



TOWN OF OXFORD

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

Planning & Zoning Commission

TOWN OF OXFORD PLANNING & ZONING COMMISSION

NOTICE OF HEARING

The Planning & Zoning Commission of the Town of Oxford, Connecticut will hold a Public Hearing during its Regular Meeting on, **Tuesday, December 18, 2018** at 7:30 PM on the following applications:

Z-18-270 [RGCD] – Riggs Street, “Timberlake Apartments at Oxford Greens” – Owner & Applicant: Timberlake Investment Partners V, LLC
(Proposed Text Amendment to Article 5A – Residential Golf Community District)

Z-18-271 [RGCD] – Riggs Street “Timberlake Apartments at Oxford Greens” – Owner & Applicant: Timberlake Investment Partners V, LLC
(Site Plan for 197 multi-family housing units pursuant to CGS §8-30g)

The Public Hearing will be held in the Main Meeting Room of the S.B. Church Memorial Town Hall located at 486 Oxford Road, Oxford, Connecticut.

At the meeting, interested persons may be heard; and written communications received. A copy of the proposed applications are available for public viewing in the Town Clerk's Office and the Planning & Zoning Department located at 486 Oxford Road, Oxford, Connecticut

Dated at Oxford, Connecticut, this 23rd day of October 2018.

PLEASE PUBLISH on December 7, 2018 and December 14, 2018.

BY: Jessica Pennell
Planning & Zoning Coordinator

18 NOV 27 AM 11:50
TOWN OF OXFORD, CT
TOWN CLERK
Shirley H. West

received
10/10/18 JP

Christopher J. Smith
Phone: (860) 251-5606
Fax: (860) 251-5318
cjsmith@goodwin.com

October 9, 2018

Hand Delivery

Arnold Jensen, Chairman
Planning & Zoning Commission
Oxford Town Hall
486 Oxford Road
Oxford, CT 06478

Re: Two-part application for: (1) zone text amendment to create a new age restricted, rental housing use, with an affordable component, in the Residential Golf Community District; and (2) application for site plan approval to permit a one hundred and ninety-seven (197) multi-family unit residential community on Residential Area No. 6, currently part of real property located on Riggs Street, Oxford, Connecticut, and designated by Oxford Assessor's Map 32-33; Block 10-11; and Lot 2 1 ("subject property"). (This two-part application is referred to collectively as "application".)

Applicant / owner: Timberlake Investment Partners V, LLC ("Owner").

Both of the above-referenced zoning applications are submitted pursuant to and in compliance with the provisions of Section 8-30g of the Connecticut General Statutes, "Affordable Housing Land Use Appeals Procedure."

Dear Chairman Jensen and Members of the Commission:

The undersigned firm represents Timberlake Investment Partners V, LLC ("Owner") concerning the above-referenced application. The application pertains to real property located on Riggs Street, and known as Phase 8 within the Oxford Greens Community in Oxford, Connecticut ("subject property"). The subject property is currently undeveloped. The proposal is to construct a one hundred ninety-seven (197) unit residential community on the subject property. The new residential community will have an affordable housing component, as provided by Section 8-30g of the Connecticut General Statutes ("Section 8-30g"). This affordable housing component will provide housing opportunities for mixed-income families. The new residential community will also be subject to an age-restriction, as provided in the existing Residential Golf Community District.

I. Overview:

A. The Proposal:

The subject property comprises approximately 51 acres, and is located within the Residential Golf Community District ("RGC").

The property is undeveloped and has access to public water and public sewer. The sewer discharges into the Town of Oxford municipal sewer system. There is adequate sewer capacity to serve the proposed residential community.

The proposed multi-unit residential community will have seven (7) efficiency apartments, seventy-eight (78) one bedroom apartments, and one hundred and twelve (112) two bedroom apartments. The community includes recreation areas and a community swimming pool. There are 320 parking spaces provided, 215 of which will be covered.

The proposed community comprises rental units. The community will have an internal driveway system with full service access on a public street. The community's internal driveway and parking system will be private.

The regulated activities associated with this proposal have been approved by the Inland Wetlands and Watercourses Commission of the Town of Oxford, Connecticut.

The subject property is not located in a public water supply watershed or aquifer protection area. No portion of the subject property is within five hundred feet of the boundary of an adjoining municipality. No significant portion of the traffic relating to the proposed development will use streets within an adjoining municipality to enter or exit the site. No significant portion of the sewer or water drainage from the site will flow through and significantly impact the drainage or sewerage system within an adjoining municipality. No water runoff from the improved site will impact streets or other municipal or private property within an adjoining municipality.

The proposal includes an affordable housing component, as provided by Section 8-30g. The proposal provides that thirty percent (30%) of the total number of units (sixty units) will qualify as affordable housing, as provided by Section 8-30g. Specifically, the proposal provides for thirty (30) units to be offered at rental prices that will preserve the housing for which persons and families pay thirty (30%) percent or less of income, where such income is less than or equal to eighty (80%) percent of the median income, as defined by Section 8-30g. Thirty (30) units will be offered at rental prices that will preserve the housing for which persons and families pay thirty (30%) percent or less income, where such income is less than

or equal to sixty (60%) percent of the median income, as defined by Section 8-30g. These rental prices target families with incomes comparable to many of Oxford's municipal and board of education employees. There will be restricted deed covenants to ensure that these dwellings are rented at such prices. The deed covenants will restrict these dwellings for a total of forty years, as provided by Section 8-30g. For purposes of this proposal, the deed restricted dwellings are referred to as "mixed income units." This affordable housing component results in greater housing opportunities for the citizens of Oxford.

B. Affordable Housing Need:

Section 8-30g of the Connecticut General Statutes, Connecticut's Affordable Housing Land Use Appeals Act, has been in place for more than 20 years, and during that time has served on a model for zoning approvals for mixed income development under the Act. This model has been used successfully across the state in municipalities, including Bethany, Oxford, Milford, Madison, Wallingford, Darien, Avon, Monroe, New Milford, Newtown, Norwalk, Orange, Ridgefield, Simsbury, Westport, Hamden, Fairfield and Wilton.

This proposal involves: (1) provision for the adoption of a new age restricted rental housing use, with an affordable component, in the Residential Golf Community District; and (2) site plan approval for the development. This two-part application process ensures that the site development plan is governed by a clear set of land use and dimensional regulations.

The proposed regulation includes provision for administrative rules for the apartments that will be subject to long-term rent restrictions, and these rules are spelled out further in an accompanying Housing Affordability Plan.

It should be noted that the text amendment only applies to properties within the Residential Golf Community District.

The Town of Oxford, like other municipalities in the region, has an acute need for more housing, in particular rental housing, that is available to moderate income households.

Although the so-called "Ten Percent List," maintained by the Connecticut Department of Housing ("DOH") to identify which municipalities are permanently exempt from General Statutes § 8-30g, is not strictly speaking a measure of housing need, it is an indication of a municipality's lower-cost housing stock relative to other municipalities in the state. Oxford has approximately 4,746 dwellings. Only 71 dwellings, or 1.50% of the total number of dwellings in Oxford, qualify as governmentally assisted or deed-restricted in compliance with § 8-30g (as depicted on the 2017 Affordable Housing Appeals List, which is attached hereto as Exhibit A). Oxford's affordable housing supply falls far short of the ten percent exemption threshold.

