



Lower Connecticut River Valley Council of Governments

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Regional Planning Committee

LOWER CONNECTICUT RIVER VALLEY REGIONAL PLANNING COMMITTEE MINUTES OF REGULAR MEETING

Monday, November 25, 2024, 7:00 p.m.

Via Zoom Teleconference

Members:

Chester	Carlie Dailey *
Clinton	Lawrence Edwards Eddie Alberino
Cromwell	Nick Demetriades Anthony LaCava *
Deep River	Tony Bolduc * Daniel Smith *
Durham	Frank DeFelice *
East Haddam	Crary Brownell Debbie Langdon
East Hampton	Michael Kowalczyk *
Essex	Carey Duques *
Haddam	Raul deBrigard *
Killingworth	Alec Martin Stephanie Warren
Lyme	Mary Stone David Lahm
Middlefield	Paul Pizzo
Middletown	Beth Emery * Nathaniel Spencer
Old Lyme	Harold Thompson * Howard Margules *
Old Saybrook	Douglas McCracken * Michael Bender
Portland	Chantal Foster * Bob Ellsworth
Westbrook	Bill Neale Marie Farrell

*Members Present

Staff Present:

Sam Gold
Eliza LoPresti
Margot Burns
Susie Beckman
Megan Jouflas
Marcos Gonzalez

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Kevin Armstrong

1. Call to Order

Chairman DeFelice called the meeting to order at 7:01 pm. The meeting was conducted via Zoom.

2. Roll Call – Mr. Gold called the roll.

3. Seating of Alternates - Anthony LaCava (Cromwell) was seated.

4. Adoption of Agenda

Mr. Martin moved to adopt the agenda; second by Mr. LaCava. Vote was unanimous in favor.

5. Public Comment - None

6. Approval of the Minutes of Past Meetings

Mr. Gold informed the group that Ms. Rolison has been out sick, and the minutes had not been distributed. Mr. DeFelice proposed that the minutes be tabled and approved at the next meeting.

Motion was made by Mr. deBrigard to table the minutes of the September meeting until the next RPC meeting. Second by Mr. McCracken. Vote was unanimous in favor.

7. Referrals

a. Updates to the Referrals Webpage

Mr. Armstrong walked the group through the referral process and explained that the referral online database has changed. Prior, there was a table embedded directly on the website which had basic information and links to attachments. This format has been replaced as it was a manual process. Now the process has been trimmed down which allows for information to get out more efficiently.

Mr. Armstrong shared his screen to show users how referrals would appear on the referrals online database which is a repository of everything that has been posted. He noted that the system is shared by other COGs, but showed the group how to easily sort information to find what they are looking for. Each referral is list by town, what the referral is about and by the date which it was received by COG which is the date it is posted to the referrals website. Clicking on the referral link will allow the user to preview important information contained in the referral including: the sender, the date the referral was received, who responded and attachments. Previewing is an option in addition to clicking on the file and opening the individual document. Mr. Armstrong explained the referral documents can be downloaded. He also explained that on the screen with the list of referrals, as on all browsers, you can search by using “Control F”. This will highlight the items that you are searching for on a page.

Included in further discussion was a brief explanation of referrals protocol and process including the referral submission form by Mr. Gold. He also stated that if something is not properly sent the to COG it is considered a process error, and emphasized the importance of asking questions and making sure it is dealt with properly as someone could later say that the process was not administered properly and use this as a technicality against a decision of the commission.

8. Updates on RiverCOG Programs

b. Regional Housing Committee Update

i. Fair Share Housing Methodology

Ms. Joufflas shared a presentation and provided an update on the State Fair Share Housing study which included information on the below:

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1. About the Fair Share Housing Study
2. Anticipated Timeline
3. Recently released research and discovery memo key takeaways
4. The overlap between the memo and our regional housing committee progress
5. What they are watching for
6. Opportunities for future involvement

Ms. Joufflas explained that the Fair Share study came about with the Open Communities Alliance Fair Share model, which was proposed legislation that RiverCOG opposed. The bill did not pass but resulted in the Section 18 of Public Act No. 23-207 ([Link](#)) which requires OPM, with DOH and DECD to develop a fair share methodology for calculating housing needs. She then went through the requirements and details of the statute.

OPM recently contracted with Eco Northwest to conduct this study and make recommendations to the General Assembly to adopt a housing needs methodology. There is a website ([Link](#)) which contains more information and the following dates: In November, they would be releasing the memorandum of Research and Discovery, which they have. In January 2025, a draft housing needs assessment is expected. In April 2025, the draft fair share allocation results are expected. Between May and June 2025, they are expecting the final report and presentation which is when it is expected to be done.

On November 12th, 2024, the Memorandum of Research & Discovery was posted on the project page. It describes the policy environment to provide context for the study. Ms. Joufflas elaborated on the six sections which include: Introduction, Stakeholder interviews, stakeholder interviews, discriminatory housing policy review. Connecticut's Housing Policy Landscape, Overview of Fair Share and Housing Needs Methodologies, Existing Studies in Connecticut, and Other Fair Share and Housing Needs Methodologies.

