MEMORANDUM

To: Board of Selectmen

From: Timothy Bishop, Conservation Director

Cc: Conservation Commission

Date: July 5, 2024

Re: 798 and 816 Sturges Road
Map 177 Lots 178 & 178A

Per my most recent preliminary presentation before the Board of Selectmen regarding the above-referenced properties, I have been in pursuit of acquiring the two above-referenced parcels for the benefit of the Town of Fairfield for multiple reasons that I will detail later in this Memo. The two parcels are located in the Greenfield Hill section of Town, on the eastern side of Sturges Road, near the intersection with Bronson Road. Combined, they total 0.59-acres and adjacent to the 64.6-acres of Perry's Mill Open Space. This open space falls under the jurisdiction of the Conservation Commission and is the responsibility of my Department to maintain for the benefit of all natural resources and enjoyment by the public, including programs within the Fairfield Public School curriculum.

Following my conversations with the property owner dating back to the fall of 2023, he was willing to work with me (and the Town) for consideration of purchase of both parcels. Ultimately, an offer to purchase both parcels for $950,000 was accepted in writing in a letter from the First Selectman dated April 11, 2024. To-date, the Conservation Commission, Planning & Zoning Commission and Land Acquisition Commission approve of this acquisition deal, but as you know, this matter is currently active before the Board of Selectmen, Board of Finance and RTM for the necessary approvals, including funding.

Once acquired, ownership of the parcels by the Town not only add acreage to existing open space and prevent future development adjacent to Town-owned land and the Mill River, my vision is to transform the property into a unique educational experience for Fairfield. The property will be designed and renovated to become the first environmental education center in the region, a nature's classroom so to speak. Through this Department, I intend to operate the facility in similar fashion as the Parks & Recreation Department operates Penfield Pavilion. The building and grounds would be expected to be utilized by Fairfield Public Schools and their Mill River Wetlands Committee (MRWC) curriculum, Boy Scouts, Girls Scouts and other nature-based organizations on a reservation basis. My expectations of the facility are that users could

enjoy the open space, collect benthic organisms and nymphs from the Mill River and bring them back directly to the center for examination under microscopes, grow tadpoles into frogs and study the effects on water quality in aquariums based on phosphorus loading.

Additional benefits also include providing safe use of the existing open space for facility and open space users alike. Currently, MRWC school buses and staff park along the shoulder of Sturges Road to enter the open space, which as you can imagine, poses a significant safety risk. With this acquisition, the vacant lot would be utilized as parking that can accommodate cars and buses and take them off of the road.

Furthermore, as part of the educational experience, additional plans exist to incorporate physical demonstrations for the facility users, as they relate to sustainable practices and protection of natural resources. For example, consideration may be given to use of solar and/or geothermal technology at the facility, pervious pavement and stormwater management, native landscaping and pollinator gardens could be installed, maintained and signage created for open space user knowledge.

During my recent site visits, visual inspections on-foot have revealed no reason to be concerned with site history of either parcel. The Town has retained Pillar To Post, a professional inspection company to perform a thorough inspection of the property's structure. On July 3, 2024, myself and the Public Works Building Maintenance Supervisor were present during the inspection to observe and discuss for planning and budget purposes, future outfitting/renovations, alterations and repairs, if any, will be required. Having walked the exterior and interior of the property before, I am already aware of a few items, including the underground storage tank in the front yard for heating purposes that will be removed. In almost two decades of experience as an environmental consultant, I have completed over 2,000 Phase I environmental site assessments and removed over 4,000 petroleum storage tanks, so I intend to provide input and expertise to this process as well.

In summary, I believe no reason exists to not accept these parcels for Town conservation use and acquiring them will not only add to our open space inventory, but establish a one-of-a-kind environmental education facility for Fairfield residents and the public. Most importantly, public school students, who are the future stewards of our natural resources, will be afforded the opportunity to gain hands-on field and laboratory experiences at a high-caliber institutional facility this unique in design and vision.

In closing, I recommend that the Board of Selectmen approve the acquisition and of ownership by the Town of Fairfield of these two parcels as well as the proposed suite of funding to fully execute this .

