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Stamford Zoning Board
c/o Vineeta Mathur
Principle Planner
888 Washington Boulevard
Stamford, CT 06901

April 14, 2023

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*ALSO ADMITTED IN NEW YORK

Re: TR BROAD II, LLC

Zoning Board Application #222-37

Dear Chairman Stein & Members of the Stamford Zoning Board:

As you know, the applicants made their initial presentation concerning the above referenced application at your public hearing on April 3rd, 2023. The matter has been continued to your meeting on April 24, 2023. Prior to continuing the April 3rd public hearing, the Board requested a number of items. Accordingly, enclosed please find the following:

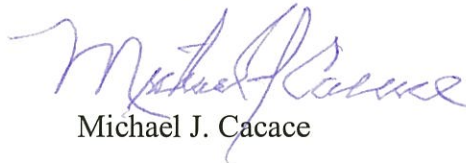
1. Draft Affordability Plan;
2. Schedule D to the Zoning Lot Agreement showing development rights being retained, and transferred between properties;
3. A draft right of way easement giving neighbors along Broad and Bedford Street an easement through the applicant's property to service the rear of the designated properties. Please note that all recipients of this easement other than Malloy Realty LLC have submitted letters of support for the project. The applicants are willing to make this right of way easement a condition of approval;
4. Correspondence from Propark indicating its agreement with the conclusions contained in the parking management/operations plan which is also attached;
5. Gay Street extension color renderings of different views;
6. Response to WPCA comments (which comments were received by the applicant on April 4th, 2023);
7. A revised sheet ZA-002 concerning all dimensions to calculate the open space requirements;

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8. A street tree calculation chart;
9. A colored landscape plan;
10. A revised parking plan showing 10 EV charging stations, 10 EV designated parking spaces, and 5 additional spaces located in the drive aisle to be designated as valet spaces;
11. Material supporting the applicant's position that Malloy Realty LLC has no recorded rights to cross the property of the 122 – 124 Broad Street, LLC or TR Broad II, LLC.

Should you have any questions or if we can be of any further assistance, please feel free to contact me.

Sincerely,



Michael J. Cacace

MJC/clm
Enclosures

Block #176

**AFFORDABILITY PLAN
128-136 Broad Street
STAMFORD, CONNECTICUT**

**SUBMISSION TO CITY OF
STAMFORD ZONING BOARD**

INTRODUCTION

TR Broad II, LLC (the “Owner”) submit this Affordability Plan to the City of Stamford Zoning Board for management of Below-Market-Rate Units (“BMR Units”) at the property known as 128-136 Broad Street, located in Stamford, Connecticut (the “Property”).

The Property will be a 13 story, multi-family residential development, with up to 173 parking spaces. The Property will contain 198 units, with 17 of the units designated as BMR Units. A breakdown of the units and their Affordability Level is attached as Schedule A. Each BMR Unit will be given one (1) parking spot. A floor map showing the location of the BMR Units is attached as Schedule H.

This Plan is intended to implement the land use approval issued by the City of Stamford for BMR Units in connection with Application No. 222-37 (the “Approval”) and to comply with the Affordable Housing Guidelines (the “Guidelines”) approved October 2001, attached as Schedule F by the Zoning Board, and with the federal and state fair housing statutes, 42 U.S.C. §§ 3601 et seq. and Conn. Gen. Stat. §§ 46-64c et seq. As set forth in the Stamford Zoning Regulations, § 7.4, it is acknowledged that this Plan must be approved by the Zoning Board, or its designee, and recorded on the land records in the City of Stamford.

ATTACHED SCHEDULES

- A. Designation of Below-Market-Rate Units
- B. HUD Income Definitions
- C. Required Documentation of Income
- D. Qualification Standards for Prospective Residents
- E. Stamford Zoning Regulations – BMR Housing Program – § 7.4
- F. Guidelines for Management of Below-Market Rental Units
- G. Affirmative Fair Housing Marketing Guidelines, Regs. of Conn. State Agencies, §§ 8-37ee-300 et seq.
- H. Floor Map Showing Location of BMR Units

I. Homes Designated As Below-Market-Rate Units

17 of the homes constructed in accordance with the Approval will be designated as rental BMR Units as defined in Section 3 of the Stamford Zoning Regulations and as set forth in Schedule E. The specific units designated as BMR Units are set forth in Schedule A attached hereto.

II. Affordability Period

Rental restrictions for the required minimum percentage of BMR Units shall remain in full force and effect for so long as the development exists. These restrictions shall be administered in accordance with this Plan, and with written guidelines as adopted by the Zoning Board.

III. Entity Responsible For Administration And Compliance

This Affordability Plan will be administered by F.D. Rich Management Company, Inc., which shall assume, with respect to the 20 BMR Units on the Property, the role of Affordable Housing Manager ("AHM") as defined in the Guidelines. Such role shall be subject to the enforcement powers set forth in this Plan. F.D. Rich Management Company, Inc. hereby represents that its staff has the experience necessary to administer this Plan and to carry out all duties set forth in the Guidelines and for complying with § 7.4.C.1. of the Stamford Zoning Regulations, Schedule E. The role of AHM may be transferred or assigned by F.D. Rich Management Company, Inc., to another entity, provided that such entity has the experience and qualifications to administer this Plan and provided that F.D. Rich Management Company, Inc., provides timely written notice to and receives prior written approval from the City.

Notwithstanding the foregoing, the City of Stamford, at the discretion of the Zoning Board and under an agreement acceptable to the City's Law Department, reserves the right to designate an AHM to manage a citywide BMR program, and the Owner, its successors, and assigns, agree to pay reasonable compensation to said AHM for management of the BMR Units on the Property should this right be exercised.

IV. Responsibilities Of The AHM

The AHM will monitor the management of the application, income eligibility, rental price, conveyance, administration, record-keeping and certification processes for the BMR Units and will maintain the information and documentation necessary to ensure and demonstrate compliance with this Plan.

V. Reporting Requirements

It is acknowledged by the Owner that the BMR Unit program constitutes an important public policy program of the City of Stamford, and therefore requires reporting to City agencies and officials as necessary to ensure proper implementation and compliance. Therefore, the AHM, no later than January 15 of each year, for the life of the building, shall file with the City's Land Use Bureau and the Director of the Department of Social Services, the following information, accurate as of the report date:

- A. Total number of units available for occupancy, with unit vacancies listed.
- B. Total number of units occupied.

- C. Total number of BMR Units available for occupancy, with unit vacancies listed.
- D. Total number of BMR Units occupied.
- E. By number of bedrooms in the unit, the total income reported by the tenant household during the application or recertification process and certified by the AHM as satisfying the BMR Unit program criteria; the total number of persons occupying the unit; the occupation of each adult resident of the unit, as reported during the application or recertification process; and the gross and net rent, utility allowance, and any mandatory fees paid for the current occupancy of the unit. Such information shall be reported without inclusion of or reference to the names of the occupants. The receipt, handling, custody, access to, and storage of application materials and household income information shall be subject to the enforcement and inspection provisions set forth in Section XIV of this Plan.
- F. A summary, without names, addresses, or other identifying information, of reasons given in writing by the AHM for the rejection of any household after completion of an application package, or for dismissal from the waiting list.
- G. The total number of persons/households on the Waiting List, reported by preference category and unit size qualification.

VI. Availability And Dispersion

The BMR Units shall be built and offered for rent as they are constructed and in accordance with the Approval issued by the Zoning Board of the City of Stamford, and shall comply with § 7.4-C.1. of the Stamford Zoning Regulations, Schedule E, with respect to size, quality, amenities, services, utilities and standards. The proposed designation of BMR Units is identified in Schedule A. Specifically, the development will contain 17 BMR units. The BMR units shall be offered in roughly pro-rata amounts as market rate units are offered throughout the building. The minimum number of BMR Units stated in Section I shall be maintained for the duration of the affordability periods stated in Section II of this Plan.

VII. Initial Tenant Eligibility

17 of the BMR Units shall be available to those earning not more than 50 percent of the median household income, adjusted for household size, of the Stamford Area Median Income (“AMI”). The median household income of the AMI will be determined using the statistics published and periodically revised by the U.S. Department of Housing and Urban Development (“HUD”). The AHM and Owner shall encourage the occupancy of BMR Units by families with Section 8 vouchers or other governmental housing assistance.

VIII. Affirmative Fair Housing Marketing Plan

The availability of the BMR Units on the Property shall be publicized using the State regulations for affirmative fair housing marketing programs as guidelines (Schedule G). The purpose of such efforts shall be to apprise residents of municipalities of relatively high concentrations of minority populations of the availability of such units. Notices of initial availability of units shall be provided, at a minimum, by advertising at least two times in a newspaper of general circulation in such identified municipalities. The AHM shall also provide such notices to the Zoning Board or its designee. Such notices shall include a description of the available BMR Units, the eligibility criteria for potential renters, the maximum rental price (as hereinafter defined), and the availability of application forms and additional information.

Using the above-referenced State regulations as guidelines, dissemination of information about available affordable and market rate units shall include:

A. Analyzing census, Connecticut Department of Economic and Community Development city profiles, and other data to identify racial and ethnic groups least likely to apply based on representation in Stamford's population, including Asian Pacific, Black, Hispanic, and Native American populations.

B. Announcements/advertisements in publications and other media that will reach minority populations, including newspapers, such as the Stamford Advocate or radio stations serving Stamford and other cities and towns in the metropolitan statistical area and regional planning area, and advertisements or flyers likely to be viewed on public transportation or public highway areas.

C. Announcements to social service agencies and other community contacts serving low-income minority families (such as churches, civil rights organizations, the housing authority and other housing authorities in nearby cities and towns, legal services organizations, etc.).

D. Assistance to minority applicants in processing applications.

E. Marketing efforts in geographic area of high minority concentrations within the housing market area and metropolitan statistical area.

F. Beginning affirmative marketing efforts prior to general marketing of units, and repeating again during initial marketing and at 50 percent completion.

IX. Tenant Eligibility

Maximum and minimum income limits and eligibility of families or households to rent a BMR Unit of particular bedroom size in the development shall be determined in accordance with Sections VI and VII of the Guidelines and § 7.4.C.1 of the Stamford Zoning Regulations. In case of a conflict, the Zoning Regulations shall prevail.

X. Application Process

A family or household seeking to rent one of the BMR Units ("Applicant") must complete an application to determine eligibility. The application form and process shall comply with the Fair Housing Acts.

A. Application Form

The application form shall be approved by the AHM and shall include forms and notices substantially in the form set forth in Schedule D. In general, income for purposes of determining an Applicant's qualification shall include the Applicant family's total anticipated income from all sources for the twelve (12) month period following the date the application is submitted ("Application Date"). If the Applicant's financial disclosures indicate that the Applicant may experience a significant change in the Applicant's future income during the twelve (12) month period, the AHM shall not consider this change unless there is a reasonable assurance that the change will in fact occur. In determining what is and is not to be included in the definition of family annual income, the AHM shall use the criteria set forth in Schedules B and C.

B. Applicant Interview

The AHM may interview Applicants upon submission of the completed application. Specifically, the AHM shall, during the interview, undertake the following:

1. Review with the Applicant all the information provided on the application.
2. Explain to the Applicant the requirements for eligibility, verification procedures, and the penalties for supplying false information.
3. Verify that all sources of family income and family assets have been listed in the application. Make clear that the term "family" includes all individuals who are to occupy the home, and that no relationship by blood or marriage is required.
4. Require the Applicant to sign the necessary release forms to be used in verifying income. Inform the Applicant of what verification and documentation must be provided before the application is deemed complete.
5. Inform the Applicant that a decision as to eligibility cannot be made until all items on the application have been verified.

6. Review with the Applicant the process and restrictions regarding recertification and renewal.

C. Verification Of Applicant's Income

Where it is evident from the income certification form provided by the Applicant that the Applicant is not eligible, additional verification procedures shall not be necessary. However, if the Applicant appears to be eligible, the AHM shall require verification of the Applicant's reported income.

D. Application Fee

TR Broad II, LLC may charge a reasonable fee for the purpose of covering its administrative expenses in processing applications for first time occupancy, including payments for the use of third-party credit reporting services. At present, the application fee is \$50 per Applicant. No application fee shall be charged for recertification, renewal or in-building relocation of an existing tenant.

XI. Lottery

If, after publication of the notice of initial availability of rental units as described in § VIII hereof, the number of qualified applicants exceeds the number of BMR Units, the AHM shall conduct a lottery to select tenants. The lottery will be held upon the completion of the application process described in § X above. The BMR Units will then be offered for lease according to the lottery's results. Once all BMR units have been assigned, the remaining applicants from the lottery will be placed on a waitlist based on a first come, first serve basis.

XII. Maximum Rental Price

Calculation of the maximum rental price ("Maximum Rental Price") for a BMR Unit, so as to satisfy the BMR Unit Regulations, shall be determined, maintained, and updated annually when the AMI and Utility Allowances are published by the AHM. Such calculation shall utilize the median household income statistics of the SMSA, as in effect on the day a rental application is accepted by the AHM. The AHM may make such adjustments to calculation factors, except those expressly dictated by the BMR Unit Regulations or published data sources, as are necessary to achieve the goals of the BMR Unit Program. The criteria for pricing one bedroom BMR Units shall be the AMI for families of one and one-half persons; two bedroom BMR Units shall be priced based on the AMI for families of three persons; and three bedroom BMR Units shall be priced based on the AMI for families of four and one-half persons. Using the 2019 data as an example, the Maximum Rental Price shall be calculated as follows:

**EXAMPLE OF CALCULATION OF RENTAL PRICE
FOR TWO BEDROOM RENTAL FOR FAMILY
EARNING LESS THAN 50 PERCENT OF THE AREA
MEDIAN INCOME**

**SAMPLE
COMPUTATIONS
BASED ON FY 2020
DATA**

1.	Median family income for the Stamford Standard Metropolitan Statistical Area (SMSA):	\$151,800
2.	Determine the adjusted income for a household of 3.0 persons by calculating 90 percent of Item 1:	\$136,620
3.	Calculate 50% percent of Item 2:	\$68,310
4.	Calculate 30 percent of Item 3, representing the maximum portion of a family's income that may be used for housing:	\$20,493
5.	Divide Item 4 by 12 to determine the maximum monthly outlay:	\$1,708
6.	Section 8 utility allowance, as determined by the Stamford Housing Authority for a 2 bedroom:	\$246
7.	Subtract utility allowance (Item 6) from maximum housing expense (Item 5) to determine maximum rent:	\$1,462.00

NOTE: The US Department of Housing and Urban Development (HUD) provides updated area median income estimates each spring. Utility allowances are calculated based on a schedule determined by the Housing Authority of the City of Stamford and updated annually. The allowance above is only an estimate and subject to change based on actual utilities provided.

XIII. Required and Optional Services and Amenities

Rents for BMR Units shall be net rents that shall include all amenities that are provided free of charge or are bundled as a mandatory package for tenants in market-rate units. Amenities included in such net rent on the Property shall include access to the amenity areas, and one (1) parking space; but shall not include out-of-unit storage space, renting of the amenity room for special events, renter’s insurance, internet, telephone, cable TV, or other telecommunications services.

XIV. Principal Residence

BMR Units shall be occupied only as an Applicant's/tenant's principal residence. Subleasing of BMR Units shall be prohibited, and such prohibition shall be stated in the lease or lease rider.

XV. Change Of Income Or Qualifying Status Of Tenant Of Rental Unit

In the event that a BMR Unit tenant's income changes so as to exceed the qualifying maximum, or if the tenant otherwise becomes disqualified, the procedures set forth in the Guidelines at Schedule F, Section XIII, shall be followed.

XVI. Enforcement

A violation of this Affordability Plan shall not result in a forfeiture of title, but the Stamford Zoning Board shall otherwise retain all enforcement powers granted by the General Statutes or any Special Act, which powers include, but are not limited to, the authority, at any reasonable time, to inspect the property and to examine the books and records of the BMR Unit Program to determine compliance of BMR Units with the applicable regulations, the Guidelines, and this Plan. The AHM agrees to collect and maintain all books, records, files and information necessary to permit the City or the Zoning Board to determine compliance with the Guidelines or this Plan. The City Zoning Enforcement Officer and the Director of Public Safety, Health and Welfare shall be permitted to inspect the property and examine all books, records, application forms, waiting lists, and rent rolls of the BMR Unit Program, including the household income information provided by applicants or tenants, provided that all such applicant and tenant information shall be confidential and shall not be deemed a public record subject to disclosure under the Freedom of Information Act. Notwithstanding the zoning enforcement powers possessed by the Stamford Zoning Board under the Stamford Zoning Regulations, and subject to any contract or agreement providing otherwise, the City of Stamford and the Stamford Zoning Board retain all rights to pursue all legal and/or equitable remedies available to them and to assert any and all claims and causes of action against any person, firm, corporation or other legal entity arising from the administration of this Plan.

XVII. Amendment

This Affordability Plan may be amended without the consent of the residents of the BMR Units so long as the amendment shall not cause material harm to the residents of a BMR Unit.

SCHEDULE A
DESIGNATION OF BELOW-MARKET-RATE UNIT

SCHEDULE B
HUD INCOME DEFINITIONS

1. Annual income shall be calculated with reference to 24 C.F.R. § 5.609, and includes, but is not limited to, the following:
 - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, bonuses and other compensation for personal services;
 - b. The net income from operations of a business or profession, before any capital expenditures but including any allowance for depreciation expense;
 - c. Interest, dividends, and other net income of any kind from real or personal property;
 - d. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, or other similar types of periodic payments;
 - e. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay;
 - f. Welfare assistance. If the welfare assistance payments include an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance to be included as income consists of the following:
 - (1) The amount of the allowance exclusive of the amounts designated for shelter or utilities, plus
 - (2) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities;
 - g. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing with the Applicant (e.g. periodic gifts from family members, churches, or other sponsored group, even if the gifts are designated as rental or other assistance);
 - h. All regular pay, special pay and allowances of a member of the armed forces;
 - i. Any assets not earning a verifiable income shall have an imputed interest income using a current average annual savings interest rate.

2. Excluded from the definition of family annual income are the following:
 - a. Income from employment of children under the age of 18;
 - b. Payments received for the care of foster children;
 - c. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains and settlement for personal or property losses;
 - d. Amounts received that are specifically for, or in reimbursement of, the cost of medical expense for any family member;
 - e. Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the government to a veteran in connection with education costs;
 - f. Amounts received under training programs funded by HUD;
 - g. Food stamps; and
 - h. Temporary, nonrecurring or sporadic income (including gifts that are not regular or periodic).

3. Net family assets for purposes of imputing annual income include the following:
 - a. Cash held in savings and checking accounts, safety deposit boxes, etc.;
 - b. The current market value of a trust for which any household member has an interest;
 - c. The current market value, less any outstanding loan balances of any rental property or other capital investment;
 - d. The current market value of all stocks, bonds, treasury bills, certificates of deposit and money market funds;
 - e. The current value of any individual retirement, 401K or Keogh account;
 - f. The cash value of a retirement or pension fund which the family member can withdraw without terminating employment or retiring;
 - g. Any lump-sum receipts not otherwise included in income (i.e., inheritances, capital gains, one-time lottery winnings, and settlement on insurance claims);

h. The current market value of any personal property held for investment (i.e., gems, jewelry, coin collections); and

i. Assets disposed of within two (2) years before the Application Date, but only to the extent consideration received was less than the fair market value of the asset at the time it was sold.

4. Net family assets do not include the following:

a. Necessary personal property (clothing, furniture, cars, etc.);

b. Vehicles equipped for handicapped individuals;

c. Life insurance policies;

d. Assets which are part of an active business, not including rental properties;
and

e. Assets that are not accessible to the Applicant and provide no income to the Applicant.

**SCHEDULE C
REQUIRED DOCUMENTATION OF INCOME**

The following documents shall be provided, where applicable, to the Affordable Housing Manager to determine income eligibility:

1. Employment Income. Verification forms must request the employer to specify the frequency of pay, the effective date of the last pay increase, and the probability and effective date of any increase during the next twelve (12) months. Acceptable forms of verification (of which at least one must be included in the Applicant file) include:
 - a. An employment verification form completed by the employer.
 - b. Six check stubs or earnings statement showing Applicant's gross pay per pay period and frequency of pay.
 - c. W-2 forms if the Applicant has had the same job for at least two years and pay increases can be accurately projected
 - d. Notarized statements, affidavits or income tax returns signed by the Applicant describing self-employment and amount of income, or income from tips and other gratuities.

2. Social Security, Pensions, Supplementary Security Income, Disability Income.
 - a. Benefit verification form completed by agency providing the benefits.
 - b. Award or benefit notification letters prepared and signed by the authorizing agency. (Since checks or bank deposit slips show only net amounts remaining after deducting SSI or Medicare, they may be used only when award letter cannot be obtained.)
 - c. If a local Social Security Administration ("SSA") office refuses to provide written verification, the Affordable Housing Manager should meet with the SSA office supervisor. If the supervisor refuses to complete the verification forms in a timely manner, the Affordable Housing Manager may accept a check or automatic deposit slip as interim verification of Social Security or SSI benefits as long as any Medicare or state health insurance withholdings are included in the annual income.

3. Unemployment Compensation.
 - a. Verification form completed by the unemployment compensation agency.
 - b. Records from unemployment office stating payment dates and amounts.

4. Government Assistance.
 - a. All Government Assistance Programs. Agency's written statements as to type and amount of assistance Applicant is now receiving, and any changes in assistance expected during the next twelve (12) months.
 - b. Additional Information for "As-paid" Programs: Agency's written schedule or statement that describes how the "as-paid" system works, the maximum amount the Applicant may receive for shelter and utilities and, if applicable, any factors used to ratably reduce the Applicant's grant.

5. Alimony or Child Support Payments.
 - a. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
 - b. A letter from the person paying the support.
 - c. Copy of latest check. The date, amount, and number of the check must be documented.
 - d. Applicant's notarized statement or affidavit of amount received or that support payments are not being received and the likelihood of support payments being received in the future.

6. Net Income from a Business. The following documents show income for the prior years. The Affordable Housing Manager must consult with Applicant and use this data to estimate income for the next twelve (12) months.
 - a. IRS Tax Return, Form 1040, including any:
 - (1) Schedule C (Small Business)
 - (2) Schedule E (Rental Property Income)

(3) Schedule F (Farm Income)

b. An accountant's calculation of depreciation expense, computed using straight-line depreciation rules. (Required when accelerated depreciation was used on the tax return or financial statement.)

c. Audited or unaudited financial statement(s) of the business.

d. A copy of a recent loan application listing income derived from the business during the previous twelve (12) months.

e. Applicant's notarized statement or affidavit as to net income realized from the business during at least 3 previous years.

7. Recurring Gifts.

a. Notarized statement or affidavit signed by the person providing the assistance. Must give the purpose, dates and value of gifts and must be a monthly contribution.

b. Applicant's notarized statement or affidavit that provides the information above.

8. Scholarships, Grants, and Veterans Administration Benefits for Education.

a. Benefactor's written confirmation of amount of assistance, and educational institution's written confirmation of expected cost of the student's tuition, fees, books and equipment for the next twelve (12) months. To the extent the amount of assistance received is less than or equal to actual educational costs, the assistance payments will be excluded from the Applicant's gross income. Any excess will be included in income.

b. Copies of latest benefit checks, if benefits are paid directly to student. Copies of canceled checks or receipts for tuition, fees, books, and equipment, if such income and expenses are not expected to change for the next twelve (12) months.

c. Lease and receipts or bills for rent and utility costs paid by students living away from home.

9. Family Assets Currently Held. For non-liquid assets, collect enough information to determine the current cash value (i.e., the net amount the Applicant would receive if the asset were converted to cash).

a. Verification forms, letters, or documents from a financial institution, broker, etc.

b. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

c. Quotes from a stock broker or realty agent as to net amount Applicant would receive if Applicant liquidated securities or real estate.

d. Most recent real estate tax statements if tax authority uses approximate market value from property's tax assessor's office, most recent mortgage bill reflecting current balance in addition to any closing documents/projected expenses related to disbursing the asset.

e. Copies of closing documents showing the selling price, the distribution of the sales proceeds and the net amount to the borrower.

f. Appraisals of personal property held as an investment.

g. Applicant's notarized statements or signed affidavits describing assets or verifying the amount of cash held at the Applicant's home or in safe deposit boxes.

10. Assets Disposed of for Less Than Fair Market Value ("FMV") During Two Years Preceding Application Date.

a. Applicant's certification as to whether it has disposed of assets for less than FMV during the two (2) years preceding the Application Date.

b. If the Applicant states that it did dispose of assets for less than FMV, then a written statement by the Applicant must include the following:

(1) A list of all assets disposed of for less than FMV;

(2) The date Applicant disposed of the assets;

(3) The amount the Applicant received; and

(4) The market value to the asset(s) at the time of disposition.

11. Savings Account Interest Income and Dividends.

a. Most Recent 6 months of account statements, passbooks, certificates of deposit, etc., if they show enough information and are signed by the financial institution.

b. Broker's quarterly statements showing value of stocks or bonds and the earnings credited the Applicant.

c. If an IRS Form 1099 is accepted from the financial institution for prior year earnings, the Affordable Housing Manager must adjust the information to project earnings expected for the next twelve (12) months.

12. Rental Income from Property Owned by Applicant. The following, adjusted for changes expected during the next twelve (12) months, may be used:

a. IRS Form 1040 with Schedule E (Rental Income).

b. Copies of latest rent checks, leases, or utility bills.

c. Documentation of Applicant's income and expenses in renting the property (tax statements, insurance premiums, receipts for reasonable maintenance and utilities, bank statements or amortization schedule showing monthly interest expense).

d. Lessee's written statement identifying monthly payments due the Applicant and Applicant's affidavit as to net income realized.

13. Full-Time Student Status.

a. Written verification from the registrar's office or appropriate school official.

b. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the school.

14. Tax Documentation

SCHEDULE D

QUALIFICATION STANDARDS FOR PROSPECTIVE RESIDENTS

Fair Housing

TR Broad II, LLC complies with the Federal Fair Housing Act. TR Broad II, LLC does not discriminate on the basis of race, color, religion, national origin, sex, familial status or disability, or any other basis protected by applicable state, Federal or local fair housing laws.

