



INSTR # 2021019373
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 LYDA RUIJTER
 CITY & TOWN CLERK STAMFORD CT
 BLOCK 104

ZONING BOARD CERTIFICATE

I, David Stein, Chairman of the ZONING BOARD of the CITY OF STAMFORD, in compliance with Special Act. No. 619 of the 1953 General Assembly hereby certify that on June 21, 2021 and July 12, 2021, Public Hearings were held by the ZONING BOARD on:

Applications 220-46 & 221-19 - East Main Street LLC & 831 – 833 East Main Street LLC, 821, 825, 827 & 831 East Main Street and 27-29 Lafayette Street – General Development Plan, Special Permit and Site & Architectural Plans and/or Requested Uses,

Proposing to demolish all existing structures and construct a residential building with 85 apartments, ground floor retail/flex amenity space and 85 on-site parking spaces and associated site improvements.

Block #: 104
 Area: 34,562 ± SqFt

All those parcels of land commonly known as 27 Lafayette Street (001-7662), 29 Lafayette Street (001-7663), 821 East Main Street (001-7666), 825 East Main Street (001-7664), 827 East Main Street (002-5499) and 831 East Main Street (000-4639); located in the City of Stamford, and generally described as follows:

Beginning at the intersection of the southerly side of East Main Street and the easterly side of Lafayette Street, said land is bounded by the following:

- Northerly: 150' ± by the southerly side of East Main Street;
- Easterly: 226' ± by the land n/f of 837-845 East Main ST Assoc. (835 East Main Street);
- Southerly: 176' ± by the land n/f of New Star Lafayette LLC (15 Lafayette Street);
- Westerly: 200' ± by the easterly side of Lafayette Street;

And the land affected is owned by and located on the following Streets

<u>NAME</u>	<u>STREET</u>
819 East Main Street, LLC 43 King Street Port Chester, NY 10573	27, 29 Lafayette Street and 821, 825, 827 East Main Street
831-833 East Main Street, LLC 1156 Newfield Avenue Stamford, CT 06905	831 East Main Street

And that the following is a statement of its findings: UNANIMOUSLY APPROVED AS MODIFIED at its regular meeting held on July 26, 2021, and the regulations will now read as follows:

WHEREAS, the Zoning Board has reviewed applications for General Development Plan, Special Permit and Architectural Plans and/or Requested Uses to demolish all existing structures and construct a residential building with 85 apartments, ground floor retail/flex amenity space and 85 on-site parking spaces and associated site improvements.

WHEREAS, notice of the public hearing was duly published in the Stamford Advocate on June 9, 2021 and June 16, 2021,

WHEREAS, notice of the public hearing was duly mailed to property owners within 100 feet of the subject site on June 11, 2021 and a Certificate of Mailing evidencing same was submitted into the record on June 11, 2021.

WHEREAS, signage conforming to the requirements of the Stamford Zoning Regulations was duly mounted on the subject site on June 4, 2021 and photos and an affidavit evidencing same were submitted into the record on June 4, 2021.

WHEREAS, the Zoning Board conducted duly called public hearings on June 21, 2021 and July 12, 2021 and has considered the submitted comments of other interested City agencies, officials and the general public.

WHEREAS, the Zoning Board authorized all Retail and Restaurant uses permitted in the MX-D zone.

WHEREAS, the following Special Permits were sought by the Applicant and approved by the Zoning Board:

- Special Permit approval pursuant to Section 7.4.C.1.k to allow for the Below Market Rate units to utilize the AMI equivalencies and provide 10 units at 50% AMI instead of 8.5 units at a mix of 50% and 65% AMI as per the standard requirement.
- Special Permit approval pursuant to Section 9.C.4.h to allow for reduction of front setback along Lafayette Street to 3.6' and along East Main Street to 7.2', at its closest points.
- Special Permit approval pursuant to Section 12.D.1.c to provide an onsite parking ratio of 1.0 spaces per unit and shared parking with a future retail use.
- Special Permit approval pursuant to Section 12.B.1 to permit parking within 5' of the proposed residential building.

