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Writer's e-mail: rmaslan@maslanlaw.com

July 17, 2018

Jeremy B. Ginsberg, Director Planning and Zoning Department 2 Renshaw Road Darien, CT 06820

Re: BSP Application #302, SP Application #302, Flood Damage Prevention Application #383, Land Filling & Regrading Application #436, Proposed Amendment of Zoning Map #1-2018 & Proposed Amendments of Zoning Regulations #5-2018

Corbin Development

Dear Jeremy:

Thank you for forwarding the staff and department comments to our application. We have attached the following responses:

- 1. Corbin Response to Planning and Zoning Staff Comments (A-1 to A-8),
- 2. Tighe & Bond Response to Department of Public Works Comments (Sewer) (A-9 to A-11),
- Corbin Response to Darien Fire Marshal Comments (A-12 to A-13),
- 4. Corbin Response to Darien Building Official Comments (A-14 to A-15), and
- 5. Tighe & Bond Response to FP Clark Parking Comments (A-16 to A-19).

Kindly include this letter and attachments in the application file.

Please feel free to contact us if the Commission or Staff has any questions.

Thank you.

Very truly yours,

Robert F. Maslan, Jr

Attachments

cc: Baywater Properties, LLC

To: Planning & Zoning Commission From: Baywater Corbin Partners, LLC

Re: Comments Received from Fred Doneit, Planning & Zoning Staff

Date: July 17, 2018

We are in receipt of the memorandum from Fred Doneit, Senior Planner for the Town of Darien, dated July 13, 2018.

Much of the memorandum confirms the details of our application. Our specific responses to questions raised are presented below.

Parking

As noted, 26 on-street parking spaces provided on the Boston Post Road and 35 on-street parking spaces provided on Corbin Drive have been considered by the Applicant toward the required number of parking spaces for the site. Section 699.1(e) of the Corbin Subarea regulations allows reductions for off-site parking, on-street parking, and other factors based on the uniqueness of redevelopment opportunities in this subarea. Further, given that the project as proposed encompasses all the area between the Boston Post Road and I-95, from the Exit 11 ramp to Corbin Drive, and both sides of Corbin Drive, it seems reasonable to assume that most of the parking spaces within and adjacent to the project will be used by visitors to the Baywater Corbin Project.

The 22 proposed handicap accessible spaces will be reviewed with the Building Official for appropriate size, location and quantity. Note that his comments on our application do not highlight any concern with the proposal submitted, but we can confirm his support for our proposal.

In lieu of a recorded shared parking agreement, the written parking management plan required by Section 699.1(f)(4) should be sufficient.

Vehicular Circulation

During our discussion with Mike Galante, the Town's traffic consultant, and Planning and Zoning Staff, Staff requested that Baywater Corbin consider increasing the width of the proposed "woonerf" (the internal street within the main site). Given the woonerf's location in the middle of the site, alongside each of the three primary public spaces designed, this street was envisioned as a pedestrian-safe passageway, and its narrow width is intended as a traffic calming measure. It is worth noting that the woonerf is designed at the same width as Day Street, a similar one-way road with parallel parking on both sides. We discussed the possibility of increasing the woonerf's width by 1 foot,

and we are evaluating this currently. Our primary goal with the design of this street is to signal the importance and safety of the pedestrian.

Staff expressed some concern about the "dead-end" configuration of the parking area under Building H, north of Corbin Drive. Given that this parking will be generally used by residents of the apartments above and the employees of the stores in that building, we do not believe that it will create circulation problems. We will be working on a proper assignment and allocation of parking in connection with our Parking Management Plan.

Loading & Deliveries

Tighe & Bond has included a narrative on loading in their Parking Demand and Parking Management Plan dated May 25, 2018. We have confidence in this plan based upon our experience managing numerous buildings in downtown Darien including Grove Street Plaza, 1020 Boston Post Road, 1025 Boston Post Road, 1019/1021 Boston Post Road, and the many properties which comprise the subject site.

The lobbies and package rooms of the various residential buildings will be designed in the next phase of the project.

Trash Collection & Recycling

We have consulted extensively with City Carting on the refuse/recycling management plan for the site. City Carting has prepared a memorandum, attached hereto, on the approach to be taken to refuse/recycling management. Important to note is that we contemplate more frequent pick-up by the refuse hauler, and incorporating compactors, which previously have not been utilized downtown.

Required Public Plaza

A comment in the memorandum highlights that "Section 687 requires that plazas include seating and features such as a fountain, water cascade . . . and other public amenities". Details of our public plaza designs were not finalized at the time of our initial filing of the site plan application but will be provided during the public hearing. As you will see, our plans incorporate many types of seating alternatives and two or three water features. We have worked diligently to create several different styles of seating options for visitors to the site, including seating under the shade of a pergola which is positioned between two of the buildings contemplated. The layouts of the public plazas will change over time to accommodate a variety of activities and events.