Applications

Each person that will occupy the apartment who is 18 years old or older must complete an application and sign the lease. Each applicant that is 18 years of age or older, and not a full-time student who can be claimed as a dependent on the primary applicant's tax return, will be qualified by TR Broad II, LLC in accordance with these qualification standards. Applications are to be completed in full. Applications containing untrue, incorrect or misleading information will be declined. Each application is evaluated with a scoring method that weighs the indicators of future rent payment performance. The score is based on statistical analysis of prior renters' indicators and subsequent payment performance. Based on the score, we may choose to accept or decline an applicant, or seek additional requirements for approving the lease. These additional requirements include an additional security deposit.

The following documentation **MUST** accompany **ALL** applications:

- Applicants must have verifiable identification and the following documentation will be required for all household members as applicable (emancipated minors presenting court appointed documentation are eligible to qualify as they meet the noted criteria):
 - Birth Certificates
 - Social Security Cards
 - Valid driver's license, age of majority card, military ID or State issued photo ID
 - Any eligible immigration documentation
 - Permanent Resident Card
 - Temporary Resident Card
 - Employment Authorization Card

Credit History

- Credit reports will be run on each applicant and will be considered in the overall credit worthiness of the application. Unsatisfactory credit history can disqualify an applicant from renting an apartment home at this community. An unsatisfactory credit report is one that reflects past or current bad debts, late payments or unpaid bills, liens, judgments or bankruptcies. If an applicant is declined for poor credit history, the applicant will be

given the name, address and telephone number of the credit reporting agency that provided the report. An applicant declined for unsatisfactory credit is encouraged to obtain a copy of the credit report from the credit reporting agency.

Rent/Mortgage Payment History

Any legal proceedings/judgments/evictions/skips may result in a declined application.

Employment History

- Employment must be verified. In the case of new employment, applicant must present a signed offer letter on company letterhead stating income. Employment must begin within 30 days of the lease start date.
- Self-employed applicants must provide the most current annual tax return (submission of 1099's only is not sufficient) or a notarized statement from a Certified Public Accountant or attorney indicating the amount of anticipated annual income.

Income Requirements

- Gross monthly household income must be sufficient to cover the rent and other typical household obligations. Household income of less than twice the rent is automatically considered insufficient. For savings to be considered in lieu of income, applicant may provide a current savings account statement showing proof of at least three (3) times the annual rent.
- Official documentation must be submitted to support the following, and any other, sources of additional income you wish us to consider:

*Investment Account *Dividends *Child Support *Interest
*Retirement Income/Savings *Military Housing Allowance *Trust Fund Income *Alimony

Conviction Information

The application of any person who has been convicted or plead guilty or "no contest" to a misdemeanor or felony involving sexual misconduct shall be declined.

Nothing set forth in these Qualification Standards should be construed to be a guaranty by the Owner that residents of this community have not been convicted or plead guilty or "no contest" to any misdemeanor or felony involving sexual misconduct.

Guarantors/Increased Security Deposits

- Guarantors may be permitted based on the applicants' score. Guarantors' gross annual income or savings must be sufficient to cover the annual rental rate in order to support their

current housing payments and that of the applicant(s). Guarantors must meet all other qualification standards listed. All lease-associated paperwork signed by Guarantor must be notarized if not signed at the Leasing Information Center in the presence of a Bedford Hall office associate.

- Increased security deposits may be permitted based on the score. The increased security deposit will be equivalent to two (2) month's rent unless otherwise dictated by law.

Roommates

Each resident and Guarantor is jointly and severally (fully) responsible for the entire rental payment as well as all community rules and policies. Management will not refund any part of a security deposit until the apartment is vacated by all leaseholders.

Affordable Housing Program/Below Market Rent Programs

Applicants for the Affordable Housing Program/Below Market Rent Program (if applicable at this community) must be qualified based on the governing authority's income classifications. The income ranges are derived from the maximum low/moderate income. Please reference the Affordable Housing Rent/Income Guidelines to determine eligibility. Affordable Housing Program/Below Market Rent Program guidelines supersede these Qualification Standards.

Occupancy Guidelines

Governed by state, city, and local ordinances. In the absence of any more stringent requirements by the aforementioned agencies, the standard occupancy guidelines will be a maximum of two (2) residents per bedroom. Residents under the age of 18 months will not be considered in the occupancy guidelines. An occupant will be considered a resident and must be listed on the lease agreement if they reside at the premises more than 50 percent of the time.

NOTE: Den/study areas are not considered bedrooms.

Initial Residents will be subject to the following income limits:

City of Stamford Below Market Rate (BMR) Rental Program 2021

	HUD Stamford AMI	\$151,800					
	Income Limits	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
Initial Leasing	50%	\$53,130	\$60,720	\$68,310	\$75,900	\$81,972	\$88,044
	65%	\$69,069	\$78,936	\$88,803	\$98,670	\$106,564	\$114,457
	80%	\$85,008	\$97,152	\$109,296	\$121,440	\$131,155	\$140,870

Maximum Rent Limits		Studio	1 Bedroom	2 Bedroom
	Maximum Gross Rents (50%)	\$1,195	\$1,423	\$1,708
	Maximum Gross Rents (65%)	\$1,554	\$1,850	\$2,220
	Maximum Gross Rents (80%)	\$1,913	\$2,277	\$2,732
Apartment Duplex	Less Utility Allowance	\$152	\$195	\$246
	Max. Allowable Rent (50%)	\$1,043	\$1,228	\$1,462
	Max. Allowable Rent (65%)	\$1,402	\$1,655	\$1,974
	Max. Allowable Rent (80%)	\$1,761	\$2,082	\$2,486

**SCHEDULE E
STAMFORD ZONING
REGULATIONS
BMR UNITS
§ 7.4**

SECTION 7.4 – BELOW MARKET RATE HOUSING PROGRAM

7.4.A. FINDINGS

It is the public purpose and policy of the City of Stamford, as outlined in its Master Plan, and the State of Connecticut to achieve a diverse and balanced community with housing available and affordable for households of all income levels. Economic diversity fosters social and environmental conditions that protect and enhance the social fabric of the City and are beneficial to the health, safety and welfare of its residents and to the environmental quality and economy of the region. In addition to the City’s other affordable housing strategies, the Below Market Rate (“*BMR*”) Housing Program aims at creating mixed-income communities in new developments.

7.4.B. AUTHORITY

These regulations are enacted under the authority of the Charter of the City of Stamford and Section 8-2(i) of the Connecticut General Statutes.

7.4.C. STANDARDS

1. Standards for All BMR Units

a. BMR Units Required.

- (1) All new residential developments with ten (10) or more dwelling units, or conversion of non-residential floor area to residential floor area generating ten (10) or more units, or additions, expansions or conversions to existing residential and mixed-use buildings that increase the total number of residential units in such buildings to ten (10) more units, shall permanently create and deed restrict the number of rental or for sale *BMR* Units as specified in Subsections 7.4.C.2 and 7.4.C.3 below, notwithstanding any provision of these Regulations to the contrary.

- (2) For all Substantial Renovations or Upgrades of existing rental residential properties having ten (10) or more dwelling units prior to the renovation or upgrade and which have no *BMR* Units on-site (and for which no alternative means of meeting the *BMR* requirement pursuant to Subsection 7.4.D was made), there shall be a *BMR* requirement of 5% of all units existing following the upgrade or renovation (“Rehab Units”), affordable to Households at 65% of the *AMI*. The applicant may, however, make a fee-in-lieu payment pursuant to Section 7.4.D.3 without having to receive Special Permit approval by the Zoning Board. If, as part of the renovation or upgrade, new units are also developed, then the number of required *BMR* Rehab Units may be reduced at a ratio of one new *BMR* unit = ½ *BMR* Rehab Unit. Such new units shall be subject to all of the requirements of this Section 7.4. For the purposes of this Section 7.4., “Substantial Renovations or Upgrades” shall mean investments in a residential property within a five (5) year period exceeding 66% of the fair market or assessed value of such property prior to the beginning of the renovations or upgrades.

- (3) All housing for the Elderly, including independent living, shall provide at least five percent (5%) of all units as *BMR* Units. Memory care, assisted living, nursing home or hospice care units shall be excluded from this *BMR* requirement. Such developments may, however, make a fee-in-lieu payment pursuant to Section 7.4.D.3 without having to receive Special Permit approval by the Zoning Board. For the purpose of calculating the amount of the fee-in-lieu payment, common and program areas, e.g., dining or recreational facilities, shall not be considered. All monies generated by this provision shall be used exclusively for the production of Affordable Housing for the Elderly.
- b. **Pricing of BMR Units for Sale or Rent.** Studios shall be priced based on the *Area Median Income (AMI)* for families of 0.9 persons; one-bedroom *BMR* Units shall be priced based on the *AMI* for families of one and one-half persons; two-bedroom *BMR* Units shall be priced based on the *AMI* income for families of three persons; and three-bedroom *BMR* Units shall be priced based on the *AMI* for families of four and one-half persons, all at the criteria income levels established in Table 7.4.1 (for rental units) and Subsection 7.3.
- c. **Policies and Guidelines for BMRs Units.** *BMR* Units shall be designed, constructed, sold or rented, managed and controlled as to resale in accordance with such other written administrative policies, definitions and guidelines as officially adopted by the Zoning Board and/or the City of Stamford, as amended from time to time.
- d. **BMR Units Equivalent to Market Rate Units.** *BMR* Units shall be constructed with floor area, layout, interior and exterior finishes, fixtures and amenities comparable to the market rate units within the development.
- e. **Location of BMR Units within Buildings.** *BMR* Units shall be dispersed evenly throughout the development and must not be concentrated on particular floors, within particular sections of a Building, or within particular buildings in a development with multiple buildings. There shall be no separate access points for market rate and *BMR* Units.
- f. **Equal Access to Amenities for BMR Residents.** Residents of *BMR* Units shall have the same access to common areas, facilities, amenities and services as residents of Market-Rate Units in the project, including but not limited to, outdoor spaces, amenity spaces, storage, and other resident services. There shall be no fees for the use of a parking space for one vehicle and bicycle facilities for residents of *BMR* Units. If a *BMR* household owns more than one vehicle, the same parking fees as for the market rate tenants or owners shall apply for all vehicles in excess of the first vehicle. *BMR* tenants and owners shall not be charged higher or additional fees than market-rate renters or owners, and free access to amenities for market rate owners or renters must be free for *BMR* unit renters or owners.
- g. **BMR Unit Size Proportional to Market Rate Unit Size; Alternate Unit Mix.** The number of *BMR* Units defined by size and number of bedrooms shall be proportionate to the overall number of units in the project defined by size and number of bedrooms. Applicants may request, by Special Permit from the Zoning Board, unit sizes differing from the overall distribution of units based on the following ratios; provided, however that the *Floor Area* of the *BMR* Units provided is equal to or greater than the total *Floor Area* of *BMR* Units that would otherwise be required pursuant to these Regulations. All subsequent changes to the unit mix shall be subject to

Administrative Approval by the Zoning Board.

Base: 2- Bedroom Unit

- One 2-Bedroom Unit equals three Studio units
- One 2-Bedroom Unit equals two 1-Bedroom units
- One 2-Bedroom Unit equals one 2-Bedroom unit
- One 2-Bedroom Unit equals 0.75 3-Bedroom units.

- h. **Rental and Ownership BMR Units in the Same Development.** For projects with a combination of rental and owner-occupied dwelling units, the ratio of rental to owner-occupied *BMR* Units shall be equal to the ratio of rental to owner-occupied units in the Development.
- i. **All BMR Units to be Provided On-Site.** All required *BMR* Units, except fractional units, shall be provided on-site unless the Zoning Board, in its sole discretion, approves an Alternative Method of Compliance, pursuant to Section 7.4.D. below.
- j. **Fractional BMR Units.** For fractional *BMR* Units of less than one unit, a fee-in-lieu payment may be made pursuant to Section 7.4.D.3 without having to receive Special Permit approval by the Zoning Board.
- k. **Equivalency of Affordability Levels.** The Zoning Board, in its sole discretion, may determine the affordability level for the required *BMR* Units between the range of 50-80% *AMI* based on the following equivalencies and shall take into account the recommendations of the City's Affordable Housing Plan, if such Plan exists.

Base: One (1) BMR unit at 50%;

- One (1) *BMR* Unit at 25% *AMI* equals 2.00 units at 50% *AMI*;
- One (1) *BMR* Unit at 30% *AMI* equals 1.56 units at 50% *AMI*;
- One (1) *BMR* Unit at 35% *AMI* equals 1.43 units at 50% *AMI*;
- One (1) *BMR* Unit at 40% *AMI* equals 1.3 units at 50% *AMI*;
- One (1) *BMR* Unit at 45% *AMI* equals 1.15 units at 50% *AMI*;
- One (1) *BMR* Unit at 60% *AMI* equals 0.70 units at 50% *AMI*;
- One (1) *BMR* Unit at 65% *AMI* equals 0.60 units at 50% *AMI*; and
- One (1) *BMR* Unit at 80% *AMI* equals 0.40 units at 50% *AMI*

Applicant may request, by Special Permit approval from the Zoning Board, any of the above affordability levels.

- l. **Premium Floor Area Only When BMRs Provided On-Site.** Notwithstanding anything to the contrary in these Regulations, no development shall receive *Premium Floor Area* unless all *BMR* Units, excluding fractional *BMR* Units as defined in Subsection C.1.k., are provided onsite at the Development.
- m. **Premium Floor Area Excluded from BMR Calculations.** Premium Floor Area for *BMR Units* provided on-site, as defined in the respective District Regulations in Sections 4 and 9 and/or in Appendix B, Table III, shall be excluded from *BMR* requirements.
- n. **Replacement of Subsidized, Affordable Housing and Existing Market Rate Affordable**

Housing Units.

(1) **Replacement of Subsidized or Affordable Housing Units:** If, as part of a redevelopment, any Subsidized or Affordable Housing units are lost, then, in addition to the new *BMR* Units required, applicant shall replace all Subsidized and Affordable units lost at a ratio of 1:1 at the same affordability levels as the Subsidized and Affordable units lost; provided, however, the following rules shall apply:

- a. If the number of Subsidized and Affordable Housing units are lost is 10% or less of the total number of new units, then the *BMR* requirement shall be the base requirement for the district plus the percentage of units lost.

Example:

Proposed new development 100 units, 10% BMR requirement = 10 BMR units)

Affordable Units lost: 2 (=2% of total new units)

BMR requirement = 12% (10% base plus 2% units lost) = 12 units

- b. If the number of Subsidized and Affordable units lost is greater than 10% but less than 20% of the total number of new units, then the *BMR* requirement, including replacement of subsidized units lost, shall be 20%

Example:

Proposed new development 100 units, 10% BMR requirement = 10 BMR units)

Affordable units lost: 13 (=13% of total new units)

BMR requirement = 20% (number of units lost between 10% and 20%) = 20 units.

Note that this is less than the 23(10+13) units which would be required if 1:1 replacement of lost units was required.

- c. If the number of Subsidized and Affordable units lost is 20% or more of the total number of new units, then the *BMR* requirement shall be 5% of the new units plus the number of units lost.

Example:

Proposed new development 100 units, 10% BMR requirement = 10 BMR units)

Subsidized units lost: 22 (=22% of total new units)

BMR requirement = 27 units; replace 22 units lost plus 5% of the total proposed (=5 units)

(2) **Replacement of Market Rate Affordable Housing Units:** If, as part of a redevelopment, any Market Rate Affordable Housing units are lost, then, in addition to the new *BMR* Units required for such district, applicant shall replace all *Market Rate Affordable Units* lost with *BMR* Units affordable at 65% AMI at a ratio one additional replacement unit for every two *Market Rate Affordable Units* lost; provided, however, that the applicant shall not be required to provide replacement units exceeding 20% of the total number of units of the redevelopment.

Examples:

(a) Market Rate Affordable units pre-redevelopment: 8;

Proposed development: 100 units; BMR requirement 10% = 10 BMR units

8 Market Rate Affordable units lost = 4 replacement units required:

BMR requirement = 14 units (10 new BMR units and 4 replacement BMR units)

(b) Market Rate Affordable Units pre-redevelopment: 24;

Proposed development: 100 units; BMR requirement 10% = 10 BMR units

Market Rate Affordable units lost must be replaced at a ratio of 2:1 but no more than 20% of the proposed total of units created;
12 Market Rate Affordable units need to be replaced, however, BMR is capped at 20%
BMR requirement = 20 unit

- (3) Where Subsidized Affordable or *Market-Rate Affordable Housing Units* are replaced with non-residential uses, a fee-in-lieu payment shall be made for such lost units. Said fee-in-lieu payment shall be calculated based on 10% of the proposed non-residential Gross Floor Area and the current per square foot fee for “All other districts” in Table 7.4.2.
- o. **Accounting for Assets.** Return-on-Assets Income shall be imputed by excluding the first \$5,000 of assets and multiplying the value of the remaining assets by the HUD passbook rate as reported by Charter Oak Communities. Net Household Assets shall not exceed \$100,000 at the time of initial application to lease or purchase a *BMR Unit* and at the time of annual income recertification.
- p. **Preference for Stamford Residents.** Preference for 50% of *BMR Units* shall be given to persons living or working in the City of Stamford.
- q. **Phased Development.** Where a project is constructed in phases, the required number of *BMR Units* shall be satisfied at each phase of the development, unless the Zoning Board, by Special Permit, approves a different procedure.

7.4.C.2. Standards for Rental BMR Units

- a. *BMR Units* offered for rent shall be restricted to a maximum annual rent, inclusive of all rent, parking for one car and basic utilities except telephone and cable, fees and taxes not to exceed 30% of the criteria family income, according to unit type as set forth above in Subsection 7.4.C.1.b.
- b. Rental restrictions shall remain in full force and effect for so long as the *Building* or development exists, and shall be administered in accordance with written guidelines as adopted and periodically revised by the Zoning Board.
- c. In all rental developments specified in Subsection 7.4.C.1.a above, *BMR Units* shall be made available at the percentages and affordable levels (as percentage of the *AMI*) as set forth in Table 7.4.1:

Table 7.4.1.

Zoning District	Percentage of units in developments with 10 or more units to be permanently dedicated as <i>Below Market Rate Rental Dwelling Units</i>	
	% of all units ¹⁾	Affordability level (% of <i>AMI</i>)
TCD-D	12%	50%
	5%	25%
MR-D (total of 12%)	4%	50%
	3%	65%

V-C (total of 12%)	6%	50%
	6%	65%
All other Districts	10%	50%
Rehab Units	5%	65%
Housing for the Elderly	5%	50%

1) Excluding units developed with Premium FAR.

- d. All renters of BMR Units shall be recertified annually to assure that they continue to meet the respective maximum income requirements. If, upon recertification, a household exceeds the maximum income by more than 10%, said household shall vacate said unit within three months of the date of the recertification.
- e. Renters of *BMR units* under the BMR Housing Program established under this Section 7.4. shall only be permitted to apply for a different unit in this program if they no longer meet the requirements of the BMR unit assigned to them, for example because of a change in family size or income.

7.4.C.3. Standards for Ownership BMR Units

- a. In all home-ownership developments specified in Subsection 7.4.C.1.a above, 50% of all required BMR units, excluding units developed with Premium FAR, shall be made available for sale to Eligible Households earning 65% or less of the *AMI*, and an additional 50% to Eligible Households earning 80% or less of the *AMI* according to unit type as set forth above in Subsection C.1.b.
- b. BMR Units offered for sale (both the first sale and all subsequent resales) shall be limited to a selling price that is affordable to a purchaser with an income not exceeding the family income defined in Subsection 7.4.C.3.a, according to unit type as set forth above, based on industry standard mortgage underwriting guidelines, and based on prevailing interest rates and a three percent (3%) down payment. The initial sale price for a BMR Unit shall be set at a level where monthly housing cost (which shall include debt service at prevailing interest rates for a 30-year conventional mortgage, down payment of 3%, condominium or related common charges, real estate taxes, and parking fees for one vehicle) does not exceed thirty percent 30% of household income, based on a household size of one (1) person per bedroom.
- c. *BMR Units* offered for sale shall remain subject to resale restrictions for so long as the Building or development exists with a selling price that is affordable to a purchaser with an income not exceeding the family income defined in Subsection 7.C.3.a and based on the guidelines set forth in Subsection 7.C.3.b. *BMR* sale and resale requirements shall be administered in accordance with written guidelines as adopted and periodically revised by the Zoning Board, with suitable restrictive covenants in deeds, running with the land and senior to all financing instruments, to carry out and effectuate these obligations.
- d. Should an applicant not be able to sell some or all of the required *BMR Units* within one year of the final Certificate of Occupancy for a *BMR Unit*, the unsold homeownership units may, by Administrative Approval by the Zoning Board, be rented out to Eligible Households earning 50% or less of the *AMI* for a lease term of at least one (1) year. Following expiration of the initial one (1) year lease term, if the applicant finds an eligible buyer other than the renter of a the BMR Unit, the developer must grant the current renter at least three months from the date

of closing to vacate the *BMR Unit*.

7.4.D. ALTERNATIVE METHODS OF COMPLIANCE

Pursuant to an application for *Special Permit*, the Zoning Board, at its sole discretion, may approve one or a combination of the alternative methods of satisfying a BMR requirement as provided for below; provided, however, as set forth above, no Special Permit approval shall be required for fee-in-lieu payments made for fractional *BMR Units* pursuant to Subsection 7.C.1.k., Substantial Renovations or Upgrades pursuant to Subsection 7.C.1.a(2) and housing for the Elderly pursuant to Subsection 7.C.1.a(3).

Any proposed alternative method shall demonstrate to the satisfaction of the Zoning Board that the alternative method is desirable and will further affordable housing opportunities in the City to a greater extent than the provision of on-site *BMR Units*, either through the production of a greater number of affordable housing units, larger bedroom size units, or units for families below the required targeted income brackets. The dedication of land shall not be a permitted alternative method of compliance.

7.4.D.1. Dedication of Existing Units

A *BMR* requirement may be satisfied by permanently deed-restricting the rental or sale price of existing dwelling units within the City, the form and content of which is acceptable to the Zoning Board and recorded on the land records and senior to all financing instruments. The restriction of such existing units must result in the creation of units that are at a minimum equivalent in value, quality, and size to the on-site *BMR Units* that would otherwise be provided. Such units shall not displace existing deed-restricted Affordable Housing units or Market Rate Affordable Housing units, and must be provided and available prior to issuance of the Certificate of Occupancy for the market rate units in the development.

7.4.D.2. Off-Site Construction of BMR Units

A BMR requirement may be satisfied through the off-site construction or substantial rehabilitation (also known as a “gut rehab”) of *BMR Units* within the City of Stamford, subject to the following standards:

- a. The location, architectural design and siting of such units shall be equivalent to the market rate units in the development;
- b. Such units shall not displace any existing subsidized or Market Rate Affordable Housing units;
- c. Such units shall be generally consistent with all applicable standards of this section, including but not limited to, value, quality finishes, amenities, unit mix, parking and size of the market rate units in the development; and
- d. Such units must be provided prior to the issuance of a Certificate of Occupancy for the market-rate units in the Development.

7.4.D.3. Fee-in Lieu Payment

A *BMR* requirement may be satisfied, in whole or in part, through the payment of a “fee-in-lieu” cash contribution to a City of Stamford fund, or to a non-profit or for-profit organization approved by the Zoning Board, which is dedicated to affordable housing initiatives. Notwithstanding any other provisions of this Section 7.4 to the contrary, the cash contribution shall be determined based on a fee for every square foot of *BMR Gross Floor Area* not realized pursuant to table 7.4.2. All fee-in-lieu payments shall be made prior to the issuance of a Building Permit for the market rate units.

Table 7.4.2.

Zoning District	Percentage of Residential Floor Area subject to fee:	Gross Fee per square foot, 2020
MR-D, TCD-D	12%	\$250
SRD-N, SRD-S, CC, G-G, C-L, R-H, MX-D	10%	\$250
V-C	12%	\$200
All other districts	10%	\$175
Rehab units	5%	\$125
Housing for the Elderly	5%	\$125

The fee-in-lieu fee per square foot shall be increased automatically on every January 1st by no more than the increase of the Construction Cost Index as published by the Engineering News Record with December 2019 as the basis. More frequent increases or increases higher than the Construction Cost Index, or a decrease of the current fee-in-lieu fee, shall require an amendment to these Regulations by the Zoning Board.

7.4.E. MANAGEMENT OF THE BMR PROGRAM

7.4.E.1. Affordability Plans Required

All developments requiring the provision of *BMR Units* pursuant to this Section 7.4 shall be accompanied by a management plan (“Affordability Plan”).

For projects requiring Special Permit, Site Plan, Zoning Map or Text, Architectural and Site Plan or General Development approval, a draft Affordability Plan shall be submitted and is subject to Zoning Board approval concurrently with these actions. For Affordability Plans as part of as-of-right developments, the draft Affordability Plan is subject to review and approval by the Zoning Board by Administrative Approval prior to issuance of a Building Permit. No final Certificate of Occupancy shall be granted without a complete and approved final Affordability Plan. Minor Modifications to approved Affordability Plans shall be subject to approval to the Land Use Bureau Chief or designee.

7.4.E.2. Content of the Affordability Plan

The Affordability Plan shall include the following:

- a. General information about the nature and scope of the development subject to these regulations.
- b. The total number of Market Rate Housing units and *BMR Units* in the development.
- c. The size (number, bedrooms, bathrooms and square footage) for each Market Rate Housing unit and *BMR Units* in the development.
- d. The combined approximate square footage of all *BMR Units* and all Market Rate Housing units without common areas such as hallways, amenity spaces, etc.
- e. The approximate location of each *BMR Unit* within any multifamily residential Structure.
- f. The person or organization responsible for administering the Affordability Plan, including the application procedures and screening criteria to determine the income eligibility of applicants, and reporting and enforcement mechanisms.
- g. Provision for the selection of buyers or tenants and affirmative fair marketing

- procedures governing the sale or rental of the *BMR Units*.
- h. The pricing of each *BMR Unit* and the basis for their determination, including all fees and common charges associated with the Building e.g., for parking. Final pricing of rental and ownership *BMR Units* shall be re-determined at the time of issuance of the Certificate of Occupancy, based on changes in the area median income and prevailing mortgage interest rates and any changes in the administrative guidelines.
 - i. Plans for income verification of tenants and buyers.
 - j. Plans for management of *BMR Units*, particularly with respect to maintenance and assurance of long-term affordability. New fees and charges should not make units unaffordable.
 - k. Relocation plans for tenants affected by substantial rehabilitation projects.
 - l. Timetable for the completion of Market Rate Housing units and *BMR Units* on a pro-rata basis.
 - m. Amenities available to tenants and buyers, including tenants and buyers of *BMR Units* and conditions of use, such as fees/
 - n. Annual reports demonstrating compliance with the requirements of this Subsection 7.4.E shall be submitted to the Land Use Bureau and the Director of the Department of Social Services for the life of the Building. Such reports shall be submitted no later than January 15 of each year. Failing to submit such report on time shall be considered a Zoning Violation pursuant to the City of Stamford Code Chapter 248 (Zoning), with each day being a separate violation.