WHEREAS, the approved General Development Plan, Special Permit and Architectural Plans and/or Requested Uses are more particularly described in the following plans:

Sheet#	Title Description	Prepared by	Date
PTS	Property & Topographic Survey	DiMarzo & Berezky	11/2/2020
GDP	General Development Plan	DiMarzo & Berezky	11/6/2020
ZLS	Zoning Location Survey	DiMarzo & Berezky	4/23/2021
C-1	Site Plan	DiMarzo & Berezky	4/23/2021
C-2	Traffic Signage & Pavement Plan	DiMarzo & Berezky	4/23/2021
C-3	Erosion & Sediment Control Plan	DiMarzo & Berezky	4/23/2021
C-4	Notes & Details	DiMarzo & Berezky	4/23/2021
C-5	Details-1 & 2	DiMarzo & Berezky	4/23/2021
	Open Space Exhibit	DiMarzo & Berezky	7/23/2021
CS-1	Cover Sheet	Do H. Chung & Partners	4/23/2021
A-101	Basement Plan	Do H. Chung & Partners	4/23/2021
A-102	First Floor Plan	Do H. Chung & Partners	4/23/2021
A-103	Second Floor Plan	Do H. Chung & Partners	4/23/2021
A-104	Third Floor Plan	Do H. Chung & Partners	4/23/2021
A-105	Fourth Floor Plan	Do H. Chung & Partners	4/23/2021
A-106	Fifth Floor Plan	Do H. Chung & Partners	4/23/2021
A-107	Roof Plan	Do H. Chung & Partners	4/23/2021
A-201	Typ. Bldg. Elevations	Do H. Chung & Partners	4/23/2021
A-202	Typ. Bldg. Elevations	Do H. Chung & Partners	4/23/2021
A-203	Typ. Bldg. Elevations	Do H. Chung & Partners	4/23/2021
A-301	Typ. Sections	Do H. Chung & Partners	4/23/2021
A-302	Typ. Sections	Do H. Chung & Partners	4/23/2021

- Landscaping Plan (LP.1), prepared by Environmental Land Solutions, LLC dated revised 7/25/2021
- Traffic Access and Impact Study report, prepared by Frederick P. Clark Associates, Inc. dated June 2018
- Storm Management Plan, prepared by DiMarzo & Berezky dated April 23, 2021

NOW THEREFORE BE IT RESOLVED that the Zoning Board UNANIMOUSLY APPROVED AS MODIFIED Applications 220-46 & 221-19 at its regular meeting held on July 25, 2021 subject to the following conditions:

SITE-SPECIFIC CONDITIONS:

- 1) All work shall substantially conform to the above referenced Building and Site Plans unless otherwise approved by the Zoning Board or, for minor modifications, by Zoning Board staff.

- 2) Prior to the issuance of a Building Permit, the Applicant shall consolidate the properties 27 and 29 Lafayette Street, 821 through 831 East Main Street and obtain a final address for the proposed building from the Engineering Bureau.
- 3) (a) Prior to the issuance of a Temporary Certificate of Occupancy, the Applicant shall submit a final *Parking Management Plan* subject to approval of Zoning Board staff. The Plan shall include 83 self-park spaces and 2 Shared Vehicles. Both shared vehicles shall be available prior to the issuance of a Final Certificate of Occupancy and maintained in good working order for the life of the development and a replacement vehicle provided when a shared vehicle is not in good operating condition. Use of the shared vehicles shall be provided at a cost schedule set forth in the Parking Management Plan.

