### Final Site Plan

**PLPZ 2021 00265**

**171 Hamilton, LLC**

6-Unit mixed 8-30g Set aside Development

<table>
<thead>
<tr>
<th>LOCATION:</th>
<th>171 Hamilton Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE:</td>
<td>LBR-2</td>
</tr>
<tr>
<td>PARCEL SIZE:</td>
<td>6,782 sq. ft.</td>
</tr>
</tbody>
</table>

### STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>REQUIRED / PERMITTED*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gross Floor Area:</strong></td>
<td>2,935 sq. ft.</td>
<td>10,040 sq. ft.</td>
<td>3,391 sq. ft.</td>
</tr>
<tr>
<td><strong>Floor Area Ratio:</strong></td>
<td>0.32</td>
<td>1.41</td>
<td>0.5</td>
</tr>
<tr>
<td><strong>Parking Spaces:</strong></td>
<td>3</td>
<td>10 (+ 1 ADA)</td>
<td>15</td>
</tr>
<tr>
<td><strong>Number of Residential Units:</strong></td>
<td>2</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td><strong>Number of Stories:</strong></td>
<td>2</td>
<td>4</td>
<td>2.5</td>
</tr>
<tr>
<td><strong>Building: Height:</strong></td>
<td>Not provided</td>
<td>44’</td>
<td>35’</td>
</tr>
<tr>
<td><strong>Lot Coverage:</strong></td>
<td>44.1%</td>
<td>92%</td>
<td>75%</td>
</tr>
<tr>
<td><strong>Bldg. Coverage:</strong></td>
<td>34.6%</td>
<td>40%</td>
<td>30%</td>
</tr>
<tr>
<td><strong>Setbacks:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Front Side</strong></td>
<td>0 ft.</td>
<td>5 ft. (per Sec. 6-129)</td>
<td>10 ft.</td>
</tr>
<tr>
<td></td>
<td>0 ft.</td>
<td>4 ft. and 5 ft.</td>
<td>None required except that if provided such side yard shall be at least 3 1/2 feet plus one inch for each foot of building height.</td>
</tr>
<tr>
<td><strong>Rear</strong></td>
<td>67 ft.</td>
<td>81 ft.</td>
<td>25 ft.</td>
</tr>
</tbody>
</table>

* For 8-30g applications, the Commission does not make a finding as to compliance with the standards outlined in the Zoning Regulations but rather whether the proposal protects substantial public interests in health, safety or other matters which the Commission may legally consider. The standards under the regulations are shown here simply as a guide.

### STAFF REPORT UPDATE:

The applicant was last before the Commission at the October 13, 2021 meeting. At that time the Commission left the application open to allow for the applicant to present legal opinion as to
how the Commission could consider a mixed use affordable housing development on this site. The Commission would also be seeking advice from Town Counsel regarding the same. The following is an updated staff report.

APPLICATION SUMMARY:
The applicant has requested Final Site Plan and Special Permit, for a proposed retail and residential "Set-aside development" containing at least six (6) residential units, two (2) of which would be affordable housing units pursuant to C.G.S. §8-30g; a retail component; parking improvements; and other associated site improvements such as drainage infrastructure, landscaping, signage and site lighting pursuant to Connecticut General Statutes (C.G.S.) §8-30g, on a 6,782 sq. ft. parcel located at 171 Hamilton Avenue in the LBR-2 Zone.

ISSUES TO BE RESOLVED/RECOMMENDATIONS:
1. This proposal would produce a building that is non-conforming with respect to min. green area, allowable floor area, stories, lighting, and parking. However, the Commission is tasked under the State Statutes with not whether this proposal complies with the Zoning Regulations but rather whether or not this proposal will cause substantial public interests in health, safety or other matters of lawful consideration that clearly outweigh the need for affordable housing in Greenwich, or if there are any such public interests, they cannot be protected by reasonable changes to the proposal. The question being asked to the Commission, in addition to the standards under the State’s Statutes, is if mixed-use developments are permissible under Sec. 8-30g, when seeking approval for a "set-aside development.”
2. Engineering – notes that the driveway proposed would be accepted if one of three alternatives are selected.
3. Conservation - has noted that there is little to no green space on the site. They have concerns about stormwater runoff, sufficient detention, from “over-paving” of sites.
4. The ARC has reviewed the exterior and landscaping twice and noted several suggestions to improve the look of the exterior and landscaping.
5. Traffic – The Commission’s consultant has noted that the maintenance and use of a Parking Management Plan should be included as a condition of approval for this site plan application to address potential parking concerns going forward. They also note that the site curbing and driveway access should be designed to Town standards.
6. The noise specifications for all exterior mechanical equipment shall meet the Town’s noise ordinance with regards to allowable noise levels at the property line in the daytime or the night time.
7. A landscaping plan has been provided. Staff would note that it appears that no outdoor amenity space appears to be provided
8. Given the limited space on site, it is recommended that the applicant develop, and the Commission reviews, a comprehensive construction logistics plan to explain how the construction of this site will be performed.

DEPARTMENT COMMENTS:
PROJECT DESCRIPTION:
The applicant is requesting final site plan and special permit approval to demolish existing structures and construct a 9,564 sq. ft. retail and residential "Set-aside development" containing at least six (6) residential units, two (2) of which would be affordable housing units pursuant to C.G.S. §8-30g; a retail component; parking improvements; and other associated site improvements such as drainage infrastructure, landscaping, signage and site lighting pursuant to Connecticut General Statutes (C.G.S.) §8-30g, on a 6,782 sq. ft. parcel located at 171 Hamilton Avenue in the LBR-2 Zone.

The applicant is providing ten (10) parking spaces (plus one (1) ADA required spaces) where 15 would be required under the zoning regulations (9 for the retail use and 1 space per residential unit in a mixed use building. Kimley-Horn & Associates, the applicant’s parking and traffic consultant states this does not rise to a public health and safety issue because, per their projections, the retail space plus 6 units will generate no more than 13 parked vehicles but when shared parking is considered that number is adjusted to 10. Further, this site is located within a mile of the Greenwich train station and is located on the public bus route (bus #311 bus runs along Hamilton Ave).

The site is located on the south side of Hamilton Avenue, on the southwest corner with View Street.

The applicant’s initial presentation noted 4 options, now only the full first floor as retail use is being put forward. The upper floors (2 through 4) of the proposal would be the six (6) residential units, (two units per floor). Two (2) of those units would be set aside as “affordable” as defined by the State’s Statutes (Sec. 8-30g).

As noted in the prior staff report, if more than 6 units are proposed, at least one additional affordable unit would appear to be needed to meet the language of 8-30g. The provided parking analysis appears to indicate that the limited parking proposed under this scenario may be adequate.

The question being posed to the Commission is if mixed use developments are applicable under Sec. 8-30g. Staff notes that the statute refers to housing, homes, dwelling units and the like, and does not mention commercial, retail, or business uses. The applicant has indicated that they
believe that the retail portion of the application meets the base zoning (LBR-2) and that any zoning non-conformities created by the application are a result of the affordable housing component. The applicant has indicated that the front yard setback has been derived from the average setback of “three or more non-conforming structures” in a business zone as permitted in Sec. 6-129 of the BZR. The applicant also notes that the side yards are improving over the existing conditions, and/or complying with the required side yard setbacks in the Zone. the rear yard setback also appears to comply with the regulations.

The proposed development would exceed the 40,000 cubic volume threshold of Sec. 6-101(a) and triggered the special permit to be filed.

**PARKING:**
Under the Town’s Zoning, the mix of retail space and units proposed would appear to require 15 parking spaces in considering option 1, with the largest retail space proposed and pursuant to Section 6-155 of the zoning regulations. The applicant is proposing 10 standard and 1 ADA compliant spaces. Kimley-Horn, the applicant’s traffic expert, prepared a report, noting that the peak parking demand of 10 vehicles based on an "adjustment factor" for the types of unit proposed and the assumed supportive relationship a daytime retail use with residential units above would have with their assumed, opposite schedules. Staff would note that this assumption only works if the retail use keeps “business” hours, and if a restaurant or similar “off-hour” use was to occupy the space, it could affect this parking relationship and could possibly have adverse impacts. Again, the applicant is only seeking retail use for the first floor

Staff also notes that the Town’s Charter notes roads that have restrictions for overnight parking. Streets in the immediate vicinity have overnight parking prohibited. Post the last presentation of this application, Staff mapped out the parking limitations on Hamilton Ave and in the vicinity of the subject site, not to suggest that this applicant would impact parking, but that parking in the area is limited but the Town’s parking ordinance for Hamilton Ave, largely for snow removal, evacuation purposes, and protection of the businesses, and school in the immediate vicinity.

**TRAFFIC:**
Kimley-Horn projects the project to increase the trips at peak hours to be negligible and would have little impact existing traffic on road network. The Commission’s traffic consultant, BETA notes that the proposed parking management plan is key to the success of the proposal. They recommend maintenance and use of said plan be included as a condition of any approval granted. BETA as well as the DPW, also raised concerns about the double curb cut on to View Street and the back out parking spaces proposed. DPW further noted that, “Because of the increased traffic volume, the two proposed driveways on View Street are acceptable provided one of the following design alternatives is provided:

a. No street parking is allowed on both sides of View Street along the frontage of the subject property. Applicant must discuss this parking restriction with the Town of
Greenwich Department of Parking Services. Parking Services must provide a sign-off to the Commission stating that all existing on-street parking on both sides of View Street along the frontage of the subject property can be removed.

b. No street parking is allowed on the southern side (eastbound lane) of View Street along the property frontage. Applicant must discuss this parking restriction with the Town of Greenwich Department of Parking Services. Parking Services must provide a sign-off to the Commission stating that the existing on-street parking on the southern side (eastbound lane) of View Street along the frontage of the subject property can be removed. Also, the existing parking on the northern side (westbound lane) of View Street must be shifted north so the parking lane has a minimum width of 7-feet and the remaining two travel lanes on View Street have a total minimum width of 21-feet.

c. No street parking is allowed on the southern side (eastbound lane) of View Street along the property frontage. Applicant must discuss this parking restriction with the Town of Greenwich Department of Parking Services. Parking Services must provide a sign-off to the Commission stating that the existing on-street parking on the southern side (eastbound lane) of View Street along the frontage of the subject property can be removed. Also, the proposed sidewalk on View Street is relocated entirely within the subject property and the proposed granite curb is relocated along the southern side (eastbound lane) of View Street to provide a minimum 7-foot parking lane on the northern side of View Street and the remaining two travel lanes on View Street have a total minimum width of 21-feet. The relocated sidewalk will be used exclusively by the subject development.

As noted earlier, staff prepared a map showing parking restriction in the vicinity. It does not appear that overnight parking is prohibited on View St. The Commission should determine if limiting parking as requested by DPW should be addressed now, in the P&Z approval phase? Or left as a condition to be addressed, and possibly require future amendment of the application.

DRAINAGE:
The initial submission prompted a request for revisions prior to the Commission acting on the site plan application. The applicant revised to address and the Engineering Division has noted revisions to be addressed at permit request.

NOISE:
The mechanical equipment proposed shall meet the Town’s noise ordinance with regards to allowable noise levels at the property line in the daytime or the night time. As the Commission is aware, the Town’s noise ordinance is not a Land Use regulation, but public health and welfare part of the Town’s Charter which is administered by the Director of Health (or their designee), and/or the Board of Health. Staff notes that it would appear that the applicant is obligated to comply with these standards, or seek the proper variance from the Board of Health, to allow them to exceed the noise ordinance.

REGULATORY AUTHORITY - 8-30(g):
The Affordable Housing Land Use Appeals Procedure requires municipalities where less than
10% of their housing units do not meet the State’s definition of “affordable housing” to demonstrate to the court that a municipality’s rejection of a development proposal is supported by sufficient evidence in the record. Municipalities also have the burden to prove, based upon the evidence in the record compiled before them, that: (a) the decision was necessary to protect substantial public interests in health, safety, or other matters the municipality may legally consider; (b) the public interests clearly outweigh the need for affordable housing; and (c) public interests cannot be protected by reasonable changes to the affordable housing development; or the application which was the subject of the decision from which the appeal was taken, would locate affordable housing in an area which is not assisted housing, as defined in C.G.S. Section 8-30g. If the municipality does not satisfy its burden under C.G.S. Section 8-30g, the court will wholly or partly revise, modify, remand or reverse the decision from which the appeal was taken in a manner consistent with the evidence in the record before it.

According to the Department of Housing Affordable Housing 2020 Appeals List, the Town has 5.35% of their housing units as affordable and is therefore not an exempt community.

The applicant has provided an Affordability Plan. The referenced income to be used is the State Median Income, which is appropriate since this is lower than the Area Median Income. It correctly notes that an annual report is due to document that the units are being administered in keeping with the Statutes. The Planning and Department has a system to verify this report which is administered annually.

**OTHER CONSIDERATIONS:**
The 2019 Plan of Conservation and Development includes objective 2.1 to “create more affordable housing as currently defined under Section 8-30g of the Connecticut General Statutes”. Greenwich has various types of affordable housing. According to Connecticut General Statute (CGS) 8-30g, affordable housing refers to deed- restricted dwelling units where persons and/or families pay 30 percent or less of their annual income and where such income is less than or equal to 80 percent of the State median income or area median income, whichever is lower."

**APPLICABLE REGULATIONS:**
CT General Statutes 8-30g
Sec. 6-5, 6-13 through 6-15, 6-17, 6-101, 6-103, 6-129, 6-158, and 6-205 of the Town of Greenwich Building Zone Regulations.
## 2020 Affordable Housing Appeals List - Exempt Municipalities