II. The subject two-part land use application proposal:

A. Proposed text amendment to permit residential rental housing, with an affordable component, in the Residential Golf Community District ("RGCD"):

Oxford's current Zoning Regulations do not permit the proposed residential community. Therefore, the Owner proposes a zone text amendment that provides for a new age restricted rental housing use, with an affordable component, in the Residential Golf Community District. The intent of the proposed text amendment is to permit affordable housing opportunities for the citizens of Oxford consistent with Section 8-30g. For example, the Owner's proposal provides that thirty (30%) of the total number of units, or sixty (60) units, will be rented at certain prices for a period of forty years, as provided by Section 8-30g.

B. Site plan:

Simultaneously with filing the subject zone text amendment, the Owner requests site plan approval. The site development plan proposal complies with the requirements of the subject text amendment and Section 8-30g. The applicant includes a traffic study and drainage report.

III. Conclusion:

In support of this proposal, the Owner respectfully submits the following documentation:

1. Two-part application for: (a) zone text amendment; and (b) site plan approval;
2. Statement of Use (please see Exhibit B attached hereto);
3. Draft zone text amendment, which provides for a new age restricted rental housing use, with an affordable component, in the Residential Golf Community District;
4. "Housing Affordability Plan for Household Income and Rental Price Restrictions for Affordable Housing or Mixed Income Units, Submission Draft, October 2018";
5. Required site development plans, with architectural;
6. Drainage plan report and traffic study; and

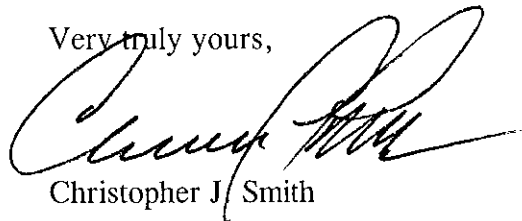
7. Required documentation including the requisite filing fees. Any additional filing fees will be submitted once determined by the Commission's professional staff.

On behalf of the Owner and the Owner's development team, we look forward to processing this exciting proposal with the Commission and Town.

Thank you for your anticipated cooperation and assistance concerning this matter.

As always, best regards.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Smith", written over the printed name.

Christopher J. Smith

CJS:las

cc: Timberlake Investment Partners V, LLC (w/ enclosures)
TPA Design Group (w/ enclosures)

2017 Affordable Housing Appeals List - Exempt Municipalities							
Town	Total Housing Units 2010 Census	Governmentally Assisted	Tenant Rental Assistance	Family CHFA /USDA Mortgage s	Deed Restrict ed Units	Totally Assisted Units	Percent Affordable
Ansonia	8,148	347	696	118	9	1,170	14.36%
Bloomfield	9,019	558	88	315	0	961	10.66%
Bridgeport	57,012	6,311	4,259	891	19	11,480	20.14%
Bristol	27,011	1,908	868	996	0	3,772	13.96%
Brooklyn	3,235	231	10	100	0	341	10.54%
Danbury	31,154	1,592	1,011	497	296	3,396	10.90%
Derby	5,849	274	315	88	0	677	11.57%
East Hartford	21,328	1,573	851	936	0	3,360	15.75%
East Windsor	5,045	559	38	108	14	719	14.25%
Enfield	17,558	1,340	226	582	7	2,155	12.27%
Groton	17,978	3,587	108	340	10	4,045	22.50%
Hartford	51,822	10,044	8,354	1477	0	19,875	38.35%
Killingly	7,592	520	117	296	0	933	12.29%
Manchester	25,996	1,830	936	854	34	3,654	14.06%
Meriden	25,892	2,027	1,163	956	11	4,157	16.06%
Middletown	21,223	3,019	1,057	473	25	4,574	21.55%
New Britain	31,226	2,911	1,522	1074	256	5,763	18.46%
New Haven	54,967	9,432	6,357	1019	656	17,464	31.77%
New London	11,840	1,710	448	466	110	2,734	23.09%
Norwalk	35,415	2,240	1,275	335	656	4,506	12.72%
Norwich	18,659	2,225	787	502	0	3,514	18.83%
Plainfield	6,229	316	186	286	0	788	12.65%
Putnam	4,299	383	68	115	0	566	13.17%
Stamford	50,573	4,736	1,864	357	1274	8,231	16.28%
Torrington	16,761	908	395	493	17	1,813	10.82%
Vernon	13,896	1,508	404	353	12	2,277	16.39%
Waterbury	47,991	5,272	3,143	1761	172	10,348	21.56%
West Haven	22,446	1,024	1,505	431	0	2,960	13.19%
Winchester	5,613	348	206	124	0	678	12.08%
Windham	9,570	1,767	609	417	0	2,793	29.18%

2017 Affordable Housing Appeals List - Non-Exempt Municipalities							
Town	Housing	entally	Rental	Family	Restrict	Assisted	Affordable
Andover	1,317	18	0				
				24	0	42	3.19%
Ashford	1,903	32	1	32	0	65	3.42%
Avon	7,389	244	10	33	0	287	3.88%
Barkhamsted	1,589	0	7	16	0	23	1.45%
Beacon Falls	2,509	0	3	37	0	40	1.59%
Berlin	8,140	556	53	110	10	729	8.96%
Bethany	2,044	0	2	9	1	12	0.59%
Bethel	7,310	152	26	117	69	364	4.98%
Bethlehem	1,575	24	0	5	0	29	1.84%
Bolton	2,015	0	2	26	0	28	1.39%
Bozrah	1,059	0	4	32	0	36	3.40%
Branford	13,972	243	65	144	0	452	3.24%
Bridgewater	881	0	0	3	0	3	0.34%
Brookfield	6,562	155	24	81	77	337	5.14%
Burlington	3,389	27	0	36	0	63	1.86%
Canaan	779	35	4	13	1	53	6.80%
Canterbury	2,043	76	1	66	0	143	7.00%
Canton	4,339	211	16	50	32	309	7.12%
Chaplin	988		0	35	0	35	3.54%
Cheshire	10,424	258	20	76	17	371	3.56%
Chester	1,923	23	3	14	0	40	2.08%
Clinton	6,065	84	13	43	0	140	2.31%
Colchester	6,182	364	37	137	0	538	8.70%
Colebrook	722	0	1	6	1	8	1.11%
Columbia	2,308	40	2	60	0	102	4.42%
Cornwall	1,007	28	2	4	0	34	3.38%
Coventry	5,099	103	4	130	20	257	5.04%
Cromwell	6,001	212	7	171	0	390	6.50%
Darien	7,074	136	8	1	104	249	3.52%
Deep River	2,096	26	6	23	0	55	2.62%
Durham	2,694	36	0	15	0	51	1.89%
Eastford	793	0	0	16	0	16	2.02%
East Granby	2,152	72	2	36	0	110	5.11%
East Haddam	4,508	73	4	40	0	117	2.60%
East Hampton	5,485	70	6	77	25	178	3.25%
East Haven	12,533	542	139	284	0	965	7.70%
East Lyme	8,458	396	18	84	19	517	6.11%
Easton	2,715	0	0	1	16	17	0.63%
Ellington	6,665	260	7	97	0	364	5.46%
Essex	3,261	58	3	13	0	74	2.27%
Fairfield	21,648	218	108	49	112	487	2.25%
Farmington	11,106	470	114	125	155	864	7.78%
Franklin	771	27	1	21	0	49	6.36%
Glastonbury	13,656	582	42	107	2	733	5.37%
Goshen	1,664	1	1	4	0	6	0.36%
Granby	4,360	85	2	43	5	135	3.10%
Greenwich	25,631	865	383	12	27	1,287	5.02%
Griswold	5,118	148	54	186	0	388	7.58%
Guilford	9,596	186	8	34	0	228	2.38%
Haddam	3,504	22	0	27	0	49	1.40%
Hamden	25,114	937	659	456	4	2,056	8.19%

