



Berlin Land Trust, Inc.

December 9, 2020

To: Peter D'Addeo, CCIM
Commercial Services Realty
156 New Britain Avenue
Rocky Hill, CT 06067
Email: pdaddeo@ccimcsr.com

Town of Berlin
Received

DEC 09 2020

Planning & Zoning Department
Berlin, CT 06037

Dear Peter:

Re: 404 Berlin Turnpike, Berlin, Connecticut

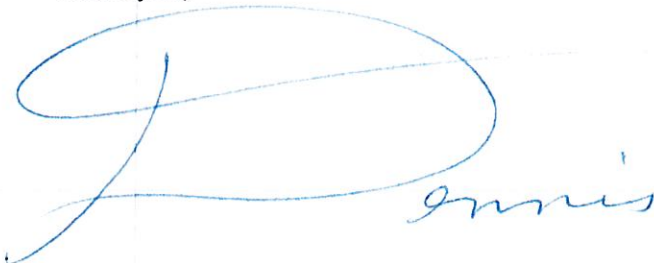
At its meeting on December 7, 2020 the Board of Directors Berlin Land Trust, Inc. ("BLT") agreed to accept the donation of approximately nineteen (19) acres of open space land as part of the 404 Berlin Turnpike Development, subject, however, to the following conditions:

1. Owner shall proffer BLT a Warranty Deed for the parcel and the appropriate conveyance tax returns.
2. All pending municipal taxes on the open space parcel on the list of October 1, 2020, and, if necessary, October 1, 2021 shall be paid in full by the Owner. BLT will be held harmless from the payment of any such taxes.
3. Access to the Open Space area shall be shown on the final site plan map and be protected by an appropriate covenant establishing the access. This right of access shall be noted in the Warranty Deed and insured in the owner's title insurance policy.
4. BLT shall receive at no cost an owner's title policy in an amount no less than Fifty Thousand and 00/100 (\$50,000.00) Dollars for the open space parcel.

5. The developer and all subsequent owners agree to mark the open space area as conserved land owned by BLT by posted signs. These signs are to be spaced about two hundred (200') feet apart on the development side of the parcel and about three hundred (300') feet apart on the other three sides. These signs are to be maintained in perpetuity by the successive owners of the premises. Again, this covenant shall be placed in the Warranty Deed.

6. The surveyor for the development shall certify to BLT that all corners of the open space have been pinned and shall provide BLT with a description of the property, which description shall be used in the deed.

Thank you,



Dennis L. Kern
DLK/tt
Copy: Maureen Guisti, Berlin Town Planner
Jim Mahoney
Berlin Land Trust, Inc. Board of Directors

Town of Berlin
Received

DEC 09 2020

Planning & Zoning Department
Berlin, Connecticut

November 16, 2020
Updated Inland Wetlands (November 20, 2020)
Updated Berlin Water Control (November 25, 2020)
Updated December 2, 2020 (Board of Education)
Updated December 9, 2020 (Fire Marshal)

TOWN OF BERLIN

PLANNING & ZONING DEPARTMENT - STAFF COMMENTS

APPLICATION: Special Permit/Site Plan
APPLICANT: BT 2008, LLC – Peter D’Addeo, Managing Member
LOCATION: 404 Berlin Turnpike
AGENDA: December 3, 2020

To the Applicant:

- *These are the comments received to date, additional comments may be forthcoming. Please submit any written response to Maureen Giusti, Acting Town Planner/Zoning Enforcement Officer at mgiusti@town.berlin.ct.us or revised plans directly to the Planning & Zoning Department in Room 121. We will forward your comments or distribute materials to the relevant department.*

Police Chief

- See Attached

Board of Police Commissioners

- See Chief’s comments

Health District

- 1) Demo permit required for existing building.
- 2) Must contact DPH Pool Division for review and approval. Pool will be licensed with the Central Connecticut Health District
- 3) Must submit a plan of retail store to Central Connecticut Health District with equipment specifications, food that will be offered.
- 4) Submit plan of hotel to Central Connecticut Health District – kitchen? – must be licensed with the Central Connecticut Health District.