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ansonia</td>
<td>8,148</td>
<td>349</td>
<td>764</td>
<td>147</td>
<td>0</td>
<td>1,260</td>
<td>15.46%</td>
</tr>
<tr>
<td>Bloomfield</td>
<td>9,019</td>
<td>558</td>
<td>106</td>
<td>341</td>
<td>0</td>
<td>1,005</td>
<td>11.14%</td>
</tr>
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<td>Bridgeport</td>
<td>57,012</td>
<td>6,505</td>
<td>4,353</td>
<td>900</td>
<td>19</td>
<td>11,777</td>
<td>20.66%</td>
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<tr>
<td>Bristol</td>
<td>27,011</td>
<td>1,908</td>
<td>962</td>
<td>1,124</td>
<td>0</td>
<td>3,994</td>
<td>14.79%</td>
</tr>
<tr>
<td>Danbury</td>
<td>31,154</td>
<td>1,615</td>
<td>1,269</td>
<td>565</td>
<td>289</td>
<td>3,738</td>
<td>12.00%</td>
</tr>
<tr>
<td>Derby</td>
<td>5,849</td>
<td>275</td>
<td>301</td>
<td>111</td>
<td>0</td>
<td>687</td>
<td>11.75%</td>
</tr>
<tr>
<td>East Hartford</td>
<td>21,328</td>
<td>1,593</td>
<td>815</td>
<td>1035</td>
<td>0</td>
<td>3,443</td>
<td>16.14%</td>
</tr>
<tr>
<td>East Windsor</td>
<td>5,045</td>
<td>559</td>
<td>42</td>
<td>116</td>
<td>0</td>
<td>717</td>
<td>14.21%</td>
</tr>
<tr>
<td>Enfield</td>
<td>17,558</td>
<td>1,340</td>
<td>227</td>
<td>659</td>
<td>7</td>
<td>2,233</td>
<td>12.72%</td>
</tr>
<tr>
<td>Groton</td>
<td>17,978</td>
<td>3,727</td>
<td>107</td>
<td>377</td>
<td>10</td>
<td>4,221</td>
<td>23.48%</td>
</tr>
<tr>
<td>Hartford</td>
<td>51,822</td>
<td>10,501</td>
<td>8,635</td>
<td>1523</td>
<td>0</td>
<td>20,659</td>
<td>39.87%</td>
</tr>
<tr>
<td>Killingly</td>
<td>7,592</td>
<td>520</td>
<td>147</td>
<td>188</td>
<td>0</td>
<td>855</td>
<td>11.26%</td>
</tr>
<tr>
<td>Manchester</td>
<td>25,996</td>
<td>1,851</td>
<td>950</td>
<td>964</td>
<td>32</td>
<td>3,797</td>
<td>14.61%</td>
</tr>
<tr>
<td>Meriden</td>
<td>25,892</td>
<td>1,964</td>
<td>1,270</td>
<td>1029</td>
<td>11</td>
<td>4,274</td>
<td>16.51%</td>
</tr>
<tr>
<td>Middletown</td>
<td>21,223</td>
<td>3,019</td>
<td>1,123</td>
<td>543</td>
<td>25</td>
<td>4,710</td>
<td>22.19%</td>
</tr>
<tr>
<td>New Britain</td>
<td>31,226</td>
<td>2,913</td>
<td>1,583</td>
<td>1,167</td>
<td>100</td>
<td>5,763</td>
<td>18.46%</td>
</tr>
<tr>
<td>New Haven</td>
<td>54,967</td>
<td>9,511</td>
<td>6,867</td>
<td>982</td>
<td>440</td>
<td>17,800</td>
<td>32.38%</td>
</tr>
<tr>
<td>New London</td>
<td>11,840</td>
<td>1,598</td>
<td>510</td>
<td>509</td>
<td>101</td>
<td>2,718</td>
<td>22.96%</td>
</tr>
<tr>
<td>North Canaan</td>
<td>1,587</td>
<td>148</td>
<td>0</td>
<td>14</td>
<td>0</td>
<td>162</td>
<td>10.21%</td>
</tr>
<tr>
<td>Norwich</td>
<td>35,415</td>
<td>2,242</td>
<td>1,468</td>
<td>437</td>
<td>635</td>
<td>4,782</td>
<td>13.50%</td>
</tr>
<tr>
<td>Plainfield</td>
<td>18,659</td>
<td>2,249</td>
<td>794</td>
<td>567</td>
<td>0</td>
<td>3,610</td>
<td>19.35%</td>
</tr>
<tr>
<td>Putnam</td>
<td>6,229</td>
<td>377</td>
<td>190</td>
<td>224</td>
<td>0</td>
<td>791</td>
<td>12.70%</td>
</tr>
<tr>
<td>Stamford</td>
<td>4,299</td>
<td>383</td>
<td>64</td>
<td>77</td>
<td>0</td>
<td>524</td>
<td>12.19%</td>
</tr>
<tr>
<td>Torrington</td>
<td>50,573</td>
<td>4,225</td>
<td>1,971</td>
<td>450</td>
<td>1270</td>
<td>7,916</td>
<td>15.65%</td>
</tr>
<tr>
<td>Vernon</td>
<td>16,761</td>
<td>908</td>
<td>322</td>
<td>547</td>
<td>17</td>
<td>1,794</td>
<td>10.70%</td>
</tr>
<tr>
<td>Waterbury</td>
<td>13,896</td>
<td>1,509</td>
<td>461</td>
<td>386</td>
<td>12</td>
<td>2,368</td>
<td>17.04%</td>
</tr>
<tr>
<td>West Haven</td>
<td>47,991</td>
<td>5,344</td>
<td>3,123</td>
<td>1,751</td>
<td>21</td>
<td>10,239</td>
<td>21.34%</td>
</tr>
<tr>
<td>Winchester</td>
<td>22,446</td>
<td>1,024</td>
<td>1,868</td>
<td>439</td>
<td>0</td>
<td>3,331</td>
<td>14.84%</td>
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<td>Windham</td>
<td>5,613</td>
<td>350</td>
<td>167</td>
<td>92</td>
<td>0</td>
<td>609</td>
<td>10.85%</td>
</tr>
<tr>
<td>Windsor Locks</td>
<td>9,570</td>
<td>1,763</td>
<td>617</td>
<td>363</td>
<td>0</td>
<td>2,743</td>
<td>28.66%</td>
</tr>
</tbody>
</table>

## 2020 Affordable Housing Appeals List - Non-Exempt Municipalities

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Andover</td>
<td>1,317</td>
<td>18</td>
<td>1</td>
<td>32</td>
<td>0</td>
<td>51</td>
<td>3.87%</td>
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<tr>
<td>Ashford</td>
<td>1,903</td>
<td>32</td>
<td>0</td>
<td>36</td>
<td>0</td>
<td>68</td>
<td>3.57%</td>
</tr>
<tr>
<td>Avon</td>
<td>7,389</td>
<td>244</td>
<td>16</td>
<td>44</td>
<td>0</td>
<td>304</td>
<td>4.11%</td>
</tr>
<tr>
<td>Barkhamsted</td>
<td>1,589</td>
<td>0</td>
<td>6</td>
<td>23</td>
<td>0</td>
<td>29</td>
<td>1.83%</td>
</tr>
<tr>
<td>Beacon Falls</td>
<td>2,509</td>
<td>0</td>
<td>4</td>
<td>46</td>
<td>0</td>
<td>50</td>
<td>1.99%</td>
</tr>
<tr>
<td>Berlin</td>
<td>8,140</td>
<td>556</td>
<td>50</td>
<td>142</td>
<td>4</td>
<td>752</td>
<td>9.24%</td>
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<tr>
<td>Bethany</td>
<td>2,044</td>
<td>0</td>
<td>2</td>
<td>13</td>
<td>0</td>
<td>15</td>
<td>0.73%</td>
</tr>
<tr>
<td>Bethel</td>
<td>7,310</td>
<td>192</td>
<td>26</td>
<td>154</td>
<td>87</td>
<td>459</td>
<td>6.28%</td>
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<tr>
<td>Town</td>
<td>Population</td>
<td>Births</td>
<td>Deaths</td>
<td>Marriages</td>
<td>Divorces</td>
<td>Total</td>
<td>Birth Rate</td>
</tr>
<tr>
<td>--------------</td>
<td>------------</td>
<td>--------</td>
<td>--------</td>
<td>-----------</td>
<td>----------</td>
<td>-------</td>
<td>------------</td>
</tr>
<tr>
<td>Bethlehem</td>
<td>1,575</td>
<td>24</td>
<td>0</td>
<td>9</td>
<td>0</td>
<td>33</td>
<td>2.10%</td>
</tr>
<tr>
<td>Bolton</td>
<td>2,015</td>
<td>0</td>
<td>2</td>
<td>28</td>
<td>0</td>
<td>30</td>
<td>1.49%</td>
</tr>
<tr>
<td>Bozrah</td>
<td>1,059</td>
<td>0</td>
<td>3</td>
<td>30</td>
<td>0</td>
<td>33</td>
<td>3.12%</td>
</tr>
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<td>0</td>
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<td>77</td>
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<td>5.82%</td>
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</tr>
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</tr>
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<td>5</td>
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<td>20</td>
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<td>5.08%</td>
</tr>
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<td>198</td>
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<td>2</td>
<td>104</td>
<td>252</td>
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</tr>
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<td>6</td>
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<td>0</td>
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<td>63</td>
<td>0</td>
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</tr>
<tr>
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<td>542</td>
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<td>19</td>
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</tr>
<tr>
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<td>16</td>
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</tr>
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<td>131</td>
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<td>124</td>
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</tr>
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<td>783</td>
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</tr>
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</tr>
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</tr>
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<td>Population</td>
<td>Households</td>
<td>Avg Hld</td>
<td>Median Hld</td>
<td>Total Taxes</td>
<td>Tax Growth</td>
<td></td>
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<tr>
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<td>397</td>
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</tr>
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<td>315</td>
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<td>21</td>
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<td>67</td>
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<tr>
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<tr>
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</tr>
<tr>
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<td>94</td>
<td>70</td>
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</tr>
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<td>6</td>
<td>56</td>
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<td>69</td>
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</tr>
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</tr>
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<tr>
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<td>2</td>
<td>14</td>
<td>42</td>
<td>1.62%</td>
</tr>
<tr>
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<td>1</td>
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<td>32</td>
<td>4.71%</td>
</tr>
<tr>
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</tr>
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<td>1,775</td>
<td>32</td>
<td>1</td>
<td>3</td>
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<td>16,146</td>
<td>254</td>
<td>45</td>
<td>137</td>
<td>82</td>
<td>518</td>
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</tr>
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<td>1,831</td>
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<td>1</td>
<td>7</td>
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<td>0.44%</td>
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<td>Simsbury</td>
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<td>441</td>
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<td>554</td>
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<tr>
<td>Suffield</td>
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<td>51</td>
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<td>367</td>
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<td>Trumbull</td>
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<td>315</td>
<td>19</td>
<td>97</td>
<td>303</td>
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<td>5</td>
<td>0</td>
<td>5</td>
<td>1.29%</td>
</tr>
<tr>
<td>Town</td>
<td>Population</td>
<td>Men</td>
<td>Women</td>
<td>Total</td>
<td>Nonwhite</td>
<td>Males/Phase</td>
<td>White</td>
</tr>
<tr>
<td>--------------</td>
<td>------------</td>
<td>-----</td>
<td>-------</td>
<td>-------</td>
<td>-----------</td>
<td>-------------</td>
<td>-------</td>
</tr>
<tr>
<td>Voluntown</td>
<td>1,127</td>
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</tr>
<tr>
<td>Wallingford</td>
<td>18,945</td>
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<td>129</td>
<td>328</td>
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<td>846</td>
<td>4.47%</td>
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<td>Warren</td>
<td>811</td>
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<td>1</td>
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<td>1</td>
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</tr>
<tr>
<td>Washington</td>
<td>2,124</td>
<td>14</td>
<td>2</td>
<td>4</td>
<td>23</td>
<td>43</td>
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<tr>
<td>Waterford</td>
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<td>266</td>
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<tr>
<td>Watertown</td>
<td>9,096</td>
<td>205</td>
<td>32</td>
<td>229</td>
<td>0</td>
<td>466</td>
<td>5.12%</td>
</tr>
<tr>
<td>West Hartford</td>
<td>26,396</td>
<td>643</td>
<td>854</td>
<td>372</td>
<td>250</td>
<td>2,119</td>
<td>8.03%</td>
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<tr>
<td>Westbrook</td>
<td>3,937</td>
<td>140</td>
<td>5</td>
<td>30</td>
<td>29</td>
<td>204</td>
<td>5.18%</td>
</tr>
<tr>
<td>Weston</td>
<td>3,674</td>
<td>0</td>
<td>2</td>
<td>6</td>
<td>0</td>
<td>8</td>
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</tr>
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<td>Westport</td>
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<td>265</td>
<td>60</td>
<td>4</td>
<td>58</td>
<td>387</td>
<td>3.72%</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>11,677</td>
<td>705</td>
<td>114</td>
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<td>7.66%</td>
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<tr>
<td>Wilton</td>
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<td>17</td>
<td>51</td>
<td>232</td>
<td>3.58%</td>
</tr>
<tr>
<td>Windsor</td>
<td>11,767</td>
<td>154</td>
<td>258</td>
<td>453</td>
<td>26</td>
<td>891</td>
<td>7.57%</td>
</tr>
<tr>
<td>Wolcott</td>
<td>6,276</td>
<td>313</td>
<td>9</td>
<td>184</td>
<td>0</td>
<td>506</td>
<td>8.06%</td>
</tr>
<tr>
<td>Woodbridge</td>
<td>3,478</td>
<td>30</td>
<td>8</td>
<td>6</td>
<td>0</td>
<td>44</td>
<td>1.27%</td>
</tr>
<tr>
<td>Woodbury</td>
<td>4,564</td>
<td>60</td>
<td>3</td>
<td>28</td>
<td>0</td>
<td>91</td>
<td>1.99%</td>
</tr>
<tr>
<td>Woodstock</td>
<td>3,582</td>
<td>24</td>
<td>0</td>
<td>32</td>
<td>0</td>
<td>56</td>
<td>1.56%</td>
</tr>
</tbody>
</table>

| Total        | 92,075     | 47,034 | 29,858 | 5,241 | 174,208 |


### On street parking - Hamilton Avenue

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**Legend**
- Town boundary
- PROPERTY LINES
- Parking Type
  - Timed
  - Limited
  - Prohibited

**Parking Type**
- **Timed**
- **Limited**
- **Prohibited**

---

### On street parking - Hamilton Avenue

<table>
<thead>
<tr>
<th>Type</th>
<th>Restricted Times</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited</td>
<td>8:00am-9:00 am</td>
<td>North side, from a point 25 feet west of Artic Street extending westerly for a distance of 84 feet, no parking between the hours of 8:00 a.m. and 9:00 a.m., Monday through Saturday, except Funeral Vehicles</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>North side, beginning at a point 280 feet east of Artic Street and extending easterly for a distance of 78 feet</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>North side, from Booth Place easterly for 80 feet</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>North side, between Edgewood Avenue and Livingston Place</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>North side, from St. Rochs Avenue easterly for a distance of 375 feet</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>North side, from St. Rochs Avenue westerly to a point at the end of the St. Rochs School property</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>South side, from center of Edgewood Avenue 62 feet in either direction</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>South side, from Seneca Place to a point 36 feet to the west and from Seneca Place to a point 32 feet to the east</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>South side, from Booth Place easterly for 110 feet</td>
</tr>
<tr>
<td>Prohibited</td>
<td>Always</td>
<td>South side, from Booth Place to Penn Central Railroad underpass</td>
</tr>
<tr>
<td>Timed</td>
<td>15 minutes</td>
<td>South side, from Artic Street to a point 300 feet west of Grand Street</td>
</tr>
<tr>
<td>Timed</td>
<td>60 minutes</td>
<td>South side, from Grand Street easterly for a distance of 100 feet</td>
</tr>
<tr>
<td>Timed</td>
<td>60 minutes</td>
<td>North side, from Charles Street westerly for a distance of 295 feet.</td>
</tr>
<tr>
<td>Timed</td>
<td>60 minutes</td>
<td>South side, from a point 171 feet east of Booth Place, for a distance of 96 feet</td>
</tr>
</tbody>
</table>

The above information is taken from the Town of Greenwich Connecticut Code of Ordinances Chapter 14, Article 5.

1 inch = 300 feet
Reviews provided by the Engineering Division are for compliance with the Town’s “Roadway Design Manual and Standard Construction Details” and “Drainage Manual” as amended. Reviews are based upon the information and plans provided. Comments pertaining to the Town’s manuals are not all encompassing. Other reviewing entities may provide additional comments regarding consistency with these manuals in accordance with their jurisdictions. Review of sanitary sewer and septic systems are not reviewed by the Engineering Division.

All New Submittals for Commission Meetings must be received by the Engineering Division four weeks before scheduled Commission Meeting.

All Revised Submittals for Commission Meetings must be received by the Engineering Division three weeks before scheduled Commission Meeting.

Reviewed and Approved by: Juan Paredes, P.E. - Civil Engineer II  
Date: 10/13/2021

COMMENTS AND CONDITIONS OF APPROVAL: Resubmit Prior to Zoning/Building Permit Approval

1. Because of the increased traffic volume, the two proposed driveways on View Street are acceptable provided one of the following design alternatives is provided:
   a. No street parking is allowed on both sides of View Street along the frontage of the subject property. Applicant must discuss this parking restriction with the Town of Greenwich Department of Parking Services. Parking Services must provide a sign-off to the Commission stating that all existing on-street parking on both sides of View Street along the frontage of the subject property can be removed.
   b. No street parking is allowed on the southern side (eastbound lane) of View Street along the property frontage. Applicant must discuss this parking restriction with the Town of Greenwich Department of Parking Services. Parking Services must provide a sign-off to the Commission stating that the existing on-street parking on the southern side (eastbound lane) of View Street along the frontage of the subject property can be removed. Also, the existing parking on the northern side (westbound lane) of View Street must be shifted north so the parking lane has a minimum width of 7-feet and the remaining two travel lanes on View Street have a total minimum width of 21-feet.
   c. No street parking is allowed on the southern side (eastbound lane) of View Street along the property frontage. Applicant must discuss this parking restriction with the Town of Greenwich Department of Parking Services. Parking Services must provide a sign-off to the Commission stating that the existing on-
street parking on the southern side (eastbound lane) of View Street along the frontage of the subject property can be removed. Also, the proposed sidewalk on View Street is relocated entirely within the subject property and the proposed granite curb is relocated along the southern side (eastbound lane) of View Street to provide a minimum 7-foot parking lane on the northern side of View Street and the remaining two travel lanes on View Street have a total minimum width of 21-feet. The relocated sidewalk will be used exclusively by the subject development.

2. The comments provide in the Memorandum dated October 13, 2021 from Beta Group, Inc. are acceptable.
3. A revised Form SC-107 needs to be submitted.
4. The Drainage Summary Report is acceptable.
5. The construction plan set needs to be revised as follows:
   a. Site Plan Sheets
      i. A detailed plan of the sidewalk ramp (at a larger scale) must be submitted showing a continuing radius connecting curbing at View Street and Hamilton Avenue, elevations of the ramps and a five-foot clearance between the ramp and the property line.
         1. An access easement in the northwestern corner of the property may be required to provide said clearance.
      ii. A standard curb ramp on the west side of Hamilton Avenue must be reconstructed to align with the proposed ramp near the northwestern corner of the subject property.
      iii. The 79 feet of continuous depressed curb along View Street is not acceptable; a standard height curb must be shown in between the driveways.
6. The draft Operations and Maintenance Plan Report is acceptable.

