



**TOWN COUNCIL
VIRTUAL MEETING
SPECIAL MEETING
SEPTEMBER 29, 2020
APPROVED MINUTES**

1) CALL TO ORDER

Mayor Trinks called the meeting to order at 7:31 p.m.

Present: Mayor Donald Trinks, Deputy Mayor Joseph McAuliffe, Councilor Nuchette Black-Burke, Councilor Lisa Rampulla Bress, Councilor James Dobler, Councilor Donald Jepsen, Councilor Lenworth Walker and Councilor Kenneth Wilkos

**2) DISCUSSION REGARDING AMENDMENT TO ASSESSMENT ABATEMENT POLICY
TO ADD MULTI-FAMILY HOUSING AS ELIGIBLE USE**

Town Manager, Peter Souza, stated currently, the Town's adopted policy allows the following eligible uses: manufacturing, class 'A' office space, office for advanced medical procedures, and Significant Fiscal Impact projects, which makes a capital investment in taxable personal property and real estate improvements equal to or greater than \$60 million. The abatement policy previously allowed new multi-family residential projects within the Town Center area to be eligible. This was an eligible use for the period of January 2014 through January 31, 2017 when the clause sunset. The intent of that amendment was to promote immediate development in the center of town to help generate patrons and activity for existing and future small businesses.

In the past several years, there have been new multi-family developments constructed which have added 360 market rate rental units (Windsor Station, Preserve at Great Pond). These units are modern in design, layout and on-site amenities. Most of the units are studios with one or two bedrooms.

There are additional multi-family developments that have been approved by the Town Planning and Zoning Commission which includes Poquonock Commons - 192 multi-family garden / flat style and Great Pond Village – 1,000 +/- multi-family attached units. There is no set timeline for Poquonock Commons' construction and Great Pond Village is expected to be built in phases over multiple years.

According to the Connecticut Department of Housing (DOH), Windsor housing is 7.52% affordable due to 154 government-assisted units (public housing), 269 rental assisted units (Section 8 housing), 436 CHFA mortgages, and 26 deed-restricted single-family homes, for a total of 885 affordable units.

Approximately 76% of housing units in Windsor are owner occupied, which is in line with the percentage of other surrounding communities. There is an older housing stock in Windsor with an average age from the year 1964. Fifteen percent of the housing stock was built prior to 1939, while 47% of the housing stock was built after 1970. This provides a lot of different housing



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types, styles, and price points that would be attractive for various buyers looking for affordable housing in Windsor. This will also provide opportunities for people who live in Windsor to continue to live in Windsor as they age up and will also be great for the business community.

Town Manager Souza stated that he sent charts to the Council regarding multi-family communities in and around the Hartford area. The charts and information were put together by an organization called Partnership for Stronger Communities. Information was gathered from the census bureau. Nine and a half percent of Windsor's total housing units are considered multi-family and are rentals.

Town Manager Souza explained that twelve communities in the Hartford area were looked at and compared to what Windsor currently has. Two-thirds of those communities have more multi-family rental housing than Windsor. In the last several years, there has been a high demand for multi-family housing. The hope is to have people move into Windsor by renting and then after a year or so they will want to put roots down in the community and buy property. There has been housing built in Windsor, including the Windsor Station apartments, which offers a total of 130 apartments that are mainly studio or one-bedroom units with some two-bedroom units available. The new apartments at Great Pond Village have 230 apartments that offer primarily two-bedroom units. All of these listed options are market rate, meaning they are not subsidized through a public back mortgage or a housing program through the State of Connecticut. There are also developments in the pipeline and Poquonock Commons. There will be a total of 1,500 units available at Great Pond Village for purchase or rental once it is completed.

