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April 28, 2023

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*ALSO ADMITTED IN NEW YORK

BY HAND

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

Re: TR BROAD II, LLC
Zoning Board Application #222-37
Zoning Board Follow-Up Items

Dear Vineeta:

In accordance with your email of Tuesday, April 25th, 2023, I am pleased to attach the Zoning Board follow-up items that you identified. For convenience, I have attached hereto a copy of your email. In that regard, please find the following:

1. An updated parking calculation chart on the cover of the architectural drawings including the information you requested.
2. On the plan, we have indicated where valeted cars will queue up after being dropped off by drivers while waiting to be parked and while waiting for drivers to pick them up.
3. The applicant believes that given the expected demographics of tenants, there will be no demand for a child play area. On the other hand, if the Board feels a child play area should be included, it will be located on the fourth level amenity area conditioned on zoning board approval prior to building permit.
4. A copy of a black line version of the parking management plan showing changes from the version presented at the April 3rd public hearing is attached.
5. A revised affordability plan noting correct parking numbers, including self-park and valet is attached in a black line format.
6. Applicant confirms that the six special permits shown on page one of the staff report are all the special permits being requested by the applicant but also notes that the Zoning Lot Development Agreement needs approval.

7. As to the premium floor area and height requested pursuant to appendix D, footnote 13, the applicant agrees with the Staff Report which notes on page 5 that “[t]he proposed building provides an inviting streetscape along with a widened pedestrian space on both sides of Gay Street. The Gay Street passage is proposed to be 15 feet in height and well lit, further improving the pedestrian experience. The Broad Street façade will have stone veneer band at the base, middle clad columns, glass store fronts, and awnings and signage to activate the frontage.” Therefore, applicant has satisfied the pedestrian-oriented frontage which contains features that encourage pedestrian interaction at the street level including retail use, planters, trees, signage, wide sidewalks for public use and congregation, bike racks all of which appropriately fit into the context of the existing streetscape. Furthermore, given the Zoning Lot Development Agreement, 122-124 Broad Street can only have a building with ground level retail. Applicant will look into alternative treatments for the western wall of the underpass on Gay Street Extension subject to final approval of the Zoning Board.
8. Applicant agrees that a photometric plan approval by the Zoning Board can be a condition of building permit approval.
9. Applicant agrees that architectural changes to the underpass can be subject to zoning board approval prior to a building permit.
10. The street tree calculation chart has been revised and as a new street tree calculation is attached hereto.
11. Attached hereto is an additional landscaping plan prepared by our landscape architect.
12. With regard to the Zoning Lot Development Agreement, a revised agreement is attached hereto with the following changes:
 - a. In section 5, we have deleted the language you requested us to delete.
 - b. There is no schedule D, that was a typo on the chart we originally submitted.
 - c. Schedule C (zoning chart) corrected the typo you requested, and we have included the detailed footnotes requested.

I trust this correspondence and the attached materials will address the issues raised both by the Zoning Board and your email of April 25th, 2023.

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

Sincerely,



Michael J. Cacace

Michael Cacace

From: Mathur, Vineeta <VMathur@StamfordCT.gov>
Sent: Tuesday, April 25, 2023 6:09 PM
To: Michael Cacace
Cc: Blessing, Ralph
Subject: 128 Broad Street - ZB follow up items

Mike,

I received some follow up questions and request from ZB members which they would like addressed by May 1st. I'll be happy to have a call/Zoom to discuss any questions.

1. **Parking calculation chart** - Update the parking calculation chart on the cover of the architectural drawings. It contains reference to Bedford garage parking and does not include valet.
2. On the parking plan indicate where valeted cars will **queue** up after being dropped off by drivers (while waiting to be parked) and while waiting for drivers to pick them up.
3. Provide **child play area** and indicate where it will be located.
4. **Parking Management Plan** - Provide blackline showing changes of the April 6 version from the version presented for the April 3 public hearing.
1. **Affordability Plan** - Correct the total parking number and note self-park and valet. Revisions to Affordability Plan should be blacklined.
2. **Special Permit**. Confirm that the 6 Special Permits shown on page 1 of the Staff Report are all of the SPs being requested by Applicant.
7. **Premium floor area and height** – Please note the criteria which enables the premium density and height.
8. **Photometric Plan** to be a condition of Building Permit approval along with underpass, not needed for 5/8.
9. **Underpass** - Architect to make further revisions. ZB approval a condition of Building Permit.
10. **Street Trees**: Revise Street Tree calculation chart using the total frontage (434.8 ft as stated in Mike Cacace 4/3/23 email.) The distance between trees for calculation number of street trees is 25' (not 30').
11. **Additional Landscaping**: provide additional landscaping either on-site or off-site. EPB requested more trees, as did Rosanne McManus and David Stein.
12. **Zoning Lot Development Agreement**:
 - a. Provide Schedule C showing all required information.
 - b. Schedule D (zoning chart) has a typo. Permitted floor area for Lot B is 12,652 sf not 13,652 sf. The remainder of the calculation and total is accurate. This chart should include detailed footnotes and sub-calculations to clearly show the zoning information.
 - c. Section 5: delete reference to “ZB staff may not withhold approval”. Not permitted under our regs.

Thanks,

128 BROAD STREET MULTI-FAMILY APARTMENT BUILDING

128 BROAD STREET, STAMFORD, CT 06901

Owner: F.D.RICH COMPANY
 Construction Manager: 222 SUMMER STREET, STAMFORD, CT 06901
 Civil / Site: D'ANDREA SURVEYING & ENGINEERING, 6 NEIL LANE, PO BOX 549, RIVERSIDE, CT 06878
 Landscape: ERIC RAINS LANDSCAPE ARCHITECTURE, 11A N. MAIN STREET, NORWALK, CT 06854
 Structural: DESIMONE CONSULTING ENGINEERS, 55 CHURCH STREET, 4TH FLOOR, NEW HAVEN, CT 06510
 Mechanical, Plumbing & Electrical: CDA ENGINEERING, INC, 48 RIVERSIDE AVE, WESTPORT, CT 06880
 Lighting Consultant:
 Planning / Zoning:
 Envelope Consultant:
 Code Consultant:
 Acoustical Consultant:

DRAWING SCHEDULE

ZA-000	COVER & SHEET INDEX
ZA-001	ARCHITECTURAL SITE PLAN
ZA-002	COMMUNITY AND OPEN SPACE DIAGRAMS
ZA-003	RENDERED IMAGES
ZA-101	FLOOR PLAN - GROUND FLOOR
ZA-102	FLOOR PLAN - LEVEL 2
ZA-103	FLOOR PLAN - LEVEL 3
ZA-104	FLOOR PLAN - LEVEL 4
ZA-105	TYPICAL RESIDENTIAL FLOOR PLAN (LEVEL 5-12)
ZA-106	FLOOR PLAN - LEVEL 13
ZA-107	ROOF PLAN
ZA-200	AXONOMETRIC VIEWS
ZA-201	SOUTH ELEVATION
ZA-203	EAST ELEVATION
ZA-204	WEST ELEVATION
ZA-301	BUILDING SECTIONS

