

## **Feedback regarding S.237 “An act relating to promoting affordable housing”**

**From: Stan Bradeen, Chair of the Saint Albans Planning Commission, 21-May-2020**

I would like to clearly state from the outset that I fully appreciate that crafting legislation is a process of compromise; bills may contain flaws, but may be still worth passing. That is not the case with S.237 as written. Though much of the bill is worthwhile, the amendment to Sec. 2. 24 V.S.A. § 4412 is fatally flawed.

The section’s unintended consequences far outweigh any benefits. It would in fact be a preemptive, destructive intrusion into the community's zoning, and their economic development. Allow me to outline the reasons.

### **Misguided**

While it is outside the scope of the current bill, there are many ways to encourage affordable housing, not the least of which would be a living wage and a more equitable, progressive tax structure. However, arbitrarily chopping up our communities by state fiat is not one of them.

### **Poor Land Use**

The proposed approach does not consider whether the resulting lots fit the local land use patterns and constraints of the impacted communities. For those of us that recall the unintended consequences of the Act 250’s 10-acre exclusion, which chopped the state’s countryside into ten acre lots, Section 2 of this bill would blindly chop our towns and cities into one-eighth acre lots.

The reality will not be a number of cute backyard tiny houses, but far too often cheap, plain structures stuffed opportunistically into lots that were never designed for them. It will often require redundant drives, and the lot inefficiencies will have a negative impact on individual green space. A proliferation of fragmented land use is neither a good, or an effective solution to our housing needs.

Instead of a proliferation of small lots, increasing the number of units in our downtown residential structures can provide good, affordable housing and investment in the downtowns of our communities where such density is both fitting, attractive and contributes to an accessible community.

### **Negative Impact on Community Development**

The proposed approach does not take into consideration whether the communities impacted are rich or are struggling for resources as is much of Vermont.

By shunting construction investment to fragmented development, the proposed Section 2 would be harmful to communities like Saint Albans who are trying to encourage thoughtful reinvestment in its existing downtown housing stock. We do not need additional empty rundown buildings so we can build tiny new ones.

One of the items that the Saint Albans City Planning Commission is currently working on is a density bonus, for added unit(s) for renovating existing housing stock and bringing it up to current standards, including energy standards.

Many of our homes are older buildings which need repairs and renovations. Many are large single family homes, built for a time of larger families. They simply have more space than

needed or generally affordable. Adaptive reuse that permits such things as the addition of new stair towers and/or plumbing stacks which bring such structures up to date and supports the conscientious creation of additional units whether by subdivision of the existing and/or addition. The above-mentioned standards would encourage and require good repairs so that people do not have to live in poor-quality, cramped homes just because they have limited means.

Adaptive reuse of existing building stock is needed both to provide housing and to maintain the fabric of the centers of our communities. The State's help in creating standards and regulations that incentivize reinvestment in our communities and existing stock would be far more constructive.

### **It is an Inducement for Opportunistic Development**

The eight-acre requirement will result in both immediate short-term opportunistic construction and long-term dicing up of our communities. It is far more likely to result in low-quality housing on infill lots than to create quality additions to our housing stock. Affordable, usefully sized homes should not become a euphemism for cheap and expedient.

### **Preemptive, Presumptuous, Intrusion Into Local Authority**

In the past some, particularly well off, towns have been justifiably criticized for dragging their heels on the provision of affordable housing, but this bill targets every community with municipal water and sewer. It would, in effect, be a wholesale, high-handed rewriting of community zoning regulations, for towns both large and small, rich and poor. Those regulations have been developed community-by-community through substantial community involvement. This law preempts that effort. The excuse that municipalities *"don't want to welcome housing and don't want to change anything"* is simply not true for most Vermont communities. We need to be able to afford housing, but not in the way envisaged by this bill or many other top-down prescriptions in the past. Saint Albans City in particular has and will continue to do everything we can to help our citizens have good affordable housing.

I recommend that you also look at Chip Sawyers comments which take time to outline the beneficial elements of the other sections, but Section 2 of S.237 must not remain.

Thank you,

Stan Bradeen

Chairman of the Planning Commission of the City of Saint Albans