The Zoning Board may request additional information in conjunction with its review, and may reject any application not providing the minimum Affordability Plan elements noted above.

7.4.E.3. Administration of the BMR Program by the City or a Third Party

The City of Stamford may, at the discretion of the Zoning Board and under an agreement acceptable to the City's Law Department, at any time assume management of rental *BMR Units* and the resale of ownership *BMR Units* or delegate such responsibilities to a third party. The City of Stamford may require the applicant or then owner of the Building to pay a reasonable fee to cover the cost of administration of the *BMR Units*.

7.4.E.4. Section 8 Vouchers

Section 8 vouchers and use of other local, state or federal programs, subsidies and initiatives to further increase the affordability of *BMR Units* shall only be permitted to accommodate families earning less than 45% of the *AMI*. Under no circumstance shall the total of rent, including the value of the Section 8 voucher or other subsidy, initiative or program, including all rent, common charges basic utilities (with the exception of telephone and cable), parking for one vehicle, fees and taxes exceed the rent for a household earning 50% of the *AM*

SCHEDULE F
GUIDELINES FOR MANAGEMENT OF BELOW-MARKET-RATE RENTAL UNITS

I. Introduction

In order to promote the development of housing affordable to persons and families of low and moderate income, the Zoning Board of the City of Stamford (the “Zoning Board” or “Zoning”), as a condition of development, may require developers of market rate rental housing units to set-aside Below Market Rate units within their developments, or to provide Below Market Rate units at another site.

II. General Intent

In compliance with applicable law including, but not limited to, the Connecticut and Federal Fair Housing Acts, these Guidelines set forth standardized compliance procedures for developing and managing all Below Market Rate rental units (“BMR”) required to have been built as a condition of development in Stamford. Should any section of these Guidelines be invalidated, such invalidated section shall be deemed severable, and the remaining Guidelines shall remain in effect.

Notwithstanding the fact that individual developments can be subject to project-specific conditions, the following general principles shall apply to all BMR’s that fall within the jurisdiction of these Guidelines.

- BMR units shall not be materially different from market rate units in the same development in terms of size, amenities, services, utilities, maintenance standards or any other aspect that will materially affect the value of the unit to a tenant, except as specified in these Guidelines;
- Prior to receiving a Certificate of Occupancy, the owner of any development subject to a BMR requirement as a condition of development must record an Affordability Plan approved by the Zoning Board on the Stamford Land Records.

III. Affordability Plans

No Affordability Plan will be approved unless, at a minimum, it:

- Identifies the BMR units;
- Evidences that BMR units have been distributed throughout the development;
- Designates an entity responsible BMR Management, as defined herein;
- Notwithstanding the foregoing, the Affordability Plan shall acknowledge the City's intent and right to designate an Affordable Housing Manager (AHM), either an individual or organization, to manage a citywide BMR program and shall state the owner's agreement to pay reasonable compensation to the AHM and to fully delegate BMR Management to the AHM, including such additional activities as required to ensure an orderly transition;
- Describes any credit and reference standards employed in tenant selection and certifies that these standards will be uniform with respect to market rate and BMR applicants;
- Describes any site-specific requirements that may impact the management of BMR units; and
- States a commitment to provide affordable housing in compliance with these Guidelines, the zoning regulations, and the ordinances of the City of Stamford, as each may be amended from time to time.

IV. BMR Management

For the purposes of these Guidelines, BMR Management shall include the following activities as specified in these Guidelines:

- Marketing the availability of BMR units to the public if there are not sufficient applicants on a waiting list to fill anticipated vacancies;
- Accepting applications from the public for BMR dwelling units;
- Determining the eligibility of those applicants;
- Implementing tenant-selection preferences;
- Maintaining waiting lists for BMR units;
- Selecting eligible tenants for BMR units;
- Performing annual recertification of tenant eligibility;
- Ensuring that rents are set in accordance with these Guidelines;
- Ensuring that amenities are provided in accordance with these Guidelines;
- Implementing procedures for changes in tenant circumstances;
- Monitoring owner compliance with these Guidelines and the approved Affordability Plan;
- Providing at least annual reports of activities, program compliance, and program finances as requested by the Zoning Board.

The Zoning Board may appoint an Affordable Housing Manager (AHM) to implement these Guidelines. In the event that no AHM has been appointed, the entity designated in the approved Affordability Plan will be responsible for BMR Management. Oversight of the abovementioned activities will be undertaken by the Director of Public Safety, Health and Welfare.

V. Applications

Applications shall be accepted from the public for BMR housing units except if the waiting list for any particular size unit cannot reasonably be expected to be housed within 2 years.

An application shall be complete once it contains sufficient documentation to verify preferences and income eligibility, provided that a reasonable opportunity will be provided to applicants to produce additional documentation.

In the event that a prospective applicant is unable to apply because a waiting list is closed, information will be provided about how the next opening of the waiting list will be publicized and any other relevant information about the application process.

VI. Eligibility – Household Size

Eligibility for each class of BMR units shall be based on household size or other factors. Typical eligibility will be as follows:

- A household consisting of two or fewer individuals may be eligible for a one-bedroom BMR unit.
- A household consisting of three or four persons may be eligible for a two-bedroom BMR unit.
- A household consisting of four or more persons may be eligible for a three-bedroom BMR unit.

No household shall occupy a BMR unit with more bedrooms than the household has numbers. For example, a household consisting of two individuals shall not be eligible to occupy a BMR unit with more than 2 bedrooms.

Notwithstanding these general Guidelines, any documented special needs of household members, any particular household configuration, and income-eligibility may be considered by the AHM when determining the appropriate class of BMR unit.

VII. Eligibility -- Income

Eligibility at the time of application, at the time of initial leasing, and during occupancy of any BMR unit shall be determined based on the most current statistics of Area Median Income (AMI) for the Stamford Standard Metropolitan Statistical Area (SMSA) as published and periodically revised by the U.S. Department of Housing and Urban Development (HUD).

Income limits (Maximum): The income of a household at the time of initial occupancy in a BMR unit shall not exceed the AMI, adjusted for household size, times the affordability percentage specified in the zoning regulations and the Affordability Plan. If no income limits are specified in the applicable zoning regulations, the HUD Low-Income standard, as annually published by that agency, shall be used. The income of an applicant household seeking to be

placed on the waiting list for a BMR unit shall not exceed the AMI, adjusted for household size, times 60%.

Minimum income: The income of a household at the time of initial occupancy must be at least three times the annual rent

Gross Income means the total annual income from all sources of all members of the household except income received by a family household member (other than the head of household or spouse) who is under 18 years old or a full-time student of any age. Income includes but is not limited to compensation for employment services, interest, dividends, rent, pension benefits, government benefits, unemployment compensation, welfare payments, disability income, support payments, and return-on-assets income as defined below.

Return-on-Assets Income shall include the dollar amount resulting from multiplying the value of the net household assets by 10% after excluding the first \$5,000 in assets.

Net Household Assets means the total value of equity in real property, including gains from the sale of real property, savings and other forms of capital investment of all household members, but not including equity in a business operation where that business operation is the principal means of support of the household, amounts in an irrevocable trust fund or the value of personal property (e.g., car, furniture, etc.)

For holders of Section 8 Vouchers or certificates or other similar instrument of governmental housing subsidy, or in the case of project-based Section 8, minimum income will be calculated based on the Net Rent less the amount of assistance provided under the relevant program.

The appendix to these Guidelines shows income limits and sample rents. This appendix will be updated at least annually by the Director of Public Safety, Health & Welfare.

VIII. Preferences

In determining eligibility of applicants for placement in BMR units, any preferences or other criteria included in the Zoning Regulations for the relevant zoning district, or any special exception or other conditional approval by the Zoning Board, shall be implemented.

IX. Waiting List

At the time of initial leasing of BMR units, or when an insufficient number of applicants is available on an existing waiting list, an affirmative marketing effort should be undertaken to publicize the availability of BMR units, the process for application, and the waiting list system.

If there are more eligible applicants for any class of BMR units (i.e. one-bedroom) than there are units, a waiting list for that class shall be established. The AHM may utilize a lottery or time-of-application system to determine waiting list order. Eligible applicants shall be placed on the waiting list for the appropriate class of apartment and shall be ordered by the results of a lottery or time-of-application system.

An applicant may refuse an available appropriate BMR unit one time and remain on the waiting list. Upon a second refusal, the applicant will be removed from the waiting list. Applicants shall be notified of their options with regard to refusing a unit at the time that a unit is offered.

Based on the annual determination of eligibility, ineligible applicants shall be removed from the waiting list. Such applicants shall be notified by certified mail at least 5 working days prior to such removal.

X. Credit and Reference Checks

Prior to occupancy in a BMR unit, an eligible applicant may be required by the owner to meet specific credit and reference standards, as included in the Affordability Plan for the relevant development and approved by the Zoning Board.

XI. Rents

The monthly net rents charged for BMR units shall be calculated as follows: The BMR rent for a one-bedroom BMR unit shall be based on the AMI adjusted for a household size of 1.5 (75% of AMI). The BMR rent for a two-bedroom BMR unit shall be based on the AMI adjusted for a household size of 3 (90% of AMI). The BMR rent for a three-bedroom BMR unit shall be based on the AMI adjusted for a household size of 4.5 (104% of AMI). The monthly gross rent shall be equal to the appropriate AMI, times the affordability level of the BMR unit, divided by twelve, multiplied by 0.3. If any utilities are separately billed throughout the development, a utility allowance must be deducted from the gross rent to determine the net rent. Utility allowances shall be the Section 8 utility allowances determined annually by the Housing Authority of the City of Stamford. A schedule of BMR rents shall be made available by the City of Stamford and updated regularly.

XII. Amenities

Rents for BMR units are net rents that include all amenities, whether provided free of charge or bundled in a mandatory package, including one parking space, but not including telephone, cable television, or other telecommunications services.

XIII. Changes in Tenant Circumstances

In the event that a tenant’s income increases beyond the income limit for the BMR unit, based on annual recertification of income, the following restrictions shall apply:

- If a tenant’s income exceeds the income limit for the BMR unit by less than 10 percentage points (i.e. a tenant at 59% of AMI in a BMR unit designated for a household at 50% of AMI), no restrictions shall apply.

- If a tenant's income exceeds the income limit for the BMR unit by 10 percentage points or more but still has income below 80% of the Area Median Income (i.e. a tenant at 60% to 79% of AMI in a BMR unit designated for a household at 50% of AMI), The tenant will be able to occupy the unit for no more than one year following the recertification. However, if the tenant's income remains below 50% of AMI (i.e. in the case of a tenant with income at 45% of AMI in a BMR unit designated for a household at 25% of AMI), the tenant shall be permitted to remain in the unit until a BMR unit at the appropriate affordability level is available.
- If a tenant's income exceeds 80% of the AMI at an annual recertification, that tenant shall be notified in writing that they will no longer be eligible to occupy BMR unit and that within 90 days after such recertification, the tenant must vacate the unit.

If a tenant in a BMR unit experiences an increase in household size, they may be placed at the top of the waiting list for an appropriate sized BMR unit.

XIV. Annual Rent Changes

At the annual income recertification for each tenant, the rent for each BMR unit will be set based on the latest rents set by the City of Stamford and utility allowances released by HACS.

XV. Security Deposits

Tenants in BMR units shall be responsible for paying security deposits. Owners of BMR units shall not charge more than 2-times the monthly rent for the BMR unit as a security deposit. The AHM shall advise all applicants on the waiting lists of this requirement.

Appendix

Sample Income Guidelines and Below Market Rents: effective September, 2001

Unit size: Household size:	1 BR 1	1 BR 2	2 BR 3	2 BR 4	3 BR 4	3 BR 5
<i>25% of AMI</i>						
Maximum Income:	19,215	21,960	24,705	27,450	27,450	29,646
Minimum income:	13,152	13,152	15,368	15,368	17,262	17,262
<i>50% of AMI</i>						
Maximum Income:	38,430	43,920	49,410	54,900	54,900	59,292
Minimum income:	31,868	31,868	37,827	37,827	43,215	43,215
<i>60% of AMI</i>						
Maximum Income:	46,116	52,704	59,292	65,880	65,880	71,150
Minimum income:	39,355	39,355	46,811	46,811	53,596	53,596
<i>HUD Low-Income</i>						
Maximum Income:	43,200	49,350	55,500	61,700	61,700	66,600
Minimum income:	31,868	31,868	37,827	37,827	43,215	43,215
Affordable Net Rents	1 BR	2 BR	3 BR			
25%	362	423	475			
50%	876	1,040	1,188			
60%	1,082	1,287	1,474			
Utility Allowance	153	195	239			

Note: The US Department of Housing and Urban Development (HUD) provides updates to area median income estimates each spring. Utility allowances are calculated based on a schedule determined by the Housing Authority of the City of Stamford and updated annually.

· The HUD Low-Income standard shall be used to determine maximum income for tenants in BMR units developed in the PD zoning district.

**SCHEDULE G
REGULATIONS OF CONNECTICUT
STATE AGENCIES §§ 8-37ee-300 et. seq.
AFFIRMATIVE FAIR HOUSING MARKETING GUIDELINES**

**REGULATIONS OF CONNECTICUT STATE AGENCIES
TITLE 8. HOUSING
DEPARTMENT OF HOUSING
(1)
AFFIRMATIVE FAIR HOUSING MARKETING AND
SELECTION PROCEDURES MANUAL**

The Connecticut Regulations titles are current with material published in Conn.L.J. through 2/1/05.

Sec. 8-37ee-300. General information

(a) This manual should be used in conjunction with the Fair Housing regulations under Section 8-37ee-1 through Section 8-37ee-17 of the Regulations of Connecticut State Agencies, and the instructions accompanying the Affirmative Fair Housing Market Form included in this manual.

(b) The purpose of this manual is to assist recipients of state financial assistance from the department in understanding what shall be required of them, as well as to further implement the provisions of Section 8-37ee-1 through Section 8-37ee-17 of the Regulations of Connecticut State Agencies.

(c) The Affirmative Fair Housing Marketing Plan shall be submitted on the form, and in the manner, prescribed by the department. The plan shall include all of the techniques which recipients intend to employ to assure that marketing is broad-based and that prospective buyers and/or renters of varied income groups, including persons with physical disabilities would feel welcome to apply. At least twenty percent (20%) of the units shall be promoted to the "least likely to apply" group.

Sec. 8-37ee-301. Definitions

All terms defined in Section 8-37ee-1 of the Regulations of Connecticut State Agencies shall have the meanings set forth there.

The following apply to Section 8-37ee-300 through Section 8-37ee-314 of the Regulations of Connecticut State Agencies:

(1) "Least likely to apply" means those persons who, in the main, do not live in the area of the development because of racial or ethnic patterns, perceived community attitudes, price or other factor, and thus need additional outreach to inform them

of their opportunity to live in the development. In predominantly white areas, these shall be minority groups; in predominantly minority areas, these shall be white groups.

(2) "Recipient" means a person, organization or individual who applies or may receive state financial assistance from the department.

(3) "Resident" means a person, including an applicant, living or working in the municipality in which the housing is located. Durational residency requirements are not permitted.

Sec. 8-37ee-302. Affirmative fair housing marketing process

(a) Assessing Affirmative Marketing Needs

Recipient plans shall identify the group(s) "least likely to apply" to the housing through the submission of relevant demographic data. Data may be derived from the U.S. Census, municipal sources, regional planning agencies, civil rights groups, fair housing officers, social service agencies, and like organizations. Source documentation shall be clearly identified.

(b) Affirmative Marketing Outreach

(1) Mechanisms--Recipients' plans shall determine and identify the most appropriate outreach mechanisms which should include: newspaper, radio, television, and other media advertisements as well as flyers and announcements to social service agencies and other organizations with the desire and capacity to inform potential applicants of the availability of housing. These mechanisms or organizations shall represent those most likely to be read, heard, seen by, or in contact with applicants least likely to apply.

(2) Locale--Recipients' plans shall provide for the dissemination of information at a minimum in (a) the largest city located in the nearest Primary Metropolitan Statistical Area or Areas or Metropolitan Statistical Area or Areas, (b) the regional planning area, and (c) any other areas which are likely to contain high minority populations and where public transportation or public highways and/or job availability make it likely that minorities might wish to move where the development is located.

(3) Time frame--Recipients' plans shall identify the time frame, duration, and frequency of the materials to be announced or distributed. At a minimum affirmative fair housing marketing shall begin prior to general marketing. There shall be at least three (3) documented efforts with updated materials as necessary: the first at the beginning of construction; the second at approximately 50 percent completion; and the final, six to eight weeks prior to completion.

(4) Notice of Intent to Begin Marketing--Recipients are required to give notice to the department no later than 60 days prior to engaging in sales or rental marketing activities.

(5) Prominence--Recipients' plans shall provide that any materials shall be prominently displayed or appear where they are most likely to be read or seen, e.g. not in the "legal notices" section of the paper but in more prominent ads.

(6) Content--Recipients' plans shall identify the content of the materials to be used which at a minimum shall: (a) identify the location of the housing; (b) provide a narrative description of the housing; (c) identify when the application process shall begin and end; (d) be neutral in the sense of encouraging all potentially eligible applicants to apply; (e) include a contact person and telephone number; (f) display the fair housing logo and clearly state the owner's commitment to Fair Housing and non-discrimination; (g) where relevant, be provided in both English and Spanish; (h) where there is any advertising depicting persons, depict persons of both sexes and persons of majority and minority groups; (i) describe the application and selection process as stated in Section 8-37ee-304 and Section 8-37ee-305 of these regulations; and (j) include the fair housing policy statement as stated in Section 8-37ee-311 below.

(7) Community contacts--Recipients' plans shall identify community contacts which shall include individuals and organizations that are well known in the area who can reach and assist those least likely to apply. These may include church groups, housing counseling groups, legal services organizations, labor unions, minority and women's organizations, shelters, social service agencies, housing authorities, and town officials. Each of these entities shall receive appropriate materials as described in subsection (5) with additional instructions, if necessary.

(8) Counseling and application assistance--Recipients' plans shall provide that either the contact person or a housing counseling organization, fair housing officer, or other similar party is trained in fair housing and its requirements and is ready and willing to assist all applicants including the least likely to apply with the application process.

(9) Follow-up--Recipients' plans shall provide for follow-up meetings or telephonic reports from the various outreach organizations listed in subsection (7) in order to evaluate the effectiveness of the affirmative marketing. Where organizations determine that few potential applicants are displaying an interest, alternative approaches should be considered.

(10) Public inspection--Recipient approved plans shall be available for public inspection.

Sec. 8-37ee-303. Application process

(a) The application period shall extend for at least 60 days before initial occupancy. An application deadline shall be established when all applications shall be completed and returned. Applications received after the deadline shall not be considered unless there is: (1) an insufficient number of initial applicants; and/or (2) the department determines that more affirmative marketing is necessary.

(b) Recipients shall use a standard application form furnished by the department included in this manual.

(c) Anyone seeking to apply shall be given the opportunity to do so.

(d) Anyone needing help in filling out the forms shall be assisted.

(e) Each application received shall be immediately dated and time stamped. Each applicant shall be given a receipt with the date and time on it.

(f) Each applicant shall have a control number assigned in chronological order.

(g) A file shall be opened for each applicant. The file shall remain confidential information.

(h) Selection shall occur at least thirty (30) days before scheduled occupancy to prevent vacancies.

Sec. 8-37ee-304. Selection process

(a) Recipients should develop a written selection plan which covers the tenant selection process they intend to use. Such plan should include, at a minimum, the following:

- (1) Procedures for accepting applications and screening applicants;
- (2) Fair housing requirements;
- (3) When applicants may be rejected; and
- (4) Procedures for selecting applicants from the waiting list(s).

(b) At a minimum, the following factors shall be used to screen applicants:

- (1) demonstrated ability to pay rent on time;
- (2) housekeeping habits based on visits to the applicant's current residence;
- (3) comments from former landlords; endorsement from at least two is preferred; and

(4) Credit checks may be obtained. These may be useful when no rental payment history is available. A lack of credit history, as opposed to a poor credit history, is not sufficient grounds to reject an applicant. Recipients should try to obtain all credit checks, landlord and personal references and so forth before the interview so that if negative information is received the applicant shall be given the opportunity to explain the circumstances.

(c) Recipients shall also prepare one Occupant Selection List which shall be subdivided by the number of units available and bedroom size. The following guidelines shall be used to determine minimum and maximum housing capacity:

Bedroom Size	Minimum	Maximum
00 (single room occupancy)	1	1
0 (efficiency unit)	1	1
1	1	2
2	2	4
3	3	6
4	5	8

Sec. 8-37ee-305. Selection methodology

(a) For purposes of fairness and equity the department allows either a point system or a purely random lottery selection method. However, if there is a tie score under the point system method and there is a limited number of units available for persons with the same point score, the random selection method or first come, first serve (chronological order) shall be used in conjunction with the point system to select which applicant gets the unit.

(b) Point System Selection Method

(1) Point systems may be altered by the Commissioner to comply with fair housing goals. Where a program dictates other kinds of requirements, e.g. limited equity cooperatives may look for participants willing to put in sweat equity, points for such neutral categories may be added with the approval of the Commissioner.

(A) Calculation of Points--The applicant receives the full point score or none; subjective practical scoring is not allowed. Where department program requirements mandate selection criteria such as age, income, etc., applicants shall first meet that standard. Where an applicant does not meet the program requirements, the applicant may be rejected without further analysis.

(2) The following is the Department's approved point system that recipients shall use.

POINT SYSTEM METHOD

- (i) **SUBSTANDARD HOUSING** 25 point maximum
- condemned or verified serious housing code violations 25 points

	inadequate heating, plumbing, or cooking facilities	20 points
(ii)	LIVING SITUATION	25 point maximum
	living in documented physically or emotionally abusive situation	25 points
	living in a shelter or transitional housing	25 points
	living in temporary housing with others because of conditions beyond applicant's control (condemnation, foreclosure, fire, loss of job, etc.)	20 points
	living in overcrowded conditions in own housing unit (e.g. 1.5 persons per room)	15 points
(iii)	INCOME/RENT RATIO	15 point maximum
	currently paying more than 50% of income for rent or housing	15 points
	currently paying between 31-50% of income for rent/housing	10 points
(iv)	(OPTIONAL) RESIDENT OR LEAST LIKELY TO APPLY APPLICANT	10 points

(a) If this resident selection category is used, the 10 points shall be awarded to both residents and least likely to apply applicants. However, if the owner chooses, more points may be awarded to the least likely to apply applicants (e.g. 15, 20, 25 points, etc.).

(3) Points shall be added up for each applicant. The department recommends that the recipient create a pool of candidates with the highest score and which exceed the number of available units by bedroom size by at least three times. Applicants shall be selected by a lottery.

(4) If the number of applicants does not exceed the number of available units by bedroom size by at least three times applicants may be selected on a first come first serve basis.

(c) Random Selection Method--Lottery

If recipients select the random selection method the factors they shall use in determining selection shall include:

(1) Determining the income eligibility of all applicants;

(2) Pre-screening/interviewing for credit worthiness and other reasonable common rental or ownership criteria; and for verification of applicant information.

(3) Putting all applicants with favorable interviews, that is, having no ground for disqualification based on subsection (e) of this section, back in the pool and choosing by a lottery system.

(d) Interview or Home Visit

(1) Ideally all applicants meeting income guidelines should be interviewed. When a large number of applicants apply, recipients may conduct interviews and/or home visits with only those who meet the minimum threshold point score, so long as the number of interviewees significantly exceeds the number of available units.

(2) The interview should be used for purposes of verifying and clarifying information in the application as well as exploring the ability and willingness of the applicant to meet financial commitments and to assume the other responsibilities of tenancy or ownership. Points should not be added or subtracted as a result of the home visit and interview unless information on the application was erroneous.

(e) Grounds for disqualification

(1) Applicants may be disqualified from final selection upon documentary verification of any of the following: (A) the applicant or any member of the applicant's household has a history of disturbing neighbors, destroying property, or living or housekeeping habits which would substantially interfere with the health, safety, or peaceful enjoyment of other residents; (B) the applicant has a history of rental nonpayment within the past 12 months without reasonable justification (justification might be: substandard housing, loss of a job, etc.); (C) the applicant has knowingly falsified information in the application process; or (D) the applicant cannot demonstrate an ability to pay the base rent.

(2) Applicants deemed ineligible, for whatever reason(s), shall be notified in writing, before the final selection, of the reason(s) for rejection and their right to appeal within ten days of the rejection. Recipients should inform applicants that an appeal should be made immediately to assure their return to the applicant pool if they prevail. An impartial hearing officer shall be

chosen by the recipient who shall issue a written opinion within five days of the hearing. All appeals should be heard within five days of the request.

(3) Applicants still aggrieved shall be informed of their right to appeal the decision of the hearing officer to the department's affirmative action office. Such appeal shall be made in writing, and brought within ten days of the adverse decision.

(4) Recipients shall keep the following materials on file for at least three years: (1) application; (2) initial rejection notice; (3) any applicant reply; (4) the recipient's final response; and (5) all interview and verified information on which the rejection was based.

Sec. 8-37ee-306. Insufficient number of least likely to apply applicants

(a) If the Affirmative Action Office finds, at any stage, that there is an insufficient amount of least likely to apply candidates due to a lack of good faith affirmative fair marketing it shall have the right to require additional outreach until such time as a sufficient effort has been expended or a sufficient number of applicants is available. Such additional outreach may delay the occupancy of units.

(b) Where the department determines that good faith efforts have been made to recruit applicants who are least likely to apply and there is still an insufficient number of eligible applicants, recipients shall be given permission to rent or sell units to other eligible applicants.

(c) The department's determination of the owner's good faith efforts shall include, but not be limited to: substantiating that the outreach which it stated in its Affirmative Fair Housing Marketing Plan was actually completed; that such efforts met time and durational requirements; that the marketing approach was amended or enhanced when found deficient; and that there were particular local, regional, and/or market reasons for the failure of the Affirmative Fair Housing Marketing Plan to attract a sufficient pool of applicants who are least likely to apply. The owner shall develop and maintain adequate documentation in a manner prescribed by the department of its good faith efforts.