DEVELOPMENT SITE - 128 BROAD STREET					
ZONING C-G DISTRICT	REQUIRED / PERMITTED	EXISTING CONDITIONS	PROPOSED	NOTES	
MIN. LOT AREA	4,000	35,659	35,659	COMPLIES FOOTNOTE (13) ELIGIBILITY FOR PREMIUM FAR AND HEIGHT BASED ON SITE AREA > 30,000 SF AND BROAD STREET IS A "GROUND FLOOR RETAIL STREET"	
MIN. LOT FRONTAGE	40 FT	0	288.86 FT	COMPLIES	
MAX. BUILDING STORIES	N/A	0	13	COMPLIES	
MAX. BUILDING HEIGHT	150	0	147'-2"	COMPLIES FOOTNOTE APPENDIX B # 13 PREMIUM MAX. HEIGHT	
MAX. BUILDING...	100%	0	32,923	91%	COMPLIES FOOTNOTE APPENDIX B #7, SPECIAL PERMIT
MIN. OPEN SPACE	75 SF PER UNIT (198 UNITS)		18,894 SF	COMPLIES (86.7 SF PER UNIT)	
GROSS FLOOR AREA		0	298,978		
ZONING FLOOR AREA					
RESIDENTIAL	N/A	0	183,157.0	COMPLIES	
COMMERCIAL (MAX ALLOWED)	2.2 (78,449.8 SF)	0	0.12 (4,324 SF)	COMPLIES FOOTNOTE APPENDIX B # 13 PREMIUM FAR MAXIMUM GROUND FLOOR RETAIL < 1.0 FAR EXEMPT FROM CALCULATION	
COMMUNITY FACILITY (MAX ALLOWED)	3.2 (78,449.8 SF)	0	0.0	N/A	
INDUSTRIAL	NP	0	0.0	N/A	
ALLOWABLE RESIDENTIAL UNITS			103.5		
CONVERSION OF NON-RES. DENSITY			80.7	APPENDIX B FOOTNOTE (2), KEYNOTE 13 FOOTNOTE (13) ELIGIBILITY FOR PREMIUM FAR AND HEIGHT BASED ON SITE AREA > 30,000 SF, BROAD STREET...	
BELOW MARKET RATE UNITS			17	10.4%	
MARKET RATE UNIT BONUS			34		APPENDIX B FOOTNOTE (4)
TOTAL ALLOWABLE RESIDENTIAL UNITS			198		FOOTNOTE APPENDIX B #4 SUBJECT TO SPECIAL PERMIT COMMERCIAL CONVERSION
YARDS				FOOTNOTE APPENDIX B #2	
FRONT YARD (STREET LINE)	NR	N/A	9.5 FT FROM CURB		
FRONT YARD (CENTERLINE)	NR	N/A	-		
REAR	15 FT	N/A	0 FT	FOOTNOTE APPENDIX B #7, SPECIAL PERMIT	
SIDE	15 FT AFTER 75 FT	N/A	0 FT	FOOTNOTE APPENDIX B #7, SPECIAL PERMIT	
MIN. LIGHT & AIR	30 FT		30 FT	COMPLIES	
PARKING				CATEGORY 1 - 12.0.1 GENERAL REQUIREMENTS	
RESIDENTIAL	210	0	215	(210 EV CHARGING 1/2 SPACES)	
COMMERCIAL	0	0	0		
ELECTRIC VEHICLE CHARGING	50/80 = 5	0	10	TABLE 12.14 REQUIRED LEVEL 2 CHARGING FACILITIES	
BIKE PARKING	20	0	35 Class A 12 Class B	TABLE 12.10 CLASS A, 1.5 FIRST 60 UNITS; 1.10 OVER 60 UNITS.	
# OF LEVELS OF PARKING GARAGE	-	N/A	3		
SQUARE FOOTAGE OF PARKING			83,084		
PARKING SETBACK	-	N/A	0 FT		
STREET TREES					
SIGNAGE (SECTION 13.0)					
FRONT WALL (25% / 1/2 OF FRONTAGE)	236 LF X 2 SF = 472 SF	0 SF	100 SF CANOPY SIGN + (6) 155F RETAIL SIGNS = 115 SF	FINAL QTY. OF RETAIL SIGNAGE TBD	
REAR / SIDE WALL	478 SF	0 SF	(2) X 25 SF WALL SIGNS = 50 SF		
GROUND SIGN	60 SF MAX. AREA 197' MAX. SIDE 217' MA.	0 SF	0 SF		
FLAGS	100 SF MAX. AREA 507' MAX. HT. 300 SF COMBINED...	0 SF	0 SF		

ZONING LOT - 128 BROAD STREET, 122-124 BROAD STREET					
SITE AREA	128 BROAD STREET	122-124 BROAD STREET	COMBINED SITE	NOTES	
ALLOWABLE RESIDENTIAL DENSITY	35,659 SF	5,751 SF	41,410 SF	APPENDIX B FOOTNOTE (1) KEYNOTE 4 - MASTER CATEGORY #11	
ALLOWABLE UNITS			103.5		
CONVERSION OF NON-RESIDENTIAL DENSITY SECTION 3-4					
PREMIUM FAR MAX	2.2	2.2	2.2	APPENDIX B FOOTNOTE (2), KEYNOTE 13 FOOTNOTE (13) ELIGIBILITY FOR PREMIUM FAR AND HEIGHT BASED ON SITE AREA > 30,000 SF; BROAD STREET IS A "GROUND FLOOR RETAIL STREET"	
COMMERCIAL ALLOWABLE AREA	78,450 SF	12,652 SF	91,102 SF		
GROUND FLOOR RETAIL	4,324 SF	3,904 SF	8,228 SF @ 8.19 FAR	APPENDIX B FOOTNOTE (13) FOR GROUND FLOOR RETAIL STREETS - RETAIL FLOOR AREA NOT TO EXCEED 1.0 FAR MAY BE EXEMPT FROM THE MAXIMUM FAR CALCULATION	
COMMERCIAL CONVERSION			1,500 SF / FAMILY		
ALLOWABLE UNITS			60.7		
SUB-TOTAL ALLOWABLE UNITS			194		
BELOW MARKET RATE UNITS			17		
BMR UNITS 10%			34	APPENDIX B FOOTNOTE (4)	
SUB-TOTAL			34		
TOTAL ALLOWABLE # OF UNITS			198		

LEVEL	STUDIO	UNIT TYPES			TOTAL			
		1-BDRM	2-BDRM	3-BDRM				
4	4	10	4	0	18			
5	2	10	7	1	20			
6	2	10	7	1	20			
7	2	10	7	1	20			
8	2	10	7	1	20			
9	2	10	7	1	20			
10	2	10	7	1	20			
11	2	10	7	1	20			
12	2	10	7	1	20			
13	2	10	7	1	20			
TOTAL	22	190	67	9	196			
MAX %	11.11%	50.51%	33.84%	4.55%				
BMR UNITS	3	8	5	1	17			
PARKING RATIO - MR	0.75	14.25	1.00	82.00	1.25	77.50	1.50	12.00
PARKING RATIO - BMR	0.5	1.50	0.75	6.00	1.00	5.00	1.25	1.25
REQ'D PARKING	15.75	98.00	62.50	13.25	219			

PARKING ALLOWED	REQ'D PARKING	PROVIDED ON-SITE	TOTAL PARKING PROVIDED (EV FOOTNOTE)	PROVIDED SELF-PARK	PROVIDED VALET	COMMENTS
RESIDENTIAL	219	215	219 (100%)	113	102	
RETAIL	0	0	0	0	0	SECTION 12.0.14 RETAIL STORES NORTH OF I-85 IN CATEGORY 1 WITHIN 1000 SF OF PUBLIC PARKING...

LEVEL	SELF PARK	ACCESSIBLE	TANDEM	ELEC. VEHICLE CHARGING*	ELEC. VEHICLE RESERVED	VALET	TOTAL PARKING PROVIDED	EV ADJUSTED PARKING TOTAL*
L1	11	2	0	2	2	0	17	16
L2	23	1	14	4	4	51	87	85
L3	27	1	14	4	4	51	101	99
ON-SITE TOTAL	61	4	28	10	10	102	215	219
% PROVIDED	28%	2%	13%	5%	5%	47%	100%	

* EV PARKING SPACES COUNT AS 1/2 A REQUIRED PARKING SPACE

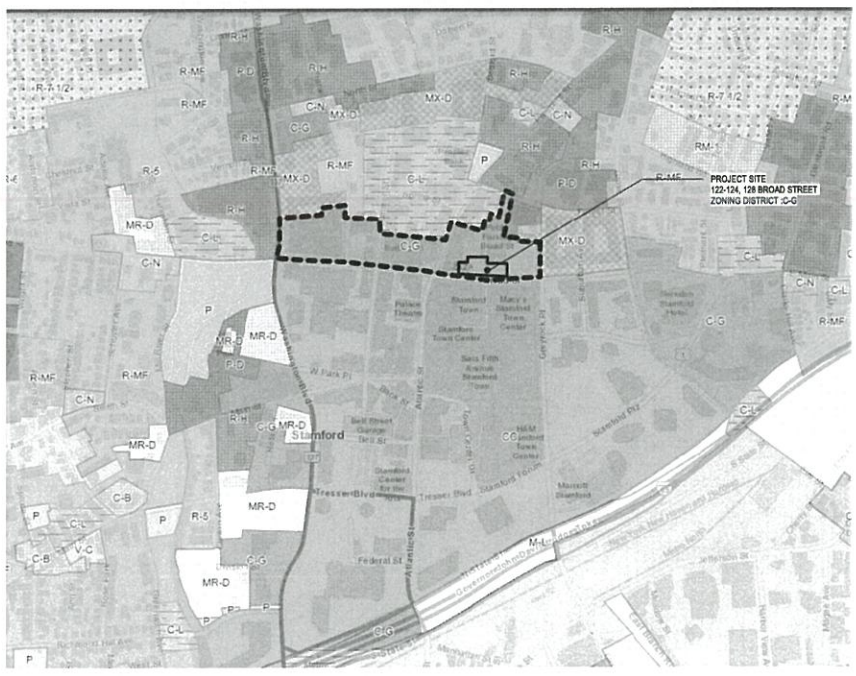
LEVEL	NSF AREA CALCULATION							
	BOH/UTILITY	CIRCULATION	RENTABLE	AMENITY / COMMON	PARKING	RETAIL	TOTAL	
LEVEL 1	5,765 SF	2,888 SF		3,160 SF		11,434 SF	27,814 SF	
LEVEL 2	2,734 SF	220 SF			24,980 SF	4,324 SF	27,814 SF	
LEVEL 3	1,508 SF	220 SF			26,860 SF		28,418 SF	
LEVEL 4	646 SF	2,733 SF	13,072 SF	3,318 SF			20,889 SF	
LEVEL 5	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 6	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 7	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 8	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 9	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 10	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 11	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 12	820 SF	1,960 SF	18,860 SF				21,640 SF	
LEVEL 13	820 SF	1,960 SF	18,281 SF				21,061 SF	
SUBTOTAL	18,233 SF	23,899 SF	181,157 SF	6,481 SF	83,084 SF	4,324 SF	219,878 SF	
GRAND TOTAL		6%	6%	61%	2%	21%	1%	298,978 SF