Standard Conditions for Each Submittal

1. The Engineering Division will no longer keep any records for the submittals. All records for the submittal shall be obtained from the Town of Greenwich Department/Division that has taken in applications and/or submittals. These documents are maintained within each office (e.g., P&Z, IWWA, and DPW Building and Highway Divisions).
2. All revisions to the reports and plans must follow the requirements in the Town of Greenwich Drainage Manual February 2014 as amended.
3. All revisions must be accompanied by a point-by-point written response to the Engineering Division’s comments.

Standard Conditions of Approval

1. The Operations and Maintenance Plan Report must include the following for the Certificate of Occupancy:
   b. The final completed Exhibit A, and B
   c. The Maintenance Declaration needs to be filed on the Town of Greenwich Land Records prior to a Certificate of Occupancy. A review of the documents above must be completed before filing on the Town of Greenwich Land Records.
2. The Town of Greenwich – Standard Construction Notes for Site and Subdivision Plans are conditions that must be met.
3. All requests for a Temporary Certificate of Occupancy (T.C.O.) or a Certificate of Occupancy (C.O.) shall be submitted one month before the T.C.O. or C.O. is required.
4. The submittal for a Temporary or Final Certificate of Occupancy must include the following:
   c. Field Inspection Record (All required photos) – Form SC-106 – Sealed and Signed by a Connecticut Licensed Professional Engineer.
   d. Bioretention Soil Testing Certification Sign-Off (as applicable with the bioretention soil gradation test and the phosphorous test for the mixed soil) – Form SC-104 – Sealed and Signed by a Connecticut Licensed Professional Engineer.


h. A Letter discussing all the work that remains to be completed (Only for a Temporary Certificate of Occupancy Submittal).
BETA Group, Inc. submitted a memo on September 9, 2021 providing a review of traffic, site circulation, and safety concerns for the proposed mixed used retail and residential development at 171 Hamilton Avenue. The Applicant has since provided the following additional information:

- **Response to Comments Letter**: RE: Application for Final Site Plan Approval for Mixed-Use “Set-aside development” 171 Hamilton Avenue, Greenwich; LBR-2 Zone; Fogarty Cohen Russo & Nemiroff LLC; September 14, 2021

For items where further commentary is provided, BETA’s 9/9/21 comments, Applicant responses (dated 9/14/21), and additional remarks are as follows:

**Previous BETA Comment #2 (9/9/21 Memo)** The crosswalk on the south leg of the Hamilton Ave at View St intersection is not connecting to the existing or proposed curb ramp on the southeast corner. There is also no standard curb ramp on the west side of Hamilton Ave at this crosswalk. This crossing should be redesigned to provide a continuous accessible route that meets current design standards.

**Applicant Response (5/11/21):** It is our understanding that the Town of Greenwich is the in process of improving all of the crosswalks along Hamilton Avenue to meet ADA standards. That work was paused in the vicinity of the proposed development due to the Highway Division’s knowledge of this project. The crosswalk noted above will be improved in coordination with the Town to ensure that the crosswalk is consistent with the rest of the street and done to Town standards.

**Additional BETA Comment:** The curb ramps and crosswalk should be finalized in accordance with Town standards and in coordination with Town DPW staff prior to the building permit.

**Previous BETA Comment #3 (9/9/21 Memo)** A standard curb radius should be provided for the curb reconstruction proposed on the southeast corner of Hamilton Ave at View Street.

**Applicant Response (5/11/21):** Please see response #2, above. All work to the curb will be done to Town standards and in coordination with the Highway Division.

**Additional BETA Comment:** The curb should be finalized in accordance with Town standards and in coordination with Town DPW staff prior to the building permit.

**Previous BETA Comment #5 (9/9/21 Memo)** The Civil site plans are showing 79 feet of depressed curb for the entire length of both driveway access locations along View St. Can there be some length of standard height curb and sidewalk between the driveways?

**Applicant Response (5/11/21):** Town of Greenwich Highway Division has a new standard to provide 6-feet of depressed curb on either side of a driveway entrance. The applicant is agreeable.
to raise the curb outside of these areas, but will, ultimately, construct the curb pursuant to the Highway Division’s requirements.

**Additional BETA Comment:** The driveways should be finalized in accordance with Town standards and in coordination with Town DPW staff prior to the building permit.
Date: October 8, 2021

To: Katie Deluca, Director, Planning & Zoning

From: Richard C. Feminella, Wastewater Division Manager

Copy: Chris Mandras, Maintenance Manager - Sewer Division
      Al Romano, Environmental Asset Engineer – Sewer Division

Re: PLPZ202100265: 171 Hamilton Avenue, 171 Hamilton LLC

We have prepared the following comments and questions regarding the proposed application.

Project Summary:
  • Proposed Mixed-use Affordable Housing Development to permit the construction of a retail and residential "Set-aside development" pursuant to Connecticut General Statutes (C.G.S.) §8-30g.

Sewer Division Comments:
As indicated in the Sewer Division’s prior comments dated September 10, 2021, the following comments still apply and need to be addressed:

**Comments to be addressed during P&Z phase:**
  • None.

**Comments to be addressed during Sewer and Building Permit phase:**
  • The applicant/owner will be required to obtain the necessary Sewer Permits. Please coordinate directly with the Sewer Division for permitting.

  • The proposed development is required to utilize low flow plumbing fixtures. Written confirmation will be required during the Sewer Permitting process.

  • The applicant/owner will be required to perform CCTV inspections of all of the sanitary sewer lateral(s) that serve the existing building to confirm there are no issues with the existing sanitary sewer lateral. Any televising of sanitary sewer laterals must be performed in the presence of the Sewer Inspector. Please coordinate with Sewer Division – Environmental Asset Engineer / Sewer Inspector (203) 622-0963 extension 5. Make a DVD of this inspection. Submit a copy of the DVD to the Wastewater Division Manager. Failure to have the Sewer Inspector present during the TVing will result in the Sewer Division not accepting the DVD. Note: VHS format is not accepted. Only DVDs are accepted. Make a copy of the DVD for your records. The Town will not return DVDs. The Town cannot make copies of DVDs. The DVD should be submitted along with a site plan that identifies each investigation run on the DVD.

  • Should the proposed development include a restaurant, the applicant/owner will be required to obtain approval from the Sewer Division for a grease trap system. Please coordinate directly with the Sewer Division during the Sewer and Building Permit phase.
• Please note, sanitary sewers are designed for first floor elevations. Therefore, any plumbing fixtures in lower levels (basements) could be subject to sanitary sewer backups/overflows. The property owner is strongly recommended to consider and review this and plan accordingly to protect themselves in those situations. The Town is not responsible for damages as a result of these connections/installations. Please consider this and revise accordingly.

• Any sewer infrastructure installed within 10-feet of any drainage structures, permeable pavement, rain gardens, etc. requires concrete encasement. Please coordinate with the Sewer Division for details.

• Please note, in accordance with Town regulations and standard practice, all clear water sources cannot discharge to sanitary sewer. This includes air conditioning and high efficiency heating system condensate lines. Please confirm that the new development will not discharge any clear water sources to sanitary sewer.

Please NOTE: These comments are intended for P&Z review only. These comments do not take the place of Sewer Permit(s). Any Sewer Permit Applications receive thorough reviews and may result in additional comments/requirements at that time. In addition, please be reminded that in order to receive Building Permits, the applicant must have secured all other necessary permits, including, but not limited to, Sewer Permits PRIOR to obtaining their Building Permits.

Also, please note, the applicant should NOT submit for Sewer Permits until the project has received approval from P&Z.
MEMORANDUM

TO: Patrick LaRow, Deputy Director, P & Z / Assistant Town Planner

FROM: Aleksandra Moch, Environmental Analyst

DATE: September 3, 2021

RE: 171 Hamilton LLC, 171 Hamilton Avenue, PLPZ 2021 00265
     Site plan by Rocco V. D’Andrea, Inc. dated August 25, 2021 and landscape plan by
     Environmental Land Solutions, LLC, dated September 2, 2021

I have reviewed the above-referenced plans and visited the site. The following comments are offered for your consideration.

1. The proposed site development will result in increased site paving and decrease the green space. Loss of vegetated areas will diminish the right balance between the biological function of the area and man-made surfaces. Planted areas make communities more resilient, combat air pollution, sequester carbon, alleviate storm water runoffs, moderate temperatures, protect water quality, and preserve animal and plant habitats.

2. The proposed development does not recognize the site limitations created by shallow ledge. The lack of sufficient storm water storage will have long-term negative effect on the neighborhood. The recent experience with hurricane Ida which generated unprecedented five inches of precipitation in 75 minutes in Pemberwick area calls for increased drainage storage capacity for the new constructions. Site over paving and elimination of vegetative areas results in increase of velocity and discharge into receiving rivers causing erosion, flooding and declined water quality discharge into Long Island Sound and local wetlands.

3. The project lacks proper mitigation. The storm water has not sufficient detention and renovation measures are limited to the gravel bed underneath the parking area which has no adsorption capacity for water born pollutants. The proposed planting plan offers 12 shrubs and one tree which will not fit in less than three feet wide planters.

4. The building will accommodate affordable housing. Recent Census data indicates there are almost 1,000 community members in Greenwich without a vehicle. This plan should include bike racks to accommodate those who rely on micromobility.

cc: Conservation Commission
ARCHITECTURAL REVIEW COMMITTEE
ACTION AGENDA Regular Meeting

Wednesday, September 1, 2021 7:01 pm – 8:57 pm
Zoom Virtual Meeting

Members Present: Richard Hein, Chairperson; John Conte, Vice-Chairperson, Graziano Meniconi, Secretary; Peter Boldt, Paul Pugliese, Heidi Brake-Smith, and Katherine LoBalbo (left at 8:37pm)

Staff Present: Marisa Anastasio, Senior Planner; Jacalyn Pruitt, Planner II

I. Exterior Alteration reviews:
   1. 171 Hamilton Ave., Application PLPZ202100263 for Exterior Alteration review for demolition of existing and construction of new 4 story mixed use “8-30g set aside development” with retail on ground floor and 6 apartments, landscaping and site lighting at a property located at 171 Hamilton Ave. in the LBR-2 zone.
      Last reviewed at the 7-7-21 meeting, at which Conte, Meniconi, Brake-Smith, Cohen, Contadino, Krueger, LoBalbo, and Pugliese (recused from item) were present.
      View previous plans here.
      View revised plans here.

      Decision Status: Return To A Meeting
      Motion: Hein Second: Meniconi Vote: 6-0-1 (Hein, Conte, Meniconi, Boldt, Brake-Smith, and LoBalbo / Pugliese recused)

      ARC recommends a return to a meeting as follows, with the understanding that the applicant can choose to move forward with P+Z as is:
      a) ARC appreciates the design progress that has been made thus far and advises that the following design elements be reviewed:
         i. Update the rear columns – widen them or create an arch way;
         ii. Address the fourth story, with reference to the original design, to create appearance of a 3-story vs. 4-story building. Review possibility of recessing this floor, utilizing different materials such as zinc/slate and/or darker colors, adding a balcony or other design options to make this floor different and special visually.
         iii. Review the angled front of building – straighten out to create areas of green, increase setback from street, create a colonnade;
         iv. Cornice detail should be fully expressed as in the inspiration detail, and not fall flat of the inspiration.
         v. Review use of EFIS – ARC concerned with its durability, the context of building calls for granite;
         vi. Signage to be integrated into architecture
vii. Site sections (N, S, E, W) and dimensioned elevations are requirements of the Exterior Alteration application and ARC asks that applicant submit these for review.

2. Wells Fargo, 190 Sound Beach Avenue, Application PLPZ202100359 for an Exterior Alteration review for **new handicapped ramp, landing, new stairs, grading, new landscaped area, concrete curb, and restriping parking lot** on a property located at 190 Sound Beach Ave. in Old Greenwich in the LBR-2 zone. View plans [here](#).

Applicant did not attend meeting to present. Application was not opened.

3. Western Middle School, 1 Western Junior Highway; Application PLPZ202100368 for Exterior Alteration review for **new emergency lighting including removing 107 building mounted lights and replacing with 97 lights, (10 pole lights will remain in place)** on a property located at 1 Western Jr Hwy in the R-6 zone. View plans [here](#).

Decision Status: **Approved as noted**
Motion: Hein Second: Conte Vote: 7-0 (Hein, Conte, Meniconi, Boldt, Brake-Smith, LoBalbo and Pugliese)

ARC accepts the project with the following notes:
- a) Limit temperature of lighting to 3000 K;
- b) Incorporate motion sensors and astronomical timers (timers that adapt to the season) to mitigate unnecessary lighting.

4. Patriot Bank, 71 Lewis St.; Application PLPZ202100360 for Exterior Alteration review for **new canopy for protection of pneumatic tube system and drive up customers** on a property located at 71 Lewis St. in the CGBR zone. View plans [here](#).

Decision Status: **Electronic Return (email: manastasio@greenwichct.org)**
Motion: Hein Second: Brake-Smith Vote: 7-0 (Hein, Conte, Meniconi, Boldt, Brake-Smith, LoBalbo and Pugliese)

The applicant shall submit the following for review electronically:
- a) Height of canopy to be increased to 6’ 8”.
- b) Provide both a plan view and elevation view that clearly shows proposed and existing elements including bollards, landscaping, walkways, new signage, new structure, etc..
- c) Include a description of the materials and colors on both elevations and plans.
- d) No illumination is proposed in this application.
Hi Bianca,

I have no comments for 171 Hamilton Avenue.

Thank you,

Crystal Berry
Housing Specialist
Planning & Zoning
Town of Greenwich
203-622-7894
Crystal.Berry@greenwichct.org

From: Dygert, Bianca
Sent: Thursday, September 2, 2021 10:30 AM
To: Couture, Jodi <jodi.couture@greenwichct.org>; Marucci, Scott <Scott.Marucci@greenwichct.org>; Feminella, Richard <richard.feminella@greenwichct.org>; Mandras, Carol <Carol.Mandras@greenwichct.org>; Sesto, Patricia <patricia.sesto@greenwichct.org>; Moch, Aleksandra <Aleksandra.Moch@greenwichct.org>; Wetmore, John <John.Wetmore@greenwichct.org>; Natale, Robert <Robert.Natale@greenwichct.org>; Berry, Crystal <Crystal.Berry@greenwichct.org>; Long, Michael <Michael.Long@greenwichct.org>; KPodgorski (KPodgorski@BETA-Inc.com) <kpodgorski@beta-inc.com>
Cc: DeLuca, Katie <Katie.DeLuca@greenwichct.org>; LaRow, Patrick <Patrick.LaRow@greenwichct.org>; Anastasio, Marisa <Marisa.Anastasio@greenwichct.org>; Pruitt, Jacalyn <jacalyn.pruitt@greenwichct.org>
Subject: Comments Request for the Planning and Zoning Commission Meeting on September 14, 2021

Hello All,

I have attached a spreadsheet showing which applications still need comments for the meeting on 9/14/21. Please note that the red highlighted boxes indicate that Planning and Zoning has not received comments (or updated comments) for that application. **If you have already sent comments, please let me know and re-send them to me so I have a record of it.**

For your convenience, please find the digital materials for each project below:

- 171 Hamilton Avenue - PLPZ 2021 00265
- 41 Sheephill Road - PLPZ 2021 00325
- 0 Old Track Road - PLPZ 2021 00329
- 0 Old Track Road - PLPZ 2021 00330
These links will expire in 7 days. If you need new links, please let me know.

*The pre-applications and decision items do not require department comments at this time.*

Please email comments to me and the assigned planner for the project.

Please submit your comments by **9:00 am Thursday September 9, 2021**. If you cannot submit comments by then, please contact the planner who is working on the project and myself.

If you have any issues accessing any of the files or need additional information, please do not hesitate to reach out.