Landscaping

Staff has asked for us to clarify whether there is a snow removal plan proposed for the site. Affiliates of the Applicant currently manage snow removal at over a dozen

properties in downtown Darien, including most of the properties located on the subject site. Our team has no issues with the removal of snow on the site, and will truck snow off-site if necessary, as we have done in the past with our current portfolio of Darien properties.

Emergency Services

One of the staff comments is that no fire lanes have been shown on the plans. We reviewed the preliminary plans with the Fire Marshall in March 2018 and have agreed with him that the existing roadways and streets should provide sufficient opportunity for access for fire fighting equipment and emergency services. We have also considered emergency service access in the design of the underground parking structures.

We can share with the Planning and Zoning Commission an analysis prepared by Tighe & Bond of emergency access, including turning radii of fire apparatus, for the proposed internal drive and other site accessways. We shared these with the Fire Marshal in our pre-application meetings.

Pedestrian & Bicycle Improvements

We can review with P&Z staff and ARB the materials to be used in designing interior crosswalks. We have shared with Darien's Architectural Review Board our proposed palate of materials for the landscaped areas, including crosswalks.

Plans have been submitted showing bike racks on the site, we can review at the public hearing on July 17, 2018. Staff requested that we provide at least three bike racks at grade and on-site, in addition to the 60 bike racks provided below grade in the underground parking structures. We have proposed 32 bike racks at grade and on-site, each of which can support 2 bikes for a total capacity of 64 bikes.

Other

We understand that to reconfigure a portion of the Center Street South municipal parking lot we will need to seek approval from the Board of Selectmen, Darien's Parking Authority.

Staff requested clarification of the proposed number of one—versus two-bedroom apartments. The plans submitted provide for 87 two-bedroom units and 30 one-bedroom units.

We acknowledge the conflict with the zoning regulations presented by the apartment unit shown on the first floor of Building K on Corbin Drive. We would respectfully request permission to include this apartment given the expected difficulty of renting that space as retail or office, but we can discuss this in our meetings over the next few days.

The 400 square foot structure shown directly north of Building H is a dumpster enclosure.



5/17/2018

Baywater Corbin Partners, LLC. 1019 Boston Post Road Darien, CT. 06820

Re: Corbin block mixed-use development Trash & Recycling plan

Mr. Genovese

The following is a detailed description of the proposed trash and recycling service for the Corbin block mixed-use development located at Corbin Drive and Post Road in Darien, CT.

Retail:

All of the retail spaces will be serviced at grade level. Designated areas on the property will house in corralled spaces 2-6 yard containers. One of the containers will be specifically for single stream recycling and one specifically for trash. These retail containers will be serviced by a front load truck. The frequency levels will be determined by store or restaurant activity, suggested level to start would be one day a week. As the retail spaces become occupied the level of service would multiply due to increases in commodity generation (See site map for corral locations).

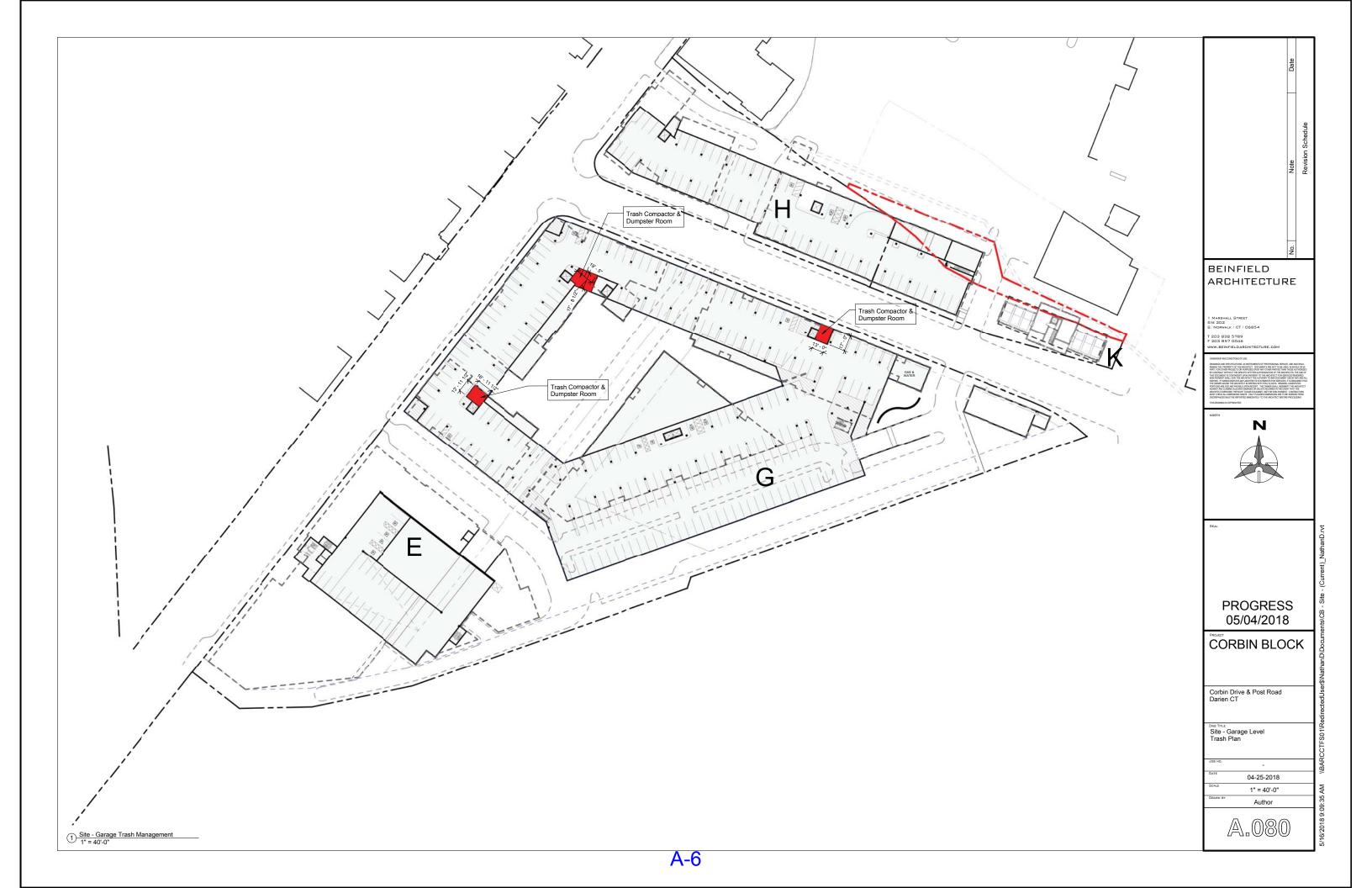
Residential:

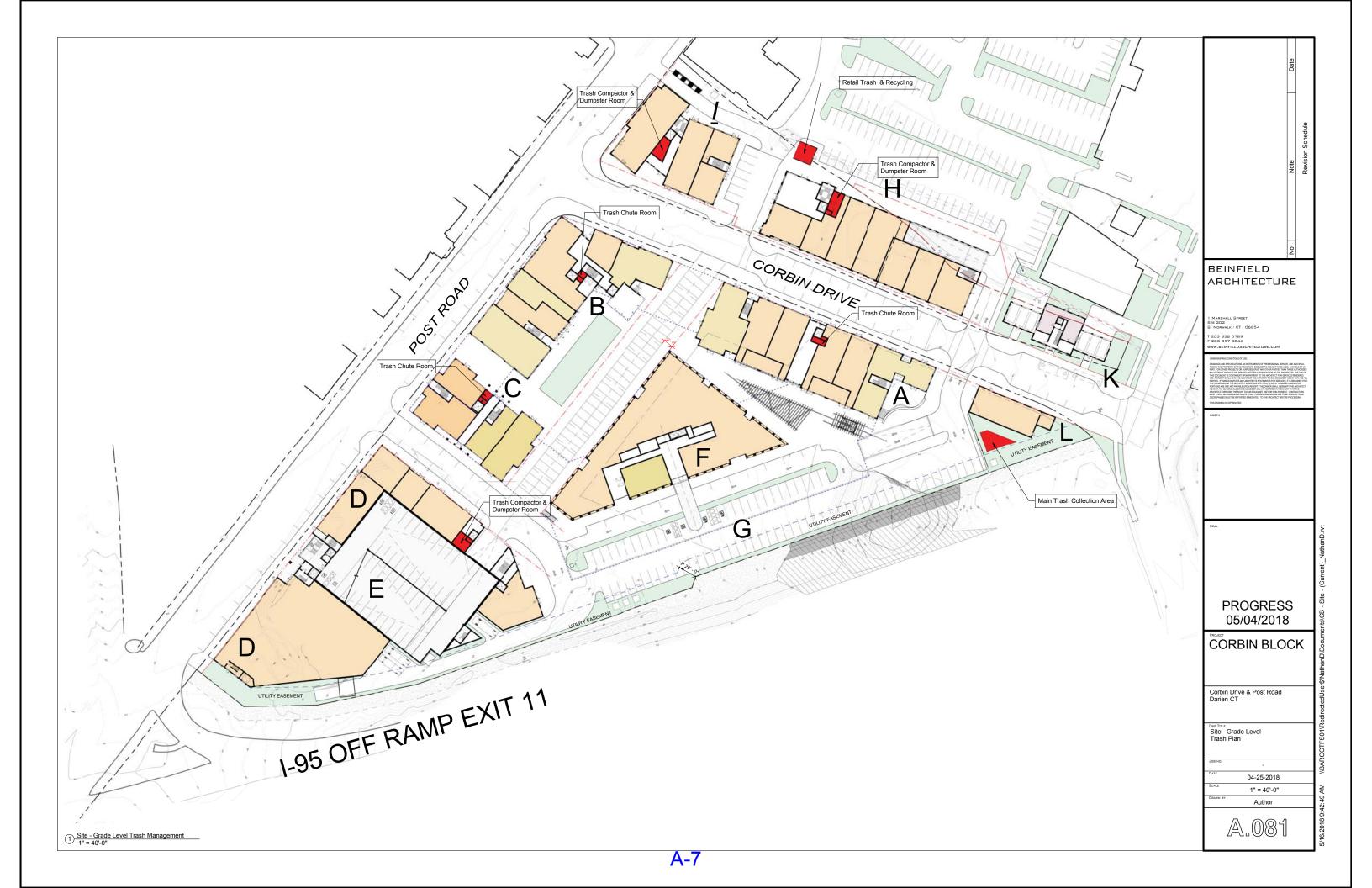
Each residential structure has a trash room area to collect recycling and to utilize the trash chute. This trash chute will be installed while under construction. It comes with safety doors and a fire sprinkler system. In the trash room a 95 gallon roll-out cart will collect the recycled materials. All of the trash will be placed into the chute which feeds the compactor unit at the garage level area. Attached to the compaction unit is a 2 yard container this 2 yard container receives the trash compacted by the unit. In the garage level trash rooms a 2 yard switch box will be staged to receive overflow for move-ins etc. Along with the switch box, another 4 yard container will be staged in the garage level area to receive all recycling materials generated from the upper floor trash rooms. The 95 gallon roll-out carts assigned to the trash rooms on the upper floor will be used as a delivery container to bring the recycling to the 4 yard can at the garage level. Lastly, when the scheduled day arrives to service the garage level containers a porter will via John Deer Gator tow the full cans to grade level for pick-up. Again suggested level of service would begin at one day a week until leasing increases. These containers will also be serviced by a front load truck. (See site map for trash room locations)

