

IN THE REGION/Connecticut

Who Should Get Affordable Homes?

By LISA PREVOST

AFFORDABLE housing has long been a contentious subject in the exclusive suburb of Darien. So earlier this year advocates took notice when, after lengthy and heated debate, Darien officials adopted a zoning policy intended to generate cheaper housing.

Called "inclusionary" zoning, the policy requires every new multifamily development, as well as every subdivision of at least five homes, to designate 12 percent of its units as below-market-rate housing.

In a town where about half of all single-family home sales top the \$1 million mark, and less than 2 percent of the overall housing stock meets the state's definition of affordable, the inclusionary zoning action deserves "five gold stars" because this housing is sorely needed," said David Pink, the policy director of the HOME-Connecticut campaign for affordable housing.

If Darien officials have begun to act on that need, however, the wording of the ordinance suggests that they still have reservations. Under the heading, "Priority Population," the ordinance lists seven categories of households that must receive priority when affordable units are offered for sale or rent. Residents or workers in Darien make up the first five. The sixth is for people who used to live there and want to move back.

Individuals and families outside of Darien are at the bottom of the list.

The policy reflects the tension running through many Connecticut communities as they wrestle with the issue of below-market-rate housing. When officials begin talking about the need to loosen density restrictions or contribute town-owned land to accommodate such housing, residents often want assurances that locals will reap the benefits.

"We get phone calls all the time from people who say: 'Hey, I hear you're building some housing. I could use some help — I work here, you know,'" said Christine Nelson, the town planner in Old Saybrook, which has entered a partnership with a nonprofit group to build 16 units of af-



DOUGLAS HEALEY FOR THE NEW YORK TIMES

MULTIFAMILY In Darien, a new "inclusionary" zoning policy is meant to spur development like the Avalon Darien, a rental complex of 189 units, of which 47 are affordable.

fordable housing.

When state or federal housing dollars are involved, however, fair-housing laws prohibit such assurances. And predominantly white suburbs like Darien could run afoul of those laws if their policies effectively gave residents a 100 percent advantage, and locked out minorities, fair-housing lawyers say.

Evonne Klein, Darien's first se-

New housing for rich areas, but locals have priority.

lectwoman, said the policy had been reviewed by the town's counsel and was not meant to be exclusionary. Rather, she said, it acknowledges the growing need within the town. "We have wait lists for all of our affordable housing," she said, "and we have a good number of Darien residents on those lists."

But Diane Houk, the executive director of the Fair Housing Justice Center in New York, called Darien's population preferences "highly suspect," given that 95 percent of the town's population is white. "If I were the town," she added, "I would want to have an

assessment done on what the impact will be."

The justice center did the investigation that led to a recent discrimination lawsuit over residency preferences in Smithtown, N.Y., on Long Island. The town was alleged to have manipulated its waiting list for Section 8 vouchers, the federal assistance program for low-income renters, to routinely favor residents over a larger pool of minority applicants from elsewhere.

In March, without admitting wrongdoing, the town settled the lawsuit, agreeing to pay monetary damages and to move applicants previously passed over to the top of the list.

The law does allow for residency preferences in affordable housing, said Michael Santoro, a community development specialist in the state Department of Economic and Community Development. But if public subsidies are involved, communities must give equal preference to qualified applicants from groups that constitute minorities for that area — those people considered "least likely to apply," he said. "It's not in violation to pass a residency preference, but implementing it has the potential to be."

Old Saybrook did not write a residency preference into its new affordable-housing ordinance, "wisely, I think," said Maryann Amore, the executive director of

the HOPE Partnership, the nonprofit organization working with the town on the 16-unit project. Her agency does plan on giving some advantage to applications from residents and local workers, but can't make guarantees, she said.

Zoning ordinances in Westport and Wilton do make reference to residency preferences for affordable housing. Wilton specifies a formula for the affordable units that it requires in all multifamily developments: one out of every three must be offered to eligible town employees first, and school employees second.

The city of Stamford left residency preferences out of its six-year-old inclusionary ordinance. "We sort of like diversity," said Robin Stein, the city's director of planning and zoning. "Maybe Darien doesn't."

Mr. Stein said that in Stamford, experience had shown that when offering condominiums to lower-income buyers, the challenge was finding applicants who could qualify for a mortgage.

To some degree, residency preferences reflect fear of the unknown, but those fears are often misguided and unwarranted, said Seila Mosquera, the executive director of NeighborWorks New Horizons, a nonprofit housing agency serving south-central Connecticut.

She recalled the resistance her agency encountered in the coastal town of Guilford around 2001 when it was developing 21 units of housing. Neighbors "were afraid of what was coming into the neighborhood," she said. More specifically, she explained, they feared an influx of low-income minority-group members from New Haven.

As it turned out, 90 percent of the families and individuals who live in the housing now are from Guilford, although not because NeighborWorks didn't reach out to New Haven. "The reality is that people from New Haven don't want to live in Guilford," Ms. Mosquera said.

One New Haven family did move in initially, she said. But they felt so isolated by the absence of public transportation that they returned to the city within the first year.