Please let me know if you have any questions.

Respectfully,

Timothy J. Bishop, MS, CEP, WPIT, CE

Town of Fairfield

Town Planning and Zoning Commission
725 Old Post Road
Fairfield, Connecticut 06824

Sullivan Independence Hall **203-256-3050**

Memo

To: Board of Selectmen
From: Jim Wendt, Planning Director
Date: June 26, 2024
Re: 798 and 816 Sturges Road

Please be advised that on Tuesday, June 25, 2024, the Town Plan and Zoning Commission voted unanimously to favorably recommend the town acquisition of the above-captioned property for open space. This recommendation is pursuant to section 8-24 of the CT General Statutes.

THE GREATER BRIDGEPORT BAR ASSOCIATION, INC.
STANDARD FORM RESIDENTIAL REAL ESTATE SALES AGREEMENT
APPROVED AS OF NOVEMBER 10, 2009

AGREEMENT made as of the ____ day of _____ **2024 BETWEEN Juan Velez** (herereinafter referred to as the SELLER, whether one or more), **The Town of Fairfield** (hereinafter referred to as the BUYER, whether one or more),

W I T N E S S E T H:

1. **PROPERTY**. The SELLER, in consideration of the purchase price hereinafter specified, hereby agrees to sell and convey, and the BUYER hereby agrees to purchase the real property commonly known as **798 Sturges Road, Fairfield, Connecticut and 816 Sturges Road, Fairfield, Connecticut** and specifically described in Schedule A attached hereto (the "Premises") subject to the encumbrances and exceptions to title set forth or referred to in paragraph 6(e) and Schedule A (legal description and exceptions, if any) attached hereto.

2. **CONSIDERATION**. The purchase price is NINE HUNDRED FIFTY THOUSAND DOLLARS ($950,000.00) which the BUYER agrees to pay upon the delivery of the deed, by certified check or official bank check drawn on a bank which is a member of the New York Clearing House, or wire transfer the proceeds of which are immediately available to SELLER (this amount may vary depending on adjustments pursuant to this Agreement).

~~(a) As a part of the deposit heretofore paid, receipt of which is hereby acknowledged, subject to collection.~~ ~~$~~

~~(b) As the balance of the deposit before or upon the signing of this Agreement, receipt of which is hereby acknowledged, subject to collection;~~ ~~$~~

~~(c) Upon the delivery of the deed, by certified check or official bank check drawn on a bank which is a member of the New York Clearing House, or wire transfer the proceeds of which are immediately available to SELLER (this amount may vary depending on adjustments pursuant to this Agreement);~~ ~~$~~

~~TOTAL~~ ~~$ 950,000.00~~

~~Any deposit made hereunder shall be paid to the SELLER's attorney who shall hold the same in escrow subject to the terms and conditions hereof and release same to SELLER at the time of closing or to the party entitled thereto upon sooner termination of this Agreement. Any other deposits held by other parties shall immediately be forwarded to SELLER's attorney to be held under the same conditions. Prior to any release of the funds to either party for any reason other than a closing, SELLER's attorney shall provide not less than seven (7) days notice to both parties. If there is a dispute as to the deposit the SELLER's attorney may pay the deposit into court by interpleader or other appropriate action whereupon the SELLER's attorney shall be relieved of all further obligation.~~

Mortgage company checks or similar holding company checks, unless certified, DO NOT represent immediate funds and will not be accepted at the time of closing. Trustee checks are NOT satisfactory funds for any payment

required by this Agreement at the time of closing. In the event SELLER or SELLER'S attorney accepts BUYER's attorney's trustee check in lieu of other funds, BUYER agrees that no stop payment order or direction will be issued with respect to such check(s). This provision shall survive the closing.

BUYER'S attorney shall tender to SELLER separate cashier's check(s), bank treasurer certified check(s) or wire transfer(s), at SELLER'S discretion, for payoff of SELLER'S mortgage obligation(s), if any, in accordance with the GBBA Real Estate Closing Customs; the balance of funds due to be paid at closing in accordance with Paragraph 2d of the Agreement.

