

# TO NORTH HAVEN CITIZENS INTERESTED IN REDUCING YOUR TAXES

## Pay Attention to the Myths and Facts About **INDIAN RIDGE**

*Spoil yourself, not your budget.*



Indian Ridge is a housing proposal for people aged 55 and over that is currently being considered by North Haven Planning & Zoning. The 350 unit resort style condominium community will include a 19,000 square foot clubhouse with indoor pool, and 105 of the units will be affordable to active adults with incomes ranging from \$34,695 to \$64,147. The 42 acre property is located on Half Mile Road.

### INDIAN RIDGE WILL HAVE A NET POSITIVE IMPACT ON THE NORTH HAVEN TOWN BUDGET

Indian Ridge will have no impact on school enrollment, because **no child under the age of 18** can live there. However, Indian Ridge will have a **dramatic positive impact on town finances** to the benefit of every North Haven resident.

- **\$4.294 million positive impact** on town finances over the five year period 2008-2012 or **\$8.899 million in gross real & personal property taxes annually**.
- 350 units of 55+ housing in a town that is **among the three fastest aging towns in the state** (according to Census tract data).
- 105 units of affordable housing in a town with **only 4.9%** of its housing stock affordable.
- **The last large area of North Haven without public water will get public water, as well as fire hydrants & increased fire protection service.** The Regional Water Authority will extend their Northford Service Area to the Indian Ridge Development with main installations on Village Street in North Branford, Middletown Avenue, Warner Road and Benedict Drive, where there is currently no public water and many contaminated wells.

### WILL INDIAN RIDGE BE DECIDED BY THE NORTH HAVEN PLANNING & ZONING COMMISSION OR THE CONNECTICUT SUPERIOR COURT?

- Under the Affordable Housing Appeals Act CGS 8-30g, the **burden of proof falls upon North Haven** to establish a **significant** public health or safety risk, which overrides a state mandate requiring it to provide affordable housing. Accordingly, local zoning has been transcended in the majority of 8-30g court decisions.
- Since 1990, in **70% of the decisions** handed down by the Connecticut courts under the Affordable Appeals Statute, **the developer has prevailed**.
- On October 19, 2006, Superior Court Judge William Mottolese **reversed the decision of the town** of Bethel PZC, and **admonished the commission** members for violating CGS 8-30g in a decision favoring the developer. This case has many similarities to Indian Ridge. Read the case at [www.indianridgeliving.com/housing-info.html](http://www.indianridgeliving.com/housing-info.html)

**MYTH:** Indian Ridge developer, Chris Migliaro, doesn't care about North Haven or the surrounding neighborhood. He is just concerned about getting the most units he can on his property.

**FACT:** Chris Migliaro is a native of North Haven, and for the past 3 years he has been attempting to develop his land with sensitivity to the needs of the neighbors and concern for the fiscal needs of North Haven as a whole. His original CMB proposal consisted of 92 custom single family homes.

**MYTH:** Chris Migliaro is just in this for as much profit as he can make.

**FACT:** By age-restricting the units at Indian Ridge and voluntarily proposing a **deed restriction prohibiting children under the age of 18**, Migliaro is forgoing a broader market housing development with higher density and 2, 3 and 4 bedroom condominiums.

**MYTH:** *Indian Ridge*, should be built in a location closer to the center of town.

**FACT:** *Indian Ridge* is an active adult community, **not** an assisted living project. There is **no reason** for it to be located in the center of town, because active seniors have their own cars and **prefer** the privacy, open space and amenities that *Indian Ridge* offers. Only 9-10% of North Haven housing is senior housing, while **34% of the population is over 65**.

**MYTH:** Active adults use more town fire and medical service than the rest of the population.

**FACT:** According to Fire Chief Landisio, and the fire and medical counts for senior housing, active adult communities and the general resident population of 8,936 homes, the general population was tabulated at 47% or 5 calls per 10 homes, while active adults were counted at only 21% or 2 calls per 10 homes. In fact, **active adults are paying the same taxes, and using less services**.