Building Official

- See Attached

Inland Wetlands

IWWCC Permit Granted on October 6, 2020

Berlin Water Control

We are concerned with providing water service off our 20” concrete pressure pipe. We are working with the Realty Firm and Engineer. No resolution at this time. We are considering replacing existing main with a new one and may agree to some kind of cost sharing agreement.

Board of Education

No comment

Fire Marshal

- Show proposed fire hydrant location

Emailed to Applicant: December 9, 2020

BERLIN POLICE DEPARTMENT

Officer Thomas Bobok - Traffic Bureau
Email: tbobok@Berlinpd.org Phone: 860-828-7082

11/11/2020

To: Chief Klett

From: Officer Tom Bobok

fm #239

Re: 404 Berlin Turnpike

I have reviewed the information you forwarded regarding the proposed development at 404 Berlin Turnpike. The plans call for ample and adequately marked handicapped parking spaces in the non-residential areas of the development. There are no concerns on behalf of the Traffic Bureau.

11/6/2020

Comments on P&Z application for 404 Berlin Turnpike

Mixed-Use Development

Upon approval for permitting,

Due to size and scope of project, this will require a third-party Plan Review for Code compliance by a Certified Firm or Individual approved in advance by the Town of Berlin Building Official and or their designees.

All plans submitted must be complete sets, with M.E.P. plans, Fire protection suppression etc. All must be stamped and approved by all professionals, Architects, Engineers and any other professional deemed necessary.

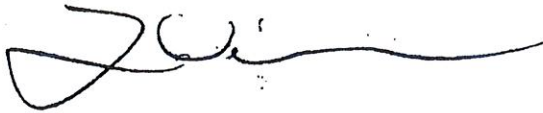
Complete statement of Special Inspections, List of firms to be used for Special Inspection for approval.

Complete Soil/ Geotechnical Investigations tests of site. Site specific locations identified and tested per structure locations. Including soil types, compaction results etc.

All requested and required items are at no expense to the Town of Berlin are the responsibility of the applicant.

All comments are based upon and supported by the 2018 CT State Building Code, Pursuant to section 29-252 of the Connecticut General Statutes. Adopted and Referenced Publications ICC 2015 Code Family with 2107 NEC and 2009 ICC/ANSI A117.1

Town of Berlin Building Department

A handwritten signature in black ink, appearing to be 'J. C.', followed by a long horizontal line.

Jan/13/21 - Update



TOWN OF BERLIN
SOCIAL & YOUTH SERVICES DEPARTMENT
240 KENSINGTON ROAD
BERLIN, CT 06037

Expected
from
Social
Services

Director
Doug Truitt
Social Worker
Jaymee Miller

November 13, 2020

Comments on 404 Berlin Turnpike Housing Affordability Plan

As the Director of Social & Youth Services for the Town of Berlin, I would like to submit the following comments regarding the proposed Affordable Housing Development at 404 Berlin Turnpike.

- 1) The need for affordable rental housing – According to data from the Census Bureau, Berlin has a higher percentage of owner-occupied housing than any of the surrounding towns. Today as I'm writing this, Realtor.com is showing the median price of currently listed homes in town as \$309,900. Young people looking to start a family here, aging persons looking to down-size, and families seeking alternate housing due to divorce or economic distress, all face difficulty finding affordable housing that would enable them to continue living in Berlin.

	Berlin	Southington	Newington	Cromwell	Rocky Hill	Meriden	Middletown	New Britain
Owner-occupied housing unit rate 2014-2018	85.2%	82.7%	77.3%	76.5%	64.4%	58.8%	52.9%	41.1%

Source: <https://www.census.gov/quickfacts/fact/table/US/HSG445218>

- 2) Types of housing needed – With such a high percentage of owner-occupied housing, we have a deficit in all categories of rental housing. My observation from working for the town for over thirty years is that our most significant deficit is affordable housing for families. The majority of the deed restricted housing in Berlin is age restricted, so I consider it a plus that this proposal isn't. Another need I see is housing that is suitable for the long-term residents of the aging motels on the Berlin Turnpike. As the motels slowly go away, the housing need increases. These residents tend to be on fixed incomes or low-wage workers. Some of them have been in those motel rooms for over 20 years. A housing development like the one proposed could help address these needs by including 3-bedroom apartments for families, and additional studio apartments to help offset the decrease in motel rooms. I don't know whether it's possible to make that kind of change to this proposal, but I believe that doing so would better address town needs, and it should be possible to do it in a way that is balanced and revenue neutral.
- 3) Location – In terms of access to pharmacies, groceries, retail shops, and transportation, 404 Berlin Turnpike appears to be at least as good as the existing affordable developments in town.