Hampton	793	0	1	25	0	26	3.28%
Hartland	856	2	0	3	0	5	0.58%
Harwinton	2,282	22	4	29	0	55	2.41%
Hebron	3,567	58	3	38	0	99	2.78%
Kent	1,665	53	5	6	0	64	3.84%
Killingworth	2,598	0	0	23	5	28	1.08%
Lebanon	3,125	26	3	85	0	114	3.65%
Ledyard	5,987	32	9	204	0	245	4.09%
Lisbon	1,730	2	0	55	0	57	3.29%
Litchfield	3,975	140	6	26	19	191	4.81%
Lyme	1,223	0	0	2	8	10	0.82%
Madison	8,049	90	3	8	29	130	1.62%
Mansfield	6,017	175	133	106	2	416	6.91%
Marlborough	2,389	24	2	23	0	49	2.05%
Middlebury	2,892	76	4	22	20	122	4.22%
Middlefield	1,863	30	3	14	1	48	2.58%
Milford	23,074	726	233	188	87	1,234	5.35%
Monroe	6,918	32	4	43	1	80	1.16%
Montville	7,407	81	50	247	0	378	5.10%
Morris	1,314	20	4	5	0	29	2.21%
Naugatuck	13,061	493	299	317	0	1,109	8.49%
New Canaan	7,551	163	18	2	23	206	2.73%
New Fairfield	5,593	0	4	56	18	78	1.39%
New Hartford	2,923	12	7	48	15	82	2.81%
Newington	13,011	530	109	403	36	1,078	8.29%
New Milford	11,731	236	35	147	17	435	3.71%
Newtown	10,061	134	8	76	15	233	2.32%
Norfolk	967	28	3	5	0	36	3.72%
North Branford	5,629	62	14	49	4	129	2.29%
North Canaan	1,587	138	1	9	0	148	9.33%
North Haven	9,491	341	56	85	0	482	5.08%
North Stonington	2,306	0	1	28	6	35	1.52%
Old Lyme	5,021	60	2	14	3	79	1.57%
Old Saybrook	5,602	50	9	16	58	133	2.37%
Orange	5,345	46	9	12	6	73	1.37%
Oxford	4,746	36	5	30	0	71	1.50%
Plainville	8,063	205	52	261	22	540	6.70%
Plymouth	5,109	178	13	192	0	383	7.50%
Pomfret	1,684	32	2	16	0	50	2.97%
Portland	4,077	185	85	68	0	338	8.29%
Preston	2,019	40	7	41	0	88	4.36%
Prospect	3,474	0	7	44	0	51	1.47%
Redding	3,811	0	1	11	0	12	0.31%
Ridgefield	9,420	179	5	28	64	276	2.93%
Rocky Hill	8,843	235	36	159	0	430	4.86%
Roxbury	1,167	19	0	3	0	22	1.89%
Salem	1,635	3	2	24	0	29	1.77%
Salisbury	2,593	16	2	2	13	33	1.27%
Scotland	680	0	0	21	0	21	3.09%
Seymour	6,968	262	27	109	0	398	5.71%
Sharon	1,775	32	2	2	0	36	2.03%
Shelton	16,146	253	45	103	82	483	2.99%
Sherman	1,831	0	2	8	0	10	0.55%
Simsbury	9,123	289	58	76	0	423	4.64%
Somers	3,479	146	4	32	0	182	5.23%
Southbury	9,091	89	7	30	0	126	1.39%
Southington	17,447	502	73	294	51	920	5.27%
South Windsor	10,243	427	50	201	0	678	6.62%

Sprague	1,248	20	15	36	1	72	5.77%
Stafford	5,124	257	13	141	0	411	8.02%
Sterling	1,511	0	5	35	0	40	2.65%
Stonington	9,467	440	22	77	0	539	5.69%
Stratford	21,091	524	446	306	33	1,309	6.21%
Suffield	5,469	212	3	49	15	279	5.10%
Thomaston	3,276	104	6	86	0	196	5.98%
Thompson	4,171	151	15	75	0	241	5.78%
Tolland	5,451	89	3	77	3	172	3.16%
Trumbull	13,157	315	22	73	224	634	4.82%
Union	388	0	0	4	0	4	1.03%
Voluntown	1,127	20	3	26	0	49	4.35%
Wallingford	18,945	354	125	269	35	783	4.13%
Warren	811	0	0	1	0	1	0.12%
Washington	2,124	14	4	7	23	48	2.26%
Waterford	8,634	123	19	235	0	377	4.37%
Watertown	9,096	205	25	184	0	414	4.55%
Westbrook	3,937	140	7	22	29	198	5.03%
West Hartford	26,396	587	816	320	268	1,991	7.54%
Weston	3,674	0	1	3	0	4	0.11%
Westport	10,399	293	54	4	20	371	3.57%
Wethersfield	11,677	733	114	255	0	1,102	9.44%
Willington	2,637	160	4	35	0	199	7.55%
Wilton	6,475	159	5	10	83	257	3.97%
Windsor	11,767	154	228	389	26	797	6.77%
Windsor Locks	5,429	137	162	190	0	489	9.01%
Wolcott	6,276	312	9	133	0	454	7.23%
Woodbridge	3,478	30	7	5	0	42	1.21%
Woodbury	4,564	59	3	24	0	86	1.88%
Woodstock	3,582	24	0	48	0	72	2.01%
Total	1,487,891	91,221	44,401	27,314	5,640	168,576	

Explanatory Statement or Statement of Use

All Applications are submitted pursuant to and in compliance with the provisions of Section 8-30g of the Connecticut General Statutes, "Affordable Housing Land Use Appeals Procedure."

I. Overview:

The undersigned firm represents Timberlake Investment Partners V, LLC ("Owner") concerning this two-part application proposal. The proposal pertains to real property located on Riggs Street, known as Residential Area No. 6 within the Oxford Green Community in Oxford, Connecticut ("subject property"). The subject property is currently undeveloped. The proposal is to construct one hundred and ninety-seven (197) rental units on the subject property. The new age restricted residential community, to be known as Timberlake Apartments at Oxford Greens, will have an affordable housing component, as provided by Section 8-30g of the Connecticut General Statutes ("Section 8-30g"). This affordable housing component will provide housing opportunities for mixed-income families.

II. The subject two-part land use application proposal:

A. Proposed text amendment to permit residential rental housing, with an affordable component, in the Residential Golf Community District:

Oxford's current Zoning Regulations do not permit the proposed residential community. Therefore, the Owner proposes a zone text amendment that creates a new age restricted residential rental housing use, with an affordable component, in the Residential Golf Community District. The intent of the proposed zone text amendment is to permit affordable housing communities on larger parcels of land in Oxford, which have access to public sewer and water. For example, the Owner's proposal provides that thirty (30%) of the total number of units, or sixty (60) units, will be rented at certain prices for a period of forty years, as provided by Section 8-30g.

B. Site plan:

Simultaneously with filing the subject zone text amendment, the Owner submits an application for site plan approval. The proposal complies with the requirements of the zone text amendment and Section 8-30g. The applicant includes a traffic study and engineering drainage report as part of the application packet.