GARAGE AREA	
LEVEL	AREA
GROUND FLOOR	11,434 SF
LEVEL 2	24,980 SF
LEVEL 3	26,860 SF
LEVEL 4	20,889 SF
LEVEL 5	21,640 SF
LEVEL 6	21,640 SF
LEVEL 7	21,640 SF
LEVEL 8	21,640 SF
LEVEL 9	21,640 SF
LEVEL 10	21,640 SF
LEVEL 11	21,640 SF
LEVEL 12	21,640 SF
LEVEL 13	21,061 SF
TOTAL	298,978 SF

GROSS SF	
LEVEL	GSP
GROUND FLOOR	16,138 SF
LEVEL 2	2,887 SF
LEVEL 3	1,731 SF
LEVEL 4	20,889 SF
LEVEL 5	21,642 SF
LEVEL 6	21,642 SF
LEVEL 7	21,642 SF
LEVEL 8	21,642 SF
LEVEL 9	21,642 SF
LEVEL 10	21,642 SF
LEVEL 11	21,642 SF
LEVEL 12	21,642 SF
LEVEL 13	21,062 SF
TOTAL	298,978 SF



RENDERED IMAGE



PARTIAL ZONING MAP

FINISHED GARAGE				
Description	TYE	MARK	DIMENSIONS	COUNT
GROUND FLOOR				
ADA VAN	ACA	8'0" x 18'0"	1	1
ADA VAN	ACA VAN	8'0" x 18'0"	1	1
SELF PARK	C	8'0" x 18'0"	1	1
ELEC. VEHICLE	EV4	8'0" x 18'0"	2	2
E.V. RESERVED	EV4	8'0" x 18'0"	2	2
STANDARD	S	8'0" x 18'0"	8	8
SELF PARK: 17				17
SUB TOTAL LEVEL 1				
LEVEL 2				
VALET	V			51
VALET 51				51
ADA	ACA	8'0" x 18'0"	1	1
SELF PARK	C	8'0" x 18'0"	1	1
ELEC. VEHICLE	EV4	8'0" x 18'0"	4	4
E.V. RESERVED	EV4	8'0" x 18'0"	4	4
STANDARD	S	8'0" x 18'0"	22	22
TANDEM	T	8'0" x 18'0"	14	14
SELF PARK: 46				46
SUB TOTAL LEVEL 2				
LEVEL 3				
VALET	V			51
VALET 51				51
ADA	ACA	8'0" x 18'0"	1	1
SELF PARK	C	8'0" x 18'0"	1	1
ELEC. VEHICLE	EV4	8'0" x 18'0"	4	4
E.V. RESERVED	EV4	8'0" x 18'0"	4	4
STANDARD	S	8'0" x 18'0"	28	28
TANDEM	T	8'0" x 18'0"	14	14
SELF PARK: 52				52
SUB TOTAL LEVEL 3				
TOTAL				
				276

	SELF PARKING	VALET	TOTAL
LEVEL 1	17	0	17
LEVEL 2	46	51	97
LEVEL 3	52	51	103
TOTAL	115 (100%)	102	217 (100%)

NOTE: LEVEL 3 CHARGING STATION COUNT IS IN SQUARE OFF STREET PARKING SPACE.

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



No.	Description	Qty

PERKINS EASTMAN
 100 ALBANY STREET
 STAMFORD, CT 06901
 732.328.1200

- Owner: F.S. RICH COMPANY
- 100 ALBANY STREET
STAMFORD, CT 06901
- Construction Manager:
- Architect: PERKINS EASTMAN SURVEYING & ENGINEERING
100 ALBANY STREET, 5TH FLOOR
STAMFORD, CT 06901
- Structural: SDB ENGINEERING INC.
400 WATERLOO ST
MIDDLETOWN, CT 06457
- Mechanical & Plumbing: CDA ENGINEERING, INC.
400 WATERLOO ST
MIDDLETOWN, CT 06457
- Lighting Consultant:
- Pool Review:
- Planning/Grading:
- Process Consultant:
- Code Consultant:
- Acoustical Consultant:

PROJECT TITLE:
128 BROAD STREET

PROJECT No: 01010
 DRAWING TITLE:
PARKING PLAN - LEVEL 2

LOCALISTION: 128 Broad Street, Middletown, Connecticut, CT
 3/11/2020 AM

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~~215 parking spaces- (113 self-park and 102 valet 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 Management/Operations Plan
128-136 Broad Street, Stamford, CT**

~~March 3~~ 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, ~~240~~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: at grade, west of Gay Street, there will be 17 self-~~park~~parking spaces and, on garage levels 2 and 3 there will be ~~+56 self park~~198 parking spaces ~~for a total of +73~~which 68 are self-park ~~spaces.~~—Alternatively, the building will have ~~121,~~ 28 are self-park/tandem spaces, and ~~89~~102 valet parking spaces in the event that valet parking is fully subscribed. Important to highlight, when any of the aforementioned self-park spaces on garage levels 2 or 3 are obstructed by the ~~37~~ aisle valet spaces, those obstructed spaces would also become valet parking spaces. This means the total valet space count will be 89 spaces or 42% of the total space count.spaces. See chart below.

PROJECTED ESTIMATE OF ACTUAL USE

ZONING COMPLIANT
PARKING SCHEDULE

SELF-PARKING SPACES		TYPE MARK	DIMENSIONS	COUNT	COUNT
GROUND FLOOR	ADA	ADA	9'-0" x 18'-0"	1	1
	ADA VAN	ADA VAN	9'-0" x 18'-0"	1	1
	COMPACT	C	8'-6" x 16'-0"	5	5
	STANDARD	R	8'-6" x 18'-0"	10	10
SUB-TOTAL GROUND FLOOR:				17	17
FLOOR 2	ADA	ADA	9'-0" x 18'-0"	1	1
	COMPACT	C	8'-6" x 16'-0"	3	3
	STANDARD	R	8'-6" x 18'-0"	72	32
	SUB-TOTAL LEVEL 2:				76
FLOOR 3	ADA	ADA	9'-0" x 18'-0"	1	1
	COMPACT	C	8'-6" x 16'-0"	3	3
	STANDARD	R	8'-6" x 18'-0"	76	36
	SUB-TOTAL LEVEL 3:				80
TOTAL SELF-PARK SPACES				173	93

VALET SPACES	TYPE MARK	DIMENSIONS	COUNT
GROUND FLOOR	V	7'-0" x 17'-0"	0
FLOOR 2	V	7'-0" x 17'-0"	44
FLOOR 3	V	7'-0" x 17'-0"	45
TOTAL VALET			89

TANDEM SPACES	TYPE MARK	DIMENSIONS	COUNT
FLOOR 2	T	8'-6" x 18'-0"	14
FLOOR 3	T	8'-6" x 18'-0"	14
TOTAL TANDEM PARKING SPACES			28

TOTAL ZONING COMPLIANT PARKING SPACES	210
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Floor	Self-Park		Self-Park Sub-Total	Valet	Total
	Single	Tandem			
<u>1</u>	<u>17</u>	<u>0</u>	<u>17</u>	<u>0</u>	<u>17</u>
<u>2</u>	<u>32</u>	<u>14</u>	<u>46</u>	<u>51</u>	<u>97</u>
<u>3</u>	<u>36</u>	<u>14</u>	<u>50</u>	<u>51</u>	<u>101</u>
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.-

As shown in From the above table 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 Use, projected estimate of actual usage anticipates that 173 self-parking spaces will servedemand will not exceed 173 parking spaces, which for the 198 apartments for a parking ratio of, 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. ~~-Based upon our extensive prior experience with similar projects, the SLR estimates and consultation with Propark Mobility, 173 self-park spaces will more than satisfy the on-site parking demand at this project. **This means that despite our plan, which offers both self and valet parking at CO/building opening, the garage will very likely permanently operate as 100% self-park.**~~

~~By~~For comparison, one of our past Stamford development projects is Summer House, a 22-story apartment rental community with a ~~54~~ 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, and 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. ~~These would, which could be used for longer term car storage, which, in lieu, Although not currently part of or in addition to our proposed valet plan, would even further alleviate any future potential parking constraints. If this application, it may be helpful to note that if we only adopted the usage of the 15 stackers alone, in lieu of adding valet 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.~~

~~As stated above, and available upon CO/building opening, a valet parking plan will be available. That said and as noted above, 173~~ Note: Each set of self-parking park/tandem spaces are anticipated will be assigned to more than adequately serve the project at full occupancy. See tables below one household so that describe the parking counts in the building.