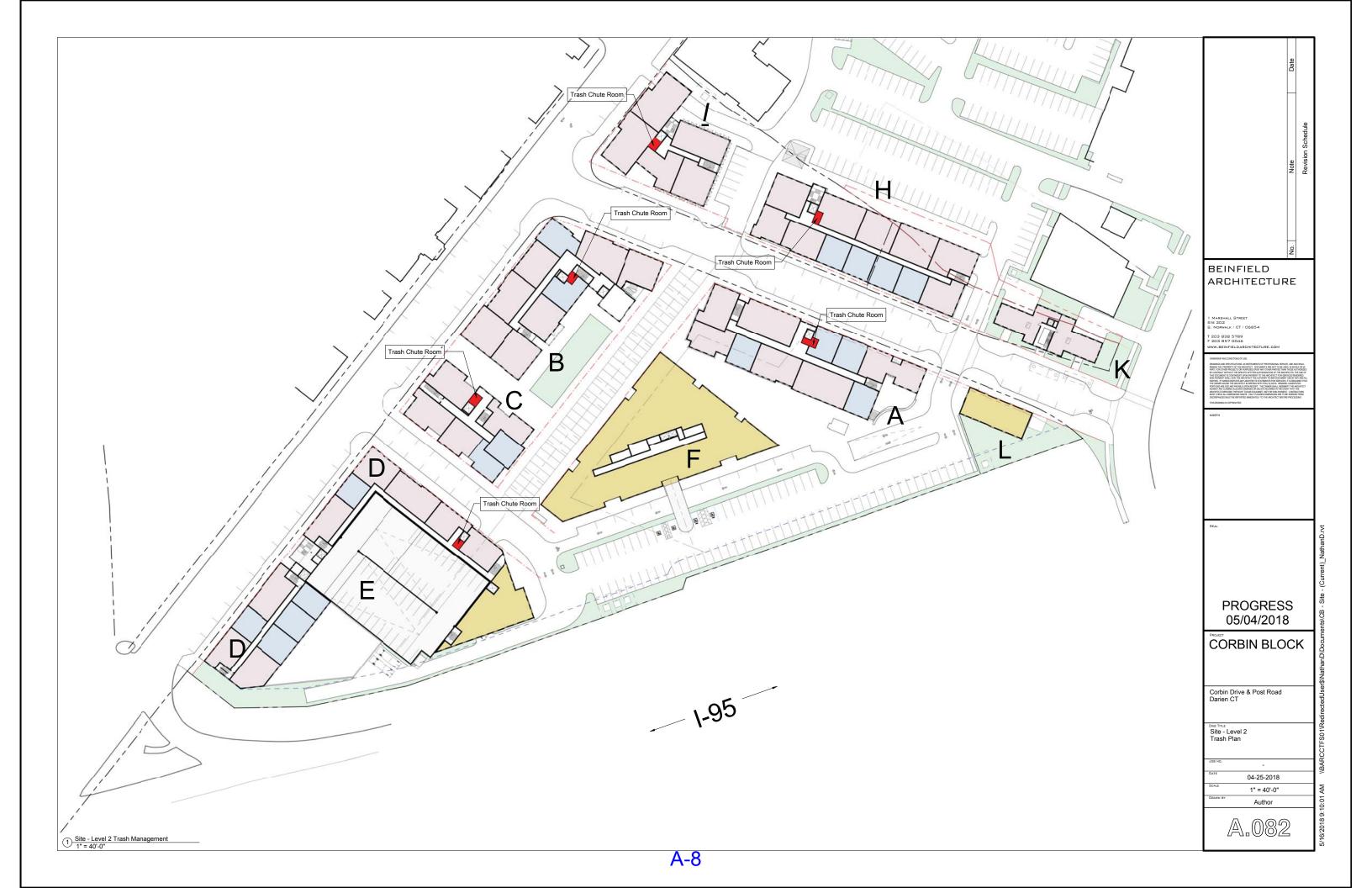
Note: Trash handling and recycling program information will be provided to residents with their leases and the information will also be available in the management and tenant offices. The development's private management company will actively educate residents as to the better practices in conservation and recycling.