Town Manager Souza then introduced Town Planner, Eric Barz, to share an overview of a state law that is referred to as Section 8-30G. Mr. Barz stated that while housing in Windsor is relatively affordable, the State does not recognize that the going sale prices are affordable. Mr. Barz gave the definition of an affordable housing unit under Section 8-30G, which states that it must be guaranteed affordable for forty years through either a deed restriction, CHFA mortgage, section eight certificate or some other subsidized mechanism. In order to be able to live in one of the affordable units, the buyers must be screened for certain criteria. The 8-30G was created to force the market and towns to build affordable housing. It is the town's responsibility to prove that there is a need for affordable housing in the proposed location. A developer can propose an 8-30G development. Originally this required that 30% of the units be set aside for 30 years and had to be available to a household earning 80% of the regional or state median household income, whichever is least. Now instead of 30 years, the requirement is 40 years and 15% of the housing units must be available to people who are earning 80% of the median income. Another 15% must be available to a household earning 60% of the median household income. The households earning 80% or 60% of the state median, whichever is least, cannot spend more than 30% of their income on housing costs.

Town Manager Souza asked if there had ever been an application from 8-30G in Windsor. Mr. Barz stated that Windsor has not, because if a town has 10% of their housing stock that is



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affordable by their definition for 40 years, then it is exempt from 8-30G. There is a relief given to towns that receive an overwhelming amount of applications but still haven't reached that 10%. Mr. Barz went on to explain that Windsor is a little over 7% affordable, which means that there would have to be 400 units built and no market units because that would cause the percentage to go down if there are more market units.

Councilor Rampulla Bress asked if the units already existing such as Great Pond are included in the calculation and if that affects the percentage for the affordable housing. Mr. Barz stated that they use the census data to recalculate from time to time. He also believes that they may still be using year 2010 census numbers for unit counts. Councilor Rampulla Bress wanted confirmation whether or not that would lower the percentage score. Mr. Barz confirmed that it would lower the score as a result of the new apartments.

Councilor Rampulla Bress then reiterated that, according to the State, it would cause there to be less units listed as affordable housing available with the new apartments added. Councilor Rampulla Bress then introduced the Montgomery Mill apartments located in Windsor Locks. She stated that there are different amenities and sizes of apartments offered creating different rates of affordability. She'd like to know if Windsor is in a position to do something similar. Mr. Barz gave a brief description of the Montgomery Mill units. He said that anyone can propose to do a mixed income development and the market tends to respond on demand. If the market doesn't fill up the higher priced units, then the market will respond with providing lower priced units.

Councilor Rampulla Bress then mentioned that at Montgomery Mill, their rates go according to income, which can create a mix of community and a mix of affordability. There is concern with the young adults and seniors who may struggle to pay for something that runs at market rate. Mr. Barz then confirmed that almost every available unit in Windsor is market rate.

Town Manager Souza concluded that this is how the State calculates their figures for the 8-30G pricing and how funding is determined for housing. Town Manager Souza also made a correction to the Housing Authority's typographical error in the agenda item summary. Windsor Housing Authority maintains 152 different units for elderly disabled and seniors. At Fitch Court there are 40 active units and those are 20 two-bedroom units. The Housing Authority also manages an affordable housing program through a section eight certificate, which are vouchers that can be used across the town in either single family homes or apartments. Town Manager Souza stated Fitch Court which is a mixed income arrangement has a waiting list for over 100 residents. There is not a lot of dedicated senior housing like in other communities. Having more housing dedicated to the senior population is a goal for Windsor. This can offer seniors affordable living, while being able to have ease of mobility as well as to make changes if needed. These are all things to consider when looking at different housing types that will be available to these populations in the near future.



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Councilor Jepsen questioned the 40 year requirement for private housing and if vouchers are included in the number count. Mr. Barz stated that they do get counted toward the 10% goal, but they don't get included in the 40 year guarantee. Mr. Barz stated that section eight certificates are so portable that they don't even have to stay in the town that they originated in.

Councilor Jepsen feels that there is already a lot of affordable housing options in Windsor that are just not under the 40 year rule. There are many properties and rentals that seem to not be included in the 7.5% calculation. Town Manager Souza stated that there are many affordable options in Windsor. Windsor is known to be a rather affordable town to live in, especially when comparing to other communities within the metro area. On a town wide basis, the average appraisal value is \$203,105 for duplexes and three family homes. There have been Windsor residents who have lived in town throughout their entire life and have moved to different neighborhoods while being able to maintain affordability.