Projected Estimate of Actual Use (.87both spaces per unit)

Floor	Single	Tandem	Valet	Total
1	17	0	0	17
2	62	14	0	76
3	66	14	0	80
Total	145	28	0	173
Percent	84%	16%	0%	100%

Zoning Compliant Parking Schedule (1.06 spaces per unit)

Floor	Single	Tandem	Valet	Total
1	17	0	0	17
2	36	14	45	95
3	40	14	44	98
Total	93	28	89	210
Percent	44%	13%	42%	100%

Note: 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, ~~upon from~~ CO/building opening, the building will operate by ~~utilizing~~ supplying self-park, ~~valet, and self-park/tandem and valet~~ parking spaces. ~~-(Demand Level 1). The garage will continue to operate in this manner through the lease-up process, and as long as the garage parking demand allows.~~ 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 ~~the~~our above, ~~despite our plan to include self, valet, and tandem of supplying 215 parking in an amount equal to 210 spaces, on CO/~~ by utilizing self-park, self-park/tandem and valet from day of building opening, it should be ~~clear~~evident that ~~our Projected Estimate of Actual Use~~this parking management strategy, which has been approved by Propark Mobility, will be 173 self-park provide an abundance of parking, with 1.086 spaces for the planned 198 apartments.-

per dwelling unit which is 60% more than the .43 spaces per dwelling unit being utilized at Summer House.

ZONING LOT DEVELOPMENT AGREEMENT

AGREEMENT made this ___ day of _____, 202__ by and between, **TR BROAD II, LLC**, a Connecticut Limited Liability company having a principal place of business at 222 Summer Street, City of Stamford, County of Fairfield and State of Connecticut (hereinafter referred to as “TR BROAD”); and **122-124 BROAD STREET, LLC** a Connecticut Limited Liability company, with its principal place of business at 36 Orchard Street, in the Town of Cos Cob, County of Fairfield and State of Connecticut (hereinafter referred to as “122-124 BROAD”) (Collectively, the “PROPERTY OWNERS”),

WITNESSETH:

WHEREAS, TR BROAD is the owner of 128-134, and 136 Broad Street, Stamford, Connecticut (hereinafter referred to as “LOT A”) as more particularly described in Schedule A attached hereto and made a part hereof; and

WHEREAS, 122-124 BROAD is the owner of 122-124 Broad Street, Stamford, Connecticut (hereinafter referred to as “Lot B”) as more particularly described in Schedule B attached hereto and made a part hereof; and

WHEREAS, LOT A and LOT B (collectively the “Properties”) each contain Tax Lots under the STANDARDS contained in the Zoning Regulations of the City of Stamford (hereinafter referred to as the “Zoning Regulations”); and

WHEREAS, the parties Agree that, solely for the purposes contemplated by this Agreement the Properties should be considered one Zoning Lot; and

WHEREAS, TR BROAD intends to construct a multi-family project on Parcel A; and

WHEREAS, 122-124 BROAD has an existing one-story retail building located on Parcel B with no other uses located on Parcel B; and

WHEREAS, 122-124 BROAD by virtue of this agreement intends to transfer all of its presently existing unused development rights to TR BROAD; and

WHEREAS, both Lot A and Lot B are in the C-G Zone; and

WHEREAS, TR BROAD has obtained Zoning Board Approval # _____ (the "Approval") to construct a multi-family project on Parcel A while preserving the existing one story retail building on Parcel B; and

WHEREAS, the Approved multi-family project is achievable via the transfer of development rights from LOT B to LOT A; and

WHEREAS, this transfer of development rights facilitates the Approved development and results in a more rational development of the properties than would otherwise be permitted by the Zoning Regulations.

NOW, THEREFORE, the PROPERTY OWNERS agree to the following: the sharing/transfer and allocation of Development Rights among the Properties as follows:

1. The Development Rights of Properties are transferred/allocated as shown on Schedule "C" annexed hereto and made a part hereof.
2. All setbacks along shared Tax Lots Lines interior to the Zoning Lot are waived however all lot lines are respected.

3. The approved development of these Properties shall be in accordance with the Zoning Regulations, the transfer of Development Rights as stated in Schedule "C", and the conditions of the Approval.
4. This agreement shall be binding upon the PROPERTY OWNERS, their heirs, successors and assigns.
5. Upon obtaining all required approvals, this agreement shall not be terminated without the unanimous written consent of each of the PROPERTY OWNERS, their heirs, successors or assigns. Said termination must be approved by Land Use Bureau staff.
6. The PROPERTY OWNERS agree not to assert the invalidity of this document.
7. This agreement shall be governed by the laws of the State of Connecticut.
8. In the event that any provision of this Agreement is deemed to be invalid or unenforceable for any reason, this Agreement shall be construed as not containing such provision, and the invalidity or unenforceability thereof shall not render any other provision of this Agreement invalid or unenforceable.
9. Each party executing this Agreement does represent to the other that the parties executing on behalf of each party is duly authorized to enter into and execute this Agreement.
10. This Agreement may only be changed, modified, waived or discharged by agreement in writing, signed by the parties hereto.
11. No failure of any party to enforce any term hereof shall be deemed to be a waiver.

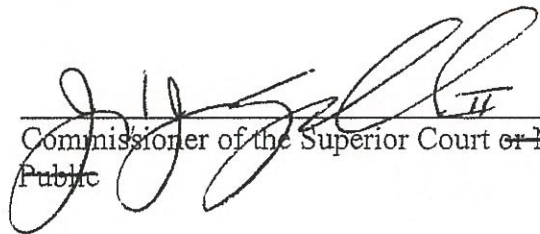
STATE OF CONNECTICUT }

COUNTY OF FAIRFIELD }

} ss: STAMFORD

Date: OCT 10, 2022

Personally appeared Gaetano Iovieno, duly authorized, signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed and the free act and deed of said limited liability company, before me.



Commissioner of the Superior Court or Notary
Public

SCHEDULE A

SCHEDULE A

Legal Description

PARCEL A:

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. 11° 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 B

SCHEDULE B

PROPERTY DESCRIPTION:

NORTHERLY : 51.35 feet, more or less, by land of Clara Epstein;

EASTERLY : 98.29 feet, more or less, by land of said Clara Epstein;

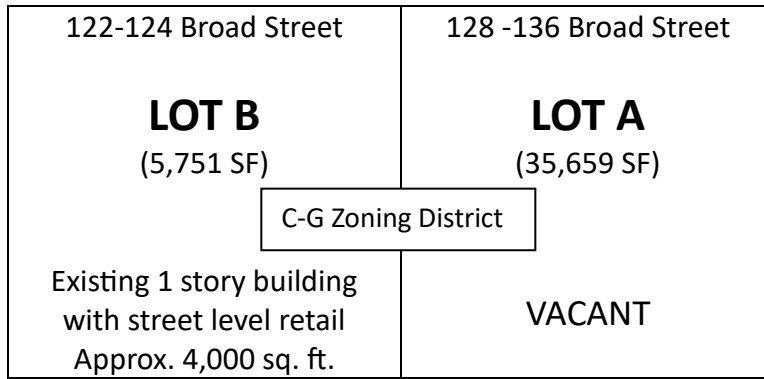
SOUTHERLY : 65 feet, more or less, by Broad Street; and

WESTERLY : 98 feet, more or less, by land of Mildred S. Koch and Harold C. Stevens .

Together with all party wall rights and easements reserved in a deed from Charles H. Lounsbury to Morris Epstein, dated May 27, 1924 and recorded in the land records of the said City of Stamford in book 283 at page 113; and together also with the right of way reserved in a deed from said Charles H. Lounsbury to Alice Lounsbury, et al., dated October 2, 1924, and recorded in said land records in book 283 at page 546 but subject to the right of re-location thereof as herein set forth.

Being the same premises conveyed by Alice Lounsbury, Mary Lounsbury and Charles Hugh Lounsbury Hudson to George Dimenstein by deed recorded in Volume 643, Page 292 of the Stamford Land Records.

Schedule C



	C-G District	Lot B ²		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 Appendix B, Footnote 13	12,652	0	78,450	91,102 ¹	0	91,102 ¹
Residential	1. 400' per family, Appendix B, Footnote 4 2. Comm. Conv. 3.3 3. BMR Bonus	28.8 ³	0	169.44 ⁴	198 ⁵	0	198 ⁵
Lot Coverage	100% Footnote 7 or 80%	80%	80%	100%	100%	10%	100%
Building Height	150' Footnote 13	150'	1 story 15'	150'	150'	15'	150'
Setbacks	F S R Footnote 7	10' from curb none required for 70'	10' from curb 0 15'	0 0 0	0 0 0	0 0 0	0 0 0

SCHEDULE C continued

¹ Will be converted to residential.

² Lot B will retain its rights to have only ground level retail within a building that complies with setback requirements.