Thank you,

**Bianca Dygert**  
**Planner II**

Town of Greenwich  
Land Use - Planning & Zoning  
101 Field Point Road  
Greenwich, CT 06830-6463  
Ph. (203) 622-7894  
Office Fax. (203) 622-3795  
Direct Fax. (203) 861-6113  
Bianca.Dygert@greenwichct.org
FOGARTY COHEN RUSSO & NEMIROFF LLC

VIA EMAIL – jwetmore@greenwichct.org
and REGULAR MAIL
John Wetmore, Esq.
Law Department
Greenwich Town Hall
101 Field Point Road,

Re: Final Site Plan and Special Permit Application PLPZ 2021 00384 – 171 Hamilton Avenue

Dear John:

This letter is submitted in connection with the above application now pending before the Planning and Zoning Commission, in which I represent the applicant. The application seeks approval to construct a residential building which we believe qualifies as a "set-aside development" in accordance with C.G.S. Section 8-30g (6), in conjunction with a ground floor retail use conforming to all applicable requirements of the LBR-2 Zone in which the property is located. At a recent public hearing, the Commission raised the legal issue, which we understand has been referred to your office, of whether the development proposed by applicant, constituting a mixed-use development, properly qualifies under the provisions of 8-30g.

It is our understanding that the Commission’s past practice, confirmed during its earlier consideration of applicant’s proposal, was to treat the residential component of such a development as falling within 8-30g, provided that the non-residential component fully conformed to all applicable zoning requirements. We understand that the Commission is reconsidering its past practice based on two court decisions recently coming to its attention: Sixty Five Marsh Hill Rd., LLC v. Orange Plan and Zoning Commission 2019 Conn. Super. LEXIS 808; and Cortese v. Planning and Zoning Commission of Greenwich 2002 Conn Super. LEXIS 2910.

In considering the matter, we believe that the critical issue to be addressed is, does the fact that the residential component of the proposed development is proposed to be constructed in conjunction with an otherwise conforming retail use so taint the dwelling units which satisfy the statute’s affordability standards as to remove it from the ambit of 8-30g?

A careful reading of 8-30g discloses no legislative intent to strip municipal planning and zoning commissions of their normal authority and discretion to review and act upon site plan and special permit applications, unless an application which proposes an "affordable housing application" is denied or approved with restrictions which substantially adversely impact that development. In such a case, the provisions of 8-30g(g) place the burden on the commission to prove that its decision is (i) supported by sufficient evidence in the record; and (ii) necessary to protect substantial public interest in health safety or other matters which the commission may legally consider, which such public interests cannot be protected by reasonable changes to the proposed development. The
Commission is now seeking guidance from your office as to whether it must legally treat the pending application as an "affordable housing application" under the foregoing provisions of 8-30g. I believe that the answer to this question is Yes, for the following reasons:

1. The residential component of the application by itself qualifies as an "affordable housing application" under 8-30g:
   a. Applicant has submitted to the Commission a proposed Affordability Plan confirming the applicant's intention to provide, within the residential development, a number of affordable dwelling units which meets the requirements for a "set-aside development."
   b. After a complete review by the Commission, its staff and all pertinent Town departments, all substantial public interests in health, safety or other matters which the Commission may legally consider have been satisfactorily addressed.

2. The retail component of the application, to be constructed in conjunction with the affordable dwelling units, complies with all applicable requirements of Greenwich zoning regulations.

The Commission's concern with the Cortese and Sixty-Five Marsh Hill decisions is understandable, but misplaced. While it is true that both cases rejected mixed-use proposals as "affordable housing applications", they did so for very good reasons not applicable in the present case. In neither case did the applicant attempt to justify the non-residential element of its development as legally permitted. In fact, in both cases, underlying zoning prohibited the commercial developments proposed by the respective applicants. In other words, each applicant in those cases was attempting to use the liberal standards of 8-30g to shoe horn onto its property significant commercial uses which otherwise were impermissible. This is not the case at 171 Hamilton Avenue where the LBR-2 zone permits and encourages the kind of ground floor retail development which our client is proposing. And I do not believe that its inclusion as a part of the submission to P&Z results in the proposal losing its status as an "affordable housing application."

The Cortese case specifically noted:

"The legislature, in all of its amendments of the affordable housing legislation, has never imposed a minimum number of units, nor a prohibition on a mixed use application for a Sec. 8-30g housing development. Accordingly, this court should not read a minimum requirement or a restriction on use of the property where it has not been implied by the legislature."

(Emphasis Added.)

The judge in that case upheld the Commission's denial of the Cortese proposal, not because the proposal was for a mixed-use, but because the Commission had determined that the Cortese application represented an attempt to illegally expand a nonconforming use. Similarly, in Sixty-Five Marsh Road, despite the broader ruling of Judge Berger, the applicant had no legal right to the extensive commercial development being proposed under the cover of an 8.-30g proposal.
Clear guidance in determining whether the applicant’s proposal, combined with a legal retail component, continues to meet the 8-30g definition has been provided by the Connecticut Supreme Court. In considering whether a requested zone change, normally a legislative act within the discretionary purview of a zoning commission, could be considered an "affordable housing application", the Court in West Hartford Interfaith Coalition v. Town Council (1994) 228 Conn. 498, 509, held:

"Section 8-30g defines an "affordable housing application" as "any application made to a commission in connection with an affordable housing development by a person who proposes to develop such affordable housing." (Italicized Emphasis added by Court.) Apart from requiring that an application be made in connection with an affordable housing development proposal, the statute contains no exceptions or qualifications limiting the definition of an affordable housing application to certain types of applications to zoning commissions. In contrast, the statute modifies ‘application’ with the word "any". In the absence of a single qualification limiting the definition of ‘affordable housing application,’ and in view of the ‘plain and ordinary’ meaning of the word ‘any,’ we construe the language of Sec. 8-30g to apply to every type of application filed with a commission in connection with an affordable housing proposal." (Emphasis Added.)

From the point of view of the important public interest addressed by the legislature in enacting 8-30g, the following holding by Justice Peters in Kaufman v. Zoning Commission (1995) 232 Conn. 128, 139, is instructive:

"As a remedial statute, Sec. 8-30g must be liberally construed in favor of those whom the legislature intended to benefit."

We believe that, based on the above judicial guidance, the purposes of 8-30g, as well as its the definition of "affordable housing application," will be met by the 171 Hamilton proposal. I would be glad to address any additional questions you may have.

Respectfully submitted,

Bruce F. Cohen

cc: Katie DeLuca - Katie.DeLuca@greenwichct.org
    Pat LaRow - Patrick.LaRow@greenwichct.org
GROUNDFLOORPLAN-FAR-2,166SF

SCALE: 3/4"=1'-0"

AREA 1: 207 SF
AREA 2: 356 SF
AREA 3: 129 SF
AREA 4: 125 SF
AREA 4A: 16 SF
AREA 5: 887 SF
AREA 6: 276 SF
AREA 7: 90 SF

RETAIL #1
1,670 SF

STAIRS THRU DR. TO P/CRAIL SPACE
MECH
ELEV
BATHROOM
SQUARE FOOTAGE CALCULATIONS (TOTALS)

AREA-1 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-2 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-3 (12'-9" X 4'-3") = 201 SF
AREA-4 (1'-10" X 1'-6") = 126 SF
AREA-5 (12'-10" 1/2" X 4'-3") = 355 SF
AREA-6 (22'-2" X 40") = 881 SF
AREA-7 (18'-0" X 1'-1") = 91 SF
AREA-8 (10'-0" X 9'-0") = 90 SF
AREA-9 (23" X 12") = 276 SF
AREA-10 (2'-2" X 1'-4") = 16 SF
AREA-11 (2'-11" X 1'-6'/2) = 11 SF

GROUND FLOOR TOTAL = 2,148 SF

AREA-10 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-11 (3'-3" X 1'-6'/2) = 11 SF
AREA-12 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-13 (10'-11" X 4'-2 1/2") = 177 SF
AREA-14 (15'-0" X 1'-6") = 128 SF
AREA-15 (10'-0" 1/2" X 1'-2" 1/2") = 326 SF
AREA-16 (32' X 40") = 1,280 SF
AREA-17 (14'-4" X 19'-0") = 285 SF
AREA-18 (10'-0" X 9'-0") = 90 SF
AREA-19 (15" X 9") = 45 SF
AREA-20 (15" X 12") = 180 SF

2ND FLOOR TOTAL = 2,624 SF

AREA-21 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-22 (3'-3" X 1'-4'/2) = 11 SF
AREA-23 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-24 (10'-11" X 1'-2" 1/2") = 177 SF
AREA-25 (15'-0" X 1'-6") = 128 SF
AREA-26 (20'-0" 1/2" X 4'-2 1/2") = 326 SF
AREA-27 (32' X 40") = 1,280 SF
AREA-28 (14'-4" X 19'-0") = 285 SF
AREA-29 (10'-0" X 9'-0") = 90 SF
AREA-30 (15" X 9") = 45 SF
AREA-31 (15" X 12") = 180 SF

3RD FLOOR TOTAL = 2,624 SF

AREA-32 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-33 (3'-3" X 1'-4'/2) = 11 SF
AREA-34 (4'-3" X 1'-2" 1/2'/2) = 51 SF
AREA-35 (10'-11" X 1'-2" 1/2") = 177 SF
AREA-36 (15'-0" X 1'-6") = 128 SF
AREA-37 (20'-0" 1/2" X 4'-2 1/2") = 326 SF
AREA-38 (32' X 40") = 1,280 SF
AREA-39 (14'-4" X 19'-0") = 285 SF
AREA-40 (10'-0" X 9'-0") = 90 SF
AREA-41 (15" X 9") = 45 SF
AREA-42 (15" X 12") = 180 SF

4TH FLOOR TOTAL = 2,624 SF

GROUND FLOOR TOTAL = 2,148 SF
SECOND FLOOR TOTAL = 2,624 SF
THIRD FLOOR TOTAL = 2,624 SF
FOURTH FLOOR TOTAL = 2,624 SF

TOTAL = 10,040 SF

BUILDING ZONE: LBR-2
PERMITTED F.A.R. (FAR) = 0.5
TOTAL AREA OF PROPERTY (TAP) = 0.187 ACRES (1,702 SF)
MAXIMUM PERMITTED BUILDING AREA (FAR X TAP) = 339 SF
ARC recommended that the shaded areas be removed from the building footprint.
Patrick,

In reference to the briefing yesterday and Nick Macri’s request for a Construction Phasing Plan, which I previously provided, I think I figured out that Nick wants to see a Construction Logistics Plan to see if construction can happen without interfering vehicular traffic, more specifically with life safety vehicles entering View Street. We prepared the attached plan that shows the following:

Demolition Process: The attached plan shows that an excavator and dumpsters can fit on the property while the existing buildings are being properly razed.

Excavation Process: The attached plan shows that an excavator and Dump Trucks can fit on the property while the proposed foundation is being properly excavated.

Foundation Pouring Process: The attached plan shows that a pump truck and concrete truck can fit on the property while the proposed foundations are being properly poured.

Drainage & Parking Lot: Once the foundation is poured, the drainage and parking lot are constructed which will allow space for vehicles to park and deliveries to properly occur on-site.

The above process is no different than most any other construction on small lots in town, specifically and not limited to 62 Mason Street (Pecora Brothers, Inc. is the CM), 10 Lexington Avenue (LoParco Associates is the CM), etc., both of which have no room on site for vehicles to park or deliveries to occur.

Best,

Joseph A. Pecora
Pecora Brothers, Inc.
70 Hamilton Avenue
Greenwich, CT 06830
203 863 9555 W
203 861 9811 F
203 496 6032 M

CAUTION: This email originated from outside the Town email system. Do not click links or open attachments unless you have verified the sender and know the content is safe.
DEMOLITION PLAN

PROPERTY SURVEY
DEPICTING
171 HAMILTON AVENUE
AT
VIEW STREET
IN
CHICKAHOMINY,
GREENWICH, CONNECTICUT
PREPARED FOR
171 HAMILTON LLC

Note: Care must and be given and care should be taken to ensure that no structures are damaged, and that all debris is properly removed and disposed of in an environmentally responsible manner.
September 30, 2021

Mr. Patrick LaRow, AICP
Deputy Director, Planning and Zoning
101 Field Point Road
Greenwich, CT 06830

RE: FSP/SP # PLPZ 2021 265
171 Hamilton Avenue, Greenwich; LBR-2 Zone
Applicant/Owner: 171 Hamilton LLC

Dear Pat:

As a follow-up to our letter of September 14, 2021, the project engineer has analyzed the existing front yard setback for principle structures located on the subject block, between View Street and Grand Street, to confirm that the proposed retail use is in compliance with Section 6-129(a) - Front and Street Side Yard Requirements of the Greenwich Building Zone Regulations. While Section 6-205(b) outlines a required the front-yard setback in the LBR-2 zone as 10-feet, Section 6-129(a) of the Regulations provides as follows:

“In all business zones if three (3) or more principal buildings which are non-conforming in respect to front yard and street side yard exist within the same block and within the same business zone as a lot in question, the average setback line of all existing principal buildings within the block and the zone may be followed in locating a new building or in reconstructing or altering an existing building on such lot.”

As documented on the enclosed Zoning Location Survey Depicting Average Building Setbacks from Grand Street to View Street dated September 29, 2021, prepared and certified by Rocco V. D’Andrea, Inc., the average setback from Hamilton Avenue for principle structures on this block was calculated by the project engineer to be 2.3-feet, with three out of the four building’s having no setback from the property line.

As indicated on the plans pending with the Planning and Zoning Commission, the proposed building not only improves an existing non-conforming condition by providing a 5-foot setback where none exists today, but the proposed setback also exceeds the minimum setback of 2.3-feet required pursuant to Section 6-123(a) of the Regulations.

Based on the above, and all other information provided in our letter to the Commission dated September 14, 2021, the applicant believes that the proposed 1-story retail use complies with all applicable zoning requirements for the LBR-2 zone, including being a permitted use on the ground floor.

We look forward to presenting this information to the Commission at its October 13, 2021 public hearing. Should you or your staff have any questions or comments in the interim, please do not hesitate to contact me or our firm’s Land Use Analyst, Michele Cronin.

Very truly yours,

Bruce F. Cohen

Enclosures

cc (w/ encl.): 171 Hamilton LLC
Rocco V. D’Andrea, Inc.
BY EMAIL & BY HAND

September 27, 2021

Mr. Patrick LaRow, AICP
Deputy Director, Planning and Zoning
101 Field Point Road
Greenwich, CT 06830

RE: FSP/SP # PLPZ 2021 304
Affordable Housing Development Application Pursuant to C.G.S. Section 8-30g
Application for Final Site Plan Approval for Mixed-Use "Set-aside development"
171 Hamilton Avenue, Greenwich; LBR-2 Zone
Applicant/Owner: 171 Hamilton LLC

Dear Pat:

On September 14, 2021, the above referenced applications were presented to the Planning and Zoning Commission and are now pending. As a follow-up to our letter to the Commission dated September 14, 2021, the applicant has reviewed comments from the Sewer Division dated September 10, 2021. Those comments state that, prior to site plan approval, the applicant is required to “provide existing sanitary sewer flows from the existing site development and to estimate future flows based on the proposed development. Please coordinate directly with the Sewer Division. Existing flows must include a minimum of at least two year’s-worth of water usage data and proposed flows with sufficient engineering calculations, peaking factors, for Sewer Division review.” In response to this request, the applicant is providing herewith a letter dated September 24, 2021, prepared and certified by Kuegler Associates, that outlines the calculated sanitary sewer flows for both the existing and proposed development. Also included herewith is documentation confirming that Aquarion Water Company has sufficient water supply to meet the estimated residential & commercial water demands for the proposed development.

In addition to the above, and in support of the representations made on September 14th, the applicant is providing herewith an updated Affordability Plan dated September 27, 2021, which reflects the first floor of the proposed building as dedicated to retail use and the three (3) floors above developed as residential units constructed in accordance with to CGS 8-30g.

We look forward to presenting this information to the Commission at its upcoming October 13, 2021 public hearing. Should you or your staff have any questions or comments in the interim, please do not hesitate to contact me or our firm’s Land Use Analyst, Michele Cronin.

Very truly yours,

Bruce F. Cohen

Enclosures

cc (w/encl.): 171 Hamilton LLC
Rocco V. D’Andrea, Inc.
September 24, 2021

Mr. Michael Musco P.E.
President and Principal Engineer
Musco Engineering Associates
375 Morgan Lane Unit 307
West Haven, CT 06516

Re: Domestic and Sanitary Utility Usage & Sizing for 171 Hamilton Avenue, Greenwich, CT

Dear Mr. Musco,

Below are the calculated flows for the existing and replacement building. Also below are the proposed service sizes for the replacement building at 171 Hamilton Avenue, Greenwich, CT.