TOWN OF OXFORD

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

received
10/10/18

Planning and Zoning Commission

Z#: 2-18-270
Date Received: 10-10-18
Date Accepted: _____
Date on Agenda: 10-16-18
65 Day Exp.: _____
Extension: _____
2nd Extension: _____

*** Please Note:**

- Read Instructions Thoroughly Before Completing Form
- This form Must Be Completely Typewritten or Legibly Printed in Ink

1) APPLICATION: This is an application for: *(Check the ones that apply)*

- | | | |
|--------------------------------------|--|---|
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Resubdivision | Total Number of Lots: _____ |
| <input type="checkbox"/> Zone Change | <input type="checkbox"/> Special Exception | S/E (Include Article & Section No.): _____ |
| <input type="checkbox"/> Excavation | <input checked="" type="checkbox"/> Map/Text Amendment | (Include Article & Section No.) <u>Proposed New Article</u> |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Other | <u>5A, Section 5A.8-B</u> |

Name of Project Title (Subdivision/Resubdivision): Timberlake Apartments at Oxford Greens

2) PROPERTY LOCATION:

Street Address: Riggs Street (owner of); text amendment

Town Clerk Record Map Number: _____

Assessor's Identification Numbers:

Map: 32-33 Block: 10-11 Lot: 21 Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|--|------------------------------|---|
| <input type="checkbox"/> RES A | <input checked="" type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input checked="" type="checkbox"/> Public Water |

Please indicate who will be the **POINT OF CONTACT:**

(All communications and correspondence will be directed to the Point of Contact)

(Check one)

- ☐ APPLICANT ☐ OWNER ☐ LAND SURVEYOR ☐ ENGINEER ☐ ARCHITECT ☒ ATTORNEY

3) APPLICANT: Timberlake Investment Partners V, LLC

Address: 42 Cherry Street

Town: Milford State: CT Zip Code: 06460

Phone: (203) 878-2193 Fax: () Email: _____

4) OWNER(s): Timberlake Investment Partners V, LLC

Address: 42 Cherry Street

Town: Milford State: CT Zip Code: 06460

Phone: (203) 878-2193 Fax: () Email: _____

TEXT

- 5) **APPLICANT'S OWNERSHIP INTEREST:** Property owner.
- 6) **LAND SURVEYOR:** Connecticut Civil Group **REG. No:** 16975
Address: 158 Research Drive
Town: Milford State: CT Zip Code: 06460
Phone: (203) 874-8316 Fax: _____ Email: _____
- 7) **CIVIL ENGINEER:** TPA Design Group
Address: 85 Willow Street
Town: New Haven State: CT Zip Code: 06511
Phone: (203) 562-2181 Fax: (203) 787-7116 Email: david@tpadesigngroup.com
- 8) **ARCHITECT:** N/A **REG. No:** _____
Address: _____
Town: _____ State: _____ Zip Code: _____
Phone: _____ Fax: _____ Email: _____
- 9) **PREFERRED OR RECOMMENDED NAMES OF NEW ROADS TO BE CONSTRUCTED:** _____
N/A (Subject to BOS Approval)
(Check One) ☐ Private Road ☐ Town Road _____ Length of Road _____
- 10) **STATUS OF WETLANDS PERMIT:** N/A
(Please Provide a Copy)
- 11) **ACREAGE OF OPEN SPACE and/or CONSERVATION EASEMENTS:** N/A
- 12) **SURETY OPTION (See Article 9 of Subdivision Regulations):** N/A
(Check the one that applies)
☐ Improvements will be completed prior to endorsement and filing of record subdivision.
☐ Surety will be provided. (May be provided.)
☐ Conditional approval is requested.
- 13) **WAIVERS:** N/A
(Check the one that applies)
☐ No waivers of the subdivision regulations are required.
☐ Waivers of one or more sections of the subdivision regulations are requested.
(Please provide a written description of the reason for the waiver and attached to and make part of this application.)
- 14) **EARTH EXCAVATION:** N/A
(Check one)
☐ Yes ☐ No
If yes, how many cubic yards of material to be removed, filled, and/or dispersed. _____ cubic yards.
- 15) **FLOOD ZONE:** N/A
(Check one)
☐ Yes ☐ No If yes, what zone. _____
- 16) **APPLICATION/SUPPORTING DOCUMENTS:** N/A
(Indicate Attached or Not Applicable)
N/A Project Narrative Letter N/A Fire Marshal's Review

<u>N/A</u> Record Subdivision Plan	<u>N/A</u> Letter from Public Water Supply
<u>N/A</u> Site Development Plan	<u>N/A</u> P.D.D.H. Approval
<u>N/A</u> Plan and Profile	<u>N/A</u> Inland Wetlands Approval
<u>N/A</u> Standard Construction Details	<u>N/A</u> W.P.C.A. Approval
<u>N/A</u> Connecticut Highway Department	<u>N/A</u> Legal Boundary Description
<u>N/A</u> Engineering Department Review	<u>N/A</u> Zoning and Subdivision History
<u>N/A</u> Drainage Calculations	<u>N/A</u> Certificate from Assessor
Other: _____	Other: _____

17) **REFERRALS:** N/A

(Check the ones that apply)

- ☒ A portion of the property effected by the decision of the Commission is located within five hundred (500) feet of the boundary of an adjoining municipality.
- ☐ A portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage system within the adjoining municipality. (Won't significantly impact adjoining municipality.)
- ☐ Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- ☐ Subdivision/Resubdivision includes land which abuts or is partially located in the Town of _____.
- ☒ Referral to Regional Planning Agencies is required.

If any of the above applies, the applicant is required to give written notice of his/her application to the adjoining municipality and submit a copy to P&Z. Notification must be by **CERTIFIED MAIL/RETURN RECEIPT.**

18) **APPLICATION FEES:** (Additional fees may apply – See Schedule of Fees)

Application Fee is as follows:

\$310.00
10.00 (Town GIS Fee)

_____ Building Lots (x) \$ _____ per lot = \$ _____

_____ Cubic yards (x) \$100 for each 1,000 cubic yards = \$ _____

Public Hearing Fee = \$ _____

State Fee = \$ _____ 60.00

Total Fee = \$ _____ 380.00 (Ck#) _____

19) **AUTHORIZATION AND ENDORSEMENTS:**

a) **APPLICANT:**

I (we) hereby certify that I (we) are making this application on behalf of and with full authority of the owner(s) of the property or premises and am aware of and understand the Zoning and/or Subdivision Regulations pertinent to the application and affirm that the statements and information provided are accurate and true. Further, the undersigned hereby authorizes the Town of Oxford and its agents, to access the premises during normal business hours or hours of construction, for the purpose of pre and post application investigations, inspection of improvements or construction, and enforcement of the Zoning and/or Subdivision Regulations, Town Ordinances, and/or General Statutes of the State of Connecticut, as may be applicable and/or amended.

Timberlake Investment Partners V, LLC

APPLICANT SIGNATURE _____

NAME PRINTED Robert H. Smith, Jr., Duly Authorized DATE October, 2018

*Member, Timberlake Holding Company LLC
its Member*

b) **PROPERTY OWNER(s):**

The undersigned, being all of the owners of the premises referred above, hereby consent to the filing of this application together with meeting of all requirements of the applicant by the Commission for same.

Timberlake Investment Partners V, LLC

APPLICANT SIGNATURE _____ N/A _____

NAME PRINTED _____ Robert H. Smith, Jr., Duly Authorized _____ DATE _____ October _____, 2018 _____

20) **INFORMATIONAL:**

Communications with and recommendations from contracted P&Z staff are the sole responsibility of the applicant.

21) **ACTION TAKEN:**

(This SECTION is to be filled out by Planning & Zoning Staff ONLY)

☐ **DENIED** / ☐ **APPROVED**
(Check One)

APPROVED WITH CONDITIONS ☐ **Yes** or ☐ **No**
(Check One)

See Letter dated _____ for **DETAILS** of **ACTION** taken and attach a copy hereto.