³ Residential Density for LOT B

- | | |
|---|----------------------|
| a. Base density permitted (Appendix B Footnote 13)
400 unit per family | 14.38 dwelling units |
| b. Conversion of commercial floor area to residential
per Section 3 Definition 'Density-Permitted'
1500 sf per family | 8.43 |
| c. BMR bonus units per Appendix B footnote 4
(2 Bonus units per 1 permitted unit) | 6.00 |

	Total	28.81
--	-------	-------

⁴ Residential Density for LOT A

- | | |
|---|----------------------|
| a. Base density permitted (Appendix B Footnote 13)
400 unit per family | 89.14 dwelling units |
| b. Conversion of commercial floor area to residential
per Section 3 Definition 'Density-Permitted'
1500 sf per family | 52.30 |
| c. BMR bonus units per Appendix B footnote 4
(2 Bonus units per 1 permitted unit) | 28.00 |

	Total	169.44
--	-------	--------

(Assumes Commercial Conversion)

⁵ Residential Development for Lot A + B with Zoning Lot Agreement

- | | |
|---|-----------------------|
| a. Base density permitted (Appendix B Footnote 13)
400 unit per family | 103.50 dwelling units |
| b. Conversion of commercial floor area to residential
per Section 3 Definition 'Density-Permitted'
1500 sf per family | 60.70 |
| c. BMR bonus units per Appendix B footnote 4
(2 Bonus units per 1 permitted unit) | 34.00 |

	Total	198.00
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SCHEDULE C continued

122-124 & 128-136 Broad Street

Allocation of Development Rights Pursuant to Zoning Lot Development Lot Agreement

	<u>Lot B</u> ^{1,2,4} 122-124 Broad Street Existing 1 story building with street level retail Approx. 4,000 sq. ft.	<u>Lot A</u> ^{2,3,4} 128 -136 Broad Street If application is approved
Lot Area	5,751	35,659 SF
Zoning District	C-G	C-G
Building Coverage	100%	100%
Commercial Floor Area	0 FAR	0 converted to residential
Residential Density	0	198
Retail	Up to 1.0 FAR No taller than 3 stories	Up to 1.0 Ground level retail

¹Lot B transfers all its commercial FAR rights and all its residential development rights to LOT A, retaining its level retail development rights. There are currently approximately 4,000 square feet of retail in a one-story building.

²Set backs between Parcel A and B are waived.

³Lot A will convert its commercial rights to residential and have 198 residential units and ground level retail.

⁴No other agreements regarding light and air or future development rights are contained in the Zoning Lot Development Agreement.

STREET TREE SUMMARY	
*BROAD STREET FRONTAGE	= 354.86'
1 TREE / 25 FT. OF FRONTAGE	= 15
TOTAL TREES PROPOSED	= 8

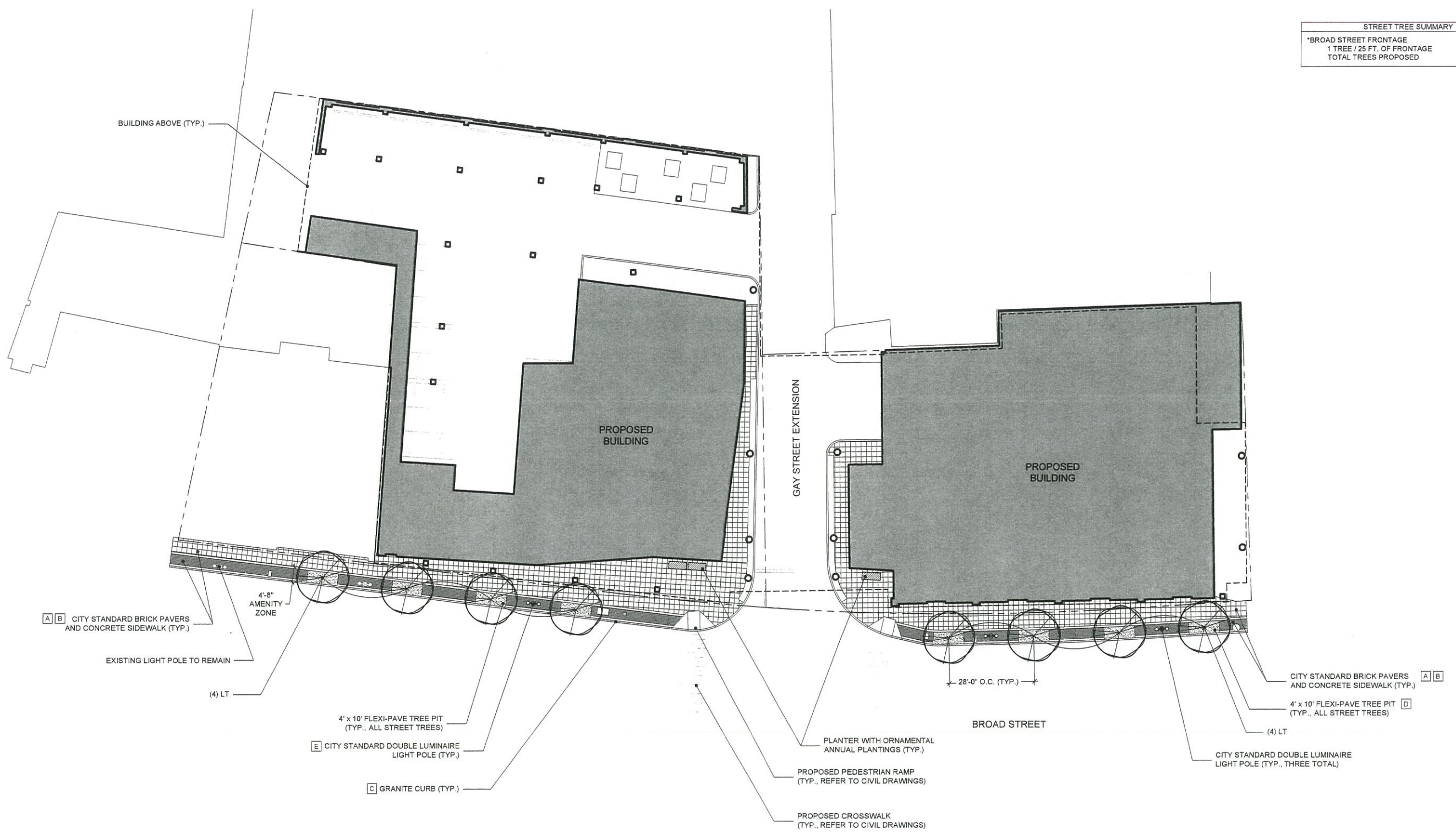
NO.	ISSUE	DATE
7		
6		
5		
4		
3		
2		
1	FOR MUNICIPAL REVIEW	23.05.01



**128 BROAD STREET
 MULTI-FAMILY APARTMENTS**
 128 BROAD STREET
 STAMFORD, CT

PROJECT:
 STREET-LEVEL
 LANDSCAPE
 SITE PLAN
 DATE: 2023.05.01
 SCALE: 1/16" = 1'-0"

SPL-1.0



[A] [B] CITY STANDARD BRICK PAVERS AND CONCRETE SIDEWALK (TYP.)

EXISTING LIGHT POLE TO REMAIN

(4) LT

4'-8" AMENITY ZONE

4' x 10' FLEXI-PAVE TREE PIT (TYP., ALL STREET TREES)

[E] CITY STANDARD DOUBLE LUMINAIRE LIGHT POLE (TYP.)

[C] GRANITE CURB (TYP.)

PLANTER WITH ORNAMENTAL ANNUAL PLANTINGS (TYP.)

PROPOSED PEDESTRIAN RAMP (TYP., REFER TO CIVIL DRAWINGS)

PROPOSED CROSSWALK (TYP., REFER TO CIVIL DRAWINGS)

28'-0" O.C. (TYP.)

BROAD STREET

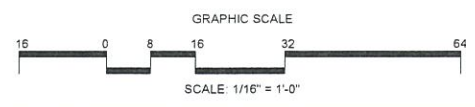
GAY STREET EXTENSION

CITY STANDARD BRICK PAVERS AND CONCRETE SIDEWALK (TYP.) [A] [B]

4' x 10' FLEXI-PAVE TREE PIT (TYP., ALL STREET TREES) [D]

(4) LT

CITY STANDARD DOUBLE LUMINAIRE LIGHT POLE (TYP., THREE TOTAL)



NOTES:
 1. REFER TO SPL-3.0 FOR DETAILS, PLANTING AND MATERIALS SCHEDULE.