Mr. Barz added that in the plan some of the housing is functionally obsolescent because not many people want a three bedroom and one-and-a-half-bathroom home anymore. Councilor Jepsen wanted to know how the number of vacancies play a role in this topic. Councilor Dobler stated that there are 925 vacancies. There are ninety-six properties for sale in Windsor according to realty.com and ten of the properties are land.

Councilor Dobler would like to know if the houses that are vacant are just not for sale or if the conditions are just poor. Town Manager Souza responded by stating that the information is from census data, meaning the number could be different than when the information was originally gathered. There could have been no response from that property owner/residence, so the number could be over-stated. There have also been many homes foreclosed upon during the recession. It is definitely a fluctuating number.

Councilor Wilkos stated he believes there are many residents who spend time in summer homes or are gone during the winter and do not respond to the requested census information.

Councilor Rampulla Bress stated that she is more interested in the housing available for people who are not interested in single family home ownership or are not yet able to purchase a home. Councilor Rampulla Bress would like to know what would be available for people who are more interested in renting before getting their first home and if someone were to use an abatement to refurbish the vacant properties and turn them into rentals. Town Manager Souza confirmed that this is a possibility and would turn into more of a financial question. Town Manager Souza also gave an example of some communities that have not-for-profit organizations or local housing authorities that play that role by accessing money through urban development. He also stated that about 5%-10% of single-family homes in Windsor are currently being rented. These particular properties that fall within this category tend to not show up in the percentage for affordable housing because they are not deed restricted.



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Councilor Rampulla Bress stated that there are many different types of abatements for multi-family homes, and other affordable housing units available. She would like to know if these abatements would make these properties more attractive for the non-profit organizations mentioned earlier. Another option mentioned is creating special abatements in order to encourage development of these properties. Town Manager Souza stated that there are many variables to answer those questions, but the Town Council has an ordinance that has tried to promote renovation and expansion of single-family homes that are twenty-five years or older. If you increase the value of those homes by 10%, then that will get abated over a seven-year declining scale. Town Manager Souza also gave the example of the large mill buildings and smaller eight-unit buildings in Vernon that have used abatements for commercial properties to encourage re-use of those properties for housing opportunities. The new value would be abated so there is not a net loss to the town in terms of current revenue.

Councilor Rampulla Bress addressed the 100 person waitlist at Fitch Court. She suggested that the number should become smaller based on the initiative to provide more places like Fitch Court. She would like to know if there is the possibility of providing housing for just seniors, like there is in other towns. Town Manager Souza stated that this is seen as a growing need. There has never been a "no" given to those types of developments, but there has also not been an incentive package offered to encourage that type of development. Town Manager Souza wonders too if the communities reserved for 55 years and older are still appropriate for people who are aging into their eighties due to lack of mobility. Councilor Rampulla Bress concurred with his concern and she continued to say she has had the revitalization of Windsor center in mind and all of these things considered would come together in a nice way. Councilor Rampulla Bress asked Town Manager Souza if he has any knowledge about a multi-age community being built in Bloomfield. Town Manager Souza responded that he only knows a little about it, stating it is mixed income. He is unsure if there are age restrictions for residents. Councilor Rampulla Bress reiterated that she is interested in offering people in town something that is affordable and smaller for people who are in need, and that the center of town would be a great location for units that meet these amenities.

Deputy Mayor McAuliffe would like to know if there could be another data source that is more current on the commercial side because the vacancy number seemed to be higher than expected. He stated that any time he has discussed the housing market with realtors, it seems that houses are selling very quickly. It would be beneficial to know if there are homes that are lived in seasonally versus homes that have been abandoned or neglected and what houses and rentals are available. Town Manager Souza stated that there is a possibility of finding this data elsewhere, but it could be quite challenging to get accurate data. It will be easier to find information on the commercially owned properties.

Councilor Jepsen would like to address something that goes back many years when the facilities like Fitch Court were primarily designed for the elderly. He said there was a change where people with special needs were allowed in and it started to lower the amount of elderly living there



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because the people with special needs would not age out as quickly. This factor may be contributing to the waiting list.