Sec. 8-37ee-307. Post occupancy requirements

(a) Following the initial lease-up or sales, recipients shall continue to affirmatively market to those least likely to apply for the life of the mortgage, assistance agreement or regulatory agreement, whichever is longer. Recipients shall make every good faith effort to maintain a racially and economically integrated housing development.

(b) Recipients should schedule application periods as in the initial lease-up or sales at reasonable intervals. Such application periods shall have a deadline and new applicants shall be chosen as in the initial selection system. Prospective applicants shall only be considered during this application period. Where point systems are used, new applicants with higher points may

not displace previous waiting list applicants unless the waiting lists have been reviewed and updated.

(c) The department shall require annual updates on whether recipient affirmative fair marketing goals have been met and whether recipients have been able to sustain their goals. Upon review of the information the department may require remedial action where it is deemed necessary. Records of all affirmative fair marketing, tenant selection, and waiting lists should be retained for at least five years or as set forth in the Assistance or Regulatory Agreement with the Department.

(d) Recipients may be monitored on a yearly basis for compliance with the fair housing requirements stated herein and may be subject to random on-site monitoring.

Sec. 8-37ee-308. [Reserved.]

Sec. 8-37ee-309. Recipient training

Prior to any disbursement of financial assistance recipients shall be required to attend a seminar on implementing the department's Fair Housing regulations. Recipients are encouraged to attend other fair housing forums and participate in fair housing events. All recipient employees and agents shall be informed, in writing, and orally, of fair housing requirements.

Sec. 8-37ee-310. Affirmative marketing for other grantees

Recipients who are not producing housing shall affirmatively market their programs so that a broad range of majority and minority beneficiaries are encouraged to apply for whatever assistance is provided. Outreach should comply with the Affirmative Fair Housing Marketing Plan Guidelines.

Sec. 8-37ee-311. Fair housing policy statement and publicity

(a) Any recipient, including but not limited to sponsors of housing, technical assistance organizations, and subcontractors, shall adopt a fair housing statement prior to the receipt of department funds which shall include the following:

(1) Recipient's commitment to promote Fair Housing choice and not to discriminate against any person as prohibited in General Statutes 46a-64c as amended. Protected classes include: race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, physical or mental disability, or sexual orientation. The provisions of 46a-64c should be specifically included in the pledge.

(2) Recipient's commitment to promote racial and economic integration in any housing developed or supported with department funds being sought or recipient's commitment to seek beneficiaries from all racial and ethnic groups as well as the physically and mentally handicapped and families with children, and to seek a broad range of income eligible beneficiaries, whichever provision is relevant to the kinds of services provided by the grantee.

(3) Identifies the person assigned Fair Housing responsibilities by name, position, address, and telephone.

(4) Includes a discrimination complaint procedure which shall be disseminated to applicants and posted.

(5) Is revised as needed.

(6) States how the policy shall be disseminated.

(7) Is signed by the Board President, CEO, or other comparable party.

(b) Before dissemination the policy shall be approved by the department. The policy shall be prominently posted in the recipient's offices and also on the site where building or rehabilitation is taking place.

(c) Recipients shall prominently display in all offices, in printed materials, and on housing sites fair housing posters and/or the fair housing logo which may be obtained from the department's affirmative action office.

Sec. 8-37ee-312. Modification of requirements

(a) Where another program funding requires stricter fair housing requirements, upon approval of the department those shall be followed.

(b) Where federal sources are also funding the housing, federal fair housing requirements, as well as these shall be adhered to.

(c) Where the department is funding minor rehabilitation, these requirements may be adjusted as determined by the department.

Sec. 8-37ee-314. Fair housing compliance for existing state assisted units

(a) Each owner of five or more state assisted housing units shall develop an affirmative fair housing marketing plan for each such development as described in Section 8-37ee-302, and selection procedures as described in Section 8-37ee-304 of these regulations.

(b) Each owner of state assisted housing shall evaluate its waiting list for each development to determine whether or not the waiting list provides for racial and economic diversity as required by Public Act 91-362.

(c) If there are either insufficient families who are least likely to apply on the list or near the top of the list such that they might be housed within the next year, then the units shall be affirmatively fair marketed.

(d) Eligible applicants currently on the waiting list may not be removed from such list unless duly purged. However, once any additions are to be made to the list, all requirements of this manual shall apply to the new applicants.

(e) Owners of currently assisted state housing shall be expected to comply with all other requirements of this manual within a reasonable time after its effective date and, at a maximum, within one year of such date.

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

TIME FRAMES/PHASES

For recipient's convenience, please find below, an outline of the Affirmative Fair Housing Marketing Plan time frames/phases.

PRE-APPLICATION/APPLICATION PHASE

(a) A pre-application briefing is held at the department before the application for funding is submitted.

(b) The affirmative fair housing marketing plan (plan) and selection procedures (procedures) are submitted with the funding application. They are reviewed and approved or returned for resubmission. They shall be approved before the final application is approved by the department.

(c) Any modifications made to the plan and/or procedures shall be submitted for approval.

MARKETING PHASE

(a) 60 days prior to affirmative fair housing marketing (which shall begin prior to general marketing), a Notification of Intent to Begin Marketing shall be submitted to the department.

(b) The plan and procedures are reviewed, and a preoccupancy conference may be scheduled.

(c) Affirmative fair housing marketing begins at the start of construction.

(d) A second such marketing effort takes place at 50 percent completion.

(e) Final fair housing marketing occurs 6-8 weeks prior to completion.

(f) If inadequate numbers of "least likely to apply" candidates are applying, recipients should reassess outreach mechanisms.

APPLICATION PHASE

(a) The time for receipt of all applications shall extend for at least 90 days.

(b) Reports to the department regarding racial and economic make-up shall be submitted:

(1) After the application period ends

(2) After pre-screening is completed

(3) After final selection

POST OCCUPANCY PHASE

(a) Affirmative fair housing marketing and selection procedures shall be continued for the life of the project.

(b) Yearly updates on meeting and sustaining goals shall be required.

(c) The department may randomly monitor housing to assure continuing compliance.

(d) If at any time the department determines that there are insufficient "least likely to apply" applicants or occupants due to the lack of a good faith effort on the part of the recipient, further outreach and/or a Compliance Meeting may be required.

SCHEDULE H

**FLOOR PLAN SHOWING LOCATION OF BMR UNITS
128-136 Broad Street**

By executing this agreement, the Owner is acknowledging and agreeing to comply with the contents and requirements of same. The undersigned parties further hereby agree that the recording of this agreement on the Stamford Land Records shall completely satisfy the BMR obligations in connection with Application [X] and no further monetary or alternative method of compliance shall be required by the Owner, TR Broad II, LLC, or any successor or assign.

Reviewed and approved by:

TR Broad II, LLC

By: _____
Thomas L. Rich, Duly Authorized

Dated: _____

CITY OF STAMFORD

By: _____
Ralph Blessing
Land Use Bureau Chief

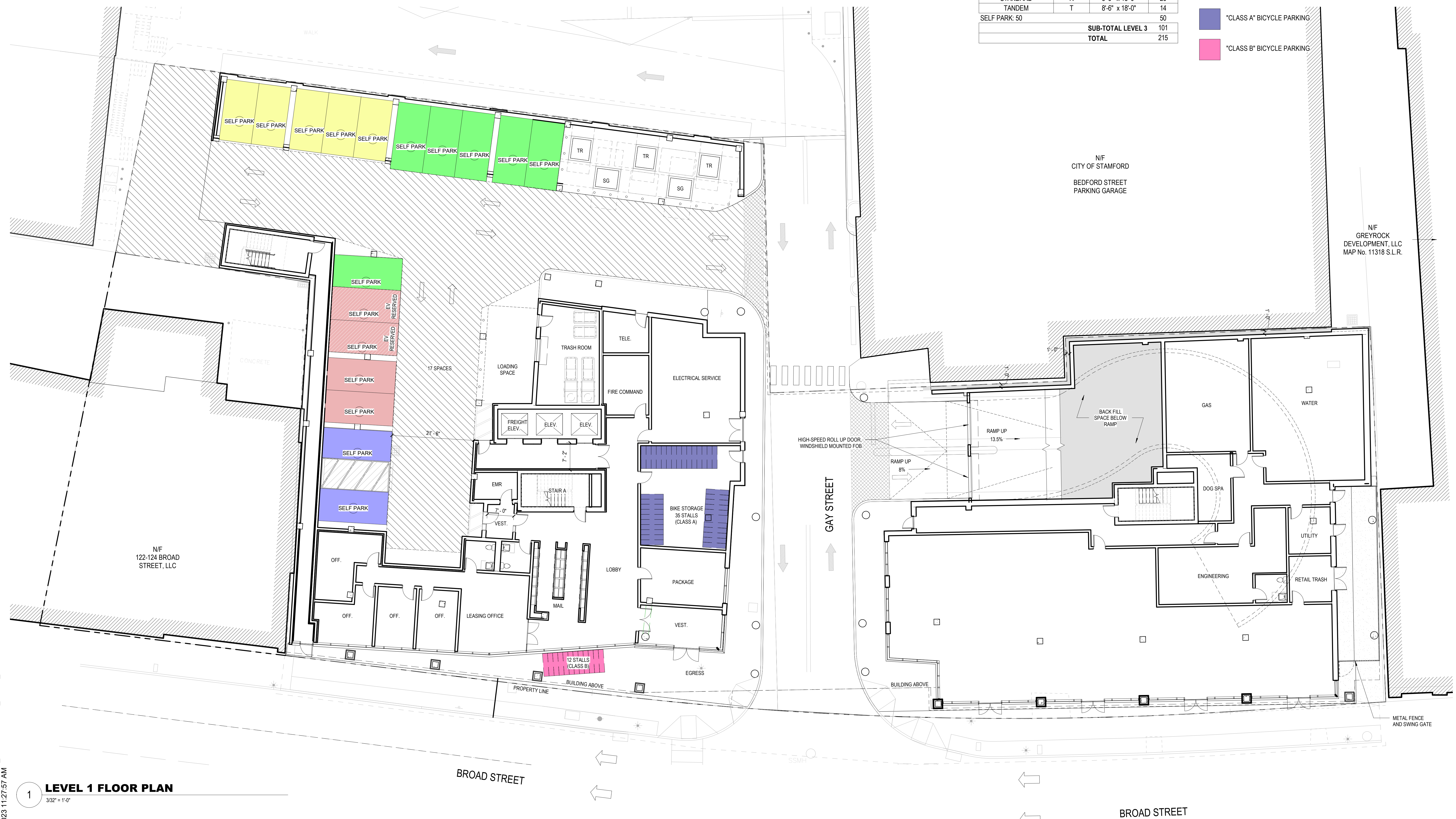
Dated: _____

PARKING COUNTS			
Description	TYPE MARK	DIMENSIONS	COUNT
GROUND FLOOR			
ADA	ADA	9'-0" x 18'-0"	1
ADA VAN	ADA VAN	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	5
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	2
E.V. RESERVED	EV-R	8'-6" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	6
SELF PARK: 17			17
SUB-TOTAL LEVEL 1 17			
LEVEL 2			
VALET	V		51
VALET: 51			51
ADA	ADA	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	1
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	4
STANDARD	R	8'-6" x 18'-0"	22
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK: 46			46
SUB-TOTAL LEVEL 2 97			
LEVEL 3			
VALET	V		51
VALET: 51			51
ADA	ADA	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	1
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	4
STANDARD	R	8'-6" x 18'-0"	26
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK: 50			50
SUB-TOTAL LEVEL 3 101			
TOTAL 215			

	SELF PARKING	VALET	TOTAL
LEVEL 1	17	0	17
LEVEL 2	46	51	97
LEVEL 3	50	51	101
TOTAL	113 (108*)	102	215 (210*)

*PER SECTION 12.1.2-B CHARGING STATIONS MAY COUNT AS 1/2 OF A REQUIRED OFF-STREET PARKING SPACE.

- ADA VEHICLE PARKING
- COMPACT VEHICLE PARKING
- STANDARD VEHICLE PARKING
- TANDEM PARKING
- ELEC. VEHICLE CHARGING STATION
- RESERVED ELEC. VEHICLE PARKING
- VALET PARKING
- "CLASS A" BICYCLE PARKING
- "CLASS B" BICYCLE PARKING



No.	Description	Date



PERKINS EASTMAN
677 Washington Blvd.
Suite 101
Stamford, CT 06901
T: +1 203 251 7400
F: +1 203 251 7474

F.D. RICH COMPANY
222 SUMMER STREET
STAMFORD, CT 06901
Construction Manager:

D'ANDREA SURVEYING & ENGINEERING
6 NIEL LANE, PO BOX 549
RIVERSIDE, CT 06878
Landscape:

DESIMONE CONSULTING ENGINEERS
55 CHURCH STREET, 4TH FLOOR
NEW HAVEN, CT 06510
Mechanical & Plumbing:
CDA ENGINEERING, INC
46 RIVERSIDE AVE.
WESTPORT, CT 06880
Electrical:

Lighting Consultant:
Food Service:
Planning / Zoning:
Envelope Consultant:
Code Consultant:
Acoustical Consultant:

PROJECT TITLE:
128 BROAD STREET

PROJECT No: 91510
DRAWING TITLE:
PARKING PLAN - GROUND FLOOR

SCALE: As Indicated

PP-1

SITE PLAN APPROVAL

11/15/2022






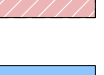
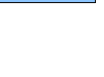
C:\REVIT_LOCAL\191510_128 Broad Street_indrise_a.ostander.rvt
4/19/2023 11:27:57 AM

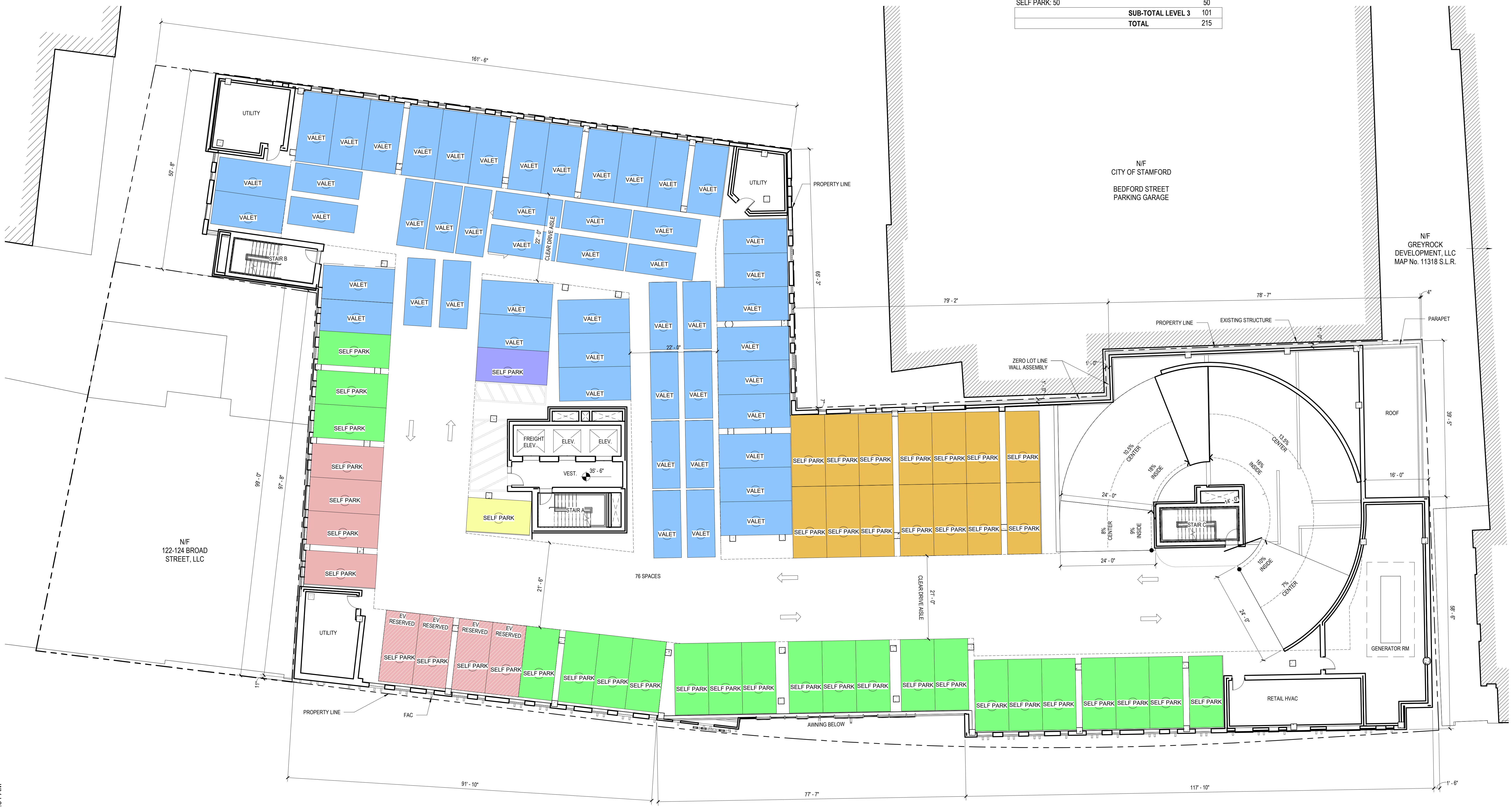
1 LEVEL 1 FLOOR PLAN
3/32" = 1'-0"

PARKING COUNTS			
Description	TYPE MARK	DIMENSIONS	COUNT
GROUND FLOOR			
ADA	ADA	9'-0" x 18'-0"	1
ADA VAN	ADA VAN	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	5
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	2
E.V. RESERVED	EV-R	8'-6" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	6
SELF PARK: 17			17
SUB-TOTAL LEVEL 1			17
LEVEL 2			
VALET	V		51
VALET: 51			51
ADA	ADA	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	1
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	4
STANDARD	R	8'-6" x 18'-0"	22
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK: 46			46
SUB-TOTAL LEVEL 2			97
LEVEL 3			
VALET	V		51
VALET: 51			51
ADA	ADA	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	1
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	4
STANDARD	R	8'-6" x 18'-0"	26
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK: 50			50
SUB-TOTAL LEVEL 3			101
TOTAL			215

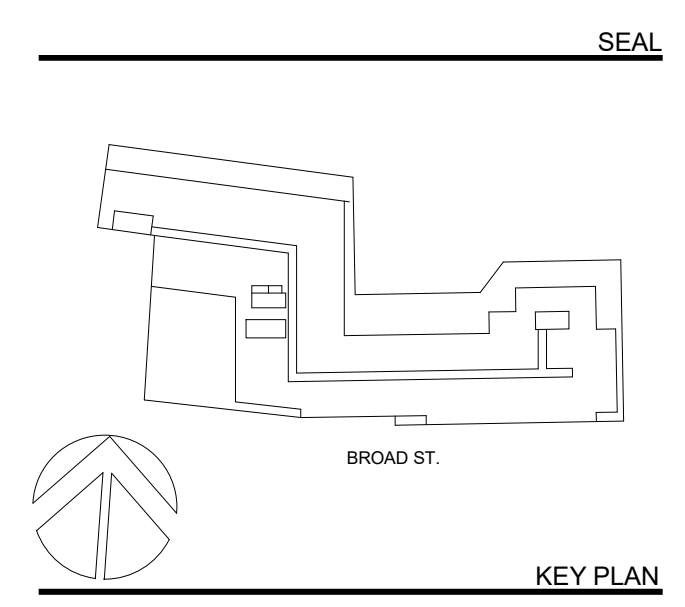
LEVEL	SELF PARKING		VALET	TOTAL
	TYPE	COUNT		
LEVEL 1	17	0	17	
LEVEL 2	46	51	97	
LEVEL 3	50	51	101	
TOTAL	113 (108*)	102	215 (210*)	

*PER SECTION 12.1.2-B CHARGING STATIONS MAY COUNT AS 1/2 OF A REQUIRED OFF-STREET PARKING SPACE.

-  ADA VEHICLE PARKING
-  COMPACT VEHICLE PARKING
-  STANDARD VEHICLE PARKING
-  TANDEM PARKING
-  ELEC. VEHICLE CHARGING STATION
-  RESERVED ELEC. VEHICLE PARKING
-  VALET PARKING



No.	Description	Date



PERKINS EASTMAN
 677 Washington Blvd.
 Suite 101
 Stamford, CT 06901
 T: +1 203 251 7400
 F: +1 203 251 7474

Owner: **F.D. RICH COMPANY**
 222 SUMMER STREET
 STAMFORD, CT 06901
 Construction Manager:
 NIF GREYROCK DEVELOPMENT, LLC
 MAP No. 11318 S.L.R.

Civil / Site: **D'ANDREA SURVEYING & ENGINEERING**
 6 NEIL LANE, PO BOX 549
 RIVERSIDE, CT 06878
 Landscape:

Structural: **DESIMONE CONSULTING ENGINEERS**
 55 CHURCH STREET, 4TH FLOOR
 NEW HAVEN, CT 06510
 Mechanical & Plumbing: **CDA ENGINEERING, INC**
 46 RIVERSIDE AVE.
 WESTPORT, CT 06880
 Electrical:

Lighting Consultant:
 Food Service:
 Planning / Zoning:
 Envelope Consultant:
 Code Consultant:
 Acoustical Consultant:

PROJECT TITLE:
128 BROAD STREET

PROJECT No: 91510
 DRAWING TITLE:
PARKING PLAN - LEVEL 2

SCALE: As Indicated
PP-2
 SITE PLAN APPROVAL
 11/15/2022

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 3/32" = 1'-0"

LEVEL 2 FLOOR PLAN

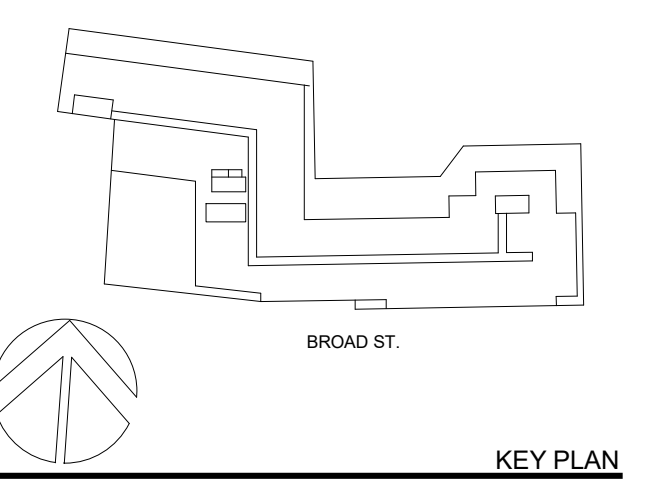
PARKING COUNTS			
Description	TYPE MARK	DIMENSIONS	COUNT
GROUND FLOOR			
ADA	ADA	9'-0" x 18'-0"	1
ADA VAN	ADA VAN	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	5
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	2
E.V. RESERVED	EV-R	8'-6" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	6
SELF PARK:			17
SUB-TOTAL LEVEL 1			
			17
LEVEL 2			
VALET	V		51
VALET:			51
ADA	ADA	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	1
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	4
STANDARD	R	8'-6" x 18'-0"	22
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK:			46
SUB-TOTAL LEVEL 2			
			97
LEVEL 3			
VALET	V		51
VALET:			51
ADA	ADA	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	1
ELEC. VEHICLE	EV-C	8'-6" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	4
STANDARD	R	8'-6" x 18'-0"	26
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK:			50
SUB-TOTAL LEVEL 3			
			101
TOTAL			
			215

	SELF PARKING	VALET	TOTAL
LEVEL 1	17	0	17
LEVEL 2	46	51	97
LEVEL 3	50	51	101
TOTAL	113 (108*)	102	215 (210*)

*PER SECTION 12.1.2-B CHARGING STATIONS MAY COUNT AS 1/2 OF A REQUIRED OFF-STREET PARKING SPACE.

- ADA VEHICLE PARKING
- COMPACT VEHICLE PARKING
- STANDARD VEHICLE PARKING
- TANDEM PARKING
- ELEC. VEHICLE CHARGING STATION
- RESERVED ELEC. VEHICLE PARKING
- VALET PARKING

No.	Description	Date



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 NEW HAVEN, CT 06510

Mechanical & Plumbing: **CDA ENGINEERING, INC**
 46 RIVERSIDE AVE.
 WESTPORT, CT 06880
 Electrical:

Lighting Consultant:

Food Service:

Planning / Zoning:

Envelope Consultant:

Code Consultant:

Acoustical Consultant:

PROJECT TITLE:
128 BROAD STREET

PROJECT No: 91510
 DRAWING TITLE:
PARKING PLAN - LEVEL 3

SCALE: As Indicated

PP-3

SITE PLAN APPROVAL

11/15/2022



1 LEVEL 3 FLOOR PLAN
 3/32" = 1'-0"

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Broad Street Frontage



Street Planters



4th Floor Roof Deck - Street View

128-136 Broad Street

Representative Landscape Imagery

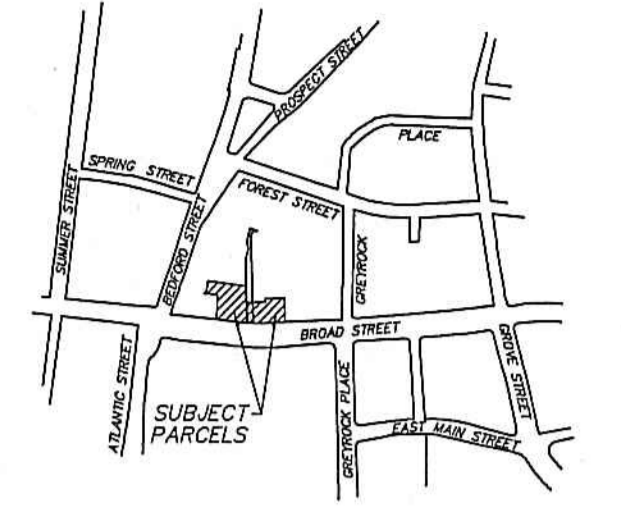


4th Floor Roof Deck - Aerial View

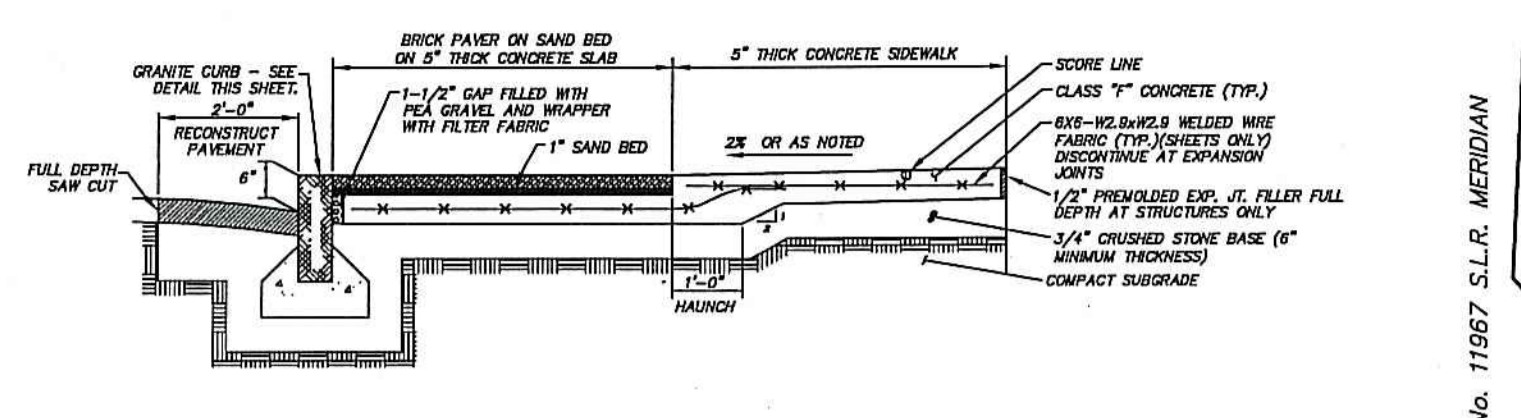


Building Rear - View from Bedford Street Lot

BLOCK No. 176
 "C-G" ZONING DISTRICT
 PARCEL A = 20,865 SQ.FT.
 PARCEL B = 14,794 SQ.FT.