BY: _____ DATE _____
(Name & Title)

7019823v1

**ZONE TEXT AMENDMENT TO PERMIT
AGE RESTRICTED RESIDENTIAL RENTAL
HOUSING, WITH AN AFFORDABLE
COMPONENT, IN THE RESIDENTIAL GOLF
COMMUNITY DISTRICT - NEW ARTICLE 5A,
SECTION 5A.8-B**

October 2018

**Submitted by Timberlake Investment
Partners V, LLC
to the Oxford Planning and Zoning Commission**

PREPARED BY:
Christopher J. Smith
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, Connecticut 06103-1919
(860) 251-5000

ARTICLE 5A - RESIDENTIAL GOLF COMMUNITY DISTRICT

NEW [Only proposed change is to modify the designation of existing “Section 5A.8”, to “Section 5A.8-A”.]

Section 5A.8-A - Special Exceptions

Subject to the securing of a Special Exception as provided in Article 10 of these regulations, the following is permitted: [balance of existing Section 5A.8.1 to remain]....

NEW [In its entirety.] Section 5A.8-B - Site Plans

Subject to the securing of a Site Plan as provided in Article 11 of these regulations, the following is permitted:

5A.8-B.1 Age Restricted Rental Housing:

A. Intent and Purposes:

The purpose of this section is to:

- (a) Increase the availability of affordable and attainable rental dwellings in Oxford where existing and adequate public facilities and services are present.
- (b) Encourage the construction of affordable rental dwellings that is within the economic means of moderate and low income households, and is in a mixed-income development.
- (c) Promote housing choice and economic diversity, including rental housing for low and moderate income households, within the Town of Oxford.
- (d) Efficiently utilize existing infrastructure and promote neighborhood planning by providing, where infrastructure support is available, a diversity of housing, densities, sizes, and prices.
- (e) Affordable housing which fully satisfies the intent, requirements and purposes of Section 8-30g of the Connecticut General Statutes, must be part of any housing proposal submitted for approval within this Zone District.

B. Permitted Uses:

The following uses shall be permitted subject to site plan approval by the Commission in accordance with the standards set forth herein:

- (i) Multi-family residential dwellings, related accessory buildings, amenities, structures and uses. The age restriction requirement for multi-family residential uses in the Residential Golf Community District shall apply to any age restricted rental housing community proposed pursuant to this Section 5A.8-B.1. The multi-family community shall be known as a Rental Housing Opportunity Development, and shall comply with the provisions of this Section 5A.8-B.1.

C. Site Requirements for lot, or unit if property part of a common interest community:

- (i) Minimum size of 30 acres;
- (ii) Frontage on a public street; and
- (iii) Access to public water and sewer.

D. Bulk, area, dimensional, and open space requirements:

The following requirements shall be deemed to be the minimum or maximum requirements in every instance of an application:

- | | | |
|-------|------------------------------|----------------------------|
| (i) | Minimum lot/unit area | 30 acres |
| (ii) | Minimum front setback | 75 feet |
| (iii) | Minimum side setback | 65 feet |
| (iv) | Minimum rear setback | 75 feet |
| (v) | Maximum building height | 40 feet |
| (vi) | Maximum impervious coverage: | 30% of gross lot/unit area |
| (vii) | Minimum open space | 30% of gross lot/unit area |

E. Other standards:

(i) Roads and Access Ways:

Any road or access way shall comply with those requirements provided by Article 5A, Section 5A.4 of these Regulations, except that a sidewalk need only be provided by an applicant on only one side of such road or access way.

(ii) Parking:

Notwithstanding any other provision of these Regulations, parking shall be designed to provide safe circulation and there shall be a minimum of 1.5 parking spaces provided for each dwelling unit.

(iii) Density:

The maximum number of multi-family dwellings shall not exceed 12 per gross acre of the lot/unit.

F. Documents Required to be Submitted:

Those documents provided by Article 11 of these Regulations for site plan applications are required to be submitted with an application filed pursuant to this Section 5A.8-B.1, except as otherwise provided in this Section 5A.8-B.1.

G. Traffic Study:

If requested by the Commission, a traffic study shall be prepared and submitted to the Commission with regard to the existing and proposed traffic conditions and circumstances.

H. Application Requirements:

- (i) Petition to re-zone, if required, as provided by these Regulations.
- (ii) Notwithstanding any other provision in these Regulations including Article 3 of these Regulations, only those documents provided by Article 11 of these Regulations are required to be part of the application, except as otherwise provided in this Section 5A.8-B.1.
- (iii) An application submitted pursuant to this Section 5A.8-B.1 is not subject to Article 14 of these Regulations. However, any proposed excavation and regrading associated with the proposed development must not adversely affect a substantial public interest.

- (iv) If the proposed age restricted rental community is to be located on a lot or unit within the Residential Golf Community District that is part of an existing approved Conceptual Development Plan, the applicant is not required to file a request to modify the previously approved Conceptual Development Plan, as provided by Article 5A.9 of these Regulations. An approval of a Rental Housing Opportunity Development, as provided in this Section 5A.8-B.1, will effectively modify the previously approved Conceptual Development Plan.
- (v) Any age restricted rental community proposed under this Section 5A.8-B.1 requires only approval of a site development plan as provided in this Section 5A.8-B.1, and does not require the filing of a Detailed Development Plan under Article 5A.
- (vi) Any age restricted rental community proposed under this Section 5A.8-B.1, shall be subject to the review standards and procedures provided by Section 8-30g of the Connecticut General Statutes.

I. Definitions:

- (i) An "age restricted rental community" submitted under this Section 5A.8-B.1, shall be a housing development in which not less than thirty percent (30%) of the dwelling units will be held or conveyed by deeds containing covenants or restrictions which shall require, for a period of at least forty (40) years, that such dwelling units be rented at, or below, prices which will preserve the units as affordable housing as defined in Section 8-30g of the Connecticut General Statutes, as amended.
- (ii) "Mixed Income Unit" means a dwelling unit within an age restricted rental community that is subject to long-term price restrictions that comply with Section 8-30g of the Connecticut General Statutes, as amended.

J. Requirements For Mixed Income Units:

- (i) The following requirements shall apply to Mixed Income Units:
 - (a) Mixed Income Units shall be of a construction quality that is comparable to market-rate units within the development.
 - (b) Mixed Income Units shall be dispersed throughout the development and built on a pro rata basis as construction proceeds.

- (c) In conjunction with an application for approval of a site plan for an age restricted rental community under this Section 5A.8-B.1, the applicant shall submit an "Affordability Plan," as required by Section 8-30g of the Connecticut General Statutes, which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with this Section 5A.8-B.1; notice procedures to the general public of the availability of mixed income or affordable units; identification of the method for designating mixed income or affordable units; procedures for verification and periodic confirmation of unit occupancy income; and compliance with affordability requirements.
- (d) A violation of the regulations contained in this Section 5A.8-B.1 shall not result in a forfeiture or reversion of title, but the Planning and Zoning Commission of the Town of Oxford or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including Section 8-12.