- 4) Maximum rental calculations – The sample rent computations included in the proposal are not in compliance with the State of Connecticut regulations promulgated by the Department of Economic and Community Development.
- The rent computations in the proposal assume 1.5-person occupancy for the studio apartments, the same as the 1-bedroom units. Sec. 8-30g-8 of the State regulations states “*Step 2. Adjust median income identified in Step 1 by family size by assuming that 1.5 persons will occupy each bedroom of an affordable unit, except in the case of a studio or zero-bedroom unit, in which case 1.0 person shall be assumed.*” The proposal should include a separate rent computation sheet for the studio apartments, where step 2 calculates 70% of the median income, not 75%.
 - In step 6 of the rent computation sheet **for the studio and 1-bedroom units, the proposal is using HUD’s 2-bedroom Fair Market Rent** for our region. I haven’t been able to determine where the Fair Market Rent number for the 2-bedroom computations came from. HUD publishes annual Fair Market Rents for each region **by number of bedrooms**. The 2020 HUD Fair Market Rents for Berlin are: Efficiency - \$801, 1-Bedroom - \$993, 2-Bedroom - \$1,230.
https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2020_code/2020summary.odn?cbsasub=METRO25540M25540&year=2020&fmrtype=Final&dallas_sa_override=TRUE
- The proposal should be revised to include a sample rent computation sheet for each apartment type, assuming 1.0-person occupancy for the studio apartments, and using the current HUD Fair Market Rents for each apartment type. The actual maximum rents would be revised annually using up-to-date figures from HUD.
- 5) Utilities – I’ve done a quick review of the heating and utility costs in two affordable developments in town that were built within the past 10 years. Assuming energy efficient construction, the figures used in the sample computation sheets appear to be a fair estimate of current costs. I would suggest that the proposal include some description of the method that will be used each year to estimate these costs.

Thank you for the opportunity to provide my input.

Respectfully,



Doug Truitt, MCW
Director of Social & Youth Services



Director
Doug Truitt
Social Worker
Jaymee Miller

TOWN OF BERLIN
SOCIAL & YOUTH SERVICES DEPARTMENT
240 KENSINGTON ROAD
BERLIN, CT 06037

Town of Berlin
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JAN 14 2021

Planning & Zoning Department
Berlin, Connecticut

January 14, 2021

Comments on the revised (11/20/2020) 404 Berlin Turnpike Housing Affordability Plan

As the Director of Social & Youth Services for the Town of Berlin, I would like to submit the following comments and concerns regarding the revised proposal for an Affordable Housing Development at 404 Berlin Turnpike.

In the revised proposed plan for 404 Berlin Turnpike, Page 4, section IX Maximum Rental Price (attached Exhibit 1) does not comply with the State of Connecticut Affordable Housing Regulations, Section 8-30g.

- a. The proposed plan states "a studio apartment is calculated as a one-bedroom unit". Sec. 8-30g-8 of the State regulations defining the formula for calculating maximum allowed rents states "*Step 2. Adjust median income identified in Step 1 by family size by assuming that 1.5 persons will occupy each bedroom of an affordable unit, **except in the case of a studio or zero-bedroom unit, in which case 1.0 person shall be assumed.***"
- b. The sample computations supplied in the same section of the proposal do not implement the formula for determining maximum allowed rents as defined in section 8-30g of State regulations. I've attached a page (Exhibit 2) showing how the formula in 8-30g would be applied for a development like the one proposed, using HUD figures available as of January 2021

Calculating the maximum rents for studio apartments as if they were one-bedrooms, and not fully implementing the maximum rent formula in 8-30g, would result in the "Affordable" units in the proposed development not being countable when determining whether Berlin meets the 10% affordable housing exemption threshold.

Thank you for the opportunity to provide my input.