LOCATION MAP - 1" = 800'

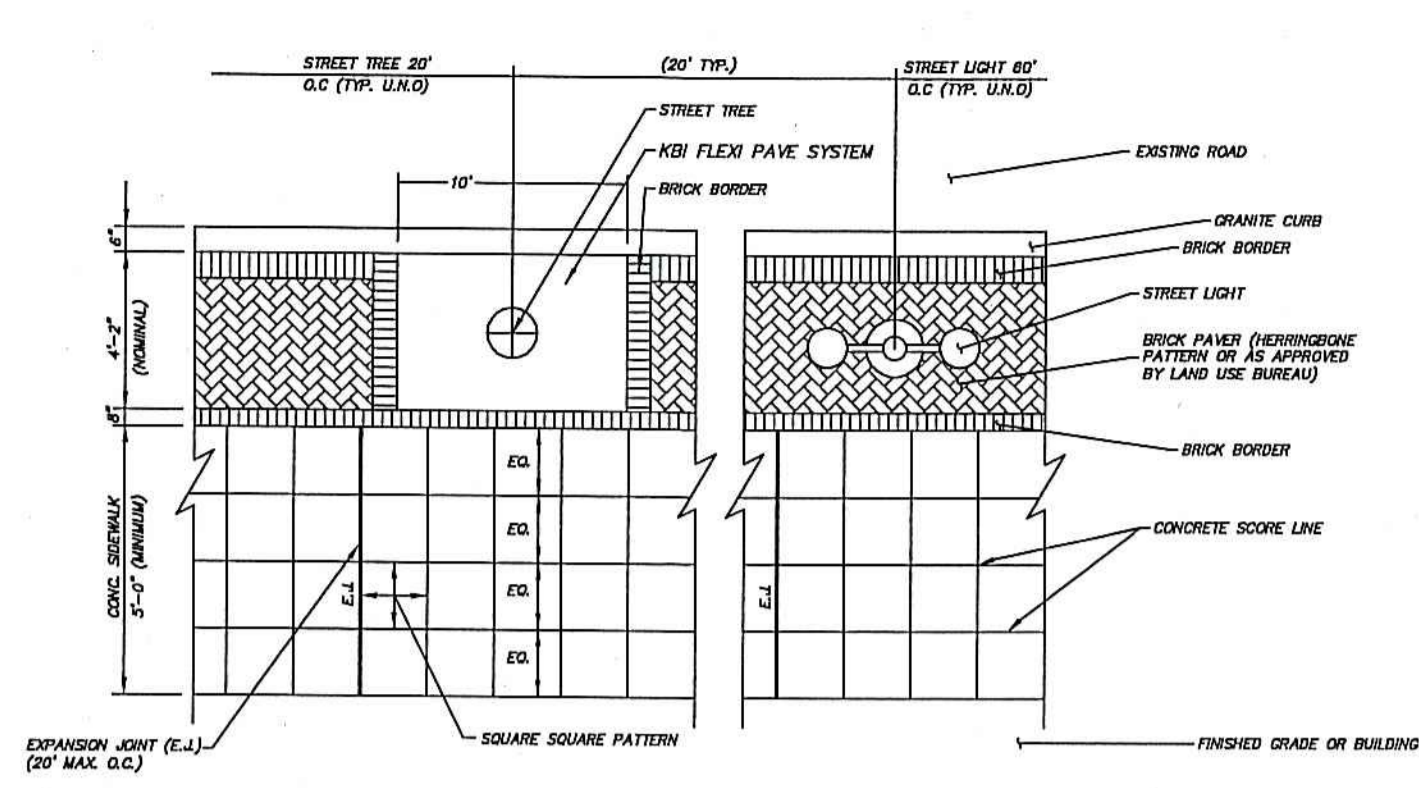
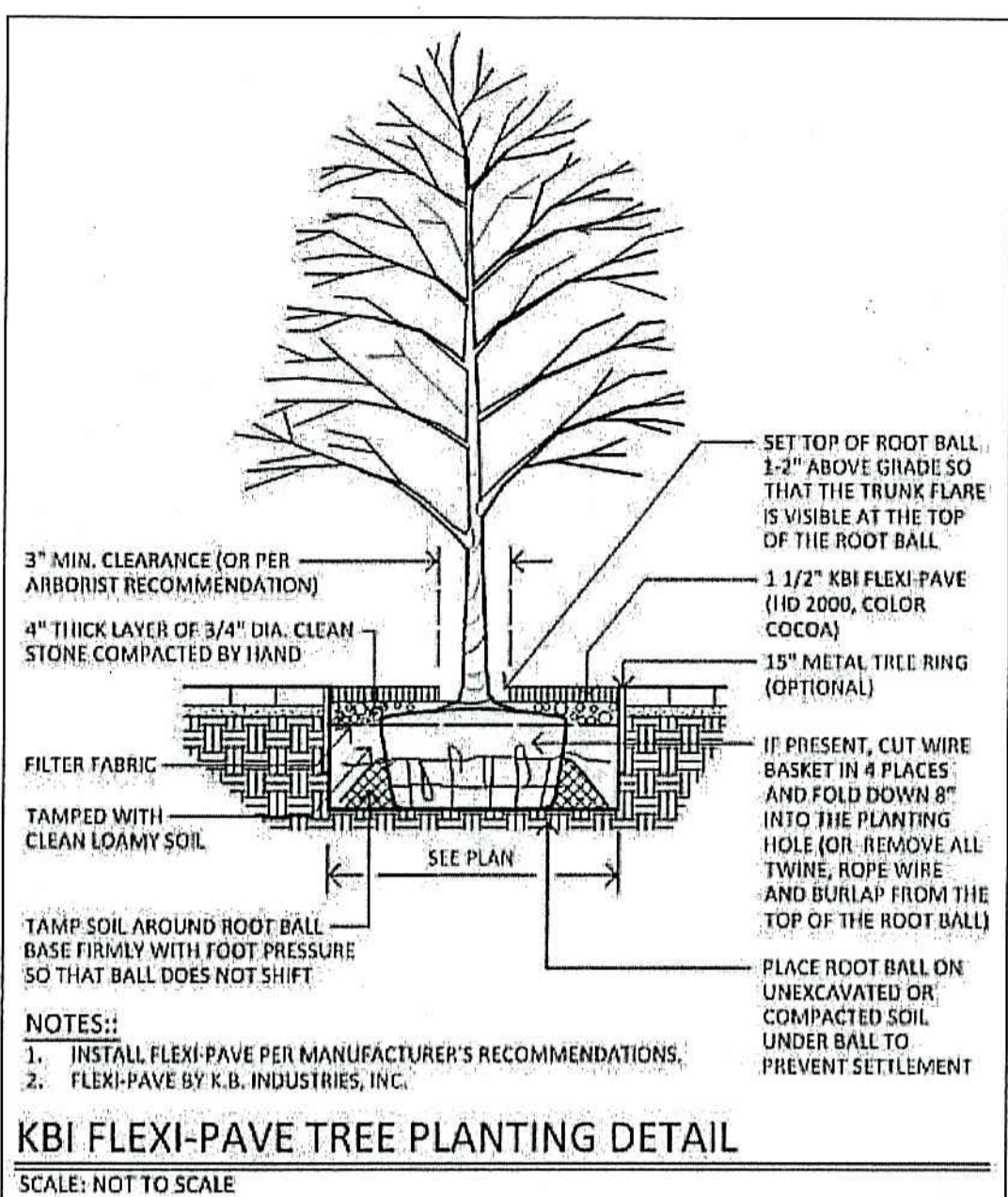


- NOTES:
1. CONCRETE TO BE CLASS "F" CONFORMING TO CT DOT FORM B16 SECTION M.03.01.
 2. GRAVEL BASE SHALL CONFORM TO GRADATION A AS DEFINED IN ConnDOT FORM B18 SECTION M.02.01 INSTALLED AS PER SECTION 3.02.
 3. INSTALL AS PER THE AMERICAN CONCRETE INSTITUTE CODE.
 4. THE AREA SHALL BE COMPACTED TO AT LEAST 95% OF THE DRY DENSITY ACHIEVED BY ASTM D1557.
 5. CONTRACTION JOINTS PLACED IN A SQUARE PATTERN AS PER DETAIL.
 6. DRAW A SOFT BRISTLED BROOM ACROSS FLOAT-FINISHED CONCRETE SURFACE PERPENDICULAR TO LINE OF TRAFFIC TO PROVIDE A UNIFORM, FINE LINE TEXTURE.

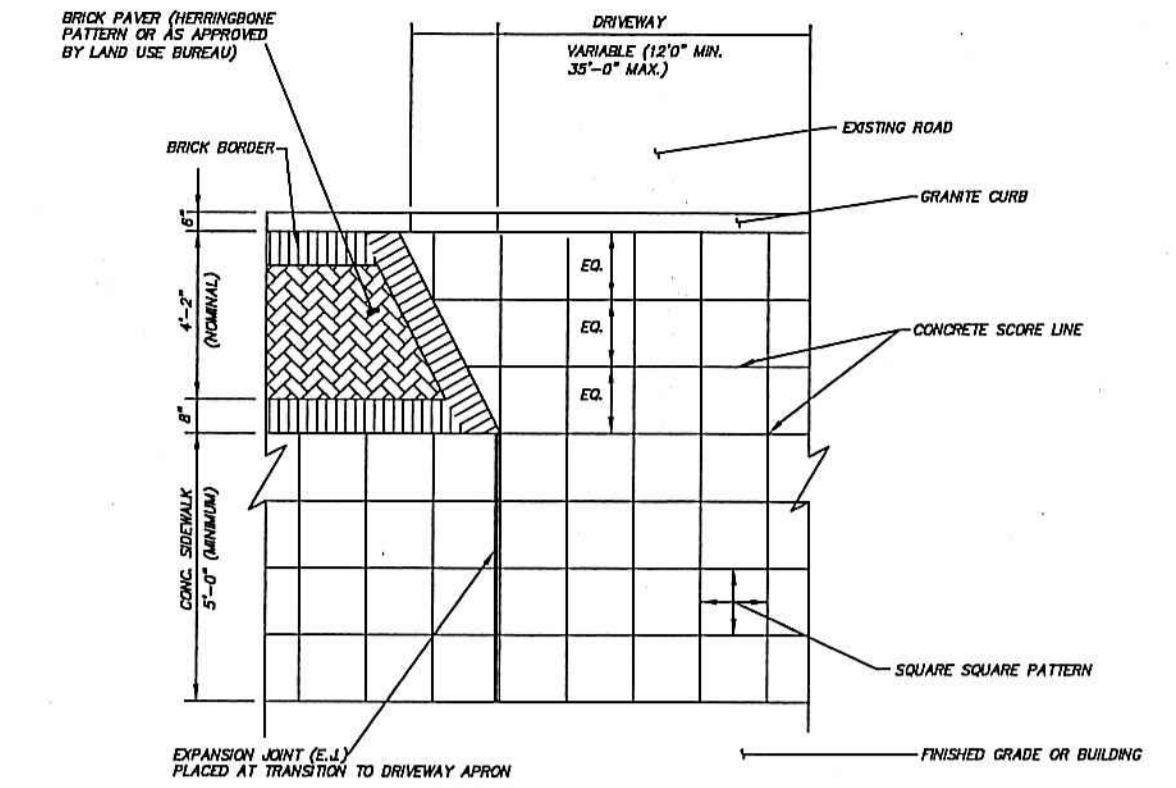
CITY OF STAMFORD TYPICAL SIDEWALK SECTION N.T.S.

STREET TREE SUMMARY

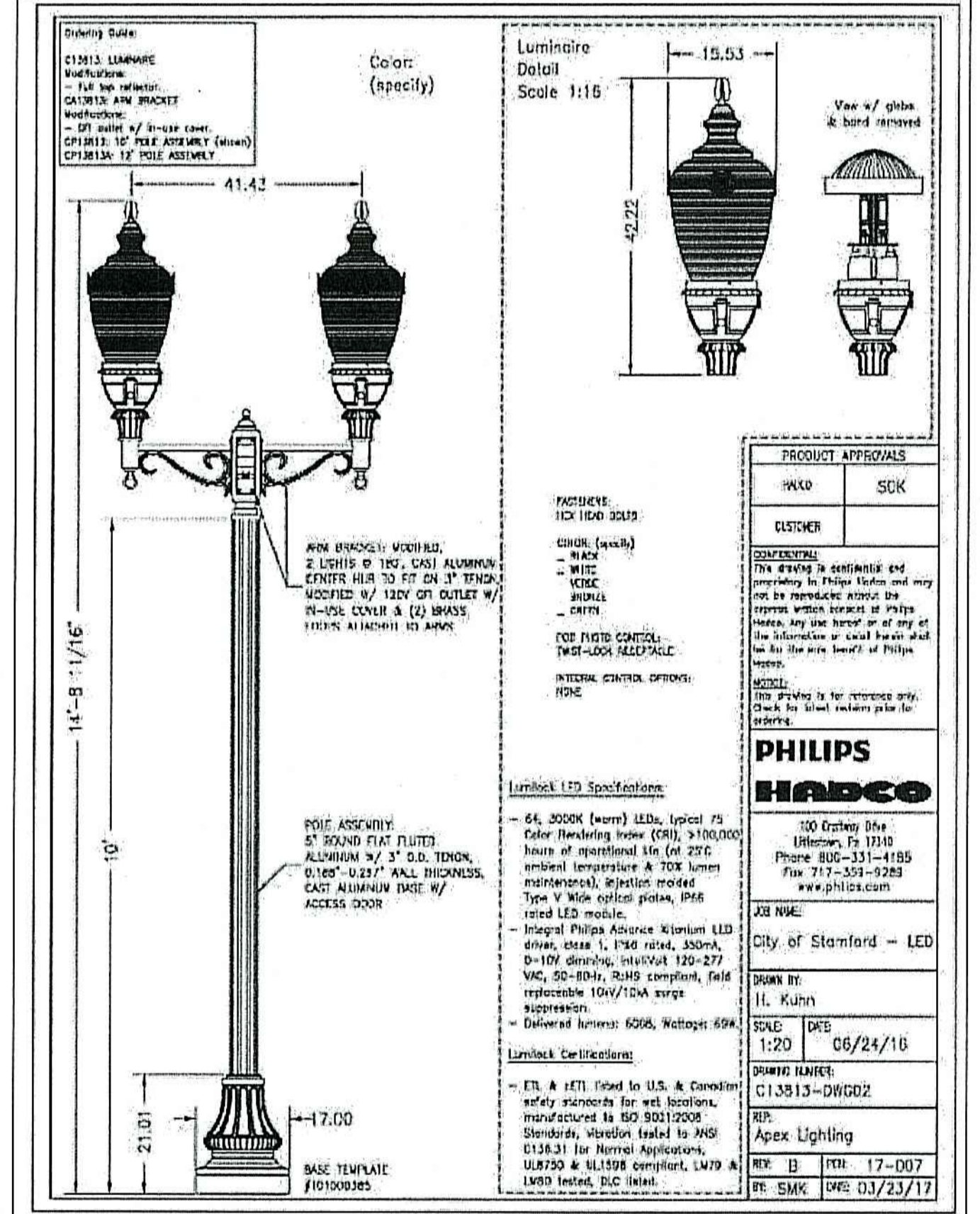
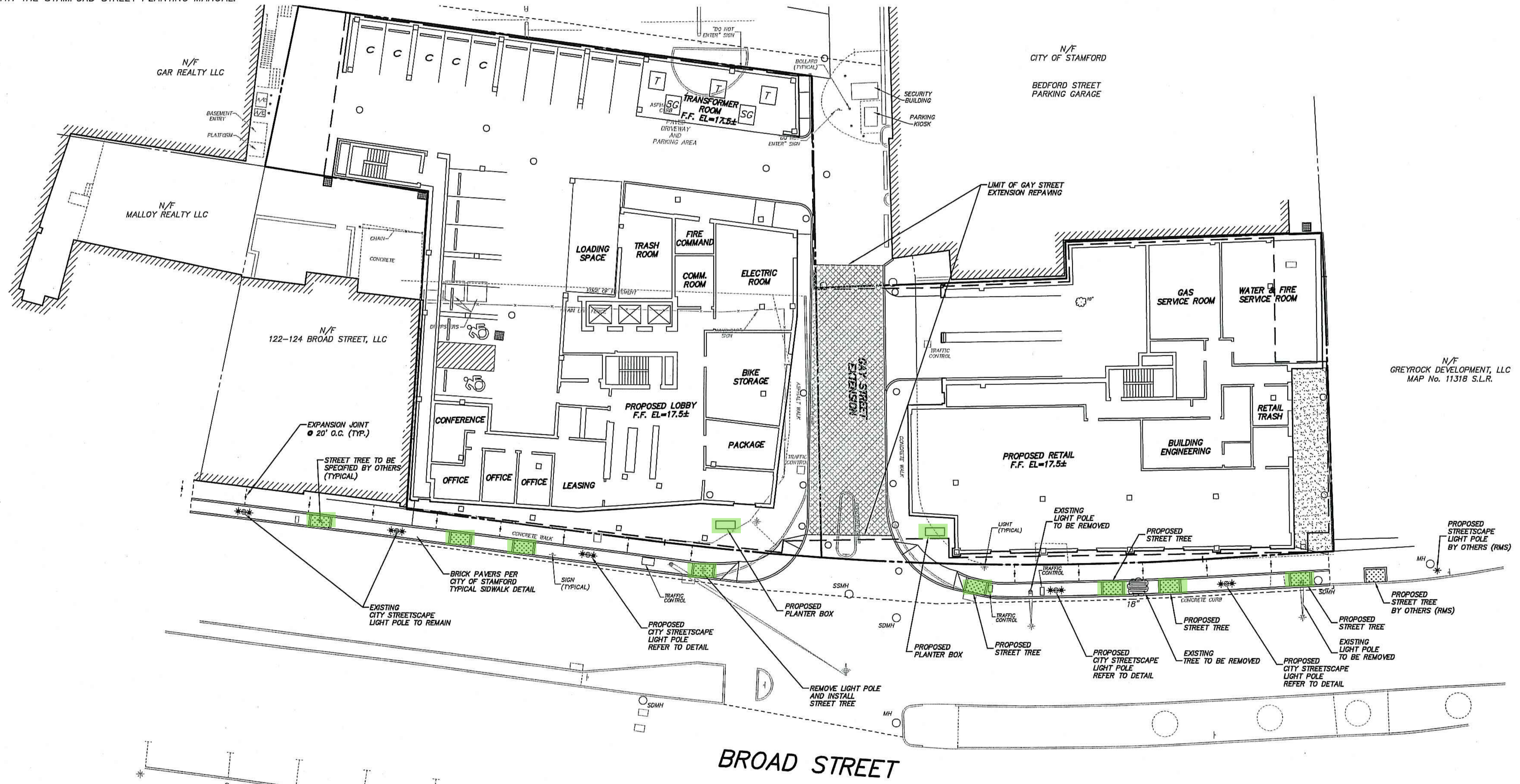
* BROAD STREET FRONTAGE	= 275' (NET)
1 TREE / 30 FT. OF FRONTAGE	= 9
TREES PROPOSED	= 8
REFER TO STAMFORD STREET PLANTING MANUAL	
* EXCLUDES MOUTH OF GAY STREET INTERSECTION	



- NOTES:
1. SIDEWALK AREA ON BROAD STREET AND GREYROCK PLACE IS DESIGNATED "RAIL TRAIL" BY THE CITY OF STAMFORD. CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE CITY OF STAMFORD AND OBTAINING APPROVAL PRIOR TO ORDERING AND INSTALLATION.
 2. CONCRETE WALKS TO BE SCORED CONCRETE USING AN 18" TO 20" SQUARE SCORING PATTERN AS NECESSITATED BY SIDEWALK WIDTH REQUIREMENTS. COLOR TO BE LIGHT GREY AS USED IN STAMFORD CONCRETE SPEC. EACH SQUARE FINISHED WITH A SMOOTH 1/2" DEEP TOOLED EDGE AND DEEP BROOM SURFACE.
 3. REFER TO CITY OF STAMFORD "STREETSCAPE GUIDELINES" FOR ADDITIONAL INFORMATION INCLUDING TREE PIT AND GRANITE CURBING DETAIL.
 4. INSTALL 1.5" KBI FLEXI-PAVE AROUND TREES TO BE 4'X10'. REFER TO PLANS PREPARED BY THE LANDSCAPE ARCHITECT FOR DETAILS.
 5. CONTRACTOR SHALL LEAVE 4" DIAMETER BY 3" DEEP PVC SLEEVE AT LOCATIONS OF EXISTING PARKING METERS AND SIGNAGE FOR REINSTALLATION.
- BRICK PAVERS TO BE 4"X8"X2 1/4", CAMBRIDGE PAVER, AS MANUFACTURED BY GLEN GARY PAVERS, MID ATLANTIC PLANT, REPRESENTED BY SPAULDING BRICK, BOSTON, MA, TEL: (617) 686-3200 OR APPROVED EQUAL. PAVERS SHALL BE LAYED ONTO AN APPROVED SAND BED AND SHALL BE INSTALLED HAND TIGHT. SAW CUTS SHALL BE DONE IN A WORKMANLIKE MANNER THAT WILL RESULT IN STRAIGHT AND EVEN JOINT LINES. AFTER INSTALLATION, SAND SHALL BE SWEPT INTO JOINTS BETWEEN PAVERS FIELD TAMPED INTO SAND BED TO SET. SWEEP ADDITIONAL SAND INTO JOINTS TO FILL AS NECESSARY.

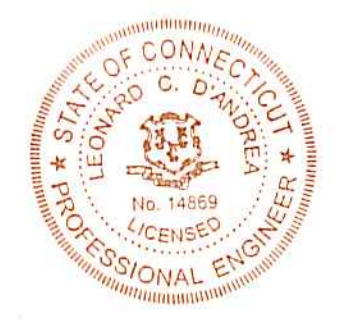
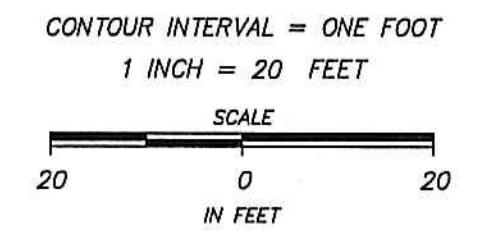


NOTE:
 STREET TREES ARE TO BE APPROVED BY THE CITY OF STAMFORD IN ACCORDANCE WITH THE STAMFORD STREET PLANTING MANUAL.



BROADWAY_21UT_SP_01_REV.DWG (EMH)

- NOTES:
1. Tree grates/surfaces shall be ADA compliant.
 2. Street light poles shall be black to match City of Stamford streetscape. All street lighting shall be coordinated with the City of Stamford Engineering Department.