**Existing Building**
- Domestic Peak Flow: 25.0 GPM
- Domestic Daily Flow Calculated: 950 GPD
- Domestic Daily Flow Historical: 272 GPD (Year 2019 – 2020)
- Sanitary Peak Flow: 32.0 DFU

**Proposed Building**
- Domestic Peak Flow: 36.5 GPM
- Domestic Daily Flow: 2,850 GPD
- Domestic Recommended Service Size: 2 Inch
- Sanitary Peak Flow: 75.0 DFU
- Sanitary Recommended Service Size: 4 Inch

The following pages include the calculations performed to generate the above values:

Sincerely,

Kurt Kuegler, P.E.
### Domestic Water Calculations Existing Building

Project: 171 Hamilton Ave  
Last Revised Date: 9/24/2021  
Last Revised By: KWK

Calculations based on the 2015 International Plumbing Code

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<th>FIXTURE</th>
<th>OCCUPANCY</th>
<th>TYPE OF SUPPLY CONTROL</th>
<th>QUANTITY</th>
<th>TOTAL LOAD VALUES, IN WATER SUPPLY FIXTURE UNITS (wsfu)</th>
<th>Required Service Size (in)</th>
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<td></td>
<td></td>
<td>Total: 6.00</td>
<td></td>
</tr>
</tbody>
</table>

**Totals**  
Cold: 23.85  
Hot: 19.45  
Total: 34.60

**TABLE E103.3(b) TABLE FOR ESTIMATING DEMAND (GPM)**  
25.00

**Required Service Size (in)**  
1.5
## Domestic Water Daily Demand of Existing Building

Project: 171 Hamilton Ave  
Last Revised Date: 9/23/2021  
Last Revised By: KWK

### Calculations based on Connecticut Public Health Code

**On-site Sewage Disposal Regulations and Technical Standards for Subsurface Sewage Disposal Systems January 2018**

The flows below are based on Section IV, "Design Flows"

<table>
<thead>
<tr>
<th>Use</th>
<th>Design Flow</th>
<th>5 Bedrooms</th>
<th>200 GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>150 GPD per Bedroom</td>
<td>5 Bedrooms</td>
<td>750 GPD</td>
</tr>
<tr>
<td>Barbershop</td>
<td>50 GPD per Chair</td>
<td>4 Chairs</td>
<td>200 GPD</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>950 GPD</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Historical Data Year 2020-2019 (23 Months)

<table>
<thead>
<tr>
<th>Month</th>
<th>CCF Usage per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan-19</td>
<td>9</td>
</tr>
<tr>
<td>Feb-19</td>
<td>9</td>
</tr>
<tr>
<td>Mar-19</td>
<td>9</td>
</tr>
<tr>
<td>Apr-19</td>
<td>9</td>
</tr>
<tr>
<td>May-19</td>
<td>8</td>
</tr>
<tr>
<td>Jun-19</td>
<td>14</td>
</tr>
<tr>
<td>Jul-19</td>
<td>8</td>
</tr>
<tr>
<td>Aug-19</td>
<td>10</td>
</tr>
<tr>
<td>Sep-19</td>
<td>12</td>
</tr>
<tr>
<td>Oct-19</td>
<td>7</td>
</tr>
<tr>
<td>Nov-19</td>
<td>8</td>
</tr>
<tr>
<td>Dec-19</td>
<td>8</td>
</tr>
<tr>
<td>Jan-20</td>
<td>11</td>
</tr>
<tr>
<td>Feb-20</td>
<td>11</td>
</tr>
<tr>
<td>Mar-20</td>
<td>9</td>
</tr>
<tr>
<td>Apr-20</td>
<td>10</td>
</tr>
<tr>
<td>May-20</td>
<td>10</td>
</tr>
<tr>
<td>Jun-20</td>
<td>9</td>
</tr>
<tr>
<td>Jul-20</td>
<td>20</td>
</tr>
<tr>
<td>Aug-20</td>
<td>32</td>
</tr>
<tr>
<td>Sep-20</td>
<td>13</td>
</tr>
<tr>
<td>Oct-20</td>
<td>11</td>
</tr>
<tr>
<td>Nov-20</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>255</strong></td>
</tr>
<tr>
<td><strong>Average</strong></td>
<td><strong>11.1</strong></td>
</tr>
</tbody>
</table>

**Average (GPM)**: 8294.2 per Month  
**Average (GPD)**: 272 per Day
Sanitary Water Calculations Existing Building
Project: 171 Hamilton Ave
Last Revised Date: 09/124/2021
Last Revised By: KWK

Calculations based on the 2015 International Plumbing Code

<table>
<thead>
<tr>
<th>FIXTURE TYPE</th>
<th>UNIT DFU</th>
<th>MINIMUM SIZE OF TRAP (inches)</th>
<th>QUANTITY</th>
<th>TOTAL DFU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automatic clothes washers, residential</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Bathroom group as defined in Section 202</td>
<td>5</td>
<td>—</td>
<td>3</td>
<td>15.0</td>
</tr>
<tr>
<td>(1.6 gpf water closet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kitchen sink, domestic with food waste grinder</td>
<td>2</td>
<td>1 1/2</td>
<td>3</td>
<td>6.0</td>
</tr>
<tr>
<td>and/or dishwasher</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lavatory</td>
<td>1</td>
<td>1 1/4</td>
<td>1</td>
<td>1.0</td>
</tr>
<tr>
<td>Service sink</td>
<td>2</td>
<td>1 1/2</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Sink</td>
<td>2</td>
<td>1 1/2</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Water closet, public (1.6 gpf)</td>
<td>4</td>
<td>3</td>
<td>1</td>
<td>4.0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>32.0</td>
</tr>
<tr>
<td>Sanitary Service Size (in)</td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
</tbody>
</table>
Domestic Water Calculations Proposed Building

Project: 171 Hamilton Ave
Last Revised Date: 9/17/2021
Last Revised By: KWK

Calculations based on the 2015 International Plumbing Code

<table>
<thead>
<tr>
<th>FIXTURE</th>
<th>OCCUPANCY</th>
<th>TYPE OF SUPPLY CONTROL</th>
<th>ITEM LOAD VALUES, IN WATER SUPPLY FIXTURE UNITS (wsfu)</th>
<th>QUANTITY</th>
<th>TOTAL LOAD VALUES, IN WATER SUPPLY FIXTURE UNITS (wsfu)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Cold</td>
<td>Hot</td>
<td>Total</td>
</tr>
<tr>
<td>Bathroom group</td>
<td>Private</td>
<td>Flush tank</td>
<td>2.70</td>
<td>1.50</td>
<td>3.60</td>
</tr>
<tr>
<td>Dishwashing machine</td>
<td>Private</td>
<td>Automatic</td>
<td>1.40</td>
<td>1.40</td>
<td>2.80</td>
</tr>
<tr>
<td>Kitchen sink</td>
<td>Private</td>
<td>Faucet</td>
<td>1.00</td>
<td>1.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Kitchen sink</td>
<td>Hotel, restaurant</td>
<td>Faucet</td>
<td>3.00</td>
<td>3.00</td>
<td>6.00</td>
</tr>
<tr>
<td>Lavatory</td>
<td>Public</td>
<td>Faucet</td>
<td>1.50</td>
<td>1.50</td>
<td>3.00</td>
</tr>
<tr>
<td>Service sink</td>
<td>Offices, etc.</td>
<td>Faucet</td>
<td>2.25</td>
<td>2.25</td>
<td>4.50</td>
</tr>
<tr>
<td>Washing machine (8 lb)</td>
<td>Private</td>
<td>Automatic</td>
<td>1.00</td>
<td>1.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Water closet</td>
<td>Public</td>
<td>Flush tank</td>
<td>5.00</td>
<td>5.00</td>
<td>10.00</td>
</tr>
</tbody>
</table>

Totals: 49.15  45.55  74.60

TABLE E103.3(3) TABLE FOR ESTIMATING DEMAND (GPM) 36.50

Service Size (in) 2
### Domestic Water Daily Demand Proposed Building

Project: 171 Hamilton Ave  
Last Revised Date: 9/17/2021  
Last Revised By: KWK

**Calculations based on Connecticut Public Health Code**

**On-site Sewage Disposal Regulations and Technical Standards for Subsurface Sewage Disposal Systems January 2018**

The flows below are based on Section IV, "Design Flows"  

<table>
<thead>
<tr>
<th>Use</th>
<th>Design Flow</th>
<th>Quantity</th>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>150 GPD per Bedroom</td>
<td>10</td>
<td>1,500</td>
</tr>
<tr>
<td>Restaurant</td>
<td>30 GPD per Seat with Public Toilet plus 50% Increase for Breakfast Lunch &amp; Dinner</td>
<td>30</td>
<td>1,350</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Total 2,850 GPD</strong></td>
</tr>
</tbody>
</table>

### Sanitary Water Calculations Proposed Building

Project: 171 Hamilton Ave  
Last Revised Date: 9/17/2021  
Last Revised By: KWK

**Calculations based on the 2015 International Plumbing Code**

<table>
<thead>
<tr>
<th>FIXTURE TYPE</th>
<th>UNIT DFU</th>
<th>MINIMUM SIZE OF TRAP (inches)</th>
<th>QUANTITY</th>
<th>TOTAL DFU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automatic clothes washers, residential</td>
<td>2</td>
<td>2</td>
<td>7</td>
<td>14.0</td>
</tr>
<tr>
<td>Bathroom group as defined in Section 202 (1.6 gpf water closet)¹</td>
<td>5</td>
<td>—</td>
<td>7</td>
<td>35.0</td>
</tr>
<tr>
<td>Kitchen sink, domestic with food waste grinder and/or dishwasher</td>
<td>2</td>
<td>1 1/2</td>
<td>7</td>
<td>14.0</td>
</tr>
<tr>
<td>Lavatory</td>
<td>1</td>
<td>1 1/4</td>
<td>2</td>
<td>2.0</td>
</tr>
<tr>
<td>Service sink</td>
<td>2</td>
<td>1 1/2</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Sink</td>
<td>2</td>
<td>1 1/2</td>
<td>2</td>
<td>4.0</td>
</tr>
<tr>
<td>Water closet, public (1.6 gpf)</td>
<td>4</td>
<td>3</td>
<td>1</td>
<td>4.0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>75.0</strong></td>
<td></td>
</tr>
</tbody>
</table>

Sanitary Service Size (in)  4
CONSUMPTION HISTORY DATA
# Billing and Consumption History

<table>
<thead>
<tr>
<th>Bill Document</th>
<th>Billing Period</th>
<th>Usage</th>
<th>Usage Charge</th>
<th>Service Charge</th>
<th>Other Charges</th>
<th>Total Billed</th>
</tr>
</thead>
<tbody>
<tr>
<td>901836449</td>
<td>11/05/2020 - 12/07/2020</td>
<td>8 CCF(actual)</td>
<td>$33.87</td>
<td>$20.98</td>
<td>$7.31</td>
<td>$62.16</td>
</tr>
<tr>
<td>8801993612</td>
<td>10/07/2020 - 11/04/2020</td>
<td>11 CCF(actual)</td>
<td>$46.57</td>
<td>$18.44</td>
<td>$8.61</td>
<td>$73.62</td>
</tr>
<tr>
<td>7752031306</td>
<td>09/09/2020 - 10/06/2020</td>
<td>13 CCF(actual)</td>
<td>$55.04</td>
<td>$17.80</td>
<td>$9.62</td>
<td>$82.46</td>
</tr>
<tr>
<td>901772118</td>
<td>08/07/2020 - 09/08/2020</td>
<td>32 CCF(actual)</td>
<td>$135.49</td>
<td>$20.98</td>
<td>$19.44</td>
<td>$175.91</td>
</tr>
<tr>
<td>901749743</td>
<td>07/09/2020 - 08/06/2020</td>
<td>20 CCF(actual)</td>
<td>$84.68</td>
<td>$18.44</td>
<td>$12.84</td>
<td>$115.96</td>
</tr>
<tr>
<td>901727144</td>
<td>06/09/2020 - 07/08/2020</td>
<td>9 CCF(actual)</td>
<td>$38.11</td>
<td>$19.08</td>
<td>$7.19</td>
<td>$64.38</td>
</tr>
<tr>
<td>901705801</td>
<td>05/08/2020 - 06/08/2020</td>
<td>10 CCF(actual)</td>
<td>$42.34</td>
<td>$20.35</td>
<td>$7.89</td>
<td>$70.58</td>
</tr>
<tr>
<td>901683570</td>
<td>04/08/2020 - 05/07/2020</td>
<td>10 CCF(actual)</td>
<td>$42.34</td>
<td>$19.08</td>
<td>$7.72</td>
<td>$69.14</td>
</tr>
<tr>
<td>552177558</td>
<td>03/10/2020 - 04/07/2020</td>
<td>9 CCF(actual)</td>
<td>$38.11</td>
<td>$18.44</td>
<td>$7.11</td>
<td>$63.66</td>
</tr>
<tr>
<td>901638512</td>
<td>02/07/2020 - 03/09/2020</td>
<td>11 CCF(actual)</td>
<td>$46.57</td>
<td>$20.35</td>
<td>$6.58</td>
<td>$73.50</td>
</tr>
<tr>
<td>7751850792</td>
<td>01/08/2020 - 02/06/2020</td>
<td>11 CCF(actual)</td>
<td>$46.57</td>
<td>$19.08</td>
<td>$6.44</td>
<td>$72.09</td>
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<tr>
<td>5521811249</td>
<td>12/07/2019 - 01/07/2020</td>
<td>8 CCF(actual)</td>
<td>$33.87</td>
<td>$20.35</td>
<td>$5.42</td>
<td>$59.64</td>
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<tr>
<td>8801747212</td>
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<td>$33.87</td>
<td>$19.71</td>
<td>$5.36</td>
<td>$58.94</td>
</tr>
<tr>
<td>901548749</td>
<td>10/08/2019 - 11/05/2019</td>
<td>7 CCF(actual)</td>
<td>$29.64</td>
<td>$18.44</td>
<td>$4.81</td>
<td>$52.89</td>
</tr>
<tr>
<td>7751758694</td>
<td>09/10/2019 - 10/07/2019</td>
<td>12 CCF(actual)</td>
<td>$50.81</td>
<td>$17.80</td>
<td>$6.77</td>
<td>$75.38</td>
</tr>
<tr>
<td>7701811519</td>
<td>08/08/2019 - 09/09/2019</td>
<td>10 CCF(actual)</td>
<td>$42.34</td>
<td>$20.98</td>
<td>$5.84</td>
<td>$69.16</td>
</tr>
<tr>
<td>901481619</td>
<td>07/10/2019 - 08/07/2019</td>
<td>8 CCF(actual)</td>
<td>$33.87</td>
<td>$18.44</td>
<td>$4.84</td>
<td>$57.15</td>
</tr>
<tr>
<td>7701763887</td>
<td>06/07/2019 - 07/09/2019</td>
<td>14 CCF(actual)</td>
<td>$59.28</td>
<td>$20.98</td>
<td>$7.35</td>
<td>$87.61</td>
</tr>
<tr>
<td>601880543</td>
<td>05/09/2019 - 06/06/2019</td>
<td>8 CCF(actual)</td>
<td>$33.87</td>
<td>$18.44</td>
<td>$4.84</td>
<td>$57.15</td>
</tr>
<tr>
<td>901415731</td>
<td>04/09/2019 - 05/08/2019</td>
<td>9 CCF(actual)</td>
<td>$38.11</td>
<td>$19.08</td>
<td>$5.28</td>
<td>$62.47</td>
</tr>
<tr>
<td>7751622868</td>
<td>03/09/2019 - 04/08/2019</td>
<td>9 CCF(actual)</td>
<td>$38.11</td>
<td>$19.71</td>
<td>$5.35</td>
<td>$63.17</td>
</tr>
<tr>
<td>901370326</td>
<td>02/07/2019 - 03/08/2019</td>
<td>9 CCF(actual)</td>
<td>$38.11</td>
<td>$19.08</td>
<td>$3.82</td>
<td>$61.01</td>
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<tr>
<td>8801522794</td>
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<td>$61.01</td>
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<tr>
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<td>12 CCF(actual)</td>
<td>$50.81</td>
<td>$20.35</td>
<td>$4.72</td>
<td>$75.88</td>
</tr>
</tbody>
</table>