3. **DEED**. The SELLER, on receiving the total purchase price, shall, at the SELLER's cost and expense, execute, acknowledge, and deliver to the BUYER, or BUYER's permitted assigns, **two of** the usual Connecticut full covenant Warranty Deed**s** (or appropriate Fiduciary's Deed) in proper form, to convey to the BUYER, or BUYER's permitted assigns, the fee simple of the Premises, free of all encumbrances except as aforesaid. The SELLER shall thereupon pay all real estate conveyance taxes and shall complete and deliver to the BUYER the conveyance tax forms. **The consideration for the deed for 798 Sturges Road shall be $798,000.00 and the consideration for the deed for 816 Sturges Road shall be $152,000.00.**

4. **CLOSING**. The deed shall be delivered at the offices of the SELLER's attorney, provided said office is in Fairfield County Connecticut, or at such place in Fairfield County, Connecticut, as may be designated by the BUYER's lending institution on the date that is the first business day which is 30 days after the approvals set forth in paragraph 55 are obtained, or sooner by mutual agreement of the parties hereto. **Notwithstanding the foregoing, the parties hereto mutually agree to the following alternative closing arrangement: (a) SELLER's attorney may send closing documents to BUYER's attorney via overnight courier or hand delivery, which shall be delivered on the Closing Date; (b) upon receipt of said closing documents, BUYER's attorney shall transmit the purchase proceeds via wire transfer to SELLER's attorney's escrow account; and (c) the closing documents and purchase proceeds shall be held in escrow until both BUYER's attorney and SELLER's attorney confirm in writing that release is authorized.**

5. **FIXTURES**. (a) Included in this sale, for the aforesaid purchase price, are the following items, all of which items the SELLER represents are owned by SELLER, not leased, and free from security interests, liens, and other encumbrances, insofar as any of them are now located on the Premises, in their present "AS IS" condition, normal wear and tear excepted: heating, cooling, electrical and plumbing systems and fixtures, electric light fixtures, stove, storm windows and doors, screens and screen doors, window shades, venetian blinds, curtain rods, awnings, exterior television antennae, weathervanes, mail box(es), all pool equipment, garage door openers with remotes, and existing plants and shrubbery, together with n/a

(b) Included in the sale are fixtures which are defined as personal property that have become so attached to the real property that they are not readily removable having become fixed, e.g. by nail, screw, bolt, glue, etc.

(c) Specifically **excluded** from the sale are: n/a

(d) If any fixtures are leased, the leased item, and corresponding name and contact information of the lessor is as follows: n/a

6. **TITLE.** (a) If, upon the date for the delivery of the deed as hereinafter provided, the SELLER shall be unable to deliver or cause to be delivered a deed or deeds conveying a good and marketable title to the Premises, subject only to the items set forth in Schedule A and Paragraph 6(e) hereof, then the SELLER shall be allowed a reasonable postponement of closing not to exceed thirty (30) days, or such shorter time as may be within the term of the BUYER's mortgage commitment, within which to perfect title. If at the end of said time the SELLER, **despite reasonable good faith efforts,** is still unable to deliver or cause to be delivered a deed or deeds conveying a good and marketable title to said Premises, subject as aforesaid, then the BUYER may elect to accept such title as the SELLER can convey, without modification of the purchase price, or may reject such title. Upon such rejection, all sums paid on account hereof, together with any expenses actually incurred by the BUYER, which expenses, however, shall be limited in the aggregate so as not to exceed the gross premium cost of fee title insurance based on the amount of the purchase price, for attorneys' fees, nonrefundable fees of lending institutions, survey costs and inspection fee, shall be paid to the BUYER without interest thereon. Upon receipt of such payment, this Agreement shall terminate and the parties hereto shall be released and discharged from all further claims and obligations hereunder.

(b) The title herein required to be furnished by the SELLER shall be marketable, subject only to the items set forth in Schedule A and Paragraph 6(e) hereof, and the marketability thereof shall be determined in accordance with the Standards of Title of the Connecticut Bar Association now in force. Any and all defects in or encumbrances against the title, which come within the scope of said Title Standards, shall not constitute valid objections on the part of the BUYER, if such Standards do not so provide, and provided the SELLER furnishes any affidavits or other instruments which may be required by the applicable Standards, and further provided title will be insurable at standard premiums by a title insurance company licensed in the State of Connecticut.