REV.	DATE	DESCRIPTION
1	4-13-23	REVISED TREES & LIGHTS
0	1-26-23	ZONING SUBMISSION
REV.	DATE	DESCRIPTION
LEONARD C. D'ANDREA, CT PE No. 14869	4-13-23	DATE
ENGINEER		

D'ANDREA SURVEYING & ENGINEERING, PC
 LAND PLANNERS
 ENGINEERS
 SURVEYORS

P.O. BOX 549
 RIVERSIDE, CT 06878

6 NEIL LANE
 TEL: 637-1779

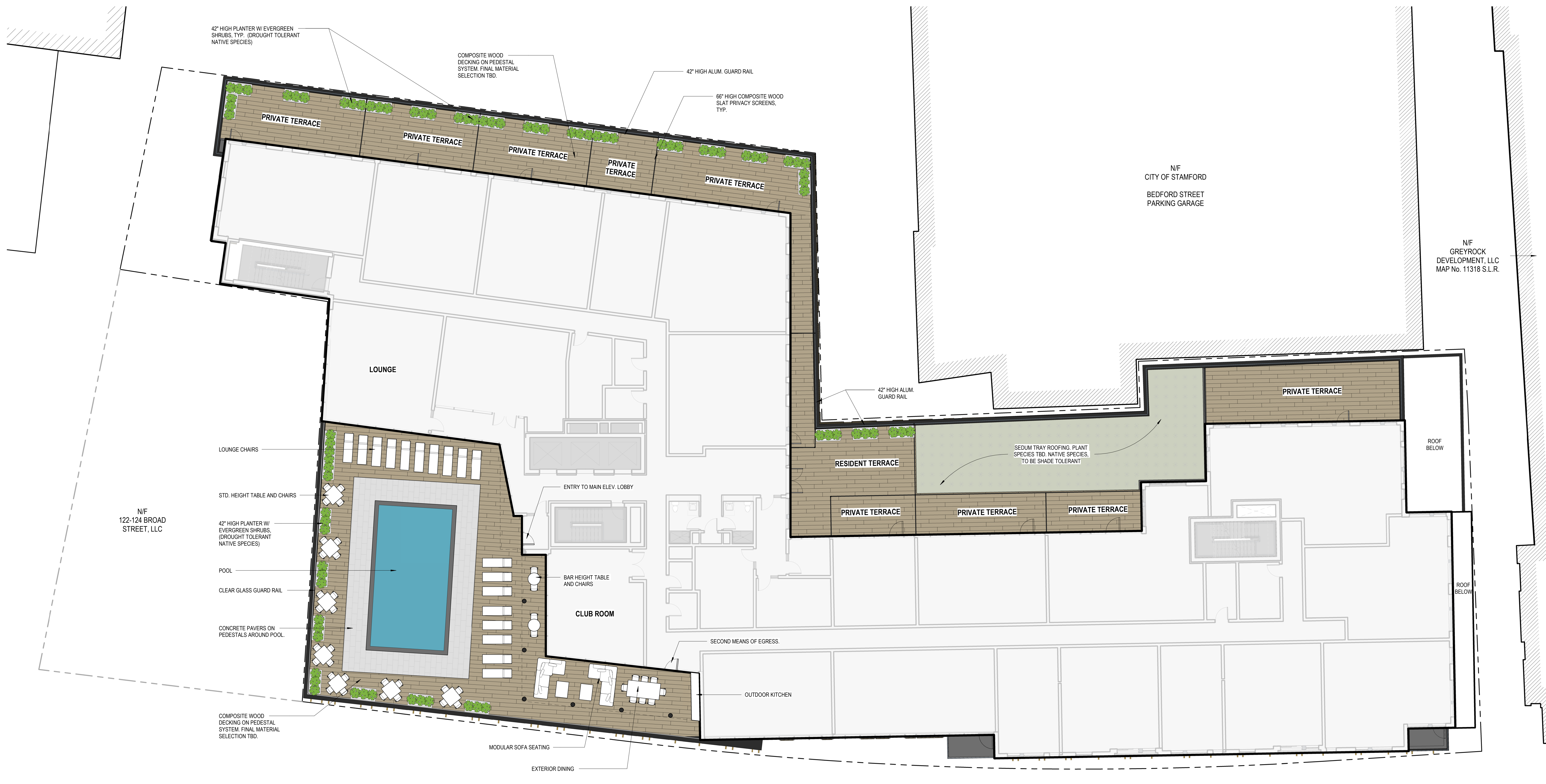
PROJECT: **MIXED USE DEVELOPMENT**

PREPARED FOR: **TR BROAD II, LLC**

LOCATION: **128 BROAD STREET STAMFORD, CONNECTICUT**

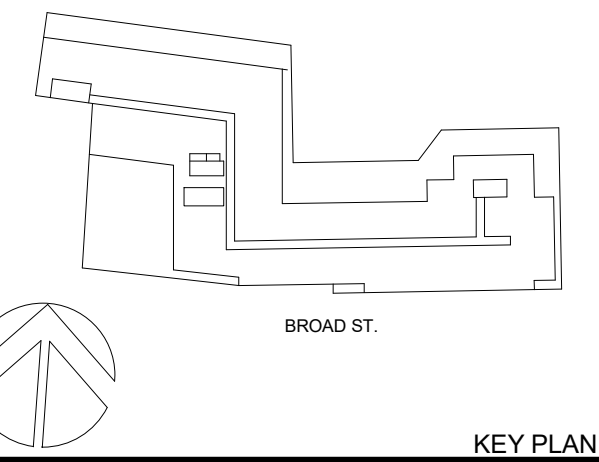
1 OF 1 **STREETSCAPE PLAN**

No.	Description	Date



1 TERRACE LEVEL LANDSCAPE PLAN
3/32" = 1'-0"

SEAL



PERKINS EASTMAN
677 Washington Blvd.
Suite 101
Stamford, CT 06901
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46 RIVERSIDE AVE.
WESTPORT, CT 06880
Electrical:

Lighting Consultant:

Food Service:

Planning / Zoning:

Envelope Consultant:

Code Consultant:

Acoustical Consultant:

PROJECT TITLE:

128 BROAD STREET

PROJECT No: 91510

DRAWING TITLE:
LEVEL 4 -
TERRACE
LANDSCAPE PLAN

SCALE: 3/32" = 1'-0"

L-104

SITE PLAN APPROVAL

11/15/2022

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4/14/2023 12:56:09 PM

April 7, 2023

Mr. David Stein, Chairman
Zoning Board
888 Washington Blvd., 7th Floor
Stamford, CT 06901

Re: Parking Management/Operations Plan for 128-136 Broad Street, Stamford, CT, dated
April 6, 2023

Dear Mr. Stein,

I am the Executive Vice President of Propark Mobility, one of the largest parking operators in the country, and at the request of TR Broad II, LLC I consulted on the parking management/operations plan for 128-136 Broad Street in March at the time it was initially drafted. I have carefully re-reviewed the revised plan referenced above and based on my 30+ years of experience in the parking industry, can confidently state that I agree with its analysis and conclusions. For reference, Propark Mobility currently manages 96,000 valet spaces, including the valet operations at Landmark Square and nearby Courtyard by Marriott.

Should you have any questions, please feel free contact me any time.

Sincerely,



Kristen Sokich
Executive Vice President
Propark Mobility
(914) 478-6300
Kristen.sokich@propark.com

**Parking Management/Operations Plan
128-136 Broad Street, Stamford, CT
April 6, 2023**

This plan outlines the proposed operation and management of the three-level parking garage that will support the 128-136 Broad Street residential development in Stamford, CT. It was created as a follow-up to the Transportation Demand Management Plan/Parking Management Plan prepared by SLR and the City of Stamford Transportation, Traffic & Parking Office staff's comments. It has been reviewed and approved by Propark Mobility (formerly ProPark America), one of the largest parking operators in the country, who manage 457,142 parking spaces in 750 parking facilities across the USA. This includes 96,000 valet parking spaces. In Stamford, Connecticut, Propark Mobility manages several self-park and/or valet parking facilities. They manage the valet parking operations at the Courtyard by Marriott Hotel and Landmark Square along with other properties to name just a few of their local parking management contracts.

OVERVIEW

The project will consist of 198 rental apartments, 215 parking spaces and 4,324 SF of retail space in a 13-story building. All 215 required parking spaces will be supplied on-site as follows: at grade, west of Gay Street, there will be 17 self-parking spaces, on garage levels 2 and 3 there will be 198 parking spaces total of which 68 are self-park, 28 are self-park/tandem spaces, and 102 valet spaces. See chart below.

Floor	Self-Park		Self-Park Sub-Total	Valet	Total
	Single	Tandem			
1	17	0	17	0	17
2	32	14	46	51	97
3	36	14	50	51	101
Total	85	28	113	102	215
Percent	40%	13%	53%	47%	100%

PARKING OPERATION

Primary residential vehicular access will be from Broad Street, directly to the garage ramps located on the east side of Gay Street. This portion of the garage will be secured with high-speed gates equipped with a vehicular sensing transponder so cars can enter quickly and seamlessly without delay. This guarantees that no queuing or backups will occur at Gay Street. Secondary access will be from Forest Street.

From the day of opening, the building will supply 113 self-park spaces and 102 valet spaces, for a ratio of 1.086 spaces per unit. However, our projected estimate of actual usage anticipates that parking demand will not exceed 173 parking spaces, which for the 198 apartments, represents .874 spaces per unit. This ratio comports with the higher end of the estimated parking utilization range as contained in SLR's Transportation Demand Management/Parking Management Plan dated January 2023. That report indicates an expected parking utilization ratio of .71 to .90 vehicles per unit.

For comparison, one of our past Stamford development projects is Summer House, a 22-story apartment rental community with a 4 level above grade structured parking garage. Since its opening in 2016 it has experienced full occupancy. The garage contains 150 self-parking spaces for 227 units, which equates to a .66 spaces per dwelling

unit parking ratio. This project had a zoning parking requirement of approximately 227 spaces but was approved with plans that showed that the 227-space parking requirement could be met, upon demonstrated need, by layering in several parking methods including valet, stacker, and self-park/tandem spaces. **That need never materialized with current actual usage being only .43 spaces per dwelling unit, which equates to only 97 out of 150 parking spaces being used.** Summer House has been operating successfully as one of the most sought-after rental communities in the downtown area despite the .66 on-site parking ratio.

Note: Section 12.D.1.c. of the Stamford zoning regulations provides for the ability to use self-park/tandem, valet parking, stackers, car elevators, or other parking management techniques. On the ground floor of this proposed project, a 15' clear ceiling height is planned. This can easily accommodate stackers over 15 of the planned 17 parking spaces, which could be used for longer term car storage. Although not currently part of this application, it may be helpful to note that if we only adopted usage of the 15 stackers in addition to 173 parking spaces that we anticipate will actually be used, it would increase the parking count to 188 spaces resulting in a parking ratio of .95 which is in excess of the high end of the parking utilization range of .90 from the SLR report.

Note: **Each set of self-park/tandem spaces will be assigned to one household so that both spaces, one in front of the other, will be managed by members of that household only.** A total of 10 spaces will be designated for Electric Vehicle charging. 27 Class A bicycle parking spaces will be accommodated within the ground floor bike storage area, and there will be 20 Class B bicycle parking spaces, of which 12 will be located on Broad Street adjacent to the main lobby entrance, which is covered by upper levels of the building, and 8 will be located within the ground floor bike storage area. The locations of the above are shown on the attached plans.

Valet parking

As noted above, from CO/building opening, the building will operate by supplying self-park, self-park/tandem and valet parking spaces. Staging for the valet parking operation will be on level 2 with a valet station being positioned adjacent to the elevator vestibule. The 24-7, fully staffed, valet station will include a lock box to securely store car keys. A dedicated cell phone and hard-wired phone will be available so that residents can communicate directly with valet staff via direct call, voice mail or text message. All car keys will be tagged with permit numbers and a vehicle condition ticket will be completed by the parking attendant(s) on duty each time a car is taken into their possession.

Upon entering the high-speed gated garage and proceeding to the second floor, residents will drop off their vehicles in the valet staging area and hand their keys to the valet attendant on duty. Departing resident vehicles will have been staged according to the stated resident scheduling requests or learned routines. For example, automobiles that are not typically used daily or not at all during the week will be positioned in remote positions in the valet area of the garage. On the contrary, vehicles that are required routinely or at specified times would be positioned in easily accessible/unobstructed areas requiring minimal shuffling of automobiles.

The valet parking operation will include a minimum of one attendant who will be on duty at all times, 24 hours per day. The actual schedule and staffing will be adjusted as the parking operator becomes familiar with usage patterns that emerge. Staffing levels shall always be maintained at levels adequate to ensure a successful valet operation.

DEMAND MANAGEMENT

Monthly parking charges will be separate from the rent (unbundled).

Alternate Parking Options (should a tenant desire to park off-site):

There are close to 5,616 public parking spaces within a 5-minute walk of the project site including, Bedford Street (658 spaces), Stamford Town Center (3,883 spaces), Target (600 spaces), and the URC Garage (475 spaces).

Walk Score

The property features a Walk Score of 96, a “Walker’s Paradise”, where daily errands do not require a car. This high Walk Score, in conjunction with other modes of transportation will serve to minimize parking demand as many of our residents will not need to own a car. In addition to being highly walkable, the site also has an “Excellent Transit” score of 73 and “Very Bike-able” score of 76. Convenient accessibility to local businesses and area amenities encourages residents to travel on foot, via bicycle, or to utilize one of the many rideshare services such as Uber or Lyft.

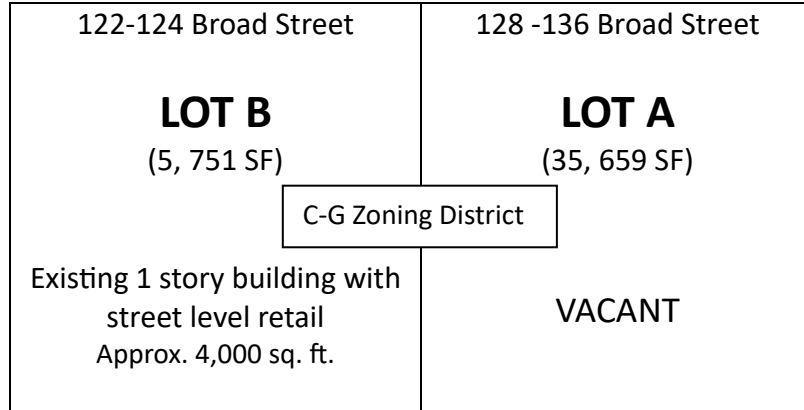
Alternate Transportation

- The project currently plans to offer a train station shuttle which will further alleviate the need for car ownership.
- The project site is located approximately 0.9 miles from the Stamford Transportation Center, which features bus services in addition to Metro North Railroad and Amtrak train services.
- The Harbor Point Trolley, which runs from 7AM to 11PM from the South End through Downtown Stamford, stops nearby on Broad Street twice an hour.
- As stated above, rideshare services, such as Uber and Lyft, are readily on demand and will be utilized by residents in the downtown area.

CONCLUSION

Based upon our above plan of supplying 215 parking spaces by utilizing self-park, self-park/tandem and valet from day of building opening, it should be evident that this parking management strategy, which has been approved by Propark Mobility, will provide an abundance of parking, with 1.086 spaces per dwelling unit which is 60% more than the .43 spaces per dwelling unit being utilized at Summer House.

SCHEDULE D



	C-G District	Lot B		Development Potential for LOT A WITHOUT ZONING LOT AGREEMENT	LOT A + B Zoning Lot		Development Potential for LOT A WITH Zoning Lot Agreement
		Permitted	Actual		Permitted	Actual	
Floor Area	2.2 FN. 13	13,652	0	78,450	91,102	0	91,102 *
Residential	1. 400' per family 2. Comm. Conv. 3. BMR Bonus	28.8	0	169.44	198	0	198
Lot Coverage	100% FNT or 80%	80%	80%	100%	100%	10%	100%
Building Height	150' FN. 13	150'	1 story 15'	150'	150'	15'	150'
Setbacks	F S R FNT	10' from curb none required for 70'	10' from curb 0 15'	0 0 0	0 0 0	0 0 0	0 0 0

*Will be converted to residential

Attorneys at Law

1111 Summer Street
Stamford, Connecticut 06905

(203) 327-2000
Facsimile (203) 353-3392
www.lawcts.com

e.mail: MCACACE@LAWCTS.COM

Stamford Zoning Board
c/o Vineeta Mathur
Principle Planner
888 Washington Boulevard
Stamford, CT 06901

April 14, 2023

MICHAEL J. CACACE*
MARK P. SANTAGATA
PAUL T. TUSCH
JUDITH ELLENTHAL
MICHELLE A. MALONE*
JENNIFER NEAL BARDAVID*

LEGAL ASSISTANTS
CYNTHIA L. MAMMONE
STEFANIE L. TORRES

*ALSO ADMITTED IN NEW YORK

Re: TR BROAD II, LLC

Zoning Board Application #222-37

Dear Chairman Stein & Members of the Stamford Zoning Board:

By way of a letter dated March 27, 2023, Malloy Realty LLC wrote to the Zoning Board concerning access to the rear of its building and claiming rights to a recorded right of way on a portion of the applicants vacant property. We are unaware of any such recorded right of way and in fact, note that there is no direct access to the property owned by TR BROAD II, LLC without crossing over property owned by 122-124 Broad Street, LLC; and Malloy Realty LLC has no recorded rights to do that either. Accordingly, please accept the following analysis:

1. Attached hereto and made a part hereof as Exhibit A is a zoning location survey of the subject parcels. The property owned by Malloy Realty LLC is shown in green; the property owned by 122-124 Broad Street LLC is shown in blue and the property owned by TR BROAD II, LLC is shown in yellow. As you will see, there is no way for the Malloy property to access property owned by TR BROAD II, LLC without crossing over 122-124 Broad Street LLC.
2. Attached hereto and made a part hereof as Exhibit B are the deeds into Malloy Realty LLC. The first deed, a warranty deed dated December 31st, 1979, from Thelma Harris Glazer to Howard P. Malloy and Barbara G. Malloy describes the parcel being conveyed without any reference to any right of way or access rights over either the property owned by 122-124 Broad Street LLC or TR BROAD II, LLC. In addition, there is a quit claim deed from Howard P. Malloy and Barbara G. Malloy to Malloy Realty LLC which conveys the parcel known as 112-118 Broad Street, Stamford,

Connecticut which likewise references no record right of way or access rights across either of the applicants' properties.


3. In fact, although the letter submitted by Malloy Realty LLC expresses concern for access to Remo's restaurant, Malloy Realty, LLC has filed a notice on the land records, a copy of which is attached as Exhibit C disputes Remo's use of the back parking lot and loading area adjoining its building.
4. Importantly, Mr Malloy is aware that he has no recorded rights to access the property of 122-124 Broad Street. Attached hereto and made a part hereof as Exhibit D is an email string when TR Broad II, LLC offered Malloy Realty LLC an easement in December 2022 and he responded "As you know, we need to pass through the Zaza building rear lot to get to your property from our parking area. I am thinking that the Zaza building owner (122 -124 Broad Street, LLC) should provide an easement to us within this agreement."
5. There is a 10-foot wide right of way shown on the existing survey attached hereto is Exhibit A which runs only in favor of GAR Realty LLC. GAR Realty LLC has approved the new, larger easement area shown on the applicants' proposed plans and has submitted a letter in support of this proposal.

Accordingly, we are unaware of any rights that Malloy Realty LLC has to a right of way or access right across the property of TR BROAD II, LLC.

However, in accordance with other materials submitted to the Board, the applicant is prepared to grant an easement to Malloy Realty LLC as shown on plans submitted to the Board which have been reviewed by the Transportation Traffic and Parking Department and received a recommendation for approval from TTP, the Planning Board, and your staff.

I trust this material will resolve any issues concerning the claims asserted by Malloy Realty LLC in its March 27th, 2023, letter.

Sincerely,



Michael J. Cacace

Exhibit A

BLOCK No. 176



LOCATION MAP - 1" = 600'

MAP NO. 1187 S.L.R. KENNA



DRAFT
ZONING LOCATION SURVEY
OF PROPERTY AT
128-136 BROAD STREET
AND
GAY STREET EXTENSION
IN
STAMFORD, CONNECTICUT
PREPARED FOR
TR BROAD II, LLC

PROPOSED BUILDING COVERAGE
NET AREA = 34,034 S.F.
PROPOSED BUILDING = 33,659 S.F.
PERCENT COVERAGE = 94.2%

NOTES: THIS IS A ZONING LOCATION SURVEY. BOUNDARY MEASUREMENTS AND BEARINGS ARE BASED ON THE SURVEY OF THE LAND LIES IN THE 'C'-ZONING DISTRICT. THIS MAP IS PREPARED FOR THE PROPOSED BUILDING AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE SURVEY WAS CONDUCTED ON OCTOBER 24, 2022. THE SURVEY WAS CONDUCTED BY D'AMERICA SURVEYING & ENGINEERING, P.C. AND DATED OCTOBER 24, 2022.

THIS MAP IS A ZONING LOCATION SURVEY. BOUNDARY MEASUREMENTS AND BEARINGS ARE BASED ON THE SURVEY OF THE LAND LIES IN THE 'C'-ZONING DISTRICT. THIS MAP IS PREPARED FOR THE PROPOSED BUILDING AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE SURVEY WAS CONDUCTED ON OCTOBER 24, 2022. THE SURVEY WAS CONDUCTED BY D'AMERICA SURVEYING & ENGINEERING, P.C. AND DATED OCTOBER 24, 2022.

NEW INFORMATION HAS NOT BEEN SET AS A RESULT OF THIS SURVEY.

THE SURVEY WAS CONDUCTED ON OCTOBER 24, 2022. THE SURVEY WAS CONDUCTED BY D'AMERICA SURVEYING & ENGINEERING, P.C. AND DATED OCTOBER 24, 2022.

REFER TO THE SURVEY OF THE LAND LIES IN THE 'C'-ZONING DISTRICT. THIS MAP IS PREPARED FOR THE PROPOSED BUILDING AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE SURVEY WAS CONDUCTED ON OCTOBER 24, 2022. THE SURVEY WAS CONDUCTED BY D'AMERICA SURVEYING & ENGINEERING, P.C. AND DATED OCTOBER 24, 2022.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

D'AMERICA SURVEYING & ENGINEERING, P.C.
DANIEL J. LARSON, P.E., C.T.S. No. 15772
STAMFORD, CONNECTICUT
OCTOBER 24, 2022

Exhibit B

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That I, THELMA HARRIS GLAZER, of the City of Stamford, County of Fairfield and State of Connecticut,

for the consideration of TWO HUNDRED TWENTY FIVE THOUSAND (\$225,000) DOLLARS

received to my full satisfaction of HOWARD P. MALLOY and BARBARA G. MALLOY, of said Stamford,

do give, grant, bargain, sell and confirm unto the said HOWARD P. MALLOY and BARBARA G. MALLOY,

ALL THAT certain piece, parcel or tract of land with the buildings thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, and bounded Northerly 52 feet by land now or formerly of The Merrwin Realty Company; Easterly 100 feet, more or less, by land now or formerly of George Dimenstein; Southerly 60 feet, more or less, by Broad Street; and Westerly 101 feet by land now or formerly of the Mit-Vue Company, Incorporated, and by land now or formerly of the 2251 Properties, Incorporated, each in part; all of said several dimensions being more or less; being the same premises conveyed to Bennett E. Glazer by Harold C. Stevens and Mildred S. Koch by Warranty Deed dated January 3, 1952 and recorded in the Stamford Land Records in Book 670 at Page 69.

SAID PREMISES are conveyed subject to the zoning and planning rules and regulations of the City of Stamford; restrictive covenants and agreements of record, if any; and Taxes of the City of Stamford on the second half of the List of October 1, 1978 and Taxes on the List of October 1, 1979, which latter taxes are not yet due and payable.

24750
Conveyance Tax received
Lina Port-Briant
Town Clerk of Stamford

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto them the said grantee s, their heirs, successors and assigns forever, to them and their own proper use and behoof.

And also, I the said grantor do for myself, my heirs, executors and administrators, covenant with the said grantee s, their successors, heirs and assigns, that at and until the encasing of these presents, I am well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, I the said grantor do by these presents bind myself and my heirs, executors and administrators forever to the said grantee s, their successors, heirs and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, I have hereunto set my hand and seal this 31st day of December in the year of our Lord nineteen hundred and seventy-nine. Signed, Sealed and Delivered in presence of

Anthony R. Loreano
Anthony R. Loreano

Thelma Harris Glazer
Thelma Harris Glazer

Donald Sawowitz
Donald Sawowitz

Please execute this document in the presence of two witnesses and a Notary Public who should complete the acknowledgment and affix his or her impression seal and the date upon which his or her commission expires. Under the signatures of the witnesses and the Notary, their names should be either printed or typed in. The Notary may serve as one of the two witnesses if you so desire.

State of Connecticut,
County of Fairfield

} ss. Stamford, December 31 A. D. 1979

Personally Appeared THELMA HARRIS GLAZER

Signer and Sealer of the foregoing Instrument, and acknowledged the same to be her free act and deed before me.

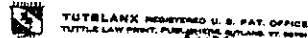
Anthony R. Loreano
COMM. OF SUPERIOR COURT
Title of Officer

Latest address of Grantee:
No. and Street 36 Boulder Brook Drive
City Stamford
State Connecticut Zip 06903

The land affected hereby lies in Block 176 of the Stamford Block Map. Received for record December 31, 1979 at 2:45 P.M. and recorded by

Lois PontBriant, City and Town Clerk

176



To all People to Whom these Presents shall Come, Greeting:

Know Ye, That We, HOWARD P. MALLOY and BARBARA G. MALLOY, of the City of Stamford, County of Fairfield and State of Connecticut,

for the consideration of One dollar (\$1.00) and other good and valuable consideration received to our full satisfaction of MALLOY REALTY LLC of said Stamford

do remise, release, and forever QUITCLAIM unto the said MALLOY REALTY LLC

its heirs and assigns forever, all the right, title, interest, claim and demand whatsoever as we, the said releasors have or ought to have in or to

ALL THAT certain piece, parcel or tract of land with the buildings thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, and bounded Northerly 52 feet by land now or formerly of The Merrwin Realty Company; Easterly 100 feet, more or less, by land now or formerly of George Dimenstein; Southerly 60 feet, more or less, by Broad Street; and Westerly 101 feet by land now or formerly of the Mit-Vue Company, Incorporated, and by land now or formerly of the 2251 Properties, Incorporated, each in part; all of said several dimensions being more or less; being the same premises conveyed to Bennett E. Glazer by Harold C. Stevens and Mildred S. Koch by Warranty Deed dated January 3, 1952 and recorded in the Stamford Land Record in Book 670 at Page 69.

SAID PREMISES are conveyed subject to the zoning and planning rules and regulations of the City of Stamford; restrictive covenants and agreements of record, if any; and Taxes of the City of Stamford.

NO - Conveyance Tax received
"s" Lois Portant
Town Clerk of Stamford"

To Have and to Hold the premises, with all the appurtenances, unto the said Releasee its heirs and assigns forever, so that neither the Releasor nor their heirs nor any other person under or them shall hereafter have any claim, right or title in or to the premises, or any part thereof, but therefrom it and they are by these presents forever barred and excluded.

In Witness Whereof, we have hereunto set our hand and seal this 8th day of December A.D. 19 98 Signed, Sealed and Delivered in presence of

Donald Sosnowitz
Donald Sosnowitz

Howard P. Malloy
Howard P. Malloy

Susan M. Riley
Susan M. Riley

Barbara G. Malloy
Barbara G. Malloy

Donald Sosnowitz
Donald Sosnowitz

State of Connecticut, }
County of Fairfield } ss. Stamford

On this the 5th day of December, 1998, before me, the undersigned officer, personally appeared Howard P. Malloy & Barbara G. Malloy

known to me (or satisfactorily proven) to be the person whose name I subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, as their free act and deed. In Witness Whereof, I hereunto set my hand and official seal.

Donald Sosnowitz
Notary Public
Title of Officer

State of Connecticut, }
County of _____ } ss.

On this the _____ day of _____, 19____, before me, the undersigned officer, personally appeared _____ who acknowledged himself to be the _____ a corporation, and that he as such being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as
In Witness Whereof, I hereunto set my hand and official seal.