**Property Address:** 2 ORCHARD ST COS COB CT 06807 USA  
**Count under the name of:** PETER SZEKRENYESSY  
**Count Number:** 200134520
<table>
<thead>
<tr>
<th>Bill Document</th>
<th>Billing Period</th>
<th>Usage</th>
<th>Usage Charge</th>
<th>Service Charge</th>
<th>Other Charges</th>
<th>Total Billed</th>
</tr>
</thead>
<tbody>
<tr>
<td>901300916</td>
<td>11/06/2018 - 12/06/2018</td>
<td>16 CCF(actual)</td>
<td>$ 67.74</td>
<td>$ 19.71</td>
<td>$ 5.75</td>
<td>$ 93.20</td>
</tr>
<tr>
<td>9751507500</td>
<td>10/06/2018 - 11/05/2018</td>
<td>15 CCF(actual)</td>
<td>$ 63.51</td>
<td>$ 19.71</td>
<td>$ 5.48</td>
<td>$ 88.70</td>
</tr>
<tr>
<td>9701558864</td>
<td>09/07/2018 - 10/05/2018</td>
<td>10 CCF(actual)</td>
<td>$ 42.34</td>
<td>$ 18.44</td>
<td>$ 4.04</td>
<td>$ 64.82</td>
</tr>
<tr>
<td>9801409406</td>
<td>08/08/2018 - 09/06/2018</td>
<td>14 CCF(actual)</td>
<td>$ 59.28</td>
<td>$ 19.08</td>
<td>$ 4.89</td>
<td>$ 83.35</td>
</tr>
<tr>
<td>9851307103</td>
<td>07/10/2018 - 08/07/2018</td>
<td>9 CCF(actual)</td>
<td>$ 38.11</td>
<td>$ 18.44</td>
<td>$ 3.58</td>
<td>$ 60.13</td>
</tr>
<tr>
<td>9901192521</td>
<td>06/08/2018 - 07/09/2018</td>
<td>13 CCF(actual)</td>
<td>$ 55.04</td>
<td>$ 20.35</td>
<td>$ 4.74</td>
<td>$ 80.13</td>
</tr>
<tr>
<td>9901170723</td>
<td>05/09/2018 - 06/07/2018</td>
<td>13 CCF(actual)</td>
<td>$ 55.04</td>
<td>$ 19.08</td>
<td>$ 4.69</td>
<td>$ 78.81</td>
</tr>
<tr>
<td>9901148890</td>
<td>04/10/2018 - 05/08/2018</td>
<td>9 CCF(actual)</td>
<td>$ 38.11</td>
<td>$ 18.44</td>
<td>$ 3.63</td>
<td>$ 60.18</td>
</tr>
<tr>
<td>9901126075</td>
<td>03/09/2018 - 04/09/2018</td>
<td>15 CCF(actual)</td>
<td>$ 63.51</td>
<td>$ 20.35</td>
<td>$ 5.30</td>
<td>$ 89.16</td>
</tr>
<tr>
<td>9901104724</td>
<td>02/07/2018 - 03/08/2018</td>
<td>12 CCF(actual)</td>
<td>$ 50.81</td>
<td>$ 19.08</td>
<td>$ 0.74</td>
<td>$ 70.63</td>
</tr>
<tr>
<td>9751305190</td>
<td>01/06/2018 - 02/06/2018</td>
<td>19 CCF(actual)</td>
<td>$ 80.45</td>
<td>$ 20.35</td>
<td>$ 1.08</td>
<td>$ 101.88</td>
</tr>
<tr>
<td>9851149762</td>
<td>12/08/2017 - 01/05/2018</td>
<td>13 CCF(actual)</td>
<td>$ 55.04</td>
<td>$ 18.44</td>
<td>$ 0.79</td>
<td>$ 74.27</td>
</tr>
<tr>
<td>9551343396</td>
<td>11/07/2017 - 12/07/2017</td>
<td>11 CCF(actual)</td>
<td>$ 46.57</td>
<td>$ 19.71</td>
<td>$ 0.71</td>
<td>$ 66.99</td>
</tr>
<tr>
<td>9801184374</td>
<td>10/07/2017 - 11/06/2017</td>
<td>16 CCF(actual)</td>
<td>$ 67.74</td>
<td>$ 19.71</td>
<td>$ 0.94</td>
<td>$ 88.39</td>
</tr>
<tr>
<td>9851082715</td>
<td>09/08/2017 - 10/06/2017</td>
<td>12 CCF(actual)</td>
<td>$ 50.81</td>
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### Billing and Consumption History

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## Billing and Consumption History

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Account Number: 200134320
Statement Date: 03/09/20
Service For: 2 ORCHARD ST
COS COB CT 06807

CREDIT BALANCE

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<th>Description</th>
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<tr>
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See reverse side of bill for details

Water Usage History

Water Usage Summary

This month your usage was
11 CCF

This month you used
2 CCF more
compared to the same time period as last year

Important Notes

CONTACT US: E-Mail: CS@aquarionwater.com - Phone: (203) 445-7310 or (800) 732-9678. Call Center hours are weekdays, 8:00 a.m. to 5:30 p.m. Emergency service is available all other hours including weekends and holidays.

DPH SAFE DRINKING WATER FEE: This fee is an assessment rendered by the State of Connecticut Department of Public Health to support the department's ability to administer the Federal Safe Drinking Water Act. As of January 1st, 2020, the fee has been reduced to $1.83 per year.

WICA: Effective October 1, 2019, bills will contain a 6.99% Water Infrastructure and Conservation Adjustment (WICA) charge.

WRA: Effective April 1, 2019, bills will contain a 2.59% Water Revenue Adjustment (WRA) charge.

Please detach and return this stub with your check payable to Aquarion Water Company. Do not send cash. Thank you!

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<th>ACCOUNT NUMBER</th>
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Credit Balance, Do Not Pay

Enroll in E-Billing: www.aquarionwater.com

Visit www.aquarionwater.com for a complete list of our payment options.
CREDIT BALANCE

Account Number: 200134320
Statement Date: 03/09/20

Meter Usage Details

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<td>On or about</td>
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<td>1967 / 1978</td>
<td>(8 thou. g)</td>
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Service from 02/07/20 to 03/09/20 (32 days)

Account Detail
Previous Balance 248.43
Payment Received (02/21/2020), Thank You - 200.16
Payment Received (03/09/2020), Thank You - 248.43

Outstanding Balance - 200.16

Total Charges
Basic Service 20.35
Residential Usage Charge 11 ccf @ $4.2340 46.57
WICA 4.68
Water Revenue Adjustment (WRA) 1.74
DPH Safe Drinking Water Fee 0.16

Total Current Charges 73.50

Total Balance -$126.66

Any outstanding balance is due immediately and may be subject to a late fee or further collection activity. Visit www.aquarionwater.com to view current fees.

Contact Us:
For billing questions, concerns, appointments, and general information, please call us during business hours (8:00 a.m. to 5:30 p.m., Monday through Friday) at (800) 732-9678 or local Bridgeport calling area at (203) 445-7310.

Email: CS@aquarionwater.com

Mail inquiries (Not for Payments):
Aquarion Water Company of CT
200 Monroe Tpke
Monroe, CT 06468

For After Hour Emergencies:
(800) 732-9678 or local Bridgeport calling area at (203) 445-7310.

If you are dissatisfied with a response from our Customer Service Center, Aquarion's Customer Advocate is available to take a fresh look at your concern. Please call our Customer Service Center at the number above and ask for the Aquarion Customer Advocate.

Our Mission:
To be the service provider, employer, and investment of choice through a relentless commitment to excellence.

Payments:
Enroll in E-Billing, Fast & Free!
www.aquarionwater.com

Mail Payment to:
Aquarion Water Company of CT
P.O. Box 10010
Lewiston, ME 04243-9427

See our website for more options:
http://www.aquarionwater.com

For All Current Rates:
www.aquarionwater.com
CONTACT US
1.800.732.9678
CS@aquarionwater.com

Account Number: 200134320
Statement Date: 02/06/20
Service For: 2 ORCHARD ST
COS COB CT 06807

Total Amount Due by 03/04/2020 $249.43

<table>
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<th>Description</th>
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<td>Total Current Charges</td>
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</table>

See reverse side of bill for details

Water Usage History

Water Usage Summary

This month your usage was 11 CCF.*
This month you used 2 CCF more compared to the same time period as last year.

* 1 ccf (hundred cubic feet) = 748 gallons

Important Notes

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ACCOUNT NUMBER     TOTAL AMOUNT     AMOUNT ENCLOSED (IF DIFFERENT)
200134320           $249.43

Please remit by 03/04/2020 for your payment to be applied prior to next billing cycle. Include your account number on your check to ensure prompt credit.

Enroll in E-Billing: www.aquarionwater.com/ebilling
Visit www.aquarionwater.com/CT/paymentandbillingoptions for a complete list of our payment options.

Aquarion Water Company of CT
PO Box 10010
LEWISTON ME 04243-9427

002001343200000000249437

PETER SZKRENYESY
2 ORCHARD ST
COS COB CT 06807
Total Amount Due by 03/04/2020  $249.43

Account Detail
    Previous Balance  175.60
    Late Payment Charge  1.74

Outstanding Balance Due Immediately  177.34

Total Charges
    Basic Service  19.08
    Residential Usage Charge 11 ccf @ $4.2340  46.57
    WICA  4.59
    Water Revenue Adjustment (WRA)  1.70
    DPH Safe Drinking Water Fee  0.15

Total Current Charges Due By 03/04/2020  72.09

Total Balance  $249.43

Any outstanding balance is due immediately and may be subject to a late fee or further collection activity. Visit www.aquarion.com/CT/Rates to view current fees.

Contact Us:
For billing questions, concerns, appointments, and general information, please call us during business hours (8:00 a.m. to 5:30 p.m., Monday through Friday) at (800) 732-9678 or local Bridgeport calling area at (203) 445-7310.

Email: CS@aquarionwater.com

Mail inquiries (Not for Payments):
Aquarion Water Company of CT
200 Monroe Tpke
Monroe, CT 06468

For After Hour Emergencies:
(800) 732-9678 or local Bridgeport calling area at (203) 445-7310.

If you are dissatisfied with a response from our Customer Service Center, Aquarion's Customer Advocate is available to take a fresh look at your concern. Please call our Customer Service Center at the number above and ask for the Aquarion Customer Advocate.

Our Mission:
To be the service provider, employer, and investment of choice through a relentless commitment to excellence.

Payments:
Enroll in E-Billing, Fast & Free!
www.aquarionwater.com/ebilling

Mail Payment to:
Aquarion Water Company of CT
P.O. Box 10010
Lewiston, ME 04243-9427

See our website for more options:
http://www.aquarionwater.com/CT/PaymentAndBillingOptions

For All Current Rates:
http://www.aquarionwater.com/CT/Rates
ACCOUNT NUMBER          TOTAL AMOUNT       AMOUNT ENCLOSED (IF DIFFERENT)
200134320                 $175.60

Please remit by 02/01/2020 for your payment to be applied prior to next billing cycle. Include your account number on your check to ensure prompt credit.

Enroll in E-Billing: www.aquarionwater.com/ebilling
Visit www.aquarionwater.com/CT/paymentandbillingoptions for a complete list of our payment options.
Account Number: 200134320
Statement Date: 01/07/20

Meter Usage Details

<table>
<thead>
<tr>
<th>Meter Number</th>
<th>Meter Reading</th>
<th>Current Usage</th>
<th>Reading Type</th>
<th>Next Reading</th>
</tr>
</thead>
<tbody>
<tr>
<td>51917351</td>
<td>From / To</td>
<td>8 CCF</td>
<td>Actual</td>
<td>On or about 02/06/20</td>
</tr>
<tr>
<td>(3/4&quot;)</td>
<td>1948 / 1956</td>
<td>(6 thou. g)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Service from 12/07/19 to 01/07/20 (32 days)

Total Amount Due by 02/01/2020 $175.60

Account Detail

- Previous Balance: 261.33
- Payment Received (12/20/2019), Thank You: -146.20
- Late Payment Charge: 0.83

Outstanding Balance Due Immediately: 115.96

Total Charges

- Basic Service: 20.35
- Residential Usage Charge 8 ccf @ $4.2340: 33.87
- WICA: 3.79
- Water Revenue Adjustment (WRA): 1.41
- DPH Safe Drinking Water Fee: 0.22

Total Current Charges Due By 02/01/2020: 59.64

Total Balance: $175.60

Any outstanding balance is due immediately and may be subject to a late fee or further collection activity. Visit www.aquarion.com/CT/Rates to view current fees.

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See our website for more options:
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For All Current Rates:
http://www.aquarionwater.com/CT/Rates
ATTN:  Town of Greenwich Planning and Zoning Board

DATE:  23 September 2021

FROM:  Eric R. Detmer, P.E.

SUBJECT:  Water supply, 171 Hamilton Ave., Greenwich, CT

The Will Serve letter from Aquarion Water Department, dated April 14, 2021 confirms sufficient municipal water supply for the proposed development. Aquarion was provided with the fire and domestic hydraulic demand, as indicated in the Will Serve Letter Application dated 3/26/21. Hydraulic demand is as calculated on the Fire Sprinkler Plan prepared by this office, dated 27 April 2021. There is adequate hydraulic capacity in the municipal water supply for this proposed project.

Respectfully submitted,

Eric R. Detmer, P.E.
April 14, 2021

Joseph A. Pecora
171 Hamilton LLC
70 Hamilton Avenue
Greenwich, CT 06830

Re: Request for Water Service – 171 Hamilton Avenue, Greenwich, CT

Dear Mr. Pecora,

This letter confirms that Aquarion Water Company of Connecticut (Aquarion) has sufficient water supply to meet the following estimated residential & commercial water demand for the proposed development at the above referenced property.

- Average Day Demand: 2,100 gallons per day
- Maximum Day Demand: 4,200 gallons per day
- Fire Sprinkler Demand: 500 gallons per minute at 20 psi

This commitment does not include irrigation or fire hydrant demands because no demand projections for irrigation or fire hydrants were included in the application submitted to Aquarion. If you wish to include irrigation or fire hydrant demands in your project, you will need to update your application and resubmit your Will Serve Letter request.

The attached fire flow test report indicates an available fire flow of approximately 1,574 gallons per minute at 20 psi. It is your engineer’s responsibility to design accordingly in order to achieve the required flow and pressure.

This service commitment is valid for 12 months from the date of issuance. If your proposed project is not under construction or ready for water service (intended usage) within 12 months of this letter, then Aquarion’s ability to serve your project will have to be re-evaluated. If you have any questions, please feel free to contact me at 203.337.5822.

Very truly yours,

Aquarion Water Company

Ingrid M. Jacobs, PE
Manager, Water Resources & Infrastructure Planning

cc: New Services, File
Attachment: Fire flow test at hydrant 127 dated 3/31/2021
Will Serve Letter Application dated 3/26/2021
Aquarion Water Company Fire Flow Test

Test Location: GREENWICH, CT

Test Date: 03/31/2021  Test Time: 05:30 AM

Flow Hydrant: 127  Location: Hamilton Ave @ Seneca Pl
Flow Hydrant Parameters:
- Main Size: 6 inch
- Pipe/Nozzle Diameter: 2.5 inches
- Pinto Pressure: 10 psi
- PSI Before: 90 psi

Residual Hydrant: 582  Location: Hamilton Ave @ View St
Residual Hydrant Parameters:
- PSI Before: 80 psi
- Residual During Flow: 72 psi
- PSI After: 80 psi
- PSI Drop: 8 psi

Test Results:
- GPM Available: 530
- GPM @20 psi: 1,574

Test Performed By: SZ/RD

NOTE: Static Pressure readings are actual, and test results are not corrected for elevation differential.