(c) NO VIOLATIONS: The SELLER represents that the Premises and the present use thereof are not in violation of any governmental rules, codes, permits, regulations or limitations, unless same have become legally nonconforming, and there are no violations of any restrictive covenant, agreement or condition subject to which title to the Premises is be conveyed in accordance with the terms hereof. Between the date of this Agreement and the date of closing the SELLER will not do anything or allow anything to be done on or about the Premises which will result in any such violation. The SELLER represents that SELLER has not received any notice of zoning or building violations and that there has been no attempt to enforce same against the SELLER during the time in which the SELLER has owned the Premises. SELLER represents that SELLER has no knowledge of any special assessments levied or to be levied against the Premises, which are not yet a lien on the Premises and has no knowledge of any existing improvements or work done on the Premises which may result in special taxes or assessments to be paid thereon.

(d) RELEASE OF MORTGAGES: Notwithstanding anything to the contrary contained in this Agreement or any riders attached hereto, in the event SELLER'S title is encumbered by mortgage lien(s) for which SELLER'S attorney is unable to deliver release(s) of mortgage(s) at closing, the parties shall close the transaction, provided that the following procedure is followed with respect to each mortgage lien: (a) the SELLER'S attorney shall provide to the BUYER'S attorney the following documents at the time of closing: SELLER'S indemnification letter in the form provided by the Greater Bridgeport Bar Association Closing Customs, copy of mortgage payoff statement provided by the mortgagee, mortgage payoff transmittal letter issued by the SELLER'S attorney in the

form provided by the Greater Bridgeport Bar Association Closing Customs, and a copy of the overnight airbill for transmittal; (b) the SELLER'S attorney, upon receiving the release of mortgage from the mortgagee, shall send it, with payment for the recording fee, to the BUYER'S attorney who shall then record the release of mortgage; (c) if SELLER has not obtained such release within sixty (60) days after closing, the SELLER'S attorney and BUYER'S attorney shall take all necessary steps towards compliance with the Section 49-8a of the Connecticut General Statutes for the purpose of filing a statutory affidavit in lieu of release of mortgage should such filing become necessary; (d) with respect to an equity line of credit, in addition to the aforesaid requirements, the SELLER'S attorney shall notify the lender to terminate all future borrowing rights as the time at which the payoff statement is requested, a copy of this notification shall be provided to BUYER at closing; (e) in the event BUYER'S title insurance company will not issue a fee policy at no additional premium taking no exception for said mortgage or mortgages, ~~or~~ **and** which provides affirmative coverage against lost or damage by reason of said unreleased mortgage or mortgages, BUYER shall not be obligated to proceed to closing; and (f) the provisions of this paragraph 6(d) shall survive the closing.

(e) EXCEPTIONS TO TITLE: The Premises will be conveyed to and accepted by the BUYER subject to:

(i) Any and all zoning and/or building restrictions, limitations, regulations, ordinances, and/or laws; any and all building lines; and all other restrictions, limitations, regulations, ordinances and/or laws imposed by any governmental authority and any and all other provisions of any governmental restrictions, limitations, regulations, ordinances and/or public laws, provided the Premises are not in violation of same at the time of closing.

(ii) Real Property Taxes on the Current Grand List and any and all existing tax payments, municipal liens and assessments, coming due on or after the date of closing; the BUYER shall by acceptance of the deed assume and agree to pay, any and all such tax payments, liens and assessments which may on or after the date hereof be assessed, levied against or become a lien on the Premises.

(iii) Any state of facts which a survey and/or physical inspection of the Premises might reveal, provided same do not render title unmarketable (such exception is for purposes of this Agreement only and shall not be included in the deed, unless it was in the deed which SELLER received upon purchasing the property).

(iv) Common law, riparian or littoral rights of others and/or other rights, if any, in and to any natural watercourse or body of water flowing through or adjoining the Premises, and all statutory and other rights of others in and to any such watercourse or body of water.