NO.	ISSUE	DATE
7		
6		
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4		
3		
2		
1	FOR MUNICIPAL REVIEW	23.05.01



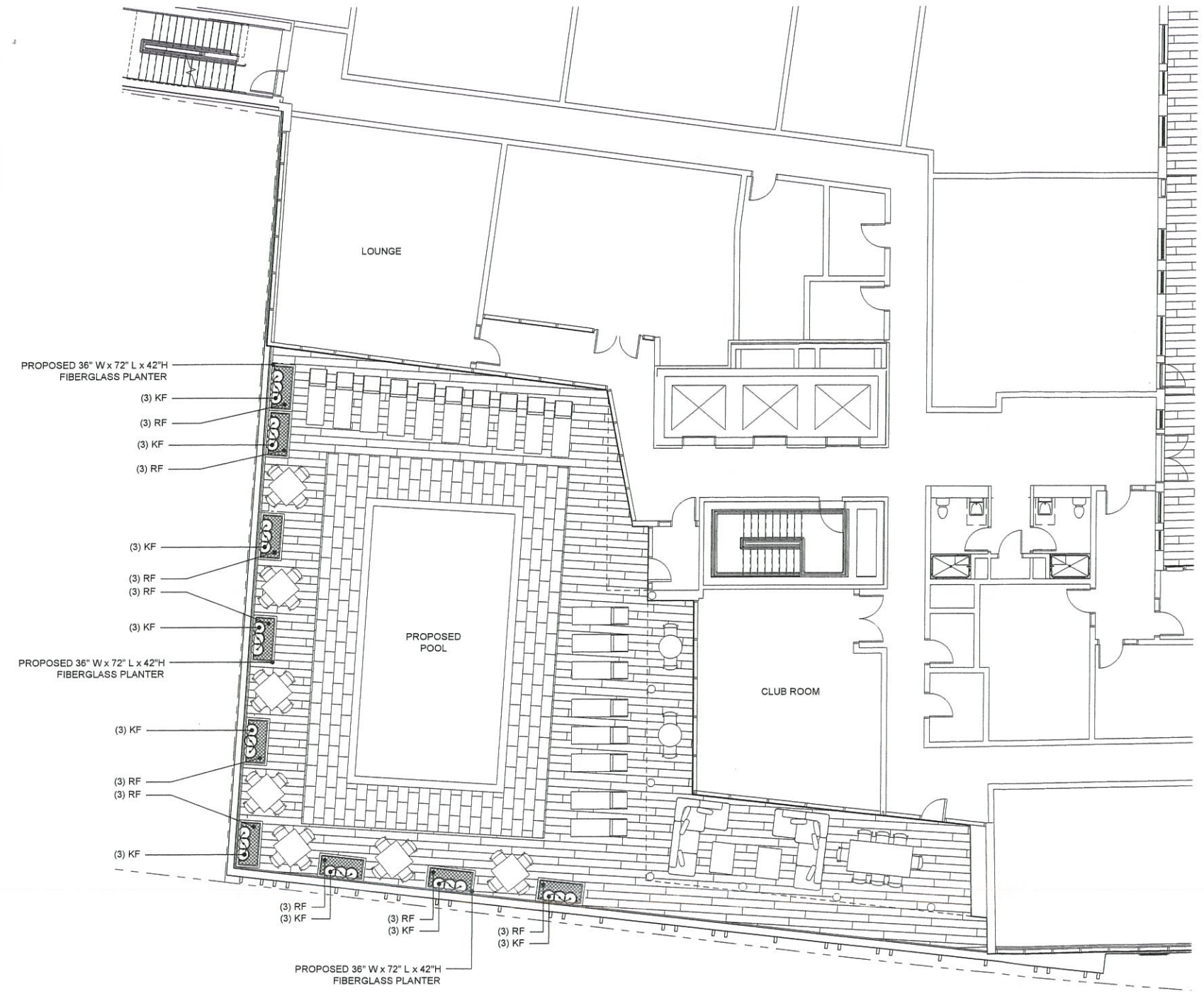
**128 BROAD STREET
 MULTI-FAMILY APARTMENTS**
 128 BROAD STREET
 STAMFORD, CT

PROJECT
 LEVEL 4 - TERRACE
 LANDSCAPE
 PLANTING PLAN

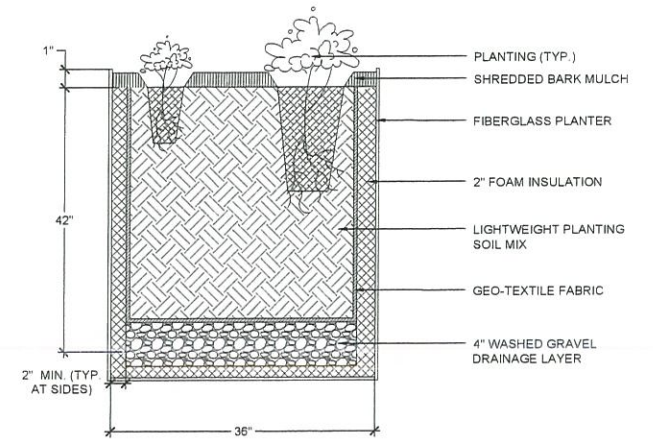
DATE
 2023.05.01

SCALE
 1/8"=1'-0"

SPL-2.0

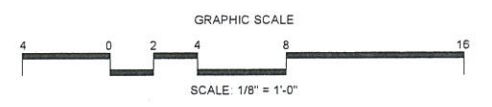


1 LEVEL 4 - TERRACE LANDSCAPE PLANTING PLAN SCALE: 1/8" = 1'-0"



2 PLANTER DETAIL SCALE: NTS

NOTES:
 1. REFER TO SPL-3.0 FOR PLANTING SCHEDULE.



STREET LEVEL MATERIALS SCHEDULE

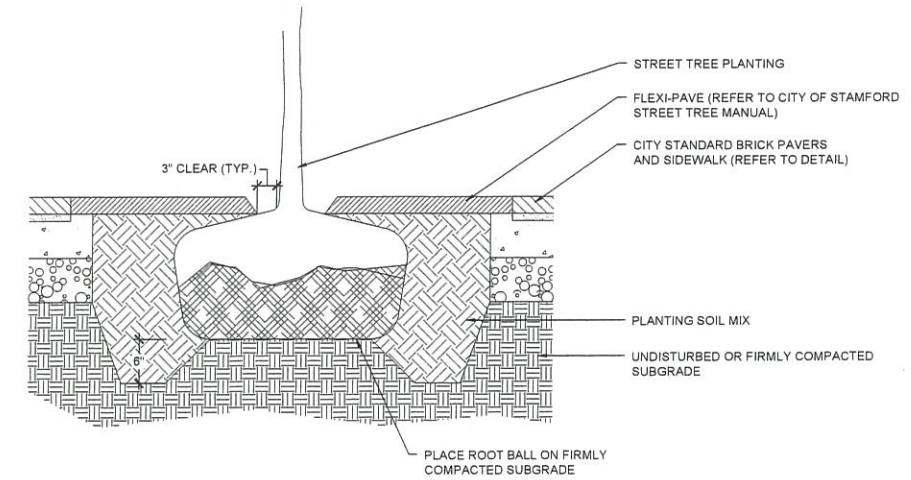
SYM	DESCRIPTION
A	CONCRETE SIDEWALK: CLASS 'F' 4000 PSI
B	CITY STANDARD BRICK PAVER - TYPE: HARMAR STEEL CITY (104), SIZE: 4" x 8" (NOM.), COLOR: RED, MANUFACTURED BY REDLAND BRICK, PHONE: 301-223-7700.
C	GRANITE CURB - TYPE: MOUNT AIRY, COLOR: LIGHT GRAY, FINISH: SPLIT FACE WITH SAWN TOP, SUPPLIED BY NORTH CAROLINA GRANITE CORP., MT., AIRY, NC. CONTACT: 800-227-6242.
D	PERMEABLE TREE PIT - TYPE: FLEXI-PAVE, COLOR: CHESTNUT, SUPPLIED BY TRI-STATE FLEXI-PAVE, CONTACT HENRI HILLMANN, PHONE: 203-628-47613.
E	LIGHT POLE AND DOUBLE LUMINAIRE - MODEL: CITY STANDARD, MANUFACTURED BY HADCO. SEE DETAIL.

STREET LEVEL PLANTING SCHEDULE

SYM	QTY.	BOTANICAL NAME	COMMON NAME	ROOT	MIN. SIZE	COMMENTS	MATURE SIZE
TREES							
LT	8	Liriodendron tulipifera 'Fastigiatum'	Fastigate Tulip Tree	B&B	3"-3.5" CAL. / 14'-16' HT.	Full, 7' Branching min.	40-50' H x 15-20' W

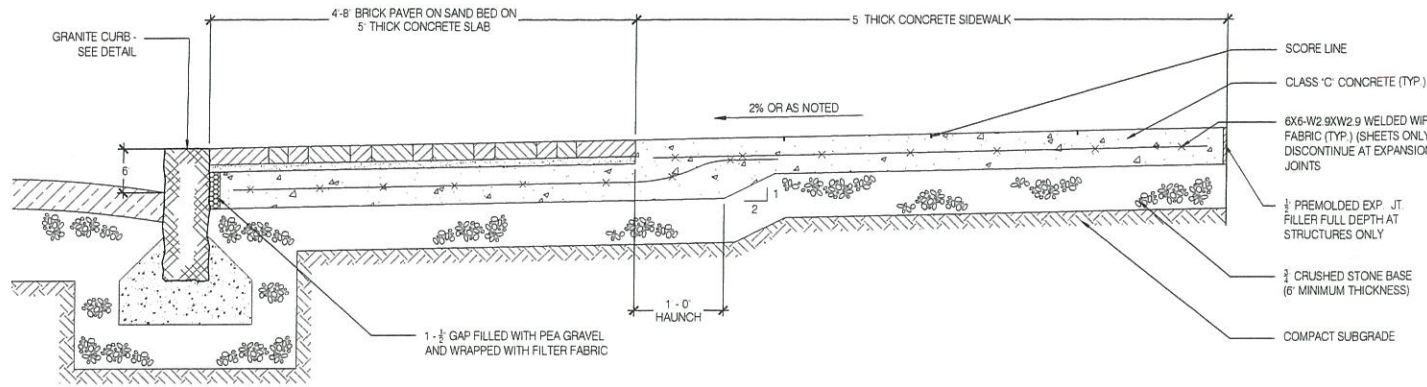
ROOF AMENITY PLANTING SCHEDULE

SYM	QTY.	BOTANICAL NAME	COMMON NAME	ROOT	MIN. SIZE	COMMENTS
TREES						
KF	27	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	Cont.	#1	Full, Heavy & Nice Shaped.
RF	27	Rosa Flower Carpet Pink Supreme	Rose Flower Carpet Pink Supreme	Cont.	#1	Full, Heavy & Nice Shaped.