Latest address of Grantee:
No. and Street _____
City _____
State _____ Zip _____

Title of Officer

THE LAND AFFECTED HEREBY LIES IN BLOCK 176
OF THE STAMFORD BLOCK MAP RECEIVED FOR RECORD
AT STAMFORD ON 12-9-98 AT 11:57AM
ATTEST: LOIS PONTBRIANT, TOWN AND CITY CLERK

Exhibit C



INSTR # 2014023055
VOL 11148 PG 217
RECORDED 12/23/2014 09:41:23 AM
DONNA M LOGLISCI
CITY & TOWN CLERK STAMFORD CT
BLOCK 176

NOTICE

*R/R Ryan Scully esq.
Carmody Torrance Sandak
& Hennessey
707 Summer St
Stamford, CT 06901*

*Block
No
176*

TO: LOUIS KATSOS and NICK RASSIAS
976 East Main Street
Stamford CT 06902

as OWNER of

27 BEDFORD STREET
STAMFORD CT 06901

REMO'S BRICK OVEN PIZZA COMPANY

as the TENANT and CURRENT OCCUPANT of

27 BEDFORD STREET
STAMFORD CT 06901

FROM: MALLOY REALTY, LLC
68 Eagle Drive
Stamford CT 06903

as OWNER of

112-118 BROAD STREET
STAMFORD CT

Malloy Realty LLC is the owner of the property located at 112-118 Broad Street in Stamford Connecticut and more particularly described on **Exhibit A** attached hereto. The property line of 112-118 Broad Street extends through the back parking lot and loading area adjoining your property and the building thereon located at 27 Bedford Street in Stamford Connecticut as more particularly described on **Exhibit B**. Pursuant to Connecticut General Statutes § 47-38 et seq., this Notice will serve as Malloy Realty, LLC's intention to dispute the use of the back parking lot and loading area adjoining the building located at 27 Bedford Street in Stamford Connecticut by any Owner or Tenant

{W2474498}

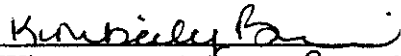
and prevent any Owner or Tenant from acquiring rights to the back parking lot and/or loading area.


The Map attached as **Exhibit C** to this Notice more fully describes the back parking lot and loading area described herein.

This Notice shall be served and recorded pursuant to Connecticut General Statutes § 47-39.

MALLOY REALTY, LLC

By 
Name: Stephen Malloy
Position: Manager/Member


Witness Kimberly Bruston


Witness Cheron Caruthers

Dated: December 16 2014

STATE OF CONNECTICUT :
: :
COUNTY OF FAIRFIELD :

ss: Stamford

On December 16, 2014, before me personally came Stephen Malloy, who executed the foregoing General Release and duly acknowledged that he/she had the authority and authorization to execute same as the Manager/Member of Malloy Realty, LLC.

Chad Caruthers

Notary Public

My Commission Expires: 3/18/2018

EXHIBIT A

176

2004

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That We, HOWARD P. MALLOY and BARBARA G. MALLOY, of the City of Stamford, County of Fairfield and State of Connecticut,

for the consideration of One dollar (\$1.00) and other good and valuable consideration received to our full satisfaction of MALLOY REALTY LLC of said Stamford

do remise, release, and forever QUITCLAIM unto the said MALLOY REALTY LLC

retains and assigns forever, all the right, title, interest, claim and demand whatsoever as

we, the said releasors have or ought to have in or to

ALL THAT certain piece, parcel or tract of land with the buildings thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, and bounded Northerly 52 feet by land now or formerly of The Merrwin Realty Company; Easterly 100 feet, more or less, by land now or formerly of George Dimenstein; Southerly 60 feet, more or less, by Broad Street; and Westerly 101 feet by land now or formerly of the Mit-Vue Company, Incorporated, and by land now or formerly of the 2251 Properties, Incorporated, each in part; all of said several dimensions being more or less; being the same premises conveyed to Bennett E. Glazer by Harold G. Stevens and Mildred S. Koch by Warranty Deed dated January 3, 1952 and recorded in the Stamford Land Record in Book 670 at Page 69.

SAID PREMISES are conveyed subject to the zoning and planning rules and regulations of the City of Stamford; restrictive covenants and agreements of record, if any; and Taxes of the City of Stamford.

110 -
\$ Conveyance Tax received
Lois Portnoy
Town Clerk of Stamford

EXHIBIT B

SCHEDULE A

27-35-41 Bedford Street, Stamford, CT 06901

ALL THAT CERTAIN piece, parcel or tract of land, together with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, bounded and described as follows:

NORTHERLY: 64.43 feet by land now or formerly of Merrwin Rattlio;
EASTERLY: 50.00 feet by land now or formerly of the Estate of Ida E. Stevens;
SOUTHERLY: 67.64 feet by land now or formerly of MIT-Vue Company, Inc.; and
WESTERLY: 50.07 feet by Bedford Street.

Said premises being shown and delineated on a certain map entitled, "Property in Stamford, Conn. Surveyed for City Title Insurance Co.," which map is on file in the Office of the City and Town Clerk of the City of Stamford by the Map Numbered 3798.

EXHIBIT C

27 Bedford St, Stamford, CT 06901
Street View · Search nearby

Bedford St

Bedford St

Bedford St

Bedford St

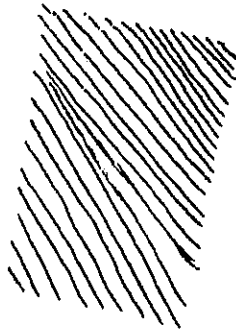
Bedford St

Remo's Brick Oven Pizza

27 Bedford St

McDonald's

ZAZA Italian
Gastropub & Pizzeria



- Directions from here
- Directions to here
- What's here?
- Search nearby
- Measure distance

STATE OF CONNECTICUT)
) SS: STAMFORD DECEMBER 18, 2014
COUNTY OF FAIRFIELD)

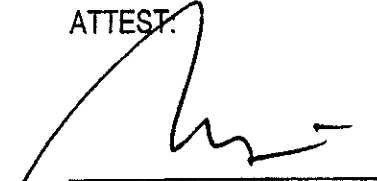
Then and there, by virtue hereof, I made service of the within and foregoing original Notice upon **REMO'S BRICK OVEN PIZZA COMPANY** by leaving a true and attested copy of the original Notice with **JOE CASTAGNA** at 27 Bedford Street, Stamford, Connecticut.

And service was made upon **LOUIS KATSOS** and **NICK RASSIAS** by leaving 2 true and attested copies of the original Notice with **LOUIS KATSOS** at 979 East Main Street, Stamford, Connecticut.

The within and foregoing is the original Notice with my doings hereon endorsed.

SERVICE FEES:

Service	\$	100.00
Travel		12.00
Copies		27.00
Endorsements		2.00
TOTAL	\$	141.00

ATTEST.


MARK A PESIRI
State Marshal
Fairfield County

Exhibit D

Michael Cacace

From: Tom Rich <TRich@fdrich.com>
Sent: Wednesday, December 21, 2022 12:22 PM
To: Steve Malloy
Cc: Alan Cosby
Subject: Re: Easement - 128 to 136 Broad Street

Steve, I'm sorry but we cannot get involved in trying to arrange that on your behalf.

I hope you and your family have great holidays.

Best, Tom

On Dec 21, 2022, at 11:27 AM, Steve Malloy <smalloy777@gmail.com> wrote:

Tom/Alan

As you know, we need to pass through the Zaza building rear lot to get to your property from our parking area. I am thinking that the Zaza building owner (122 – 124 Broad Street, LLC) should provide an easement to us within this agreement.

Can you arrange that for me? (Also for the Remo's building)

Steve

From: Alan Cosby <acosby@fdrich.com>
Sent: Friday, December 16, 2022 11:52 AM
To: Steve Malloy <smalloy777@gmail.com>
Cc: Tom Rich <TRich@fdrich.com>
Subject: RE: Easement - 128 to 136 Broad Street

Thanks Steve.

This agreement was prepared by Mike Cacace, at Cacace, Tusch & Santagata in Stamford.

Alan

From: Steve Malloy <smalloy777@gmail.com>
Sent: Friday, December 16, 2022 11:47 AM
To: Alan Cosby <acosby@fdrich.com>
Cc: Tom Rich <TRich@fdrich.com>
Subject: RE: Easement - 128 to 136 Broad Street

Alan – thanks for providing these documents. I will let you know any questions.

I might have an attorney take a quick look at the Agreement. Which law firm do you use so I know not to go there?

Steve

From: Alan Cosby <acosby@fdrich.com>
Sent: Friday, December 16, 2022 10:00 AM
To: smalloy777@gmail.com
Cc: Tom Rich <TRich@fdrich.com>
Subject: Easement - 128 to 136 Broad Street

Steve,

Please see attached our proposed Easement Agreement.

Also attached are the 2 maps/plans showing the easement location. One if from the architectural plans and the second is civil.

Let us know if you have any questions.

Thank you,

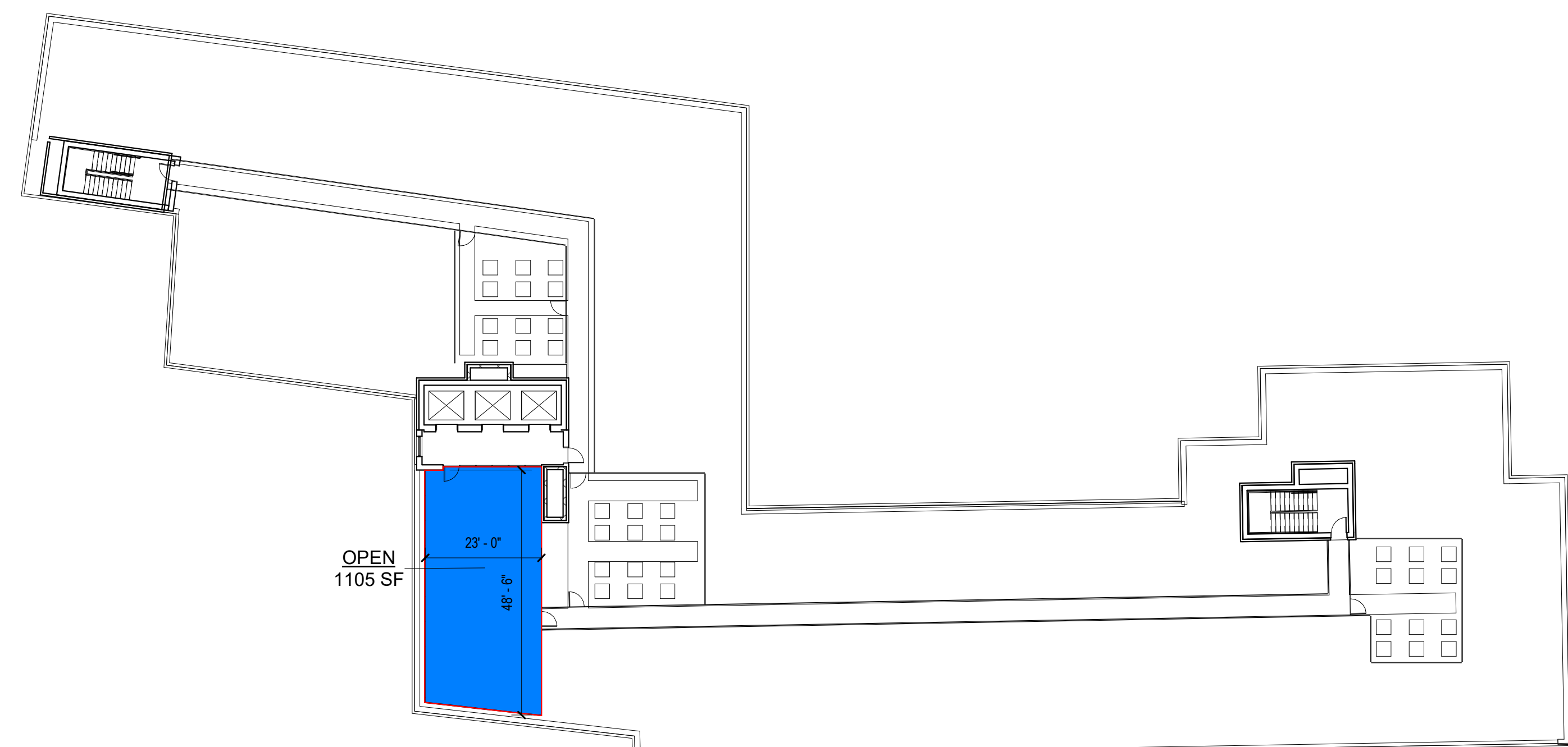
Alan

128-136 Broad Street

Street Tree Planting Calculation Chart:

Site Linear Frontage	275	Feet
	30	Feet spacing (medium - large trees)
Required Tree Count	9	
Number Provided	<u>8</u>	
Deficiency	1	
Fee Due (at C of O)	\$2,500	(\$2,500 per tree)

No.	Description	Date



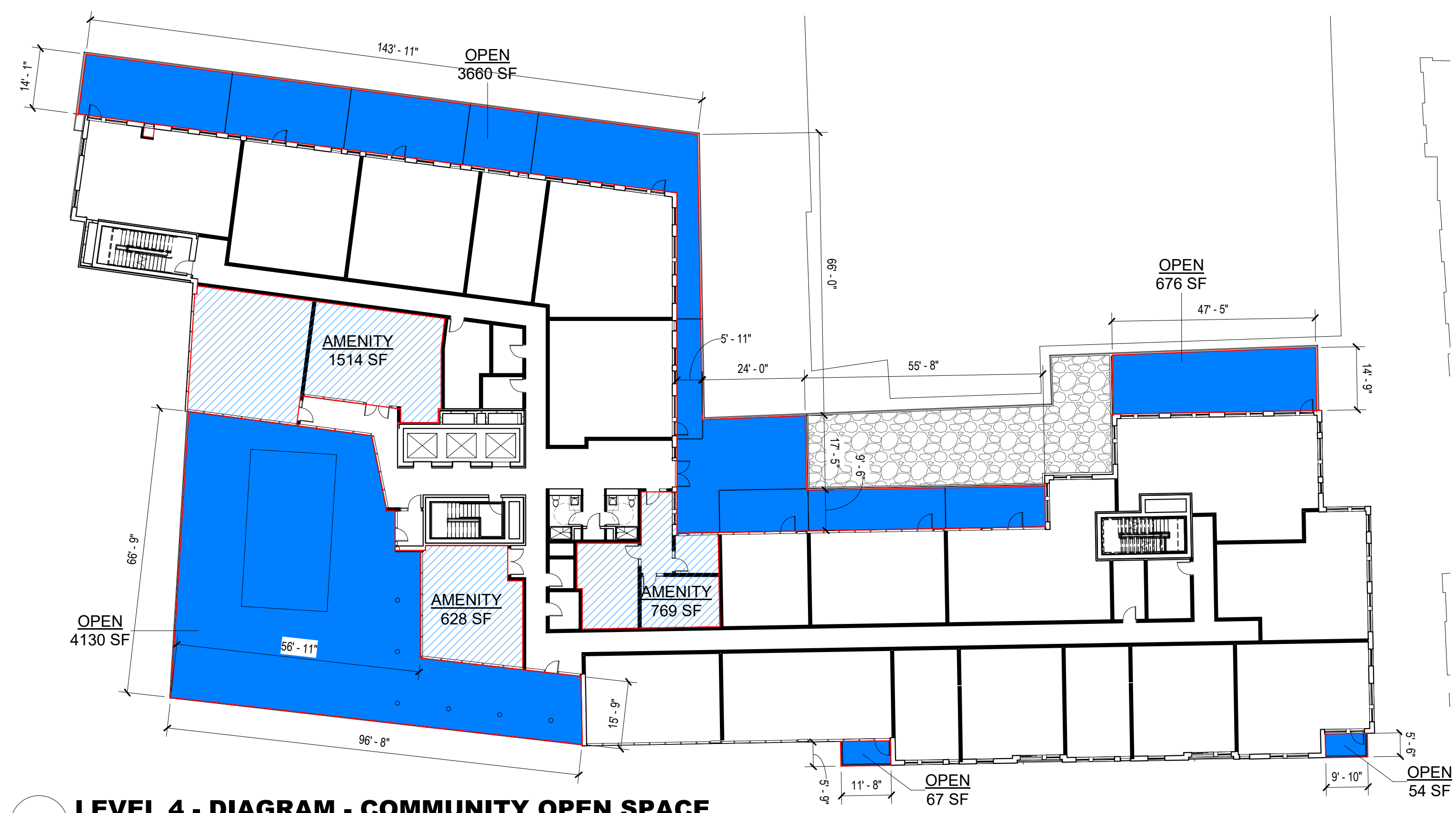
5 **TERRACE**
3/64" = 1'-0"



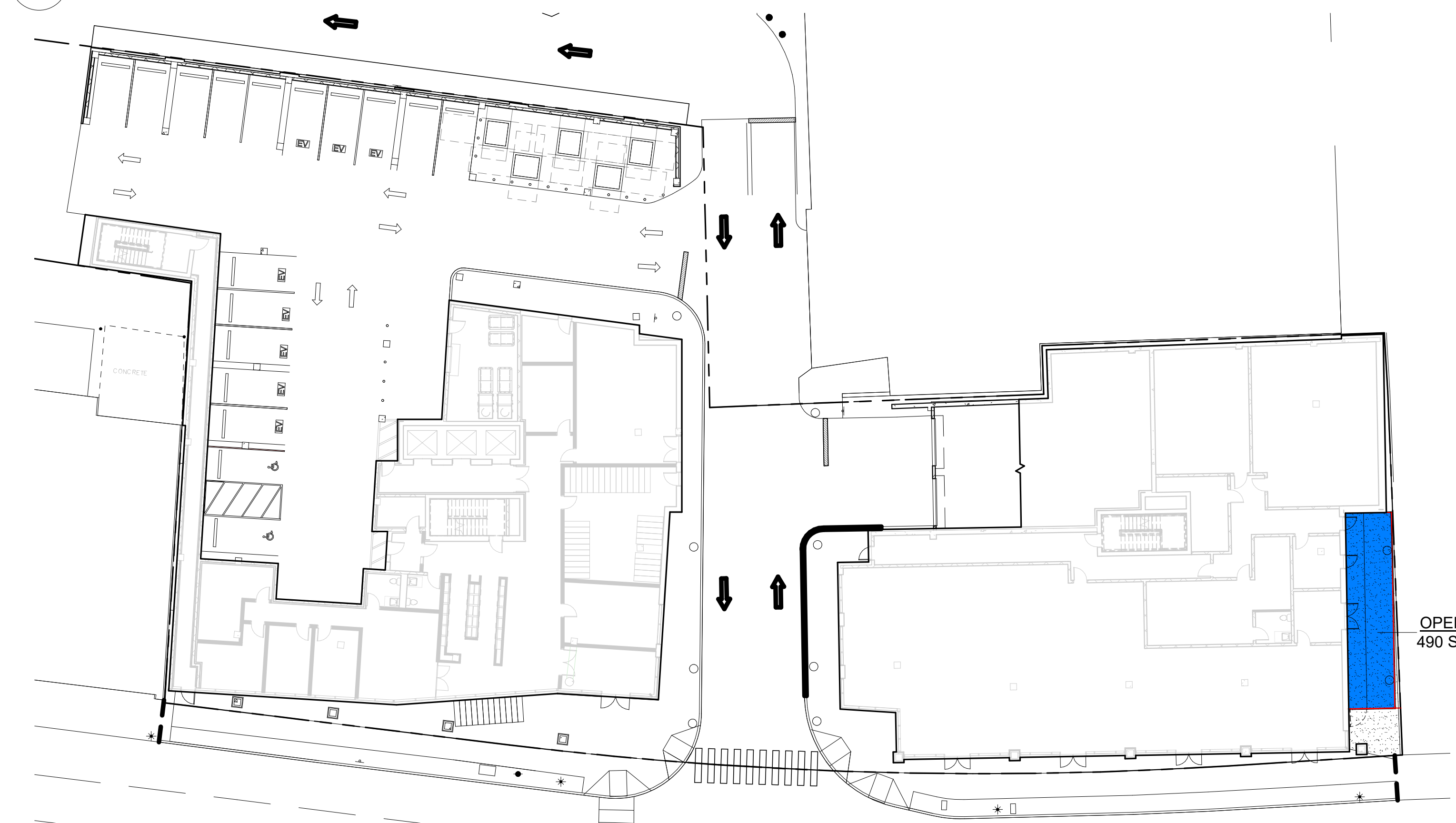
4 **LEVEL 13 - DIAGRAM - COMMUNITY OPEN SPACE**
3/64" = 1'-0"



3 **LEVEL 5-12 - DIAGRAM - COMMUNITY OPEN SPACE**
3/64" = 1'-0"



2 **LEVEL 4 - DIAGRAM - COMMUNITY OPEN SPACE**
3/64" = 1'-0"

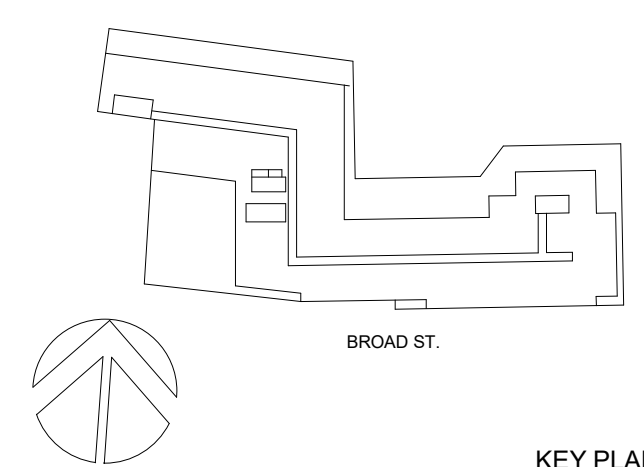


1 **LEVEL 1 - DIAGRAM - COMMUNITY OPEN SPACE**
3/64" = 1'-0"

COMMUNITY & OPEN SPACE

AMENITY
OPEN

OPEN SPACE AREA CALCULATIONS		
TYPE	LEVEL	AREA
AMENITY	LEVEL 4	2,911 SF
OPEN	GROUND FLOOR	490 SF
OPEN	LEVEL 4	8,587 SF
OPEN	LEVEL 5	588 SF
OPEN	LEVEL 6	588 SF
OPEN	LEVEL 7	588 SF
OPEN	LEVEL 8	588 SF
OPEN	LEVEL 9	588 SF
OPEN	LEVEL 10	588 SF
OPEN	LEVEL 11	588 SF
OPEN	LEVEL 12	588 SF
OPEN	LEVEL 13	1,156 SF
OPEN	TERRACE	1,105 SF
		16,043 SF
		18,954 SF



PERKINS EASTMAN
677 Washington Blvd.
Suite 101
Stamford, CT 06901
T: +1 203 251 7400
F: +1 203 251 7474

Owner:
F.D. RICH COMPANY
222 SUMMER STREET
STAMFORD, CT 06901
Construction Manager:

Civil / Site:
D'ANDREA SURVEYING & ENGINEERING
6 NEIL LANE, PO BOX 549
RIVERSIDE, CT 06878
Landscape:

Structural:
DESIMONE CONSULTING ENGINEERS
55 CHURCH STREET, 4TH FLOOR
NEW HAVEN, CT 06510
Mechanical & Plumbing:
CDA ENGINEERING, INC
46 RIVERSIDE AVE.
WESTPORT, CT 06880
Electrical:

Lighting Consultant:

Food Service:

Planning / Zoning:

Envelope Consultant:

Code Consultant:

Acoustical Consultant:

PROJECT TITLE:
128 BROAD STREET

PROJECT No: 91510
DRAWING TITLE:
**COMMUNITY AND
OPEN SPACE
DIAGRAMS**

SCALE: 3/64" = 1'-0"

ZA-002

SITE PLAN APPROVAL

11/15/2022

D'ANDREA SURVEYING & ENGINEERING, PC

LAND PLANNERS • ENGINEERS • SURVEYORS

SIX NEIL LANE • P.O. BOX 549
RIVERSIDE, CONNECTICUT 06878
TELEPHONE: 203 637-1779
FAX: 203 637-1770
EMAIL: info@rvdi.com

April 13, 2023

Ann Brown, PE
Stamford WPCA
111 Harbor View Avenue
Stamford CT 06902

Re: 128-136 Broad Street – TR Broad II, LLC
Zoning Site Plan Application No. 222-37

Dear Ms. Brown,

In response to your summary review letter to Vineeta Mathur, Principal Planner – Zoning Board dated December 22, 2023 we offer the following comments and acknowledgments enumerated to your letter:

Sanitary Lateral

- 1) Acknowledged.
- 2) Acknowledge. Additional notes will be added to the final site design plans prior to obtaining a Building Permit.

Covered Parking Garage Drains

- 3) Acknowledged. The project MEP will provide the design details and specifications on the final building plans prior to obtaining a Building Permit.
- 4) Acknowledged
- 5) No comment 5 was provided.

Retail/Amenity/Community Kitchens

- 6) As the building plans are further developed by the architect's team, further details will be provided for your review.
- 7) Acknowledged.

Pet Wash

- 8) Acknowledged and will be provided prior to the issuance of a Building Permit.

Green Roof/Gardens

- 9) Acknowledged.

Construction Dewatering

- 10) Acknowledged, although only minimal dewatering is anticipated.
- 11) Acknowledged.

Swimming Pools

12) Acknowledged

13) Acknowledged

Connection Fees

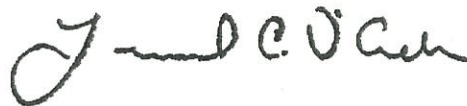
14) Acknowledged.

All design items will be address by the responsible design disciple as the final building plans are developed after Zoning Board Site Plan approval. This response, along with your letter, has been provided to the project architect, the applicant, and the attorney for the applicant to make them all fully aware of your design requirements.

We thank you for your continued review and should you have any additional questions, please contact us.