Submitted by Gary Fanali Dir. Sales/Marketing City Carting & Recycling

Phone: 203.324.4090 Fax: 203.359.8426 Toll Free: 888.413.3344 www.citycarting.net









11-0509-6 July 11, 2018

Town of Darien
Department of Public Works
2 Renshaw Road
Darien, CT 06820

Attn: Mr. Darren Oustafine, P.E.

Re: Post Road/Corbin Drive Sewer System

Stonybrook Pump Station

Capacity Analysis

Response to Comments

Dear Mr. Oustafine:

This letter has been prepared in response to comments received by your office in regards to the Post Road/Corbin Drive Sewer System and Stonybrook Pump Station Capacity Analysis.

<u>Comment 1</u>: Page 2, 2nd paragraph states that connection point to sewer system has not been identified. Known problems in line exist at least as far west as the sewer manhole at the intersection of Leroy Avenue and Post Road. This point should be considered (or point further west on Post Road) to prevent adding to a known problem area.

<u>Response 1</u>: As stated in the Engineering Report, flows from Buildings B, C, D, E, F and G will be conveyed to the sanitary sewer in the Post Road near the intersection with Leroy Avenue via a new 8-inch PVC sanitary sewer under the sidewalk that runs along the south side of the Post Road. Flows from buildings A, I, H, K and L will connect to the existing sanitary sewer in Corbin Drive.

<u>Comment 2</u>: Page 3 under "flow metering", report mentions that the town should investigate if possible blockages in pipes on Post Rd in vicinity of Corbin intersection. Agreed.

Response 2: No response required

<u>Comment 3</u>: Page 4, under "Future Flows", Why use 884,000 gpd estimated in lieu of 885,491 gpd measured? More conservative and actual measurement. (Page 6 also).

<u>Response 3</u>: Existing and future flow estimates were prepared based upon water usage data provided by the Town of Darien. The comparison of flows estimated from water usage data to measured pump station flows was performed only to confirm that use of the water usage data is a valid method for estimating both existing and future flows.

<u>Comment 4</u>: Page 5, under Sewer Capacity Evaluation, Reference to Figure 3 and Appendix B of report references segment ID's. Figure 3 not found. Appendix B highlights surcharged lines however Figure 3 was not found and therefore segments could not be identified nor located.

Response 4: Figure 3 is attached for review

<u>Comment 5</u>: No peaking factor was found to be applied (and may not be necessary given proximity to Pump Station).

Response 5: Peaking factors are discussed on page 5 of the report. Specifically:

- A peaking factor of 4 was used for flows at the Five Mile River Pump Station
- A peaking factor of 4 was used for flows in the 12" gravity sewer entering the Stonybrook pump station from the north, and the 8" gravity sewer entering the Stonybrook pump station from the south.
- A peaking factor of 2 was used for flow in the 8" gravity sewers along the Boston Post Road and the small section of 8" sewer that enters the Stonybrook pump station from the west
- A peaking factor was not applied to flows from the Middlesex Commons pump station, as the flow estimates from water usage data were higher than the pump station flows based upon pump runtime records

We trust that this letter addresses all of your comments. If you have any questions or additional comments, please do not hesitate to call.

Very truly yours,

TIGHE & BOND, INC.

Lo Camo

Lori A. Carriero, P.E.