Councilor Jepsen would like to know if it is challenging to meet the demographic requirements in places like Fitch Court. Town Manager Souza stated that there are obligations to meet the Fair Housing Act. The traditional Housing Authority options are much more mixed in terms of ages.

Councilor Jepsen asked if it is just the elderly that are struggling to find housing because they are getting “squeezed” out by other classes of people such as the special needs community or if it is a high need for all ages and classes of people. He asked if there are any solutions on the horizon. Town Manager Souza stated that over time, housing has developed to community-based housing for many different demographics. Since there are not larger institutions any more, they are put in affordable housing such as these that are available in town. Councilor Jepsen inquired about group homes qualifying toward the ten percent. Mr. Barz confirmed that they do not count toward the 10% affordable housing requirement because the funding for those homes comes from various financial sources.

Councilor Rampulla Bress weighed in on the topic of the change in institutionalized housing moving to the community. She stated her concerns about fulfilling this need for more housing for special needs and elderly individuals because there are a lot of pieces to the puzzle with the Housing Authority such as governmental funding and home ownership that play a part in determining how to achieve more housing. Councilor Rampulla Bress requested a summary of the “tools in the toolbox” that are available to help meet these goals for affordable housing. Town Manager Souza stated that there are many variables that still need to be looked at and considered before determining all the tools that are available in town. Each type of housing will need a different set of tools. The town has a Plan of Conservation and Development which does relate to housing. This gets updated every ten years, and some developments get updated incrementally. That is a document that can help guide someone through the housing policies in place. Within the next two years, the State of Connecticut is requiring municipalities to develop an affordable housing plan. Some tools work nicely with certain redevelopment needs or new construction needs.

Councilor Rampulla Bress would like to know if there is another way to gather the data of what the need for housing is, rather than just by word of mouth. This could mean setting up a survey or reaching out to the community. Town Manager Souza confirmed there are ways to find out, but they will probably come at a cost. There may also be more macro information on a region or county-wide basis.

Councilor Dobler wanted confirmation on whether the Town Council can change the metrics, since Windsor would come under the Affordable Housing umbrella. Town Manager Souza stated that he hopes that is the outcome and can have some flexibility, but the State has not given



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enough information on what an affordable housing plan should look like. Windsor already has a generally affordable housing stock overall. Finding out if there is leeway will require more data gathering and finding the resources necessary to collect and crunch those numbers.

Councilor Jepsen asked if the abatement policy needs to be amended or changed in any way since it has not been done in quite a while. There have been many abatements done in the past, but his recollection is that Walgreen's was the first abatement at seven years at 100%. Presently the Council would no longer consider something like that anymore. Moving forward, there has been the Amazon project with numbers that were lucrative. Councilor Jepsen would like to know if this shows that amendments could be made or if it's better to leave it as it is.

Deputy Mayor McAuliffe believes that a few parts of the abatement policy could be addressed. One that could be changed is the application process and how it goes through the account development group and then back to the Town Council. He is wondering if there are better or more efficient ways to handle that process.

Councilor Jepsen wanted to know if that is something that follows state laws. Town Manager Souza stated that since there is an Economic Development Commission, their insights and perspectives help set those guidelines.

Councilor Jepsen also stated that when the policy was set in place, there was no interest in collecting warehouses to be in Windsor, but that is not the case anymore. The purpose was to draw in more offices, manufacturing and pharmaceuticals. Councilor Jepsen expressed concern for change in the future and finding a purpose for the large warehouse buildings that have been built in Windsor, because incentives are being given.

Councilor Wilkos stated that the town of Windsor has been fortunate to have these warehouses popping up because they have a high property value. Councilor Wilkos does believe that the published policy needs updating.

Councilor Jepsen referred a question to Councilor Wilkos asking how he would update the policy. Councilor Wilkos responded by stating that offering 100% currently should be removed and potentially adding in correct verbiage of what kind of development is being proposed to be built to ensure it falls into the categories Windsor is approving for abatement.

