study or a commitment of fiscal resources, their implementation may take place over several years or occur in stages or phases.

The following chart identifies the specific strategy, the agency responsible, and the recommended priority for implementation. In many instances, the responsibilities are shared by more than one agency.

Affordable Housing Plan			
Strategies	PZC	HP	TC
Minimum Area Per Residential Unit Requirements	Orange		
Duplex (Semi-Attached Single-Family) Units	Orange		
Accessory Apartments	Orange		
Multi-Residence District	Green		
Planned Residential District	Green		
Cluster Conservation Subdivision	Green		
Major Planned Development District	Green		
Major Planned Residential Development District	Green		
Other Regulatory Modifications	Orange		
Efficient Permitting & Permitted Uses	Green		
Inclusionary Zoning	Green		
Permitting Fee Reductions & Waivers	Yellow		Yellow
Property Tax Abatement		Orange	Orange
Housing Trust Fund	Green	Orange	Orange

### Implementation Schedule Legend

Agency	Abbreviation
Planning & Zoning Commission	PZC
New Milford Housing Partnership	HP
Town Council	TC

Priority	
High	Year 1
Medium	Years 2 to 3
Low	Years 4 to 5