**MYTH:** The North Haven PZC can deny Indian Ridge approval if they think that the development is *too dense or out of character with the neighborhood* or because it *increases traffic or doesn't follow the Plan of Conservation & Development*.

**FACT:** According to 8-30g **density, preservation of neighborhood character, school impact, Town or State Plan of Conservation & Development or the State Plan of Smart Growth, traffic conditions and aesthetics** are **NOT valid reasons** for a zoning commission to turn down Indian Ridge.

**MYTH:** It won't cost the town anything if the North Haven PZC denies approval of Indian Ridge.

**FACT:** If North Haven PZC denies Indian Ridge, the developer will appeal to Superior Court and the appeals process will be **very costly to North Haven**. Zoning Commissions in towns such as Washington, CT are approving 8-30g affordable housing applications that don't endanger the health or safety of their residents, rather than pursue **an unsuccessful appeals process at great expense to the town and its citizens**.

**MYTH:** Under Affordable Housing Act 8-30g, the North Haven PZC can legitimately deny Indian Ridge approval based on **fire safety**.

**FACT:** Fire safety could be a legitimate reason for denying an 8-30g affordable housing application. However, the fact that North Haven may not think that its fire station is located close enough to Indian Ridge is **not** sufficient reason for denial, especially when the Indian Ridge buildings will be protected by a state of the art sprinkler system.

**MYTH:** Under Affordable Housing Act 8-30g, the North Haven PZC can legitimately deny Indian Ridge approval based on the WPCA (water & sewer commission) conclusion that **at full sewer shed build out** sewage lines would be above the 100% peak flow, which is 5 times anticipating normal flow on 3 sewer lines.

**FACT:** The WPCA (water & sewer commission) admitted that **there is adequate sewage disposal for Indian Ridge currently**, and there is **no reason to think that the sewer shed can ever be built out to full capacity**. That would require approximately 80 acres of cemetery land built out as single family housing. In addition, CMB offered to increase the pipe size or monitor flows on the three sewer line runs if this were to occur. The WPCA turned a deaf ear to all offered alternatives by CMB.

**MYTH:** Under Affordable Housing Act 8-30g, the North Haven PZC can legitimately deny Indian Ridge approval based on the need for more **town open space**.

**FACT:** **North Haven does not have** a defined open space policy or a funded budget for open space. Therefore, **open space is not a legitimate reason for denial**.

**MYTH:** North Haven PZC can legitimately deny Indian Ridge approval based on the negative referral from IWC (Inland Wetlands Commission).

**FACT:** The IWC negative referral is worthless because, as the IWC chairman clearly stated, there are **no regulated activities in the Indian Ridge proposal**.

## ON TUESDAY DECEMBER 5<sup>TH</sup> THE NORTH HAVEN PZC WILL DECIDE TO APPROVE OR DENY THE INDIAN RIDGE APPLICATION.

**MYTH:** The developer cannot drop the age-restriction before appealing to Superior Court.

**FACT:** Developer Chris Migliaro **can** drop the age-restriction before appealing a denial of Indian Ridge.

**MYTH:** The Superior Court will probably uphold the North Haven PZC decision.

**FACT:** In 70% of these cases, the decision of the PZC has been overturned to facilitate the development of affordable housing.

**MYTH:** The Superior Court will not approve an Indian Ridge proposal with **no restriction on children** because the impact it would have on North Haven schools.

**FACT:** **School impact is not a legitimate reason for denial of affordable housing**. **WITHOUT AN AGE-RESTRICTION, a new elementary school will most likely be needed in North Haven** to accommodate the children in Indian Ridge.

**WITH NO AGE-RESTRICTION**, an estimated \$859,000 of Net Tax Income to North Haven from Indian Ridge will turn into an estimated \$6 to \$8 million **Net Tax Deficit** based on 500 to 600 children and a new school.

**Only 2% of North Haven citizens have voiced their opinion about Indian Ridge.  
WHAT DO THE SILENT MAJORITY OF NORTH HAVEN CITIZENS THINK?**