TOWN OF OXFORD

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov



Z#: 2-18-271
Date Received: 10-10-18
Date Accepted: _____
Date on Agenda: 10-16-18
65 Day Exp.: _____
Extension: _____
2nd Extension: _____

Planning and Zoning Commission

*** Please Note:**

- Read Instructions Thoroughly Before Completing Form
- This form Must Be Completely Typewritten or Legibly Printed in Ink

1) APPLICATION: This is an application for: *(Check the ones that apply)*

- | | | |
|--|---|---|
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Resubdivision | Total Number of Lots: _____ |
| <input type="checkbox"/> Zone Change | <input type="checkbox"/> Special Exception | S/E (Include Article & Section No.): _____ |
| <input type="checkbox"/> Excavation | <input type="checkbox"/> Map/Text Amendment | (Include Article & Section No.): <u>Article 5A, Section</u> |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Other | <u>5A.8-B</u> |

Name of Project Title (Subdivision/Resubdivision): Timberlake Apartments at Oxford Greens

2) PROPERTY LOCATION:

Street Address: Riggs Street

Town Clerk Record Map Number: _____

Assessor's Identification Numbers:

Map: 32-33 Block: 10-11 Lot: 21 Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|--|------------------------------|---|
| <input type="checkbox"/> RES A | <input checked="" type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input checked="" type="checkbox"/> Public Water |

Please indicate who will be the **POINT OF CONTACT:**

(All communications and correspondence will be directed to the Point of Contact)

(Check one)

- ☐ APPLICANT ☐ OWNER ☐ LAND SURVEYOR ☐ ENGINEER ☐ ARCHITECT ☒ ATTORNEY

3) APPLICANT: Timberlake Investment Partners V, LLC

Address: 42 Cherry Street

Town: Milford State: CT Zip Code: 06460

Phone: (203) 878-2193

Fax: ()

Email: _____

4) OWNER(s): Timberlake Investment Partners V, LLC

Address: 42 Cherry Street

Town: Milford State: CT Zip Code: 06460

Phone: (203) 878-2193

Fax: ()

Email: _____

Adopted by P&Z 10/15/09

1

*This application for site plan approval is submitted pursuant to and in compliance with the provisions of Section 8-30g of the Connecticut General Statutes, "Affordable Housing Land Use Appeals Procedure."

S.P.

5) APPLICANT'S OWNERSHIP INTEREST: Property owner.

6) LAND SURVEYOR: Connecticut Civil Group REG. No: 16975

Address: 158 Research Drive

Town: Milford State: CT Zip Code: 06460

Phone: (203) 874-8316 Fax: _____ Email: _____

7) CIVIL ENGINEER: TPA Design Group

Address: 85 Willow Street

Town: New Haven State: CT Zip Code: 06511

Phone: (203) 562-2181 Fax: (203) 787-7116 Email: david@tpadesigngroup.com

8) ARCHITECT: N/A REG. No: _____

Address: _____

Town: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

9) PREFERRED OR RECOMMENDED NAMES OF NEW ROADS TO BE CONSTRUCTED: _____

Donald Ross Drive (Subject to BOS Approval)

(Check One) ☒ Private Road ☐ Town Road _____ Length of Road _____

10) STATUS OF WETLANDS PERMIT: Approved.

(Please Provide a Copy)

11) ACREAGE OF OPEN SPACE and/or CONSERVATION EASEMENTS: See prior Conceptual Development Plan Approval.

12) SURETY OPTION (See Article 9 of Subdivision Regulations): N/A

(Check the one that applies)

☐ Improvements will be completed prior to endorsement and filing of record subdivision.

☐ Surety will be provided. (May be provided.)

☐ Conditional approval is requested.

13) WAIVERS:

(Check the one that applies)

☒ No waivers of the subdivision regulations are required.

☐ Waivers of one or more sections of the subdivision regulations are requested.

(Please provide a written description of the reason for the waiver and attached to and make part of this application.)

14) EARTH EXCAVATION:

(Check one)

☒ Yes ☐ No

If yes, how many cubic yards of material to be removed, filled, and/or dispersed. 36,650+/- cubic yards.

15) FLOOD ZONE:

(Check one)

☒ Yes ☐ No If yes, what zone. AE

16) APPLICATION/SUPPORTING DOCUMENTS:

(Indicate Attached or Not Applicable)

Attached Project Narrative Letter N/A Fire Marshal's Review

<u>N/A</u> Record Subdivision Plan	<u>N/A</u> Letter from Public Water Supply
<u>Attached</u> Site Development Plan	<u>N/A</u> P.D.D.H. Approval
<u>Attached</u> Plan and Profile	<u>Attached</u> Inland Wetlands Approval
<u>Attached</u> Standard Construction Details	<u>N/A</u> W.P.C.A. Approval
<u>N/A</u> Connecticut Highway Department	<u>N/A</u> Legal Boundary Description
<u>N/A</u> Engineering Department Review	<u>N/A</u> Zoning and Subdivision History
<u>Attached</u> Drainage Calculations	<u>N/A</u> Certificate from Assessor
Other: _____	Other: _____

17) REFERRALS:

(Check the ones that apply)

- ☐ A portion of the property effected by the decision of the Commission is located within five hundred (500) feet of the boundary of an adjoining municipality.
- ☐ A portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage system within the adjoining municipality. (Won't significantly impact adjoining municipality.)
- ☐ Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- ☐ Subdivision/Resubdivision includes land which abuts or is partially located in the Town of _____.
- ☐ Referral to Regional Planning Agencies is required.

If any of the above applies, the applicant is required to give written notice of his/her application to the adjoining municipality and submit a copy to P&Z. Notification must be by **CERTIFIED MAIL/RETURN RECEIPT.**

18) APPLICATION FEES: (Additional fees may apply – See Schedule of Fees)

Application Fee is as follows:

Site Plan with Public Hearing \$350
10.00 (Town GIS Fee)

_____ Building Lots (x) \$ _____ per lot = _____

_____ Cubic yards (x) \$100 for each 1,000 cubic yards = \$ _____

Public Hearing Fee = \$ _____

State Fee = \$ 60.00

Total Fee = \$ 420.00 (Ck#) _____

19) AUTHORIZATION AND ENDORSEMENTS:

a) APPLICANT:

I (we) hereby certify that I (we) are making this application on behalf of and with full authority of the owner(s) of the property or premises and am aware of and understand the Zoning and/or Subdivision Regulations pertinent to the application and affirm that the statements and information provided are accurate and true. Further, the undersigned hereby authorizes the Town of Oxford and its agents, to access the premises during normal business hours or hours of construction, for the purpose of pre and post application investigations, inspection of improvements or construction, and enforcement of the Zoning and/or Subdivision Regulations, Town Ordinances, and/or General Statutes of the State of Connecticut, as may be applicable and/or amended.

Timberlake Investment Partners V, LLC

APPLICANT SIGNATURE _____

NAME PRINTED Robert H. Smith, Jr., Duly Authorized DATE October, 2018

Adopted by P&Z 10/15/09

*Member, Timberlake Holding Company LLC
its Member*

b) PROPERTY OWNER(s):

The undersigned, being all of the owners of the premises referred above, hereby consent to the filing of this application together with meeting of all requirements of the applicant by the Commission for same.

Timberlake Investment Partners V, LLC

APPLICANT SIGNATURE _____

NAME PRINTED Robert H. Smith, Jr., Duly Authorized DATE October, 2018

20) INFORMATIONAL:

Communications with and recommendations from contracted P&Z staff are the sole responsibility of the applicant.

21) ACTION TAKEN:

(This SECTION is to be filled out by Planning & Zoning Staff ONLY)

☐ **DENIED** / ☐ **APPROVED**
(Check One)

APPROVED WITH CONDITIONS ☐ **Yes** or ☐ **No**
(Check One)

See Letter dated _____ for DETAILS of ACTION taken and attach a copy hereto.