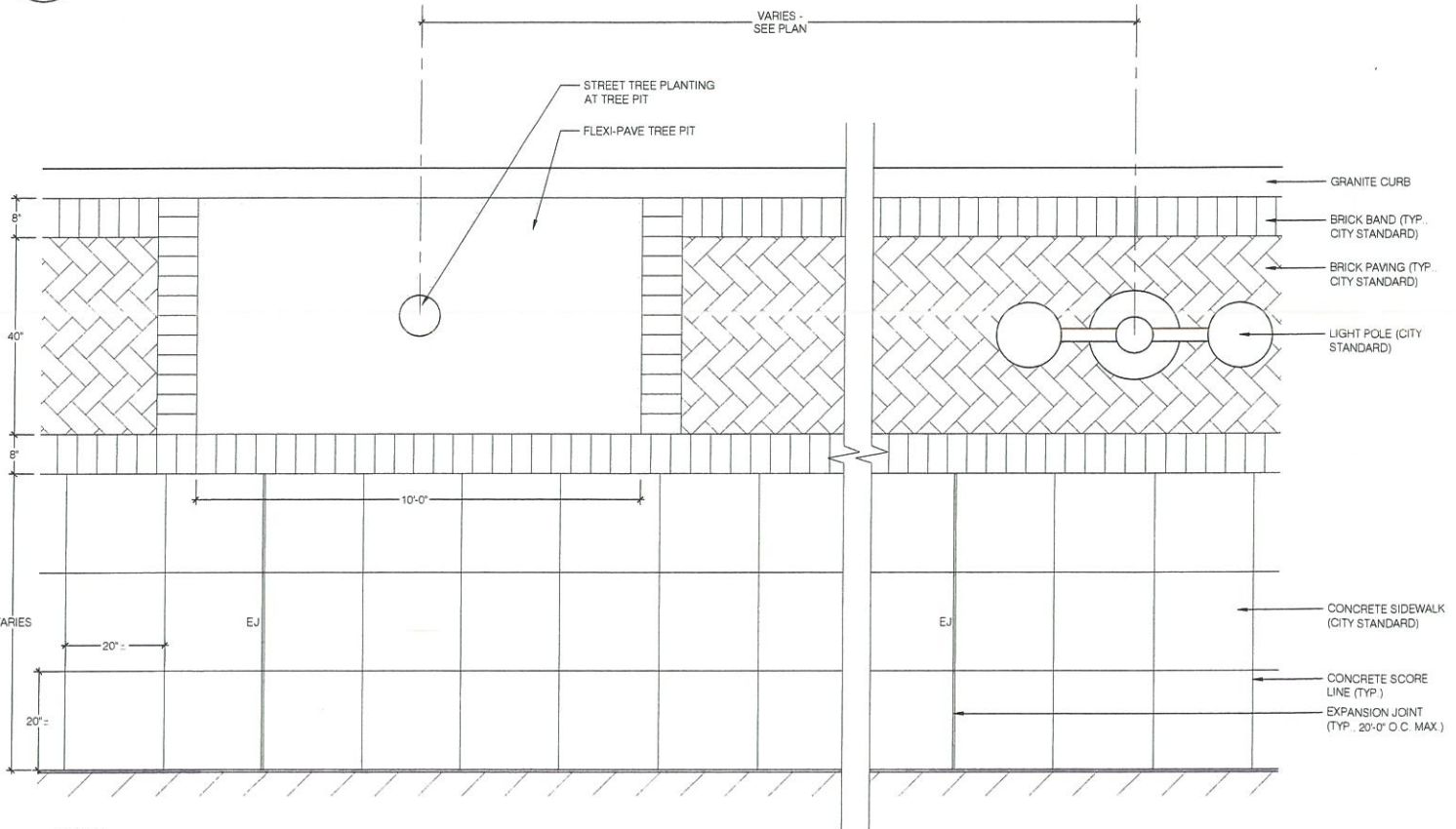


NOTES
 1. DEPTH OF TREE SHALL BE BASED ON ROOT BALL SIZE. DO NOT COVER ROOT FLARE WITH PLANTING SOIL MIX.
 2. CONCRETE SIDEWALK SHALL BE CONSTRUCTED PER CITY OF STAMFORD STANDARDS, REFER TO DETAILS.

3 FLEXI-PAVE TREE PIT SCALE: NTS

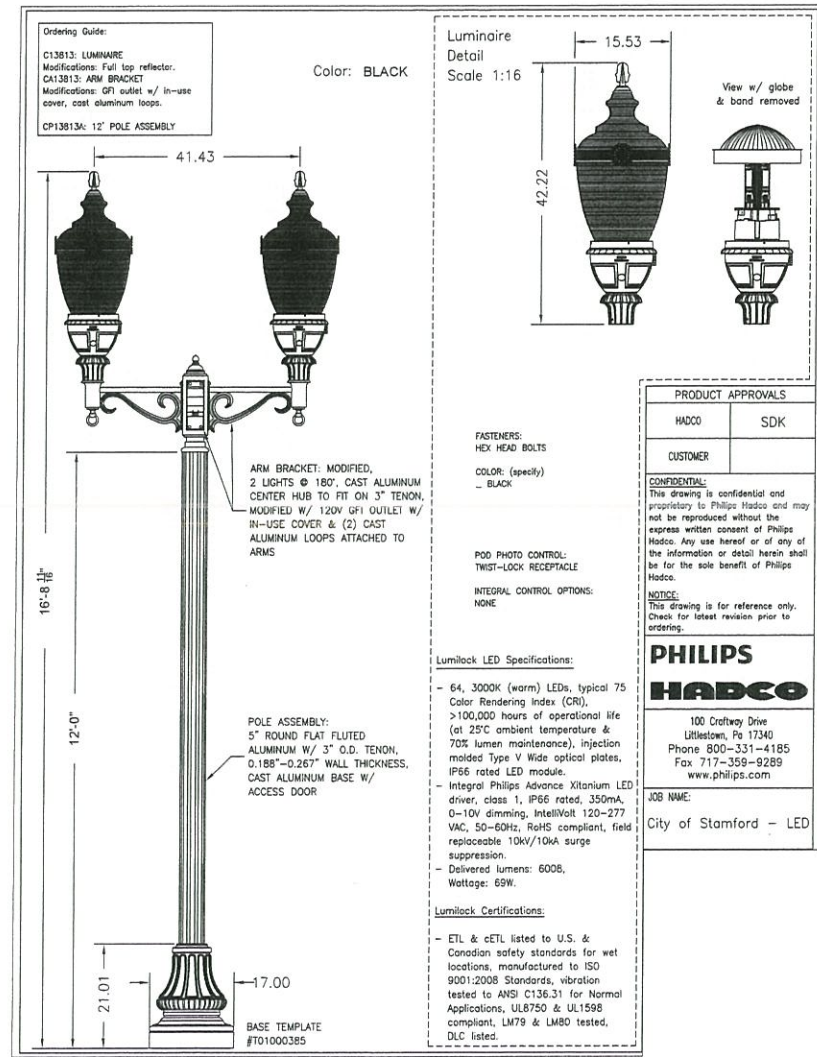


1 TYPICAL SIDEWALK SECTION (CITY STANDARD) SCALE: NTS



NOTES
 1. FLEXI-PAVE SHALL BE COLOR: CHESTNUT.
 2. REFER TO CITY OF STAMFORD STREET TREE MANUAL FOR ADDITIONAL INFORMATION.