Councilor Jepsen stated that housing is not on the current abatement policy, but neither Councilor Jepsen nor Councilor Wilkos are sure that housing needs to be in the policy because housing is mainly profit based.

Councilor Wilkos believes that removing certain verbiage could create more confidence in approving certain businesses for abatements.



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Councilor Rampulla Bress wanted clarification that both housing and businesses would be based on profit. Councilor Wilkos stated that businesses are not necessarily based purely on profit, because houses have money guaranteed from a bank once it is sold, whereas businesses do not have that same process.

Councilor Rampulla Bress agreed with both Councilor Jepsen and Councilor Wilkos that certain areas in the policy are concerning. There are four categories where a company can apply but only needs to meet one of the four requirements in order to be approved for the abatement. Councilor Rampulla Bress believes it would be more beneficial to the town if more than one category should be met in order to qualify for an abatement. There needs to be more than an economic benefit for the town to approve the abatements in the future.

Deputy Mayor McAuliffe stated he would like to see more local businesses be a part of the construction process to give their commitment to bidding some percentage of construction of a building. People have felt that they did not stand a shot at all to partake in a very large project.

Councilor Wilkos stated that there are very few local companies that can build to the magnitude that places like Amazon are building. There are however a lot of local contracted companies doing work on the current Amazon project in Windsor.

Deputy Mayor McAuliffe said he would like to see the terms include incentive to provide work to local companies and businesses if there is construction happening.

Councilor Wilkos compared this suggestion to the hiring process for Amazon in where the town asked them to hire locally first.

Councilor Jepsen believes that when the project is proposed, they send out bid packages to companies within the State to work on projects such as this. The problem is most of them tend to not be big enough and are unionized.

Councilor Rampulla Bress believes that the abatement policy should reflect what we want to see in our town and backs her opinion about meeting more than one of the four requirements stated in the policy.

Councilor Dobler addressed Town Manager Souza by stating that the conversation being had is important but he wanted to make sure that logically on the agenda the discussion should be regarding an amendment to the assessment abatement policy to add multi-family housing as eligible use. Councilor Dobler wants to ensure there is leeway for the topic that is being discussed currently. Town Manager Souza expressed that he is comfortable with the topic of this discussion because the overall assessment policy is included in the discussion. Town Manager Souza believes it would be important to get input from the Finance Committee and the



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Economic Development Commission. This is an opportunity to make the changes necessary to the policy.

Town Manager Souza is proud that the Town of Windsor has a policy that exists, because multiple communities do not have one in place. The policy that currently exists is more restrictive than most others in the State of Connecticut. As the community evolves and greater needs evolve, it is important to adjust the policy.

Town Manager Souza stated that there are many tools that are being used currently including tax increment financing, assisting projects with infrastructure, and land assembly. The tax abatement policy could be designed to be geographically specific. There can be other policy objectives that the Council would like to achieve through this tool. For example, Windsor Locks created an increment tax financing district for their town center. Montgomery Mills was the first project that fell within that financing package through tax increment financing, which is basically a rebate to them. This makes the project more financially feasible. The Economic Development Commission was cautious about suggesting that the housing be addressed town wide. There is an economic benefit but from a policy perspective, there should be more in terms of housing.

Councilor Jepsen would like to know in terms of targeting if there has been a discussion about a TIF (tax increment financing) program or another program regarding the development lot or Wolcott School. He would like to know if this has been explored for any of those areas. Town Manager Souza stated that there has not been any discussion with prospective developers or the financing side of things.

Mr. Jim Burke, Economic Development Director, explained that previously the Council had requested identification of parcels that would be focused on and now there are only about nine or ten. The majority of those parcels are in Wilson. There is already the policy statement that the use of the tax increment policy tool support the redevelopment of those parcels. Now that there is a new state law for financing, Windsor will be in a much better position to do just that. It has been relied upon for private developers to approach the town with a project.

Councilor Jepsen stated that he remembers why the tax increment policy was created for that certain project and the project never ended up happening. It was used instead for 33 condominiums. Town Manager Souza clarified that the tax increment tool is something different to be used than a straight tax abatement. It has more flexibility and provides more incentives.