(b) The Plan shall also include specific reporting of parking demand, including vehicle ownership and onsite and offsite parking usage of incoming tenants. Reporting shall commence at 75% occupancy and continue annually for the life of the building. Reports shall include periodic parking counts for a one-week period during each quarter, at specific times of day: Morning (9am), Afternoon (5pm) and Overnight (11pm). Reports shall also include information to be provided by each tenant, including the number of cars owned, cars parked onsite, cars parked offsite, cars utilizing street parking, bicycle usage, and shared vehicle usage. In the event that the Zoning Board determines, in its reasonable discretion and based upon its review of one or more of the annual reports, that parking is not being accommodated by current operations, it may require that the owner/operator begin to implement one or more alternate solutions, including but not limited to increasing onsite capacity through vehicle stackers and/or a managed/valet parking system or providing offsite parking within 500' of the site.
- 4) The parking for one vehicle per unit at the development shall be bundled (i.e., the cost of parking the first vehicle is included in the rent, with no charge for parking such first vehicle).
- 5) Prior to issuance of a Temporary Certificate of Occupancy, Applicant shall enter into a shared parking agreement for 21 parking spaces with either the owner of the Bev-Max Liquor store, the owner of the shopping center across East Main Street or another location within 500' of the main entrance of the development to the satisfaction of the Zoning Board. Such agreement shall be approved in form and substance by the City Law Department and Zoning Board Staff, and recorded on the land records prior to issuance of the Certificate of Occupancy. If and when said agreement terminates, the Applicant shall be obliged, for the life of the project, to renew the same or enter into a new agreement for the same number of parking spaces. This off-site parking requirement may be administratively reduced, eliminated or increased by the Zoning Board based on the parking demand or findings of the City of Stamford Parking Study.
- 6) Wheel stops shall be added to all garage parking spaces adjacent to wall-mounted bicycles in order to protect the bicycles.

- 7) Prior to the issuance of a Building Permit, the Applicant shall submit plans and details for the at-grade and rooftop open space, including programming, play equipment, and plantings, and the play area to be located in the building, to be reviewed and approved by Land Use Bureau staff. Implementation of such plans and details shall be completed prior to issuance of a Temporary Certificate of Occupancy.
- 8) Prior to the issuance of a Temporary Certificate of Occupancy, the Applicant shall submit an Affordability Plan, subject to approval by Zoning Board Staff and in accordance with Section 7.4 of the Stamford Zoning Regulations. The approved Affordability Plan and accompanying deed restriction permanently establishing onsite a total of ten (10) BMR Units for families earning 50% of the AMI shall be recorded on the Stamford Land Records prior to the issuance of a Certificate of Occupancy.
- 9) Any proposed building signage shall be approved by Zoning Board staff in advance of a signage permit.
- 10) Prior to the issuance of a Certificate of Occupancy, the Applicant shall record on the Stamford Land Records an easement map depicting portions of the proposed public sidewalk on the Applicant's property.
- 11) Prior to the issuance of a Building Permit, the Applicant shall address, to the satisfaction of department staff, the comments from Transportation, Traffic and Parking Bureau as set forth in memos dated September 19, 2018, November 2, 2020, February 19, 2021 and June 18, 2021.
- 12) Prior to the issuance of a Building Permit, the Applicant shall address, to the satisfaction of department staff, the comments from Willetta Capelle P.E., Coordinator of Site Plan Reviews and Inspections in the memos dated December 18, 2020 and June 21, 2021.
- 13) Prior to the issuance of a Building Permit, Applicant shall address, to the satisfaction of department staff, the comments set forth in the memo from Bharat Gami, Chief Building Official dated November 19, 2020.
- 14) Prior to the issuance of a Building Permit, Applicant shall address, to the satisfaction of department staff, the comments set forth in the memo from Pamela Fausty, Environmental Analyst dated July 21, 2021.
- 15) Prior to the issuance of a Building Permit, the Applicant shall submit the second submission of the Sustainability Scorecard. Applicant shall submit the third (and final) Sustainability Scorecard prior to the issuance of a Certificate of Occupancy. The Scorecard Plaque as further defined in the "Stamford Sustainability Scorecard and Manual" (2020), as amended, shall be conspicuously posted near the main pedestrian access of the building within four weeks after issuance of the final Certificate of Occupancy. All Sustainability Scorecards, including additional documentation, shall be published on a City of Stamford web page for public view and inspection.