Test Method: Calibrated Orifice

Disclaimer: This data represents system conditions on the date and time that the test was performed. System conditions may vary significantly throughout the year. The design of new water service installations and the identification and gathering of all necessary data is the sole responsibility of the Developer or his representative. In all instances, the water service designer should apply engineering judgment to ensure proper design. Aquarion Water Company does not guarantee the accuracy of this data.
DEMAND FORM AND WILL SERVE LETTER APPLICATION

General Information:

Applicant Name: Joseph A. Pecora  Company Name: 171 Hamilton LLC
Email Address: jpecora@pecorabrothers.com  Phone Number: 203 863 9555
Mailing Address: 70 Hamilton Avenue, Greenwich, CT 06830
Property Owner Name: 171 Hamilton LLC
Email Address: Same  Phone Number: 203 863 9555

Project Name: 171 Hamilton LLC
Building Address: 171 Hamilton Avenue
City: Greenwich  State: CT  Zip Code: 06830

Type of Project to be supplied by this connection (check all that apply):

☒ Residential  ☒ Commercial  ☐ Industrial  ☐ Public Authority

Service Information:

Fire Demand:
Size: 4"  Peak Flow: 500 GPM at Residual (PSI) at street connection: 20
Length of Proposed Fire Service Line: 50'  Diameter of Proposed Fire Service Line: 4"

Domestic Demand:
Size: 2"  Peak Flow: 45 GPM at Residual (PSI) at street connection: 50
Length of Proposed Domestic Service Line: 50'  Diameter of Proposed Domestic Service Line: 2"

Irrigation Demand: Zero GPD  Peak Flow: Zero GPM

Fire Hydrant (Only if hydrant is required):
Quantity: Zero  Flow: Zero GPM
Plumbing and Fire Sprinkler (MEP or Sprinkler/Fire Designer must complete form & sign):

Printed Name: Eric R. Deimer  License #: 25412
Title: Professional Engineer  Phone Number: 914-907-3895
Signature:  Date: 3/26/21

If Domestic Service is desired, please fill out the worksheet below

DOMESTIC DEMAND WORKSHEET

Site Elevations:
High: 130 ft.  Low: 124 ft.
Datum Elevation (USGS): 1984

Commercial/Industrial/Public Authority Use:
Building Size: 2168 SF
Average Day Demand: 300 gal/day
Maximum Day Demand: 600 gal/day
Maximum Day Demand = Average Day Demand x 2

and/or

Residential Use:
Number of Units: 6
Number of Studios: 0  One Bedroom: 2  Two Bedrooms: 4
Total Number of Bedrooms: 10
Average Day Demand: 1800 gal/day
Maximum Day Demand: 3600 gal/day
Maximum Day Demand = Average Day Demand x 2

Note: This application will NOT be processed unless it is completely filled out and signed, a copy of utility site plans including elevation contours must be included. If you are requesting a fire service, a fire flow test may be required.

This application will be processed upon receipt of this information to verify the proper size of your service. It is the responsibility of the fire sprinkler designer to assure that adequate flow and pressure is available to meet the proposed fire demand. Please provide the information requested above and return the completed form to the attention of Aquarion Water Company, New Services Department, 600 Lindley Street, Mail-Stop 800, Bridgeport, CT 06606-5981 or can be emailed to New Services at newservices@aquarionwater.com. Thank you!
THE HAMILTON

171 Hamilton Avenue
Greenwich, Connecticut 06830

Affordability Plan
Housing Opportunity Units

September 27, 2021

Submitted by
171 Hamilton LLC
To Greenwich Planning and Zoning Commission
Introduction

171 Hamilton LLC ("Hamilton") submits this Affordability Plan ("Plan") with its application to the Greenwich Planning and Zoning Commission ("Commission") for site plan approval for "The Hamilton", a proposed Mixed-Use Building with the first-floor being retail, with an additional six (6) residential apartments in the three (3) floors above to be located at 171 Hamilton Avenue in Greenwich, Connecticut (the "Community"). This Plan is intended to establish compliance with the Connecticut General Statutes ("C.G.S.") § 8-30g and the State regulations promulgated thereunder.

Under this Plan, thirty percent (30%) of the dwelling units in the Community will meet the criteria for "affordable housing" as defined in C.G.S. § 8-30g. C.G.S. § 8-30g requires that not less than fifteen percent (15%) of the dwelling units be affordable for forty (40) years to families earning sixty percent (60%) or less of the area or State median income, whichever is less ("60% Units"), and that the remainder of the dwelling units in the development be affordable to families earning eighty percent (80%) or less of the area or State median income, whichever is less ("80% Units"). This Plan, which is proposed as a condition of site plan approval by the Commission, satisfies these requirements and describes how the affordable housing dwelling units will be administered.

I. Dwelling Units Designated as Housing Opportunity Units.

The Community is organized and established as "set-aside development" in accordance with the provisions of C.G.S. § 8-30g. Thirty percent (30%) of the dwelling units in the Community, will be restricted as affordable housing pursuant to C.G.S. § 8-30g. The specific apartments designated as affordable housing (to be called "Housing Opportunity Units") are set forth in Schedule A attached hereto.

II. Forty (40) Year Period.

The Housing Opportunity Units in the Community shall be designated as affordable housing units for at least forty (40) years after the initial occupation of the Community. The forty (40) years shall be calculated for each unit and shall begin on the date that of the initial leasing of each such Housing Opportunity Unit. Upon any sale or resale of the property upon which the Community is located, the deed of conveyance shall be subject to a covenant or restriction conforming to the requirements of C.G.S. § 8-30g and the Regulations promulgated thereunder.

III. Pro-Rata Construction and Dispersion.

The Housing Opportunity Units shall be built and offered for rent on a pro rata basis as construction proceeds. It is the intent of this Plan that one (1) Housing Opportunity Unit will be built and offered for rental within the time that three (3) apartments are completed and offered for rental.
IV. **Nature of Construction of Housing Opportunity Units and Market-Rate Homes.**

The Housing Opportunity Units shall be constructed in substantial conformance with the site plans and floor plans approved in the zoning permits for the Community, as may be modified based on the requirements of the Greenwich Building Department or other Town staff in signing off on administrative permits or approvals. The minimum standards and specifications applicable to all dwelling units in the Community are set forth in **Schedule B**, attached and shown on the attached floor plans.

V. **Entity Responsible for Administration and Compliance.**

This Plan will be administered by Greenwich Properties, Inc. or its successors and assigns (the "Administrator"). Greenwich Properties, Inc. hereby represents that its staff has the experience necessary to administer this Plan. The principal point of contact under this Plan shall be Joseph A. Pecora, President of Greenwich Properties Inc., 70 Hamilton Avenue, Greenwich, Connecticut 06830.

The Administrator shall submit annually a written status report to the Greenwich Planning and Zoning Department or its designee. The role of Administrator may be transferred or assigned to another entity, provided that such entity has the experience and qualifications to administer this Plan. In the event of any assignment of the role of Administrator, Greenwich Properties, Inc. or its successors will provide prior written notice to the Greenwich Planning and Zoning Commission.

VI. **Notice of Initial Rental of Housing Opportunity Units.**

Except as provided in Section X of this Plan, during the initial lease-up of the Community, the Administrator shall provide notice of the availability for rental of each Housing Opportunity Unit. Such notice shall be provided, at a minimum, by advertising at least two times in a newspaper of general circulation in the Town of Greenwich. The Administrator shall also provide such notice to the Planning and Zoning Department and to the Town Clerk of the Town of Greenwich. Such notice shall include a description of the available Housing Opportunity Unit(s), the eligibility criteria for potential residents, the maximum rental price (as hereinafter defined), and the availability of application forms and additional information. All such notices shall comply with the Federal Fair Housing Act, 42 U.S.C. §§ 3601 et seq. and the Connecticut Fair Housing Act, C.G.S. §§ 46a-64b et seq. (together, the "Fair Housing Acts").

VII. **Resident Eligibility.**

Eligibility of applicants to lease a Housing Opportunity Unit in the Community shall be determined by the Administrator in accordance with this Plan and C.G.S. § 8-30g as amended through the date hereof, and the income eligibility and rental maximums shall be verified prior to the rental of said unit.

VIII. **Affirmative Fair Housing Marketing Plan.**
The rental of both Housing Opportunity Units and market-rate units in the Community shall be publicized, using State regulations for affirmative fair housing marketing programs as guidelines. 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. The Administrator shall have responsibility for compliance with this section. 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 Administrator shall also provide such notices to the Greenwich Planning and Zoning Department and the local or regional housing authority. Such notices shall include a description of the available Housing Opportunity Unit(s), the eligibility criteria for tenants, and the availability of application forms and additional information.

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

A. Analyzing census, Connecticut Department of Economic and Community Development town profiles, and other data to identify racial and ethnic groups least likely to apply based on representation in Greenwich'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 Greenwich Time and/or radio stations serving Greenwich and other 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 towns represented in Greenwich's metropolitan statistical area and regional planning agency, 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 fifty percent (50%) completion and thereafter at reasonable period intervals with respect to re-rentals.

All notices shall comply with the Fair Housing Acts.
IX. **Application Process.**

A person seeking to rent one of the Housing Opportunity Units ("Applicant") must complete an application to demonstrate eligibility. The application form and process shall comply with the Fair Housing Acts.

A. **Application Form.**

The application form shall be provided by the Administrator and shall include an income certification form. 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 lease commences (the "Lease Begin 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 Administrator 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 annual family income, the Administrator shall use the criteria set forth by HUD and listed on Schedule C, attached.\(^1\)

B. **Applicant Interview.**

The Administrator shall interview an Applicant upon submission of a completed application. Specifically, the Administrator 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. Request 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.

C. **Verification of Applicant's Income.**

\(^1\) See 24 C.F.R. § 5.609. Federal regulations are subject to change, and it is the intent of this Plan to follow HUD regulations with respect to income certification as such regulations may be amended from time to time.
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 Administrator shall require verification of the Applicant's reported income.

If applicable, the Applicant shall provide the documentation listed on Schedule D, attached hereto, to the Administrator. This list is not exclusive, and the Administrator may require any other verification or documentation as the Administrator deems necessary.

A sample rider to the lease agreement for Housing Opportunity Units is attached hereto as Schedule E.

X. Prioritization of Applicants for Initial Rental.

In the event that the number of qualified Applicants exceeds the number of Housing Opportunity Units, then the Administrator shall compile a waiting list, from which Applicants will be selected by lottery process or, at the option of the Administrator and with the approval of the Greenwich Planning and Zoning Office, on a first-come, first-served basis. Hamilton will have preferences for four (4) units in the following order: Tier One equally weighted preference shall be given for Disability and Elderly (62 years or older); Tier Two equally weighted preferences shall be given for Veterans; Tier Three equally weighted preferences shall be given for municipal employees or employees of public or private schools and Those Least Likely to Apply. Tier Four equally weighted preference shall be given for all others.

For purposes of this section, an application shall be considered received when a completed and signed application form is submitted with the application fee. The Administrator shall, from time to time, impose an application fee equal to the Administrator’s actual, out-of-pocket costs and expenses incurred in the process of obtaining and reviewing the application (but excluding any costs or expenses for the Administrator’s profit or internal overhead, such as staff salaries). Selective waivers of said Application Fee will be available to those applicants who are unable to afford said Application Fee.

XI. Maximum Rental Price.

Calculation of the maximum rental price ("Maximum Rental Price") for a Housing Opportunity Unit, so as to satisfy C.G.S. § 8-30g, shall utilize the lesser of the area median income for the Area of Stamford/Norwalk or the Statewide median income as published by HUD as in effect on the day a lease is signed by the lessee of the Housing Opportunity Unit ("Resident"). Such income shall then be adjusted for household size assuming occupancy by 1.5 persons per bedroom and using the adjustment formula adopted by HUD. A sample calculation of the Maximum Rental Price (based upon median income data for FY 2020) is as follows:
## Calculation Process

### ONE BEDROOM RENTAL UNIT FOR FAMILY EARNING LESS THAN 80 PERCENT OF STATEWIDE MEDIAN INCOME

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Sample Computations Based on FY 2021 Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Determine lower of relevant year (2021) area median income for Stamford-Norwalk, CT HMFA ($151,800) or Statewide median income ($102,600), adjusted for family size (family of 4), as published by HUD</td>
<td>$102,600</td>
</tr>
<tr>
<td>2.</td>
<td>Determine adjusted income for a household of 1.5 persons by calculating 75 percent of Item 1</td>
<td>$76,950</td>
</tr>
<tr>
<td>3.</td>
<td>Calculate 80 percent of Item 2</td>
<td>$61,560</td>
</tr>
<tr>
<td>4.</td>
<td>Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing</td>
<td>$18,468</td>
</tr>
<tr>
<td>5.</td>
<td>Divide Item 4 by 12 to determine maximum monthly housing expense</td>
<td>$1,539</td>
</tr>
<tr>
<td>6.</td>
<td>Compare HUD 2021 Fair Market Rents for Stamford-Norwalk, CT HMFA ($1,945) times 120 percent</td>
<td>$1,945</td>
</tr>
<tr>
<td>7.</td>
<td>Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6)</td>
<td>$1,539</td>
</tr>
<tr>
<td>8.</td>
<td>Determine by reasonable estimate monthly expenses for heat and utility costs, excluding telephone and cable television but including any fee required for all tenants (tenant responsible for such expenses)</td>
<td>$122</td>
</tr>
<tr>
<td>9.</td>
<td>Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent</td>
<td>$1,417</td>
</tr>
</tbody>
</table>
ONE BEDROOM RENTAL UNIT FOR FAMILY EARNING LESS THAN 60 PERCENT OF STATEWIDE MEDIAN INCOME

SAMPLE COMPUTATIONS BASED ON FY 2021 DATA

1. Determine lower of relevant year (2021) area median income for Stamford-Norwalk, CT HMFA ($151,800) or Statewide median income ($102,600), adjusted for family size (family of 4), as published by HUD $102,600

2. Determine adjusted income for a household of 1.5 persons by calculating 75 percent of Item 1 $76,950

3. Calculate 60 percent of Item 2 $46,170

4. Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing $13,851

5. Divide Item 4 by 12 to determine maximum monthly housing expense $1,154

6. Compare HUD 2021 Fair Market Rents for Stamford-Norwalk, CT HMFA ($1,621) times 120 percent $1,621

7. Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6) $1,154

8. Determine by reasonable estimate monthly expenses for heat and utility costs, excluding telephone and cable television but including any fee required for all tenants (tenant responsible for such expenses) $122

9. Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent $1,032
# Calculation Process

**TWO BEDROOM RENTAL UNIT FOR FAMILY EARNING LESS THAN 80 PERCENT OF STATEWIDE MEDIAN INCOME**

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Sample Computations Based on FY 2021 Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Determine lower of relevant year (2021) area median income for Stamford-Norwalk, CT HMFA ($151,800) or Statewide median income ($102,600), adjusted for family size (family of 3), as published by HUD</td>
<td>$102,600</td>
</tr>
<tr>
<td>2.</td>
<td>Determine adjusted income for a household of 3 persons by calculating 75 percent of Item 1</td>
<td>$92,340</td>
</tr>
<tr>
<td>3.</td>
<td>Calculate 80 percent of Item 2</td>
<td>$73,872</td>
</tr>
<tr>
<td>4.</td>
<td>Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing</td>
<td>$22,162</td>
</tr>
<tr>
<td>5.</td>
<td>Divide Item 4 by 12 to determine maximum monthly housing expense</td>
<td>$1,847</td>
</tr>
<tr>
<td>6.</td>
<td>Compare HUD 2021 Fair Market Rents for Stamford-Norwalk, CT HMFA ($2,350) times 120 percent</td>
<td>$2,350</td>
</tr>
<tr>
<td>7.</td>
<td>Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6)</td>
<td>$1,847</td>
</tr>
<tr>
<td>8.</td>
<td>Determine by reasonable estimate monthly expenses for heat and utility costs, excluding telephone and cable television but including any fee required for all tenants (tenant responsible for such expenses)</td>
<td>$159</td>
</tr>
<tr>
<td>9.</td>
<td>Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent</td>
<td>$1,688</td>
</tr>
</tbody>
</table>
## TWO BEDROOM RENTAL UNIT FOR FAMILY EARNING LESS THAN 60 PERCENT OF STATEWIDE MEDIAN INCOME

<table>
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<tr>
<th>Step</th>
<th>Description</th>
<th>Result</th>
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<td>$102,600</td>
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<tr>
<td>2.</td>
<td>Determine adjusted income for a household of 3 persons by calculating 75 percent of Item 1</td>
<td>$92,340</td>
</tr>
<tr>
<td>3.</td>
<td>Calculate 60 percent of Item 2</td>
<td>$55,404</td>
</tr>
<tr>
<td>4.</td>
<td>Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing</td>
<td>$16,621</td>
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<tr>
<td>5.</td>
<td>Divide Item 4 by 12 to determine maximum monthly housing expense</td>
<td>$1,385</td>
</tr>
<tr>
<td>6.</td>
<td>Compare HUD 2021 Fair Market Rents for Stamford-Norwalk, CT HMFA ($1,985) times 120 percent</td>
<td>$1,985</td>
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<tr>
<td>9.</td>
<td>Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent</td>
<td>$1,226</td>
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</tbody>
</table>
XII. **Principal Residence.**

Housing Opportunity Units shall be occupied only as a Resident's principal residence. Notwithstanding any zoning, subdivision or other regulation to the contrary, subleasing of Housing Opportunity Units shall be prohibited.

XIII. **Requirement to Maintain Condition.**

All Residents are required to maintain their homes. The Resident shall not destroy, damage or impair the home, allow the home to deteriorate, or commit waste on the home. When a Housing Opportunity Unit is offered again for rental, the Administrator shall cause the home to be inspected.