Councilor Walker stated that there is a piece missing when looking at dates for housing stock. The real estate agents in town would have a better feel for regular housing stock and demands of that particular stock. Councilor Walker also believes that the abatement policy is centered around a market driven approach. In order to understand better what people will be asked, there needs to be reassurance that the opinions and ideas brought forth are legal. Councilor Walker



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suggests that people look at what their investments are in town and the existing policy before they approach the town.

Deputy Mayor McAuliffe revisited the general policy application. He clarified that a lot of people in the community think that once the economic development group approves the application, it was a done deal, but this is not true. Deputy Mayor McAuliffe would like to see if there is a different way to streamline this process. Mr. Burke stated that the way it has evolved is that there is no requirement to the process or to even have an existing policy. The State of Connecticut says that in order to do this, there needs to be a certain agreement in place. It limits the number of years, which there is currently a maximum of ten years. There are four steps. The first step is to have a discussion at the Economic Development Commission, second is sending it to the Town Council, third is being referred to the Finance Committee, and finally a decision is made by the Council as the fourth step. That process provides a lot of opportunities for people to hear about it for the applicant to make their position clear. The Economic Development Commission's purpose is to ensure that the project presented will have an economic benefit. The original focus of the abatement policy was to determine the growth of the tax on the grand list. Town Manager Souza also stated that the predictability when you come to land use and economic development is paramount in terms of process for the applicant. The Economic Development Commission has not weighed in on the economic terms or the agreement over the years. This can create a little confusion, but they are not recommending 100% or 25%. Deputy Mayor McAuliffe conveyed that he understands the process, but just wondered if there was a way to make it simpler.

Councilor Jepsen stated that he was under the impression that the Economic Development Commission confirmed with Amazon that they could qualify for this type of abatement. But as it seems, the Council makes the final decision.

Councilor Jepsen requested clarification on the change in length of the abatement from seven to ten years and wondered what the comparison is with TIFs. Mr. Burke confirmed that a TIF can be for up to fifty years if that is what is decided, anticipating that bonds may be issued.

Councilor Wilkos asked for clarification about the state law for a maximum of ten years for an abatement and would like to know how New London granted Pfizer ten years a while back. Mr. Burke responded by stating that he was unsure of what policy they were utilizing at the time. The new ten-year term is referred to in section 1265-B, but there may be another provision of the state taxing code. Town Manager Souza also stated that New London may have been affiliated with an enterprise zone. Councilor Wilkos reminded everyone that Pfizer had this agreement with New London for ten years. Tax dollars started getting higher and then Pfizer abandoned the building six months before the abatement was over, causing a major problem for New London.

Deputy Mayor McAuliffe requested details about the policy that was sunset in the center of town from 2014 to 2017. Mr. Burke explained that Windsor Station took advantage of that policy. There were hopes that other projects would take part. This was in the center design district,



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which runs from Bachelder Road to the Palisado Bridge. This was mirrored because it is a zoning overlay district.

Councilor Rampulla Bress stated that there has been targeted use for abatement policies in these types of areas to encourage multi-family housing, which is where the housing subject came from. Councilor Rampulla Bress wasn't sure if the abatement policy was the best way to introduce housing in the center of town.

Councilor Black-Burke stated that this has been very informative and agreed with Councilor Rampulla Bress about finding out about all of the options available.

Town Manager Souza wanted to note that in Wilson Center there is also a similar overlay district that is in the town center which does allow for multi-family housing.

Councilor Rampulla Bress reiterated that the location in the center of town would be great. According to the feedback that she has been getting from people who are looking for more affordable housing options for more independent living, they'd like to be close to important amenities in town as well as remain close to family members.

Town Manager Souza concluded that there is some information and data that needs to be gathered along with some tools to be used in order to show what has been done over the years in Windsor and in other communities. The Town Improvements Committee does have the discussion of the Wilson redevelopment parcels and opportunities on its agenda. Perhaps this conversation will be included in that discussion.

3) ADJOURNMENT

The meeting adjourned at 8:06 p.m.

Respectfully Submitted,

Elizabeth Brisebois
Recording Secretary