BY: _____ DATE _____
(Name & Title)

7008774v1

received
10/10/18

**Housing Affordability Plan for Household
Income and Rental Price Restrictions for
Affordable Housing or Mixed Income Units**

**Submission Draft
October 2018**

**Submitted by Timberlake Investment
Partners V, LLC
to the Oxford Planning and Zoning Commission**

PREPARED BY:
Christopher J. Smith
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, Connecticut 06103-1919
(860) 251-5000

Introduction

Timberlake Investment Partners V, LLC submits this Housing Affordability Plan with its two-part application to the Oxford Planning and Zoning Commission (the "PZC" or "Commission") for zoning regulation text amendment and site plan approval for the proposed one hundred and ninety-seven (197) unit, age restricted, multi-family residential rental community located on property on Riggs Street and designated as Assessor Map 32-3; Block 10-11; Lot 2 1, in Oxford, Connecticut (the "Community").

Under this plan, thirty percent (30%) of the residential rental units will meet the criteria for "affordable housing" as defined in Connecticut General Statutes ("C.G.S.") § 8-30g. C.G.S. § 8-30g requires that fifteen percent (15%) of the residential rental units be affordable for 40 years to families earning eighty percent (80%) or less of the area or State median income, whichever is less, and that fifteen percent (15%) be affordable to families earning sixty percent (60%) or less of the area or State median income, whichever is less. This Housing Affordability Plan ("Plan"), which is proposed as a condition of site plan approval by the PZC, satisfies these requirements and describes how the affordable housing apartment homes will be administered.

I. Apartment Homes Designated as Mixed Income Units.

Thirty percent (30%) of the residential rental units in the Community, or sixty (60) units, will be designated as affordable or mixed income unit housing pursuant to C.G.S. § 8-30g. The specific apartments designated as affordable or workforce housing (to be called "Mixed Income Units") are shown on reduced floor plans included in Schedule A-1 attached hereto.

II. Forty (40) Year Period.

The Mixed Income 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 40 years shall be calculated for each Mixed Income Unit beginning on the date that the certificate of occupancy is issued for the Mixed Income Unit.

III. Pro-Rata Construction and Dispersion.

The Mixed Income 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) Mixed Income Unit will be built and offered for rental within the time that three (3) market-rate units are completed and offered for rental.

IV. Nature of Construction of Mixed Income Units.

The Mixed Income 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 Oxford Building Inspector or other Town staff in signing off on administrative permits or approvals.

V. Entity Responsible for Administration and Compliance.

This Affordability Plan will be administered by Timberlake Investment Partners V, LLC, or its successors and assigns (the "Administrator"). Timberlake Investment Partners V, LLC hereby represents that its staff has the experience necessary to administer this Plan. The principal point of contact under this Plan shall be _____ [intentionally left blank].

The Administrator shall submit annually a written status report to the Oxford PZC 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, Timberlake Investment Partners V, LLC, or its successors, will provide prior written notice to the PZC.

VI. Notice of Initial Rental of Mixed Income Units.

Except as provided in Section X of this Plan and subject to Section VIII, during the initial lease-up of the Community, the Administrator shall provide notice of the availability for rental of each Mixed Income 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 Oxford. The Administrator shall also provide such notice to the PZC and to the Clerk of the Town of Oxford. Such notice shall include a description of the available Mixed Income 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 Mixed Income Unit in the Community shall be determined by the Administrator in accordance with this Plan and C.G.S. § 8-30g, as amended through 2015.

VIII. Affirmative Fair Housing Marketing Plan.

The rental of both Mixed Income 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 Oxford Planning and Zoning Commission and the local or regional housing authority. Such notices shall include a description of the available Mixed Income 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 Mixed Income 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 Oxford'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 and radio stations serving Oxford 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 Oxford'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 50 percent completion and thereafter at reasonable period intervals with respect to re-rentals.

All notices shall comply with the federal and State Fair Housing Acts.

IX. Application Process.

A person seeking to rent one of the Mixed Income 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 B, 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.

¹ See 24 C.F.R. § 5.609. Federal regulations are subject to change, and it is the intent of this Affordability Plan to follow HUD regulations with respect to income certification as such regulations may be amended from time to time.

C. Verification of Applicant's Income.

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

If applicable, the Applicant shall provide the documentation listed on Schedule C, 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 Mixed Income Units is attached hereto as Schedule D.

X. 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.

XI. Maximum Rental Price.

Calculation of the maximum rental price ("Maximum Rental Price") for a Mixed Income Unit, so as to satisfy C.G.S. §§ 8-30g and 8-39a, shall utilize the lesser of the area median income for the Town of Oxford or the statewide median income as published by HUD as in effect on the day a lease is signed by the lessee of the Mixed Income 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. The Maximum Rental Price shall be calculated as follows (a studio apartment is calculated as a one bedroom unit):

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

**SAMPLE
COMPUTATIONS BASED
ON FY 2018 DATA**

1. Determine lower of relevant year (2018) area median income for Milford-Ansonia-Seymour, CT HMFA (\$93,200) or statewide median income (\$96,300), adjusted for family size (family of 4), as published by HUD	\$93,200
2. Determine adjusted income for a household of 1.5 persons by calculating 75 percent of Item 1	\$69,900
3. Calculate 80 percent of Item 2	\$55,920
4. Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing	\$16,776
5. Divide Item 4 by 12 to determine maximum monthly housing expense	\$1,398
6. Compare HUD 2018 Fair Market Rents for Milford-Ansonia-Seymour, HMFA (\$1,063) times 120 percent	\$1,256
7. Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6)	\$1,256
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)	\$125
9. Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent	\$1,131

**ONE BEDROOM RENTAL UNIT FOR
FAMILY EARNING LESS THAN 60 PERCENT
OF STATEWIDE MEDIAN INCOME**

**SAMPLE
COMPUTATIONS BASED
ON FY 2018 DATA**

- | | |
|--|----------|
| 1. Determine lower of relevant year (2018) area median income for Milford-Ansonia-Seymour, CT HMFA (\$93,200) or statewide median income (\$96,300), adjusted for family size (family of 4), as published by HUD | \$93,200 |
| 2. Determine adjusted income for a household of 1.5 persons by calculating 75 percent of Item 1 | \$69,900 |
| 3. Calculate 60 percent of Item 2 | \$41,940 |
| 4. Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing | \$12,582 |
| 5. Divide Item 4 by 12 to determine maximum monthly housing expense | \$1,049 |
| 6. Compare HUD 2018 Fair Market Rents for Milford-Ansonia-Seymour, CT HMFA | \$1,063 |
| 7. Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6) | \$1,049 |
| 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) | \$125 |
| 9. Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent | \$924 |

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

**SAMPLE
COMPUTATIONS BASED
ON FY 2018 DATA**

- | | |
|--|----------|
| 1. Determine lower of relevant year (2018) area median income for Milford-Ansonia-Seymour, CT HMFA (\$93,200) or statewide median income (\$96,300), adjusted for family size (family of 4), as published by HUD | \$93,200 |
| 2. Determine adjusted income for a household of 3 persons by calculating 90 percent of Item 1 | \$83,880 |
| 3. Calculate 80 percent of Item 2 | \$67,104 |
| 4. Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing | \$20,131 |
| 5. Divide Item 4 by 12 to determine maximum monthly housing expense | \$1,678 |
| 6. Compare HUD 2018 Fair Market Rents for Milford-Ansonia-Seymour, CT HMFA (\$1,310) times 120 percent | \$1,572 |
| 7. Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6) | \$1,572 |
| 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) | \$150 |
| 9. Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent | \$1,422 |