(v) Unless otherwise specifically agreed between the parties in writing, any municipal assessment and/or lien other than taxes shall be paid on a current basis by the SELLER and the balance assumed by the BUYER at closing. **Seller represents that Seller is not aware of any such assessment currently affecting the Premises.**

(vi) Such encumbrances as shown on Schedule A, if any, **provided same do not render title unmarketable**.

7. **LIEN.** All sums paid on account of this Agreement and the reasonable expenses as set forth in Paragraph 6 or 11 hereof are hereby made liens on the Premises, but such liens shall not continue after default by the BUYER under this Agreement.

8. **CONDITION OF PREMISES [THIS AGREEMENT IS NOT SUBJECT TO ANY INSPECTION CONTINGENCIES].** The BUYER agrees that he has inspected said Premises, is satisfied with the physical

condition thereof and agrees to accept at closing the Premises in the condition that it was in at the time that all the Buyer's building inspections were completed, on an "as is" basis, reasonable wear and tear excepted, subject to the provisions of Paragraph 11 hereof. SELLER represents that all appliances and systems on the Premises (including the furnace, heating and air conditioning systems and any appliances included in the sale) are in working order and will be in the same condition at the time of closing as they were on the date that all the BUYER's building inspections were completed, reasonable wear and tear excepted. SELLER represents that the floor areas under any area rugs or furniture, and the wall areas behind any furniture, wall hangings or other objects, are of substantially the same condition and material as the floor and wall areas that are visible to inspection by BUYER without moving any of the foregoing, and there are no holes in the floors or walls hidden by the same, with the exception that reasonable nail holes shall be deemed to be acceptable. Neither SELLER nor SELLER's agents have made any representations or warranties as to said Premises on which BUYER has relied other than as expressly set forth in this Agreement. The SELLER agrees that the condition of the Premises shall be the same on the date of closing of title as of the date that all the BUYER's building inspections were completed, reasonable wear and tear excepted, subject to the provisions of Paragraph 11 hereof.

9. **BROKER(S).** ~~The parties hereto agree _____ of _____ and _____ of _____ are the broker(s) who negotiated the sale of the Premises, and the SELLER agrees to pay the commission for such services pursuant to separate agreement.~~ This Agreement is consummated by the SELLER in reliance on the representation of the BUYER that no ~~other~~ broker or agent brought the Premises to the BUYER's attention or was, in any way, a procuring cause of this sale and purchase. The SELLER represents to the BUYER that no ~~other~~ broker or agent has any exclusive sale or exclusive agency listing on the Premises. The BUYER (jointly and severally, if more than one) hereby agrees to indemnify and hold harmless the SELLER against any liability by reason of the claim of any other broker or agent for a commission on account of this sale, provided that it is adjudged by a court of competent jurisdiction that a commission is due by reason of such other broker or agent being the procuring cause of this sale, said indemnity to include all costs of defending any such claim, including reasonable attorney's fees. In the event of any such claim, SELLER shall promptly notify BUYER, and BUYER shall have the right, but not the obligation, to assume the defense of such claim. The provisions of this paragraph shall survive the closing.

10. **APPORTIONMENT**. Real estate taxes, fire district taxes, sewer taxes, sewer assessments and sewer use charges or other municipal assessments, water charges, rents, **assignable** service contracts, dues and ordinary assessments of private associations, and common charges, if any, shall be apportioned over the fiscal period for which levied. BUYER shall reimburse SELLER at closing for any fuel remaining on the Premises at then market rates. All adjustments shall be apportioned in accordance with the custom of the Bar Association of the community where the Premises are located. Condominium special assessments due and payable prior to the date set forth in Paragraph 4 of this Agreement shall be SELLER's responsibility. Any errors or omissions in computing apportionment or other adjustments at closing shall be corrected within a reasonable time following the closing. The preceding sentence shall survive the closing.