Project Manager

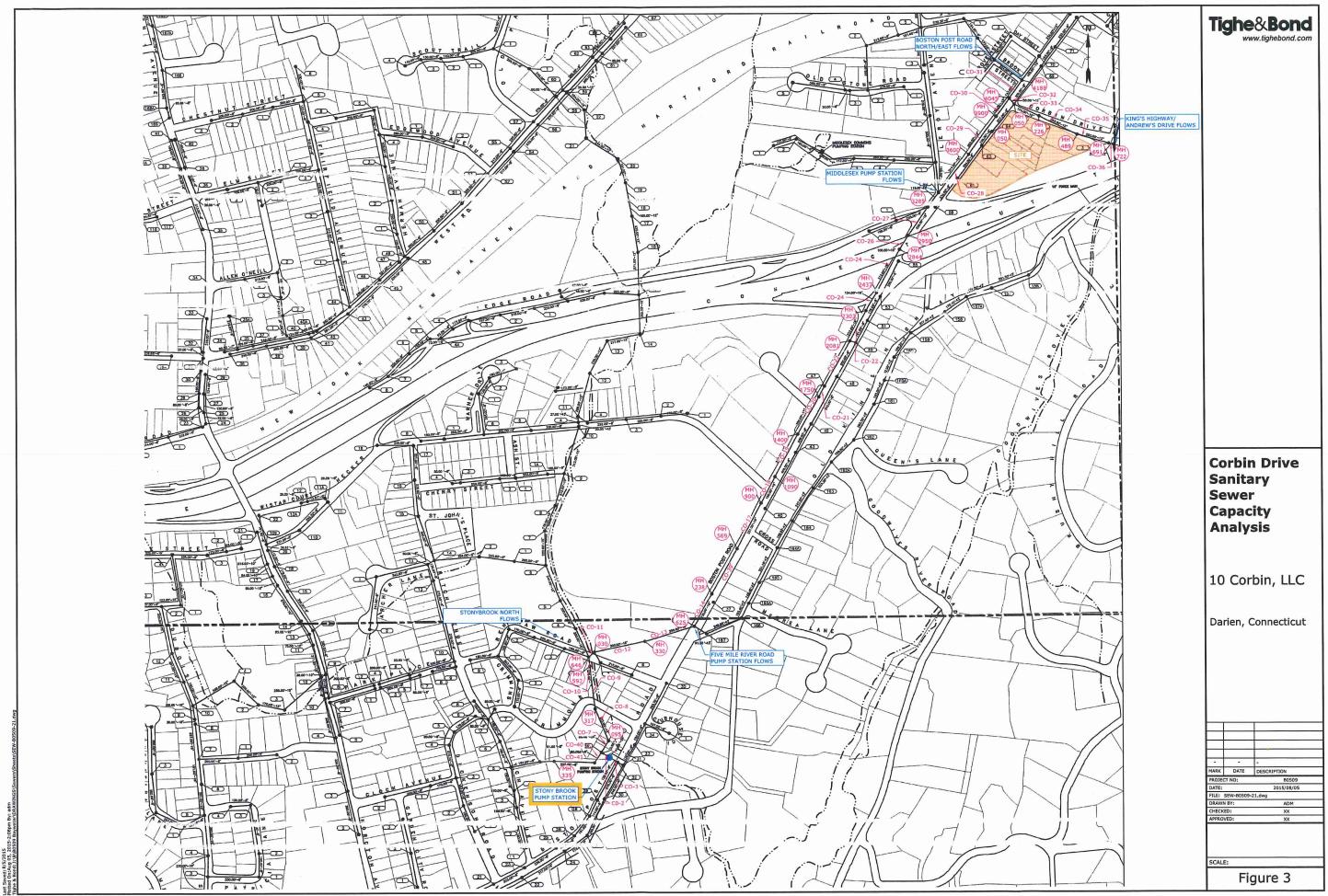
John W. Block, P.E, L.S. Senior Vice President

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Enclosures: Appendix A: Flow Monitoring Report

Appendix B: SewerGems Computer Model

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To: Planning & Zoning Commission From: Baywater Corbin Partners, LLC

Re: Comments Received from Bob Buch, Fire Marshal, Town of Darien

Date: July 16, 2018

We are in receipt of the memo from Bob Buch, Fire Marshall for the Town of Darien, sent via email from Fred Doneit, Senior Planner for the Town of Darien, on July 11, 2018.

David Genovese, principal of Baywater Corbin, Doug Craybas, head of construction for Baywater Properties, and Bruce Beinfield of Beinfield Architecture met with Bob Buch, Fire Marshal, on March 14, 2018 to review the preliminary drawings of the Baywater Corbin project and worked through most, if not all, of the issues relating to fire and life safety in a conceptual way. The detailed construction drawings to be prepared following the receipt of approvals from all necessary land use boards will be developed to address the concerns of Darien's Fire Marshal.

Responses to the comments received are provided below.

Comment 1: Verify sufficient water for fire protection.

Response 1: Aquarion, the water provider to Darien, has issued a letter to Tighe & Bond stating that the water supply to the project proposed is sufficient for consumption projected and life safety.

Comment 2: Sprinkler systems for fire protection to be NFPA 13 Type Systems.

Response 2: Agreed, subject to review of any changes in technology or building codes at the time of construction.

Comment 3: Provide standpipe systems throughout, including but not limited to all stairways and in accordance with NFPA 14 standards.

Response 3: Agreed, subject to review of any changes in technology or building codes at the time of construction.

Comment 4: Fire hydrants to be provided throughout development. Locations to be approved by Fire Marshal's office.

Response 4: Agreed. The locations of fire hydrants will be determined in coordination with the Fire Marshall during the development of construction drawings.

Comment 5: Underground parking to be protected with fire sprinklers and standpipes.

Response 5: Agreed.

Comment 6: Verify sufficient access to underground parking for firefighting access.

Response 6: This has been conceptually agreed but will be confirmed prior to the submission of an application for a building permit.

Comment 7: Fire lanes to be established. To be determined upon final site approval.

Response 7: This has been conceptually agreed but will be confirmed prior to the submission of an application for a building permit.