**TWO BEDROOM RENTAL UNIT FOR
FAMILY EARNING LESS THAN 60 PERCENT
OF STATEWIDE MEDIAN INCOME**

**SAMPLE
COMPUTATIONS BASED
ON FY 2018 DATA**

- | | |
|--|----------|
| 1. Determine lower of relevant year (2018) area median income for Milford-Ansonia-Seymour, CT HMFA (\$93,200) or statewide median income (\$96,300), adjusted for family size (family of 4), as published by HUD | \$93,200 |
| 2. Determine adjusted income for a household of 3 persons by calculating 90 percent of Item 1 | \$83,880 |
| 3. Calculate 60 percent of Item 2 | \$50,328 |
| 4. Calculate 30 percent of Item 3, representing maximum portion of a family's income that may be used for housing | \$15,098 |
| 5. Divide Item 4 by 12 to determine maximum monthly housing expense | \$1,258 |
| 6. Compare HUD 2018 Fair Market Rents for Milford-Ansonia-Seymour, CT HMFA | \$1,310 |
| 7. Use lesser of calculated maximum monthly expense (Item 5) and HUD fair market rent (Item 6) | \$1,258 |
| 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) | \$150 |
| 9. Subtract reasonable monthly expenses (Item 8) from maximum housing expense (Item 7) to determine maximum amount available for rent | \$1,108 |

XII. Principal Residence.

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

XIII. Requirement to Maintain Condition.

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

XIV. Change of Income or Qualifying Status of Resident.

In the event that a 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 Administrator within seven (7) days of the disqualification. When a resident becomes disqualified, the Administrator shall require the Resident to vacate the Mixed Income Unit within sixty (60) days. The Administrator (or owner, if the Administrator is not the owner) in his sole discretion may elect to move the Resident to a market rate apartment unit if the Resident satisfies the Administrator's (or owner's) normal criteria for such unit.

XV. Enforcement.

A violation of this Affordability Plan shall not result in a forfeiture of title, but the PZC 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 Mixed Income Units with this Affordability Plan and applicable state statutes and regulations. Such records are confidential and not subject to disclosure under the Freedom of Information Act.

SCHEDULE A DESIGNATION OF MIXED INCOME UNITS

Total Number of Units:

Market-Rate Units	137
Mixed Income Units	<u>60</u>
Total	197

Number of Market Rate and Mixed Income Units By Number of Bedrooms:

	<u>Efficiency</u>	<u>One Bedroom</u> <u>1 Full Bath</u>	<u>Two Bedrooms</u> <u>1 Full & 1 Half Bath</u>	<u>Two Bedroom</u> <u>2 Full Baths</u>
Market-Rate Units	3	54	24	54
<u>Mixed Income Units</u>	<u>4</u>	<u>24</u>	<u>11</u>	<u>23</u>
Total	7	78	35	77

	<u>Efficiency</u>	<u>One Bedroom</u> <u>1 Full Bath</u>	<u>Two Bedrooms</u> <u>1 Full & 1 Half Bath</u>	<u>Two Bedroom</u> <u>2 Full Baths</u>
<u>60% Units</u>	1	13	5	11
<u>80% Units</u>	<u>1</u>	<u>11</u>	<u>6</u>	<u>12</u>
Total	2	24	11	23

Apartment units designated as Mixed Income Units are identified on the attached floor plans.

The specific units designated as Mixed Income Units are dispersed throughout the building.

SCHEDULE A-1
DESIGNATION OF MIXED INCOME UNITS

[Attached]

SCHEDULE B

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, and 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 organizations or 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 items identified in 24 C.F.R. § 5309(c), including the following:
 - a. Income from employment of children (including foster children) under the age of 18;
 - 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. The full amount of scholarships paid directly to the student or to the educational institution (subject to 24 C.F.R. § 5.609(b)(9)).
 - 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 in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
 - l. Adoption assistance payments in excess of \$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 (e.g., inheritances, capital gains, one-time lottery winnings, and settlement on insurance claims);
 - h. The current market value of any personal property held for investment (e.g., gems, jewelry, coin collections); and
 - i. Assets disposed of within two (2) years before the Application Date, but only to the extent consideration received was less than the fair market value of the asset at the time it was sold.
- 4. Net family assets do not include the following:
 - a. Necessary personal property (clothing, furniture, cars, etc.);
 - b. Vehicles equipped for handicapped individuals;
 - c. Life insurance policies;
 - d. Assets which are part of an active business, not including rental properties; and
 - e. Assets that are not accessible to the Applicant and provide no income to the Applicant.

SCHEDULE C 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) 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 as long as any Medicare or state health insurance withholdings are included in the annual income.

3. Unemployment Compensation.

- (a) Verification form completed by the unemployment compensation agency.

- (b) Records from unemployment office stating payment dates and amounts.

4. Government Assistance.

- (a) All Government Assistance Programs. Agency's written statements as to type and amount of 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.

9. Family Assets Currently Held.

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

- (a) Verification forms, letters, or documents from a financial institution, broker, etc.
- (b) Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
- (c) Quotes from a stock broker or realty agent as to net amount Applicant would receive if Applicant liquidated securities or real estate.
- (d) 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") During 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 sufficient number of credits to be considered a full-time student by the school.

SCHEDULE D
SAMPLE LEASE RIDER FOR MIXED INCOME UNITS

2018 RIDER TO THE LEASE AGREEMENT
FOR AFFORDABLE INCOME APARTMENTS (80%)*

1. TERM AND PROVISIONS

The annexed Lease Agreement for an affordable residential rental unit is for a term of at least (1) year.

This unit 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 80 percent of the area median income for the Town of Oxford, Connecticut, or 80 percent 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 Oxford Planning and Zoning Commission based in part on the condition that a defined percentage of residential rental units will be rented as affordable housing apartment homes. 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 unit 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 unit:

FAMILY SIZE:

<u>Efficiency</u>	<u>1BR/1FB</u>	<u>2BR/1FB & 1 HB</u>	<u>2BR/2FB</u>
\$ _____	\$ _____	\$ _____	\$ _____

3. MAXIMUM RENTS

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

* A similar Rider will be used for the 60% affordable income apartments.

MAXIMUM RENT		ACTUAL RENT (Less a Utility Allowance)
<u>Efficiency and 1 bedroom (1FB):</u>		
Annual	\$ _____	
Monthly	\$ _____	\$ _____
 <u>2 bedroom (1FB; 1HB):</u>		
Annual	\$ _____	
Monthly	\$ _____	\$ _____
 <u>2 bedroom (2FB):</u>		
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 in the event that 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 affordable 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 Oxford will be entitled to inspect the income statements of the residents of the affordable units upon which the Administrator bases the certification.

6. CHANGE OF INCOME

In the event that an affordable 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 seven (7) days of the disqualification. Upon being disqualified, such resident, following the procedures set forth below, shall have the option to vacate the unit within ninety (90) days or to remain in the unit and sign a market rate lease and pay market rate for the unit.

7. LANDLORD'S RIGHT TO INCREASE RENT

In the event that the Resident's residence is no longer being subsidized under Section 8 of the United States Housing Act of 1937, the Landlord's right to increase the monthly rent shall be conditioned upon the Landlord's furnishing Resident with a notice at least sixty (60) days prior to such increase.

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 unit 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 affordable units shall be prohibited. In addition, the affordable unit shall be occupied only as the resident's principal residence.

10. RESTRICTIONS ON USE

No portion of the unit 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 AFFORDABLE UNITS

Attached to this Lease Agreement is the developer's initial designation of the units that shall be rented as affordable 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 affordable 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 MIXED INCOME 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

DATE

TIMBERLAKE INVESTMENT PARTNERS V, LLC

SIGNATURE MANAGEMENT REPRESENTATIVE