XIV. **Change of Income or Qualifying Status of Resident.**

In the event that the Resident's income exceeds the maximum income limit, the Landlord shall rent the next available unit to persons or families whose incomes satisfy the affordability requirements of the Property until such property is in compliance. In such case, the Landlord's right to increase at the terminus of the lease period the monthly rent to market shall be conditioned upon the Landlord's furnishing Resident with a notice at least sixty (60) days prior to such increase. See Sec. 8-30h for clarification.

**Sec. 8-30h. Annual certification of continuing compliance with affordability requirements. Noncompliance.** On and after January 1, 1996, the developer, owner or manager of an affordable housing development, developed pursuant to subparagraph (B) of subdivision (1) of subsection (a) of section 8-30g, that includes rental units shall provide annual certification to the commission that the development continues to be in compliance with the covenants and deed restrictions required under said section. If the development does not comply with such covenants and deed restrictions, the developer, owner or manager shall rent the next available units to persons and families whose incomes satisfy the requirements of the covenants and deed restrictions until the development is in compliance. The commission may inspect the income statements of the tenants of the restricted units upon which the developer, owner or manager bases the certification. Such tenant statements shall be confidential and shall not be deemed public records for the purposes of the Freedom of Information Act, as defined in section 1-200.

XV. **Enforcement.**

A violation of this Plan shall not result in a forfeiture of title, but the Greenwich Planning and Zoning Commission shall otherwise retain all enforcement powers granted by the General Statutes, including § 8-12, 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 Administrator to determine compliance of Housing Opportunity Units with this Plan and applicable State statutes and regulations. Such records are confidential and not subject to disclosure under the Freedom of Information Act.

XVI. **Binding Effect.**

This Plan shall be binding on the successors and assigns of 171 Hamilton LLC.
SCHEDULE A
DESIGNATION OF HOUSING OPPORTUNITY UNITS

Total Number of Dwelling units:

Market Rate Apartments  4
Housing Opportunity Units  2
Total 6

Number of Market Rate and Housing Opportunity Dwelling units by Number of Bedrooms:

Six (6) Units:
    Market Rate Units (Two One-Bedroom; Two Two-Bedroom)  4
    Housing Opportunity Units (One One-Bedroom and One Two-Bedroom) 2
                   6

The specific Apartment units to be designated as Housing Opportunity Units will be dispersed throughout the buildings comprising the Community and are identified on the attached floor plans and are as follows:

One 1-Bedroom Unit for Families Earning Less than 60 Percent of Statewide Median Income: One 1-Bedroom: South Side Second Floor shown on attached plans – Subject to change due to availability. For the 1-Bedroom unit, a two-bedroom unit may be substituted for a one-bedroom unit to accommodate more than two persons.

One 2-Bedroom Unit for Families Earning Less than 80 Percent of Statewide Median Income: One 2-Bedroom: South Side 3rd floor unit, shown on attached plans – Subject to change due to availability. For the 2-Bedroom unit, a one-bedroom unit may be substituted for a two-bedroom unit to accommodate no more than two persons.
SCHEDULE B
MINIMUM SPECIFICATIONS FOR ALL RESIDENTIAL APARTMENT HOMES IN THE HAMILTON COMMONS COMMUNITY

Foundation
3,000 psi concrete foundation walls.
4" slab 3000 psi concrete.
Polystyrene rigid insulation below slabs and foundation.

Framing
2" x 10" Floor Joists.
¾" T & G subfloor.
2" x 6" SPF #2 or better exterior wall.
7/16" Zip Sheathing w/ tape.
2" x 4" SPF #2 or better interior walls.
5/8" type X fire code gypsum wallboard.
5/8" CDX roof sheathing.
R-21 fiberglass batt thermal insulation.

Roof
Flat Rubber Bitumen pitched and insulated to Code

Gutter
Scuppers/Gutters/Roof Drains to code
Leaders piped underground.

Siding
Zip System.
Dryvit and brick (brick maybe substituted for less expensive material that mirrors the finish of brick).

Exterior Trim
Dryvit or stucco or equal around Windows & Doors

Window
Anderson 200 Series (or equal) Casement, argon filled glazing.
Sizes, grills & screens according to plans.

Entry Doors
3/0 x 6/8 insulated Therma Tru or Better Doors in the rear by elevator. First Floor Entry Door sizes according to plans.

Interior Trim
Picture Frame 1" x 4" Pine around Windows & Doors painted white.
Two panel solid core Masonite painted doors.
Lever-Style door hardware.

Internal Stair
9" Oak Tread with 1 ¼" Nosing.
Hardwood or metal handrail mounted with metal brackets.

Finishes
Living areas & Bedrooms: Vinyl Resilient Wood floor system.
Kitchen: Vinyl Resilient Wood flooring system.
Bathroom: Ceramic tile.
Paint Finishes:
Walls - Three coat latex paint, off-white.
Ceiling - Three coat latex paint, white.
Interior Trim - Three coat latex paint, white.

Accessories
Wire vented or wood shelf and pole in closets.
Bath package: towel bar or hook, towel ring or hook, shower rod and white curtain and white liner, toilet paper holder.
All Type B Units will have Grab Bars to Code.

Cabinets
White solid wood, concealed, self-closing hinges, shaker-style/recessed shaker wood doors, stone countertops.

Appliances
GE Dishwasher GLDT690J or GLDT696J
GE Microwave Hood JVM7195SK/EK vented.
GE Range JGB450REK
GE Refrigerator GTE21GSH
Summit WasherDryer Combo SPWD2200W
All Appliances are subject to availability.

HVAC
Carrier 24ACC618 Condensing Unit.
Carrier 59TP6A Gas Furnace.
Carrier CNPHP Evaporator Coil.
Honeywell Model Pro 4000 (TH411) programmable thermostat.
All Equipment is subject to availability.

Plumbing
Kitchen:
K-3822-4-NA Stainless Steel Vault Single Basin Sink.
K-8801-VS Stainless Steel Duo-Strainer.
Bathroom:
One-piece Granite sink top.
Americast Undermount China Bowl Sink.
Delta Lahara 2538 Single Lever Faucet.
AO Smith Gas Fired Tankless Instant Hot Water Heater.
60" Reinforced fiberglass tub shower ADA compliance 2603sme per floor plans.
Elongated 1.6 GPF toilet – American Standard.
Supply lines: Separately Metered cross linked Pex Tubing.
DWV Schedule 40 PVC pipe.
All Plumbing Fixtures are subject to availability.

Fire Sprinkler
NFPA 13 System, subject to change.
CPVC Piping System.
Ceiling Mount: Concealed Head.
Wall Mount: Pendant head.
Fire Alarm System including Wired Smokes and CO2 Detectors per Code.
**Electric**
100 AMP service for 1-Bedrooms, Circuit breakers: 24 max.
125 AMP service for 2-Bedrooms, Circuit breakers: 24 max.
Receptacles and GFI's per code.
Bathroom:
  One Ceiling Mounted Exhaust Light Fan.
  One Sconce Light Fixture above Mirror.
  One Recessed LED Light above Shower.
Bedroom:
  One Ceiling Mounted Light Fixture.
  One TV and One Telephone Receptacle.
Kitchen/Family Room:
  Recessed LED Lights.
  One TV and Two Telephone Receptacles.
Breakfast Area:
  One Ceiling Mounted Light Fixture, subject to change.
Outdoor Lights:
  Recessed LED Lights.

**Utilities**
Pre-wired telephone, cable, and internet
Electric/Gas/Water: Individually metered.

**Site**
Parking Lot: Pervious Asphalt Paving or Pavers per plan
Sidewalks (Material TBD) WWF reinforced over 6 mil vapor barrier.
Eleven Total Parking Spaces:
  One parking space per dwelling unit or two if available parking spaces exist
  under the open parking system, managed with parking permits.
  One Visitor parking spaces with an open parking system, managed with
  parking permits.
  One handicap parking space.
One Centralized Refuse & Recycling Container as shown on the Plan.
Centralized Mailboxes.
Once Centralized Bike Rack for total of three bicycles.

Upgrades of any of the above specifications prior to or during construction shall be applied in a
uniform manner for all residential apartments in the Hamilton Heights Community.

Upgrades after full occupancy shall be made at the appropriate time that the unit is vacant and
available to be upgraded.
SCHEDULE C
DEFINITIONS AND ELEMENTS OF ANNUAL FAMILY INCOME

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 or grant 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, except combat pay as in 2.h, below;

   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 (including foster children);

b. Payments received for the care of foster children or foster adults;

c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses;

d. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses 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. Income of a live-in aide, as defined in 24 C.F.R. § 5.403;

h. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

i. Temporary, nonrecurring or sporadic income (including gifts that are not regular or periodic);

j. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

k. Earnings more than $480 for each full-time student 18 years old or older (excluding the head of household and spouse);

l. Adoption assistance payments more than $480 per adopted child;

m. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts;

n. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

o. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; and
p. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits.

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 D
DOCUMENTATION OF INCOME

The following documents shall be provided, where applicable, to the Administrator 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) 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) 1099 forms and 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 Administrator should meet with the SSA office supervisor. If the supervisor refuses to complete the verification forms in a timely manner, the Administrator may accept a check or automatic deposit slip as interim verification of Social Security or SSI benefits if 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 government assistance the Applicant is now receiving, including but not limited to assistance under the federal Section 8 program, and any changes in such 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 Administrator 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:
       Schedule C (Small Business)
       Schedule E (Rental Property Income)
       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 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.

(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 check 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.


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) Real estate tax statements if tax authority uses approximate market value.
(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") For Two Years Preceding Lease Begin Date.**

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

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

(ii) The date Applicant disposed of the assets;

(iii) The amount the Applicant received; and

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

11. **Savings Account Interest Income and Dividends.**

(a) 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 Administrator 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 enough credits to be considered a full-time student by the school.
SCHEDULE E
SAMPLE LEASE RIDER FOR HOUSING OPPORTUNITY UNITS

RIDER TO THE LEASE AGREEMENT
FOR HOUSING OPPORTUNITY APARTMENTS (80%)*

1. TERM & PROVISIONS

The annexed Lease Agreement for a Housing Opportunity apartment home is for a term of at least one (1) year.

This apartment is being rented as an "affordable housing unit" as defined by Section 8-30g of the Connecticut General Statutes, and is to be rented at or below the lesser of eighty percent (80%) of the area median income for Stamford/Norwalk or eighty percent (80%) of the State Median Income as determined by the U.S. Department of Housing and Urban Development ("HUD"). (Rates are determined on an annual basis.) This development has been approved by the Greenwich Zoning Commission based in part on the condition that a defined percentage of dwelling units will be rented as affordable housing dwelling units. The Landlord is required by law to strictly enforce these restrictions.

2. INCOME LIMITS

Prior to the commencement of the lease term, resident must provide Landlord with a copy of his or her most recently filed Federal Income Tax Return (Form 1040 or 1040A) or any other proof requested or allowed by law for the purpose of verifying income. Resident must certify that such proof is true and accurate and that the total annual income of all the members of Resident's family who will occupy the apartment subject to this lease does not exceed the amount set forth below which applies to the number of persons in Resident's family who will be residing in the subject apartment:

FAMILY SIZE:

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3. MAXIMUM RENTS

Notwithstanding anything in the Lease Agreement to the contrary, the total rent for the affordable housing dwelling units shall not exceed the amounts set forth below:

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* A similar Rider will be used for the 60% affordable income apartments.
MAXIMUM RENT ACTUAL RENT
(Less a Utility Allowance)

1 bedroom:

Annual $______________
Monthly $______________ $______________

2 bedrooms:

Annual $______________
Monthly $______________ $______________

4. UTILITY ALLOWANCE

The monthly rent for an affordable rental unit includes a monthly allowance for utilities, which are heat, hot water, electricity, trash but excluding telephone and cable television. Heat and utility costs are calculated by a reasonable estimate.

5. CERTIFICATION OF INCOME

Prospective residents will be required to fill out an application form containing detailed instructions for calculating their family income and allowing the Administrator to verify the information. Applicants will be required to sign a verification of their review and understanding of the income maximums, the penalties for false information, and the applicable procedures if their income increases at some future time above the allowable maximum. Applicants will also be required to provide appropriate documentation to verify their income. Incomes of resident(s) in each Housing Opportunity Unit will be re-verified annually at the time of the lease renewal.

This Agreement shall terminate, and the Resident may be evicted for failure to qualify, if the Resident has falsely certified family income or family composition. Such false certification constitutes material noncompliance under the Lease Agreement. Resident is obligated to provide such subsequent re-certification of income as the Landlord shall require.

The Town of Greenwich will be entitled to inspect the income statements of the residents of the Housing Opportunity Units upon which the Administrator bases the certification.

6. CHANGE OF INCOME

In the event that a Housing Opportunity unit resident's income changes so as to exceed the qualifying maximum or if the resident otherwise becomes disqualified, such resident must provide notice to the Landlord's representative within thirty (30) days of the disqualification. Upon being disqualified, such resident, following the procedures set forth below, shall have the option to vacate the unit upon Lease expiration or to remain in the apartment home and sign a market rate lease and pay market rate for the apartment.

7. Change of Income or Qualifying Status of Resident.
In the event that the Resident's income exceeds the maximum income limit, the Landlord shall rent the next available unit to persons or families whose incomes satisfy the affordability requirements of the Property until such property is in compliance. In such case, the Landlord's right to increase at the terminus of the lease period the monthly rent to market shall be conditioned upon the Landlord's furnishing Resident with a notice at least sixty (60) days prior to such increase. See Sec. 8-30h for clarification.

Sec. 8-30h. Annual certification of continuing compliance with affordability requirements. Noncompliance. On and after January 1, 1996, the developer, owner or manager of an affordable housing development, developed pursuant to subparagraph (B) of subdivision (1) of subsection (a) of section 8-30g, that includes rental units shall provide annual certification to the commission that the development continues to be in compliance with the covenants and deed restrictions required under said section. If the development does not comply with such covenants and deed restrictions, the developer, owner or manager shall rent the next available units to persons and families whose incomes satisfy the requirements of the covenants and deed restrictions until the development is in compliance. The commission may inspect the income statements of the tenants of the restricted units upon which the developer, owner or manager bases the certification. Such tenant statements shall be confidential and shall not be deemed public records for the purposes of the Freedom of Information Act, as defined in section 1-200.

8. LANDLORD'S RIGHT TO REASSIGN PREMISES

Whereas the monthly rent for this unit is calculated on the basis of the number of bedrooms in the unit, Resident may, during the term of the Lease, be reassigned to different premises if an increase or decrease in the number of Resident's family members residing in the apartment warrants such a change under applicable statutes and regulations. In the event of such reassignment, Resident's monthly rent shall be based upon the size of the unit occupied for the remaining Lease term.

9. NO SUBLETTING OR ASSIGNMENT

Subletting of Housing Opportunity units shall be prohibited. In addition, the Housing Opportunity unit shall be occupied only as the Resident's principal residence.

10. RESTRICTIONS ON USE

No portion of the residence may at any time during the term of this Agreement be used on a transient basis, for example, as a hotel, motel, dormitory, fraternity house, sorority house, rooming house, hospital, nursing home, sanitarium, or rest home.

11. ACCESS TO COMMON FACILITIES
Residents shall be given equal access with all other Residents, at an equal charge if any, to all on-site and all off-site common facilities of the Community. The Landlord shall ensure that handicapped or disabled individuals are afforded equal access to all facilities of the Community.

12. INTERPRETATION

Unless otherwise indicated, the terms used herein shall have the same meaning ascribed to them in the main body of this Lease Agreement. This rider shall control any conflict between terms herein and the Lease Agreement.

13. PROCEDURES FOR INITIAL DESIGNATION AND LEASING OF HOUSING OPPORTUNITY UNITS

Attached to this Lease Agreement is the developer's initial designation of the units that shall be rented as Housing Opportunity units. These units shall remain vacant until a qualified family is found.

In the event that the development is fully leased, and the development contains the minimum number of Housing Opportunity units containing income-qualified families, if one of the families occupying these units vacates voluntarily or otherwise, this unit will be kept vacant until another qualified family is found.
RIDER TO THE LEASE AGREEMENT
FOR HOUSING OPPORTUNITY UNITS

IN WITNESS WHEREOF, the parties hereto have executed this Rider to the Lease Agreement on the _________________ day of ___________________________ Year _____________.

RESIDENT:

_____________________________________________________________________

_____________________________________________________________________

PRINT NAME

_____________________________________________________________________

PRINT NAME

_____________________________________________________________________

LANDLORD:

_____________________________________________________________________

PRINT NAME

DATE