Comment 8: Underground parking will require early warning fire detection systems as well as smoke removal systems to assist in ventilation in the event of a fire.

Response 8: Agreed.

Comment 9: Verify minimum 47' turning radius for fire apparatus.

Response 9: Confirmed.

Comment 10: Verify access to all buildings for fire service with ladders.

Response 10: This issue was reviewed with the Fire Marshall but will be confirmed prior to the development of construction drawings.

Comment 11: Strongly recommend all buildings be constructed of non-combustible construction.

Response 11: Our intent is to construct the buildings with steel frames and concrete floors, consistent with our approach to other building projects in Darien such as Grove Street Plaza, 745 Boston Post Road, 1020 Boston Post Road, and 17 Old Kings Highway South.

If you have any further questions or comments, please do not hesitate to reach out to me or our attorney, Robert Maslan, at RMaslan@maslanlaw.com or 203-656-3800.

To: Planning & Zoning Commission From: Baywater Corbin Partners, LLC

Re: Comments Received from Peter Solheim, Building Official, Town of Darien

Date: July 16, 2018

We are in receipt of the memo from Peter Solheim, Building Official for the Town of Darien, sent via email from Fred Doneit, Senior Planner for the Town of Darien, on July 11, 2018.

In general, we find these comments to relate to the final approach to construction and the sequencing of building each of the buildings proposed for the Corbin Subarea.

Comment 1: Demolition sequencing, adjacent building protection and egress protection plan required.

Response 1: We are negotiating with several of the tenants of the existing buildings and future tenants of the new buildings, and these negotiations will drive the sequencing of construction. Depending upon the approach ultimately taken, these plans will change. We understand that these plans must be reviewed and agreed with by the Building Official prior to the commencement of demolition and construction.

Comment 2: Construction barriers are unclear. Verify covered walkways/sidewalk sheds and barriers per section 3306 and table 3306.1 of the 2012 IBC.

Response 2: We have not specified these yet. They will be developed in connection with the application for a Building Permit.

Comment 3: Excavation shoring details along with letter of special inspections required.

Response 3: Will provide in the letter with the application for a Building Permit.

Comment 4: Verify soils and foundations per Chapter 18, 2012 IBC.

Response 4: Agreed. We will perform in connection with the application for a Building Permit.

Comment 5: Fire Marshal's approval for fire safety during demolition per 3303.7 2012 IBC required.

Response 5: Agreed. We will seek such approval in connection with demolition permit.

Comment 6: A preliminary plan review meeting with all effected Town agencies can be provided prior to permit application submittals.

Response 6: We agree that a preliminary plan review meeting will be necessary and appropriate prior to the filing of any Building Permit applications.

If you have any further questions or comments, please do not hesitate to reach out to me or our attorney, Robert Maslan at RMaslan@maslanlaw or 203-656-3800.



11-0509-006 July 16, 2018

Mr. Jeremy Ginsberg Town of Darien Planning and Zoning Director 2 Renshaw Road Darien, CT 06820

Re: Response to Comments – Parking Demand and Parking Management Plan Corbin Drive Development Darien, CT

Dear Mr. Ginsberg,

This letter is provided in response to the parking demand and parking management plan comments provided by Frederick P. Clark, dated July 9, 2018, concerning the proposed Corbin Drive Development (Site), located along Corbin Drive and Boston Post Road in downtown Darien. We have prepared responses to address their comments to support the Town approval process.

It is worth pointing out that F. P. Clark estimated a total site parking demand of 804 spaces and that the Site's parking management plan provides 805 spaces, exclusive of the additional municipal parking supply in downtown that is specifically provided to support business activity.

The text below briefly summarizes the parking management plan review comments in italics with our responses in bold text.

Parking Demand Review Comment Responses

Project Description: The Traffic Impact Study prepared by Tighe & Bond, dated May 25, 2018 stated that the site will provide 744 parking spaces including 22 handicap accessible spaces. However, the Applicants' parking demand and parking management plan indicated that the site will provide a total parking supply of 805 spaces including 22 handicap accessible spaces.

Response:

The proposed Corbin Drive Development will provide 744 parking spaces within the Site. Additionally, 26 on-street parking spaces along the Site frontage on Boston Post Road and 35 on-street parking spaces along the Site frontage on Corbin Drive are included in the analysis, for a total parking supply of 805 spaces including 22 handicap accessible spaces.

As illustrated on Figure 1-A through 1-C, included in Tighe & Bond's Parking Demand and Parking Management Plan, dated May 25, 2018, there will be 240 parking spaces provided in the underground parking facility below Building G, 64 parking spaces in the underground parking facility below Building H, 308 parking spaces within on/above grade parking at Building E, as well as 132 surface parking spaces on the Site.

Comment 1: The Town's Traffic Consultant reiterate the Parking Supply and Parking Demand estimation included in the Parking Demand and Parking

Management Plan prepared by Tighe & Bond, dated May 25, 2018.

Response: No response required.

Comment 2: The Town's Traffic Consultant conducted a supplemental parking demand

estimation for the proposed Corbin Drive Development.

Response: No response required.