Ms. Joufflas then noted the overlap with the progress of RiverCOG's Regional Housing Committee which includes dismissing the mismatch approach as overestimating the housing need, and also looking at a 2-part process: a determination of needs and second allocation of units, and looking at similar case studies in other states.

Ms. Joufflas also mentioned that RiverCOG was able to join the Eco Northwest working group along with other COGs and were able to share the progress with that Regional Housing Committee.

Ms. Joufflas noted some opportunities for involvement in this process including keeping an eye on the website for updates, sending an email to OPM ([link on website](#)), COG stakeholder meetings, and providing public comment on study and testimony on subsequent legislation. Also, if there is something specific that someone would like brought up, to please let them know.

Mr. Gold added that RiverCOG received the summary as part of a meeting the COGs were invited to along with the Connecticut Conference of Municipalities (CCM) and the Council of Small Towns (COST). OPM was not present. Several issues were pointed out. One of the COG directors noted that states who use these methodologies, particularly for affordable housing, don't have 830G. States that have similar legislation to 830G don't typically have these

types of legislation because, for example, housing is for all people regardless of if it is affordable or not. Also pointed out is that there have been several iterations of legislation submitted under the name Fair Share over the last few sessions. The first would have forced municipalities to build the housing that the methodology said they needed, open the municipality up to be sued by advocacy groups and allow those entities to recoup the damages from the municipalities. Mr. Gold also pointed out that since Fair Share does not have a definition in statute and that one could make an argument that they're lacking grand list and wealth. This is something that members of the RPC and Zoning Commissions should be aware of. It will be brought to the General Assembly the Housing and Planning Committee in this session. As per Mr. Gold, these hearings may be the only opportunity for the public to weigh in on this issue as the Public Act provided no mechanism for public involvement.

[View Presentation Here](#)

9. Draft RiverCOG Legislative Agenda

Mr. Gold presented the 2025 Draft RiverCOG Legislative Agenda and informed the group that that there would be a special Legislative RiverCOG meeting on December 11, 2024, to be held in Cromwell in the Belden Room between Town Hall and the Public Library. The meeting will be open to the public. He went through some of the top items on the agenda which include early voting and the associated expense for towns, giving towns the ability to name the entity or group they think can best provide services as the towns' primary area service responder (PSAR), the ability for a town to set their own reasonable fines and fees, a comprehensive housing approach, restoring services to Shoreline East, Transit recommendations, cybersecurity, economic development, workforce development, support for Geographic Information Systems (GIS) to create uniform parcel layer data, waste management as it pertains to the dissolution of Materials Innovation and Recycling Authority (MIRA) on June 30, 2025 and the Regional Waste Authority Grant, funding and promotion for Connecticut's participation in the America 250 Commemoration in 2026 as currently there is no funding in Connecticut though New York and Massachusetts are investing millions, maintenance of privately owned dams, Medicaid reimbursement, police accountability laws, aquatic invasive species, land use, energy and utilities and access to high speed internet.

[Link to Full 2025 Legislative Agenda \(since adopted on December 11, 2024\)](#)

10. Miscellaneous: State, Regional and/or Local Planning Issues

- a. Municipal Self-Certification for Day Care Center Zoning
<https://portal.ct.gov/opm/igpp/org/zoning-compliance-annual-report>

Mr. Gold shared the OPM webpage (link above) for the group to view. As per Mr. Gold, the Chief Elected Official is to make a sworn statement annually to OPM that that their municipality is either in compliance with this section of the statutes or they are to specify a timeframe within which the municipality would bring zoning ordinances into compliance. He emphasized the annual certification issue and has asked Mr. Downes to work with towns to get their certifications into OPM. He believes that OPM may be interested in addressing the annual certification issue. He reminded the group to remind their towns that they have until December 1st to submit a compliance or non-compliance statement.

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b. Other

Mr. DeFelice let the group know that some towns Durham and northward have been contacted by FEMA regarding updating their maps and in meeting them, they have decided to use imagery that was used in 2008 which likely 15 years old in 2008. They are being asked to make decisions based on this imagery, and while new imagery is expected to be put in, that will not occur until after the comment period. Mr. DeFelice shared that a town planner may be able to take the FEMA layers and put over the current imagery at a low cost (around \$200). While this is not the official map, this can be a basic understanding of the effect of the proposed changes.

Mr. DeFelice also described a case law example involving an historic district and an entity wanting to build a 5-story building. This historic district lost. In their judgment, the court said that the need for affordable housing trumps the need for historic districts and buildings.

11. Adjournment

Mr. deBrigard moved to adjourn the meeting at 8:44pm; second by Mr. Martin. Vote was unanimous in favor.

cc: RPC members
Town Clerks
RiverCOG

Respectfully submitted,
Elizabeth Rolison