Sincerely,

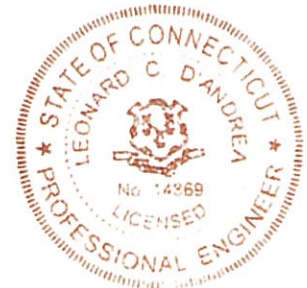
D'Andrea Surveying & Engineering, PC



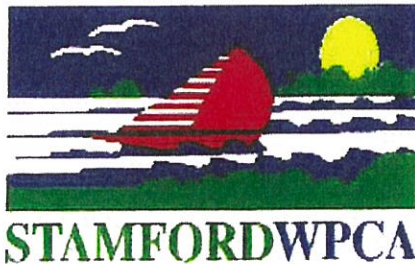
Leonard C. D'Andrea, PE

LCD:adm
21UTAB01

cc: Vineeta Mathur, Principal Planner – Zoning Board
Robert Natalie, PE – DS&E Project Engineer
TR Broad II, LLC
Andrew Ostrander, AIA – PERKINS EASTMAN
Michael Cacace, Esquire
Stephen A. Pietrzyk, WPCA Collection Supervisor



William P. Brink, P.E. BCEE
Executive Director
Stamford Water Pollution Control Authority
203-977-5809
wbrink@stamfordct.gov



Ed Kelly, Chairman
SWPCA Board of Directors
Stamford Water Pollution Control Authority

Date: December 22, 2022

To: Vineeta Mathur, Principal Planner

From: Ann Brown, P.E., Supervising Engineer *AMB*

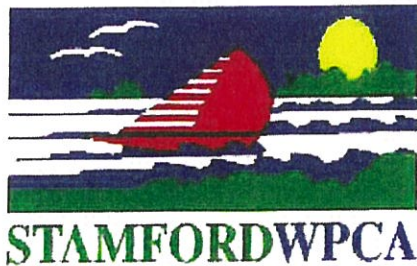
Subject: **Application 222-37 – TR Broad II, LLC and 122-124 Broad Street, LLC, 122-124 Broad Street, 128-134 and 136 Broad Street, Stamford, CT – Applications for Site and Architectural Plans and /or Requested Uses, Special Permit and Zoning Lot Development Agreement**

Documents and Plans Submitted:

Interoffice Memorandum dated 11/28/22 prepared by Vineeta Mathur.
Special Permit, Final Site and Architectural Plan and Requested Uses Application and Request for Zoning Lot Approval dated 11/15/22 prepared by Michael J. Cacace.
Project Description.
Sanitary Sewer Flow Calculations dated 10/28/22 prepared by D'Andrea Surveying and Engineering.
General Location Survey dated 11/14/22 prepared by D'Andrea Surveying and Engineering.
Application for Approval of Site & Architectural Plans and/or Requested Uses dated 11/16/22 prepared by Michael J. Cacace.
Property Description.
Drawing List.
Application for Special Permit dated 11/16/22 prepared by Michael J. Cacace.
Letters of Authorization dated 10/28/22 prepared by Thomas Rich and Gaetano Iovieno.
Requested Special Permits.
Statement of Findings.
Zoning Lot Development Agreement dated 10/10/22.
Aerial Photos of Plot.
Architectural: (Sheets ZA-001 thru ZA-003, ZA-101 thru ZA-107, ZA-202 thru ZA-204, ZA-301) dated 11/15/22 prepared by Perkins-Eastman.
Site/Survey: (Sheets Topographic Survey 1 and 2, 1 thru 6. Off Site Parking Lot Modification Plan, Cross Section Plan, Construction Logistics Plan, Property Survey, Zoning Location Survey) dated 10/28/22 prepared by D'Andrea Surveying and Engineering, PC.

Based on review of the above, Stamford Water Pollution Control Authority (SWPCA) provides the following comments:

Stamford WPCA, 111 Harbor View Ave., Stamford, CT 06902

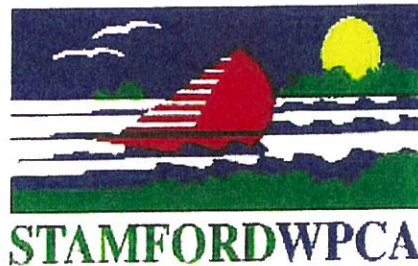


Sanitary Lateral

1. The following are comments regarding the proposed sanitary sewer tie in connections to manholes on Broad Street and Gay Street:
 - a. MH structure's exteriors must be waterproof and all penetrations on the outside and inside of the structure must be properly sealed. Supportive photo-documentation for each structure installed must be provided to WPCA's Collection Systems Supervisor via email for review prior to backfilling operations;
 - b. Construction of MH troughs and benches must be inspected and approved by WPCA during the interior finishing process. This activity must be scheduled at least 3-days in advance via email with WPCA's Collection Systems Supervisor;
 - c. Following the installation of the proposed sewer line and manhole structures, the system must be air tested. A certification letter with air test results must be provided to WPCA's Collection Systems Supervisor for review and approval;
 - d. The newly installed sanitary sewer lines must be CCTV. A copy of the video must be provided to WPCA's Collection Systems Supervisor for review and approval.
2. The existing laterals to be abandoned must be cut, capped, and encased in concrete. This activity must be scheduled with the City Plumbing Inspector. The sewer cap form must be completed, accordingly. Please provide photo documentation of the work to SWPCA for review and approval.

Covered Parking Garage Drains

3. The wastewater generated by covered parking garage drains shall be directed to an adequately sized SWPCA approved treatment system (Oil/Water/Grit/Sand Separator).
 - a. Sizing calculations for the chamber are based on the maximum flow, including but not limited to power washing the garage. A minimum 1500 gallon capacity and six hour retention time is required. The treatment system shall meet all of the requirements outlined Appendix H: (12) of the 2020 State of CT DEEP General Permit for Discharges from Miscellaneous Industrial Users.
 - b. Provide a Cross Section/Installation Detail of the Oil/Grit Separator with pertinent installation requirements (i.e. H₂O loading, high water table, proper venting, etc.). Below the detail, please add the following language:
 - i. "The oil/grit separator shall be installed in accordance with all applicable codes and with strict adherence to the manufacturer instructions, specifications, and recommendations. Prior to backfilling, all necessary inspections and approvals shall be obtained (i.e. Building Dept., Design
4. No less than 60 days in advance of the CO, TCO, or PCO, the owner/operator(s) of the development shall complete and submit to SWPCA for review and approval, CT DEEP's Miscellaneous General Permit for Discharge from Industrial Users (MIU GP) Notification Form associated with the parking garage sanitary wastewater treatment



system. A signed post construction Operation and Maintenance Manual shall be attached to the Notification Form and shall include the manufacturer's maintenance requirements and the following language:

a. Inspections:

- i. Inspections of the treatment system shall include but not limited to the oil/sand separator and components thereof, all floor drains, troughs, piping that collect transport and discharge wastewater into the chamber, and piping that transport wastewater from the chamber to the sanitary. The amount of oil, grit, sand, and debris observed in the chamber shall be measured and recorded.
- ii. Sand, grit, oil, and debris observed in all other components of the treatment system shall be identified and noted on the Log Sheets as light, moderate, or heavy amounts. Post pump-out inspections of the empty chamber shall occur to determine if it is structurally intact and water tight. The findings shall be noted on the Log Sheets.

b. Maintenance

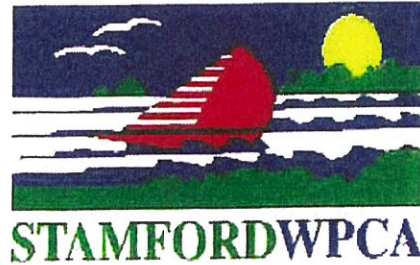
- i. Routine maintenance of the treatment system shall occur by clearing all drains, troughs, and the conveyance system of oil, grit, sand, and debris. The chamber shall be completely cleaned by a certified waste hauler. At no time shall the combined amount of oil, grit, sand, and debris in the chamber equal to or exceed 20% of the total volume capacity. The contents removed from the treatment system shall be properly transported and disposed in accordance with all applicable laws and regulations. Broken or deteriorated components of the treatment system shall be immediately repaired or replaced.

c. Frequency of Inspections and Maintenance

- i. The treatment system shall be inspected on a monthly basis. The chamber and all other components of the treatment system shall be completely cleaned no less than twice per year.
- ii. More frequent cleaning intervals of the treatment system may become necessary. In some instances, a waiver may be granted by SWPCA to perform less inspections and maintenance on the treatment system. The request to obtain a waiver must be put in writing and shall be accompanied with supporting documentation as to why the waiver is being requested.

d. Record Keeping and Reporting

- i. All inspection findings, maintenance activities, and repairs shall be recorded on the Inspection and Maintenance Log Sheets. Log sheet entries shall be complete with the dated and type of service, the qualified individual name and title, signature, inspection findings, quantities observed and/or removed from the treatment system, maintenance work performed, etc. All pumping reports shall include the date and time the



chamber was pumped, the name, address, and phone number of the certified hauler, the total volume removed and what percentage of the volume was oil and solids, the location and phone number of the approved disposal site and date of disposal. Copies of all documents relating to the inspection and maintenance of the treatment system (i.e. pumping reports, inspections reports, manifests, service contracts, receipt, etc.) shall be kept on file with the Log Sheets.

- ii. No later than December 15th of each calendar year, copies of the previous 12 months of Log Sheets and all related documents described above shall be mailed to SWPCA at the following address:

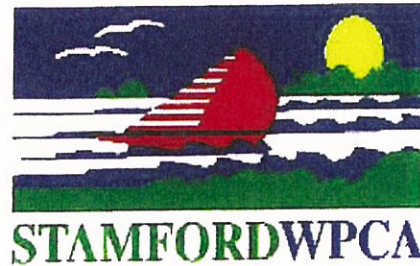
Stamford Water Pollution Control Authority
Attn: Regulatory Compliance Inspector
111 Harbor View Avenue, Building 6A
Stamford, CT 06902

Retail/Amenity/Community Kitchens

6. Sheet ZA-101 shows a retail space on the ground floor, while sheet ZA-104 shows a clubroom and lounge proposed for the 4th floor. Please provide further details on what the retail, clubroom and lounge spaces will be used for. Submit a detailed list of all kitchen equipment fixtures and/or drains in each space, so SWPCA can determine whether there is potential for Fats, Oils, and Grease to discharge into sanitary sewer.
7. As part of the building permit process for this development, food service establishments (FSE) and/or other facilities where there is potential for Fats, Oils, and Grease (FOG) to discharge into the sanitary sewer are obliged to comply with *Stamford's Fats, Oils, and Grease (FOG) Abatement Program* administered by the Stamford Water Pollution Control Authority. Facilities include but are not limited to restaurants, office cafeterias, church kitchens, community barbeque stations and kitchens, etc. The FSE or facility shall be equipped with adequately sized, properly functioning, and SWPCA approved grease management equipment (GME). In addition, all of the correct kitchen equipment, fixtures, and/or drains shall discharge into the grease management equipment (see attached guidance document).

Pet Wash

8. Sheet ZA-101 indicates a Dog Spa and Dog Run are proposed to be constructed. Wastewater generated from this area that is scheduled to discharge into the sanitary sewer will require a hair straining device to prevent excess hair/fur from entering the sanitary sewer. Please submit the specification sheet for the proposed straining device, and incorporate into the plans.



Green Roof/Gardens

9. The sheet ZA-003 Rendered Images shows a green roof/gardens on the level 4 terrace. All drainage from the green roof/gardens shall not discharge to sanitary sewer.

Construction Dewatering

10. Prior to any discharge of wastewater into the sanitary sewer as a result of construction dewatering, a Misc. Discharge Permit Application shall be completed and submitted to SWPCA for review and approval. Please contact Robert Pudelka, Plant Supervisor at 203-977-5780 or by e-mail at rpudelka@stamfordct.gov for the necessary forms and requirements.
11. In the event construction dewatering into the sanitary sewer is approved, a flow meter shall be installed capable of recording, saving, and reporting the daily volume from the pumps. No later than the 15th of each calendar month, please forward to SWPCA, copies of the previous month report showing the daily discharge generated by the dewatering activity. Copies of the reports shall be mailed to:

Stamford Water Pollution Control Authority
Attn: Rhudean Bull
111 Harbor View Avenue, Building 6A
Stamford, CT 06902

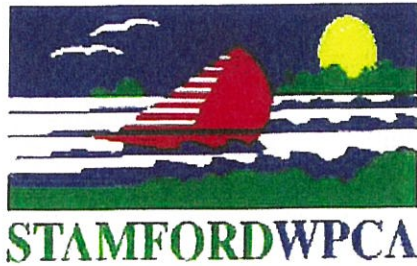
Swimming Pools

12. The sheet ZA-104 level 4 Floor Plan shows a proposed swimming pool. The swimming pool water filtration system shall be of cartridge type. If a sand filtration system is used instead, the backwash shall discharge into a gravity fed treatment system prior to discharging into the sanitary. Please provide detailed information on the filtration system.
13. No less than 60 days in advance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the owner/developer of the site shall complete and submit to SWPCA for review and approval a Registration Application for Miscellaneous Discharges of Sewer Compatible Wastewater for the sanitary discharge of swimming pool wastewater. Contact Robert Pudelka, Plant Supervisor at 203-564-7945 or by email at rpudelka@stamfordct.gov for additional information.

Connection Fees

14. A Connection Charge may be assessed by the SWPCA in accordance with the City Charter of the City of Stamford (Sec. 200-41) and as provided by state law (Connecticut General Statutes §7-255). The issuance of a Certificate of Occupancy (CO) signals the completion of construction and the CO is, therefore, the starting point of the Connection Charge process. Once each year the CO's issued (starting with March first and running through the end of February the following year) are reviewed to determine those that reflect a change in sewer usage. Those properties reflecting additional sewer units will

William P. Brink, P. E. BCEE
Executive Director
Stamford Water Pollution Control Authority
203-977-5809
wbrink@stamfordct.gov



Ed Kelly, Chairman
SWPCA Board of Directors
Stamford Water Pollution Control Authority

receive an assessment in the fall following the above time period. Connection Charges are based on a "Sewer Unit" system. Questions regarding connection charge fees should be directed to the WPCA's Supervising Engineer, Ann Brown, via email ABrown2@stamfordct.gov or phone 203-977-5896.

Attachment

cc: Stephen A. Pietrzyk, Collections System Supervisor
Ann Brown, Supervising Engineer

Return to:
Michael J. Cacace
Cacace, Tusch & Santagata
1111 Summer Street
Stamford, CT 06905

RIGHT OF WAY EASEMENT

WHEREAS, TR BROAD II, LLC, a limited liability company with offices at 222 Summer Street, Stamford, CT 06901 (hereinafter referred to as “Grantor”) is the owner in fee simple of certain real estate known as 128-134 and 136 Broad Street, Stamford, CT, and more particularly described in Schedule A attached hereto and make a part hereof; and

WHEREAS, Grantor plans to construct a mid-rise building on its property consisting primarily of residential uses; and

WHEREAS, 122-124 BROAD STREET LLC owns property at 122 Broad Street, Stamford, CT; and

WHEREAS, MALLOY REALTY LLC owns property at 118 Broad Street, Stamford, CT; and

WHEREAS, 35 BEDFORD STREET LLC owns property at 27-35 Bedford Street, Stamford, CT; and

WHEREAS, GAR REALTY, LLC owns property located at 65 Bedford Street, Stamford, CT; and

WHEREAS, Grantor desires to grant 122-124 BROAD STREET LLC, MALLOY REALTY LLC, 35 BEDFORD STREET LLC and GAR REALTY LLC (hereinafter collectively referred to as “Grantees”) a right of way easement over a portion of its property.

Return to:
Michael J. Cacace
Cacace, Tusch & Santagata
1111 Summer Street
Stamford, CT 06905

NOW THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other valuable consideration paid by each party to the other, GRANTOR, for itself, its heirs and assigns hereby grants and conveys to the Grantees their heirs and assigns a right of way easement in common with others to pass and repass for ingress and egress to and from their properties, over, across, and upon that certain portion of the Grantor's property as shown as "ACCESS EASEMENT" on a map prepared by D'Andrea Surveying and Engineering, P.C. entitled "Easement Map Depicting Access Easement Located at Broad Street and Gay Street Extension in Stamford, Connecticut, Prepared for TR BROAD LLC", a copy of which is attached hereto and made a part hereof as Exhibit B.

Grantor reserves for itself its successors and assigns, the right to fully use and enjoy Grantor's premises, subject to the rights, privileges and authority herein granted and confirmed; provided, however, the Grantee shall have the right from time to time to make repairs and conduct maintenance in or about the Easement Area.

The term of and the parties' rights and obligations under this Easement shall be construed in accordance with the laws of the State of Connecticut. Any disputes arising out of or relating to the parties' rights and obligations under this Easement shall be submitted for resolution to the courts, and the parties agree to be subject to the personal jurisdiction of such courts only for such limited purpose. The venue of any action between the parties seeking to interpret and/or enforce their rights hereunder shall be Fairfield County. If any action, suit or proceeding is commenced under or in connection with this Easement, the losing party shall pay to the prevailing party, and the prevailing party shall be entitled to an award for reasonable attorneys' fees, court costs, and

Return to:
Michael J. Cacace
Cacace, Tusch & Santagata
1111 Summer Street
Stamford, CT 06905

other litigation expenses incurred by the prevailing party in connection with such action, suit or proceeding.

This Easement is limited to the right to pass and repass. Grantees should not park vehicles or otherwise hinder or obstruct Grantor's rights to use the Easement area.

This Easement shall run with the land and shall be binding upon and inure to the benefit of Grantor and Grantee and each of their respective successors and assigns forever. Any obligations contained herein with regard to the Easement granted hereby shall be construed as covenants and not as conditions, and any violation of any such covenants shall not result in a forfeiture or reversion of the Easement granted herein or any property interest conveyed hereby.

This Easement sets forth the entire agreement of the parties concerning the matters set forth herein. There are no additional oral or written representations or agreements. This instrument may be amended only in writing signed by the parties or their successors in interest.

TO HAVE AND TO HOLD the said granted rights, privileges, and authority unto Grantee, its successors, and assigns, to its own proper use and behoof.

Return to:
 Michael J. Cacace
 Cacace, Tusch & Santagata
 1111 Summer Street
 Stamford, CT 06905

IN WITNESS WHEREOF, Grantor has caused to be executed this _____ day of
 _____ 2022.

Signed, Sealed, and delivered
 in the presence of:

GRANTOR:
 TR BROAD II, LLC

 Print name:

BY: _____
 Thomas Rich

 Print name:

STATE OF CONNECTICUT)
)
 COUNTY OF FAIRFIELD)

ss:

The foregoing instrument was acknowledged before me this _____ day of _____ 2022
 by Thomas Rich who acknowledged the same to be his free act and deed and the free act and
 deed of said TR BROAD II, LLC before me.

 Commissioner of Superior Court
 Notary Public
 My commission expires: _____

SCHEDULE A

Legal Description

PARCELA:

ALL THAT CERTAIN piece, parcel or tract of land, with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, and known as 128 Broad Street, which is more particularly bounded and described as follows:

NORTHERLY: One Hundred Sixty-one (161) feet, more or less, by land now or formerly of The Estate of Mary M. Scofield, dec'd.

EASTERLY: One Hundred Forty-eight (148) feet, more or less, by a driveway, now or formerly known as Gay Street Extension;

SOUTHERLY: One Hundred Thirty (130) feet by Broad Street;

WESTERLY: Ninety-eight (98) feet, more or less, by land now or formerly of Charles M. Lounsbury, dec'd. et al, and now or formerly of George Dimenstein;

SOUTHERLY AGAIN: Fifty-one (51) feet, more or less, by land now or formerly of the Estate of Charles Lounsbury, dec'd. et al and now or formerly of George Dimenstein; and

WESTERLY AGAIN: Fifty and 05/100 (50.5) feet by land now or formerly of Merwin Realty Co., and now or formerly of Floyd B. Bertram, et al.

SAID PREMISES are known and designated as "Parcel 'C', 7,883+/- Sq. Ft." and "Parcel 'D', 12,982+/- Sq. Ft." as shown on a certain map entitled, "Map Prepared for Thomas K. Standish, Stamford, Connecticut, Scale 1" = 20', Aug. 22, 1988", certified "Substantially Correct" by William W. Seymour, Conn. L.S. Reg. No. 11352 for William W. Seymour and Associates, P.C., Land Surveyors, Darien, Conn., which map is on file in the Office of the Town Clerk of the City of Stamford as Map No. 11192, reference thereto being had.

PARCEL B:

ALL THAT CERTAIN piece, parcel or tract of land, located in the City of Stamford, County of Fairfield and State of Connecticut, located at the northeast corner of Broad Street including the southerly terminus of Gay Street Extension, and bounded and described as follows:

BEGINNING at a point on the new northerly street line of Broad Street as it now exists where said northerly street line intersects the westerly property line of land of United Broad Street Associates, said point being further located 3.65 feet southerly of the southwesterly corner of said land of United Broad Street Associates as shown and delineated on Map No. 11318 of the Stamford Land Records. Thence westerly along said northerly street line of Broad Street, the following courses and distances: S. 86° 23' 42" W. a distance of 40.93 feet, thence continuing on a curve to the right, thence continuing on a curve to the right, the radius of which is 910.00 feet a distance of 118.869 feet to land of Anthony R. Lorenzo, Trustee. Thence northerly along land of said Anthony R. Lorenzo, Trustee N. 1° 22' 36" W. a distance of 83.437 feet to a point, thence easterly, northerly and again easterly through in part across Gay Street Extension and land of the City of Stamford, the following courses and distances: N. 87° 43' 40" E. a distance of 77.992 feet, N. 1° 58' 00" W. a distance of 11.33 feet and N. 87° 51' 05" E. a distance of 79.917 feet to land of United Broad Street Associates. Thence southerly along land of said United Broad Street Associates the following courses and distances: S. 3° 27' 06" E. a distance of 13.64 feet and S. 2° 18' 06" E. a distance of 84.99 feet to the point or place of beginning.

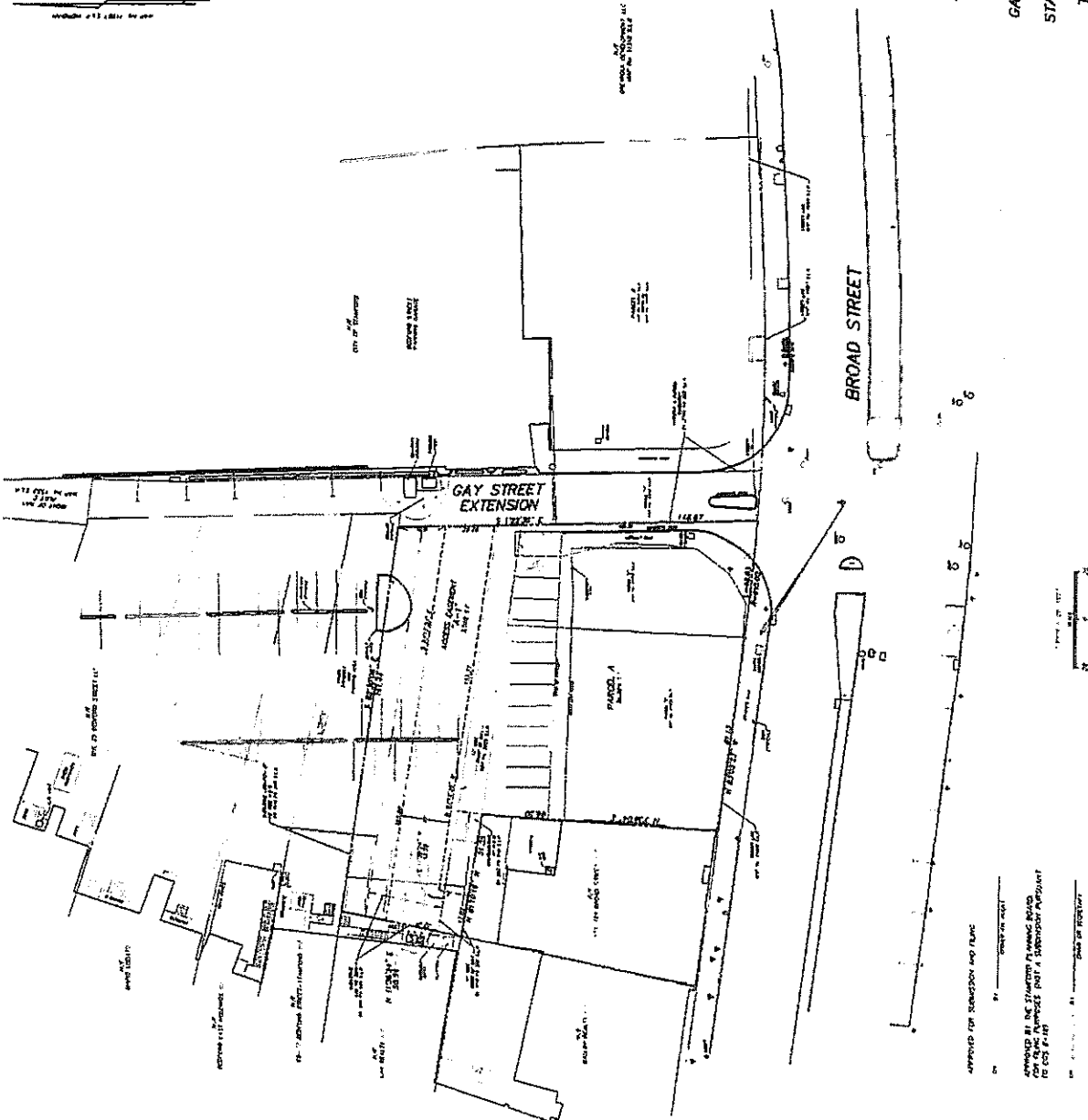
SAID PREMISES are shown and delineated on a certain map entitled, "Map Showing a Portion of Property of the City of Stamford, Stamford, Connecticut," certified by Paul R. Manula, Land Surveyor, on December 22, 1987, which map is on file in the Stamford Town Clerk's Office as Map No. 11967, reference thereto being had.

THE above-described property contains 14,794 square feet and lies in Block 176 of the Stamford Land Records.

**Properties are known as 136 Broad Street, Stamford, Connecticut &
0 Broad Street (Account #004-0515), Stamford, Connecticut**

SCHEDULE D

BLOCK No. 176



DRAFT
EASEMENT MAP
 SHOWING
ACCESS, EASEMENT
 LOCATED AT
BROAD STREET
 AND
GAY STREET EXTENSION
 IN
 STAMFORD, CONNECTICUT
 PREPARED FOR
TR BROAD II LLC

APPROVED FOR SUBMISSION AND FILING
 BY _____ DATE OF RECORD _____
 APPROVED BY THE STAMFORD PLANNING BOARD
 FOR THE APPROVAL OF A SUBORDINARY PLAT
 TO CS 2-187
 BY _____ DATE OF RECORD _____

NOTICE TO ORDER 2022 AND 110 AND MAPS TO 1112 & 1117 I.E.P.
 LAND LIES IN THE TOWN OF STAMFORD
 PLANNING BOARD
 110 SOUTH MAIN STREET, 3RD FLOOR
 STAMFORD, CONNECTICUT 06424
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