Respectfully,

Doug Truitt, MCW
Director of Social & Youth Services

VIII. Prioritization of Applicants for Initial Rental.

In the event that the number of qualified Applicants exceeds the number of Mixed Income Units, then the Administrator shall compile a waiting list, from which Applicants will be selected on a first-come, first-served basis. For purposes of this section, an application shall be considered received when a completed and signed application form is submitted with the applicable application fee.

IX. Maximum Rental Price.

Calculation of the maximum rental price ("Maximum Rental Price") for a Mixed Income Unit, so as to satisfy Section VIII-H-8-a of the Regulations, shall be calculated as follows (a studio apartment is calculated as a one-bedroom unit):

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

**SAMPLE
COMPUTATIONS BASED
ON FY 2021 DATA**

- | | |
|---|----------|
| 1. Determine lower of relevant year (2021) area median income for Hartford-West Hartford-East Hartford, CT HMEFA (\$97,400) or statewide median income (\$99,700) | \$97,400 |
| 2. Calculate 80 percent of Item 1 | \$77,920 |
| 3. Calculate 30 percent of Item 2, representing maximum portion of a family's income that may be used for housing | \$23,376 |
| 4. Divide Item 3 by 12 to determine maximum monthly housing expense | \$ 1,948 |

**Town of Berlin
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JAN 14 2021

**Planning & Zoning Department
Berlin, Connecticut**

Exhibit 2: Based on HUD figures available as of January 2021, to be compliant with Section 8-30g¹ of the State of Connecticut Affordable Housing Regulations, the maximum monthly payment for a rental unit in Berlin Connecticut for a household earning eighty percent of the median income or less is determined as follows:

1	Determine area median income (\$97,400) ² and the statewide median (\$99,700) ³ as published by the U.S. Department of Housing and Urban Development for the subject municipality, and use the lesser of these figures	\$97,400 (family of 4)		
2	Adjust median income identified in Step 1 by family size by assuming that 1.5 persons will occupy each bedroom of an affordable unit, except in the case of a studio or zero-bedroom unit, in which case 1.0 person shall be assumed.	Studio (MI X 70%)	1-Bedroom (MI X 75%)	2-Bedroom (MI X 90%)
		\$68,180	\$73,050	\$87,660
3	Calculate eighty percent (80%) of Step 2	\$54,544	\$58,440	\$70,128
4	Calculate thirty percent (30%) of Step 3, representing that portion of household income deemed to be used for housing costs	\$16,363	\$17,532	\$21,038
5	Divide Step 4 by twelve (12) months to determine the maximum monthly housing payment	\$1,364	\$1,461	\$1,753
6	Determine the fair market rent for a unit with the same number of bedrooms in the subject municipality as published by the U.S. Department of Housing and Urban Development ⁴	\$900	\$1,100	\$1,360
7	Multiply the U.S. Department of Housing and Urban Development fair market rent as determined in Step 6 by one hundred twenty percent (120%)	\$1,080	\$1,320	\$1,632
8	The maximum monthly housing payment for occupants of the subject rental unit shall be the lesser of the calculations in Steps 5 and 7	\$1,080	\$1,320	\$1,632
9	Determine by reasonable estimate monthly expenses for heat and utility costs for which the tenant is directly responsible	TBD	TBD	TBD
10	Deduct the estimate of tenant-paid utilities and fees determined in step 9 from the maximum monthly housing payment in Step 8, which will result in the maximum amount that the developer/owner may charge for this rental unit as the monthly contract rent			

Tenant's estimated heat and utility costs for the proposed development need to be determined in order to complete this worksheet. The HUD figures are updated annually, and future maximum rents would be adjusted accordingly.

¹State of CT Regulations 8-30g https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_8Subtitle_8-30g_HTML

²Area Median Income https://www.huduser.gov/portal/datasets/il/il2020/2020summary.odn?states=9.0&data=2020&inputname=METRO25540M25540*0900304300%2BBerlin+town&stname=Connecticut&statefp=09&year=2020&selection_type=county

³Statewide Median Income https://www.huduser.gov/portal/datasets/il/il2020/2020summary.odn?inputname=STLT*0999999999%2BConnecticut&selection_type=county&stname=Connecticut&statefp=09.0&year=2020

⁴Fair Market Rent in 06037 https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2021_code/2021zip_code_calc.odn?zcta=06037&metro_code=METRO25540M25540&year=2021

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Berlin, Connecticut