- 16) Prior to issuance of a Certificate of Occupancy, the Applicant shall provide not less than four (4) electric vehicle charging spaces and not less than 15 bicycle spaces. All bicycle parking spaces and electric vehicle charging spaces shall comply with Sections 12.J and 12.L, respectively, of the Zoning Regulations.

STANDARD CONDITIONS:

- 17) Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural plans and landscaping plans and photometric plan including specifications for exterior architectural designs, materials, samples and colors, for final approval by Zoning Board staff, to ensure consistency with the approved plans, architectural elevations, and illustrative renderings constituting the record of the application.
- 18) No mechanical equipment shall be installed within view of any public street unless it is screened, such screening subject to the prior approval of the Zoning Board staff.
- 19) Prior to the issuance of a Building Permit, the Applicant shall submit a Construction Staging and Management Plan to ensure safe, adequate and convenient vehicular traffic circulation and operations, pedestrian circulation and protection of environmental quality through the mitigation of noise, dust, fumes and debris subject to final approval of the Land Use Bureau Chief or his designee. Such Construction Management Plan shall address, but not be limited to, reasonable restrictions on times when deliveries can be made to the job site, measures to control dust, staging areas for materials and construction worker parking as well as temporary measures requiring the timely removal of construction debris and/or litter from the jobsite.
- 20) Applicant shall submit a performance bond, certified check or other acceptable form of surety to secure the timely and proper performance of onsite sediment and erosion/construction controls, drainage, landscaping, professional supervision, along with a 15% contingency. A detailed estimate of these costs shall be supplied to EPB Staff for approval prior to the submission of the performance surety. The performance surety shall be submitted to EPB Staff prior to the start of any site activity and issuance of a Building Permit.
- 21) Prior to the issuance of a Building Permit, sewer and storm drainage plans shall be submitted and subject to final review and approval of design specification and construction by the Engineering Bureau.
- 22) Prior to issuance of a Building Permit, Applicant shall obtain necessary approvals and permits from the Stamford Water Pollution Control Agency (WPCA).
- 23) Prior to the release of surety, and issuance of a signature authorizing the granting of a Certificate of Occupancy, the Applicant shall execute and file a standard, City of Stamford

"Landscape Maintenance Agreement" on the Stamford Land Records to ensure the success of the planted features. All street trees shall be subject to the requirements of the Stamford Street Tree Manual.

- 24) Prior to the release of surety, and issuance of a signature authorizing the issuance of a Certificate of Occupancy, the Applicant shall execute and file a standard, City of Stamford "Drainage Maintenance Agreement" on the Stamford Land Records to ensure the full and proper function of all installed drainage facilities.
- 25) All final grading, utilities, drainage, final stabilization measures, and other engineered elements shall be completed under the supervision of a Connecticut registered professional engineer and land surveyor with an improvement location survey (surveyor) and written certifications (engineer) submitted to EPB Staff prior to the release of surety and signature authorizing the issuance of a Certificate of Occupancy.
- 26) Prior to the issuance of a Building Permit, sedimentation and erosion control plans shall be submitted by Applicant and subject to approval by the Environmental Protection Board staff.
- 27) A Street Opening Permit shall be required for any and all work within any City of Stamford street right of way.
- 28) Applicant shall make best efforts to keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained, and construction debris shall be kept to a reasonable minimum.
- 29) The Applicant shall have one year from the effective date of this approval within which to secure a Building Permit, subject to Zoning Board approval of three extensions, each not more than one year, upon timely application and good cause shown.

Effective date of this decision: August 10, 2021

DAVID STEIN, CHAIRMAN


ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford, CT, This 7th day of September, 2021