Comment 3: It is not practical to provide parking on the assumption that every space will

be fully utilized. Therefore, some reserve capacity is needed to allow for cruising vehicles in search of a space, vehicle un-parking, and for peak

surges. Thus, a design safety factor of 5 percent is suggested.

Response: As noted in the Parking Management Plan, the Site will provide 744

on-site parking spaces. Also, as noted in the Parking Management Plan, an additional 61 parking spaces are provided along the site frontages for a total of 805 total parking spaces. The Site parking supply was developed based on a review of several technical resources, including the Nelson Nygaard Downtown Darien Parking Management Plan, ITE Parking Generation, and ULI Shared Parking Models. The Nelson Nygaard report methodology results in a 628-space parking supply, while the ITE Parking Generation and ULI Shared Parking Models result in a peak demand of 766 parked space. Assuming a 5% oversupply over peak demand estimates (766) results in a total parking supply estimate of 804 parking spaces. Therefore, it is our position that the on-site parking plus the

immediately adjacent on-street parking provide the parking

capacity to support the anticipated parking demand.

Comment 4: The Applicant's Traffic Consultant based the estimates of the parking

demand on ITE average peak period parking demand generation ratios, and a limited ULI shared parking analysis utilizing the time of day adjustment-only. Clark Associates based the estimates of the parking demand on the 85th percentile peak period parking demand ratios, ULI recommended weekday base parking ratios and a comprehensive ULI shared parking analysis utilizing the monthly adjustment, time of day adjustment, non-captive daytime and drive ratio daytime. ITE 85th percentile parking demand ratio was utilized on a weekday condition. Because of the many variables influencing parking demand, use of average parking rates from comprehensive studies of similar land uses may provide adequate parking only about half of the time. Accordingly, the concept of design-level parking demand is suggested for planning purposes. This is the 85th percentile value, meaning that the suggested ratios would be exceeded by only 15

percent of the observations.

Response:

Even though Tighe & Bond's parking estimation was based on ITE average parking demand ratios, internal capture and TOD credits were not included to provide a conservative estimate of parking demand. The site is located within a quarter mile of Darien Metro-North train station, has direct access to sidewalk facilities that connect the site to nearby transit and public transit bus stops located within the study area, which would further reduce the vehicular parking demand of the proposed development.

Findings:

It is our opinion that the results of the parking needs and shared peak parking demand analysis conducted by Clark Associates, indicates the need for 804 parking spaces as an adjusted demand. The Site Plan provides a total of 805 parking spaces, which will meet the peak parking demand that would be generated by the proposed mixed-use development. The parking supply of 805 parking spaces includes 122 parking spaces reserved for residential parking, while the remaining parking consisting of 622 on-site parking spaces and 61 on-street parking spaces will be shared between the different complimentary uses proposed on-site. To account for a design safety factor of 5 percent for peak surges, 40 additional parking spaces are available in the Center Street municipal parking lot east of the Boston Post Road and north of Corbin Drive.

The Darien Parking Authority (Board of Selectman) contracted with Nelson/Nygaard Consulting Associates (a nationally known parking consultant) to prepare the 2015 Downtown Parking Study. The Study included a Parking Management Plan devoted to downtown parking management findings, strategies and recommendations. It also included key findings, strategies and recommendations that are in the "Action Plan for Revitalization of Downtown", the Route 1 Corridor Study for SWRPA, and the 2007 Parking Study for the Town by Fitzgerald Halliday. This Parking Management Plan also includes a strategy to encourage shared parking provisions for larger developments. In this Study, Nelson Nygaard uses its Shared Parking Model for projecting parking demand generation from new land uses in mixed-use, urban settings. Select parking requirements in this Model are:

- Multi-family dwelling: 1 space/dwelling unit
- Office: 1 space/500 sq. ft. of gross floor area (2 spaces/1,000 sq. ft. of gross floor area).
- Retail/Commercial Sales and Services: 1 space/333 sq. ft. of gross floor area (3 spaces/1,000 sq. ft. of gross floor area).

Based on the Nelson Nygaard Model the proposed Corbin Block should have sufficient parking by providing 628 parking spaces. Baywater is proposing 744 on-site spaces (a 18% factor of safety) and the parking management plan includes 805 parking spaces (a 28% safety factor).

Furthermore, based on the Downtown Darien municipal parking area map, the Center Street South Parking Lot provides a total of 164 parking spaces, while Center Street North Parking Lot provides a total of 114 parking spaces. Both Center Street Municipal parking lots are within a short walking distance to the proposed development and includes free short-term parking for shoppers in the area.

In summary, it is our professional opinion that the Site, in the context of the parking management plan, provides the necessary parking supply to accommodate the anticipated parking demand. We trust that the responses provided in this letter address the concerns identified. Please feel free to contact me should you need any further information.

Sincerely,

TIGHE & BOND, INC.

Jianhong Wang, P.E.

Tracks Way

John W. Block, P.E., L.S. Senior Engineer Senior Vice President

David Genovese, Baywater Corbin Partners, LLC cc:

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John w Blak