2 TYPICAL SIDEWALK PLAN (CITY STANDARD) SCALE: NTS



4 DOUBLE LUMINAIRE LIGHT POLE (CITY STANDARD) SCALE: NTS

NO.	ISSUE	DATE
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1		



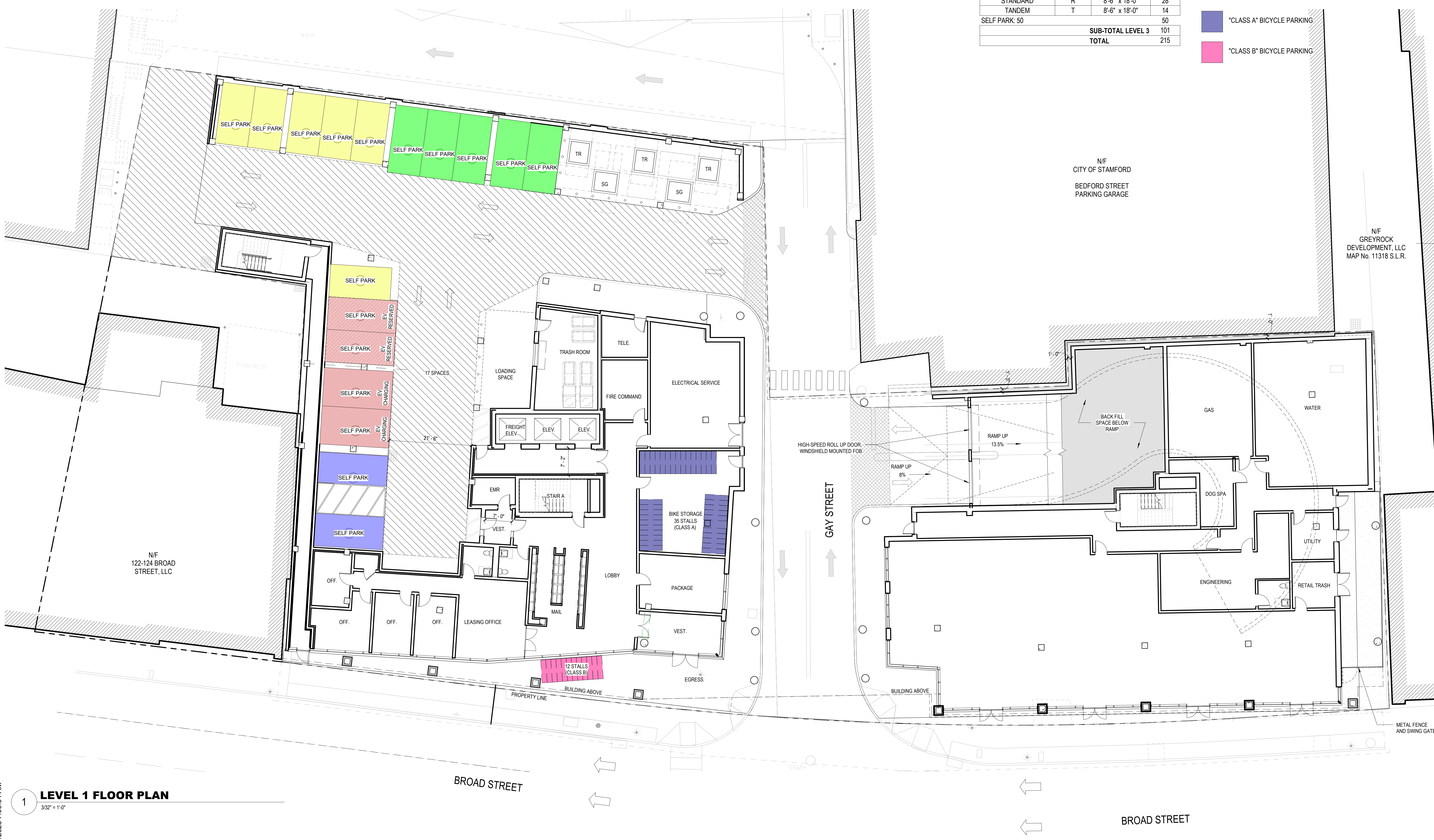
128 BROAD STREET
 MULTI-FAMILY APARTMENTS
 128 BROAD STREET
 STAMFORD, CT

PROJECT	STREET-LEVEL LANDSCAPE SITE PLAN
DWG TITLE	
JOB NO.	
DATE	2023.05.01
SCALE	NTS

SPL-3.0

C:\REVIT_LOCAL\191510_128 Broad Street_inchise_a_ostrander.rvt
 5/1/2023 7:00:04 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"	6
ELEC. VEHICLE	EV-C	10'-0" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	5
VALET	V	8'-6" x 18'-0"	2
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	10'-0" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	24
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	10'-0" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	28
TANDEM	T	8'-6" x 18'-0"	14
SELF PARK: 50			50
SUB-TOTAL LEVEL 3			
101			
TOTAL			
215			

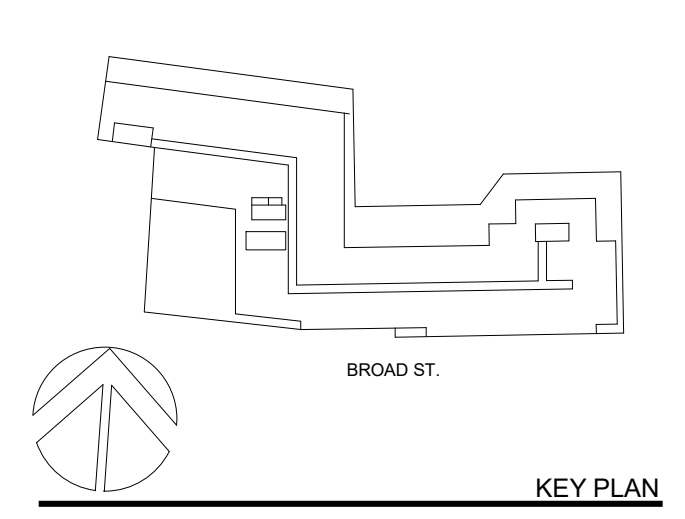
LEVEL	SELF PARKING		TOTAL
	PARKING	VALET	
LEVEL 1	17	0	17
LEVEL 2	46	51	97
LEVEL 3	50	51	101
TOTAL	113 (108*)	102	215 (210*)

- 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

N/F
CITY OF STAMFORD
BEDFORD STREET
PARKING GARAGE

N/F
GREYROCK
DEVELOPMENT, LLC
MAP No. 11318 S.L.R.

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:

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

Structural:
ERIC RAINS LANDSCAPE ARCHITECTURE
 11A N. MAIN STREET, NORWALK, CT 06854

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

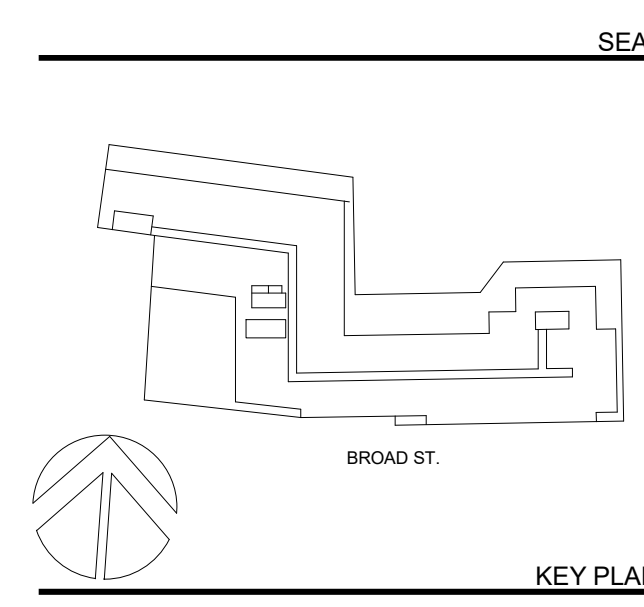
PARKING COUNTS			
Description	TYPE MARK	DIMENSIONS	COUNT
GROUND FLOOR			
ADA	ADA	9'-0" x 18'-0"	1
ADA VAN	ADA VAN	9'-0" x 18'-0"	1
SELF-PARK	C	8'-6" x 16'-0"	6
ELEC. VEHICLE	EV-C	10'-0" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	5
VALET	V	8'-6" x 18'-0"	2
SELF PARK: 17			17
SUB-TOTAL LEVEL 1			17
LEVEL 2			
VALET	V		51
VALET: 51			51
ADA	ADA	9'-0" x 18'-0"	1
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STANDARD	R	8'-6" x 18'-0"	24
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	10'-0" x 18'-0"	4
E.V. RESERVED	EV-R	8'-6" x 18'-0"	2
STANDARD	R	8'-6" x 18'-0"	28
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

No.	Description	Date



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222 SUMMER STREET
STAMFORD, CT 06901
Construction Manager:

Civil / Site: **D'ANDREA SURVEYING & ENGINEERING**
6 NIEL LANE, PO BOX 849
RIVERSIDE, CT 06878
Landscape: **ERIC RAINS LANDSCAPE ARCHITECTURE**
11A N. MAIN STREET, NORWALK, CT 06854
Structural: **DESMONE 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 3

SCALE: As Indicated
PP-3
SITE PLAN APPROVAL
11/15/2022

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