11. **RISK OF LOSS**. The risk of loss or damage by fire or other casualty to the buildings on the Premises until the time of the delivery of the deed is assumed by the SELLER. Throughout the period between the date of this Agreement and the delivery of deed, SELLER shall continue to carry his existing fire and extended coverage insurance on the buildings on the Premises. In the event that such loss or damage does occur prior to the delivery of the deed, the SELLER shall immediately notify Buyer and shall be allowed a reasonable time thereafter, not to exceed thirty (30) days from such loss or damage or such shorter time as may be within the term of BUYER's mortgage commitment, within which to repair or replace such loss or damage to the Buyer's reasonable satisfaction. In the event the SELLER does not repair or replace such loss or damage within said time, the BUYER shall have the option:

(a) Of terminating this Agreement, in which event all sums paid on account hereof, together with any expenses actually incurred by the BUYER for attorneys' fees, nonrefundable fees of lending institutions, survey costs and inspection fees (in the aggregate not to exceed the cost of fee title insurance based on the amount of the purchase price), shall be paid to the BUYER without interest thereon. Upon receipt of such payment, further claims and obligations between the parties hereto, by reason of this Agreement, shall be released and discharged; or

(b) Of accepting a deed conveying the Premises in accordance with all the other provisions of this Agreement upon payment of the aforesaid purchase price and of receiving the benefit of all insurance moneys recovered or to be recovered on account of such loss or damage, to the extent they are attributable to loss or damage to any property included in this sale, less the amount of any moneys actually expended by the SELLER on said repairs.

The SELLER shall not be responsible for loss or damage to trees or other plantings due to natural causes.

12. **AFFIDAVITS**. The SELLER agrees to execute, at the time of closing of title, an affidavit, (a) verifying the non-existence of mechanics' and materialmen's lien rights, (b) verifying the non-existence of any tenants' rights, other than as set forth herein, (c) verifying the non-existence of any security interests in personal property and fixtures being sold with the Premises, (d) updating to the extent of SELLER's knowledge, any available survey, and (e) affirming that SELLER is not a "foreign person" pursuant to Internal Revenue Code Section 1445; together with any other affidavit reasonably requested by the BUYER's lender or title company as to facts within SELLER's knowledge.

13. **MAINTENANCE**. The grounds shall be maintained by the SELLER between the date of BUYER's signing hereof and the closing of title, including the mowing of lawns, the raking of fallen leaves, the removal of fallen trees and large branches (except in uncultivated areas), and the removal of snow and ice from walks and driveways. In the event there is a pool that has been opened prior to the closing, SELLER shall continue to perform normal maintenance of same.

14. **DELIVERY OF PREMISES**. The SELLER agrees to deliver, simultaneously with the closing of title, exclusive possession of the Premises (except as may be otherwise provided herein), broom-clean, free of all debris, litter and furnishings and shall deliver all keys in SELLER's possession to the BUYER. BUYER shall have the right to make a final inspection of the Premises prior to the closing of title.

15. **LIABILITY FOR DELAYED CLOSING**. In the event of a delay in closing as set forth herein, other than as provided for under the provisions of this Agreement, through no fault of the SELLER, beyond five (5) business days, then the BUYER will reimburse the SELLER from the sixth (6th) business day to the day of actual closing of title for the SELLER's carrying costs of said property, including taxes, mortgage interest, utilities and per diem interest on SELLER's equity in the Premises, which amount shall be calculated at the rate of 1/30th of 1% of the purchase price for each day of delay up to the actual date of closing. Further, in the event of a delay in the closing by more than five (5) business days, through no fault of the BUYER, SELLER shall reimburse the BUYER for carrying costs for temporary housing, temporary storage of personal property, living expenses and other miscellaneous expenses at the same per diem rate of 1/30th of 1% of the purchase price for each day of delay from the sixth (6th) business day to the day of actual closing up to the actual date of closing. [For example, the per diem cost of a $450,000 transaction would be $150 per day.]

16. **DEFAULT**. If BUYER is in default hereunder, or, on or before the date of closing as set forth herein, indicates that BUYER is unable or unwilling to perform and SELLER **is not in default hereunder and** stands ready to perform SELLER's obligations, SELLER's sole remedy shall be the right to terminate this Agreement by written notice to BUYER or BUYER's attorney and retain the down payment as reasonable

liquidated damages for BUYER's inability or unwillingness to perform. It is the intention of the parties hereto freely to make advance provision on the date of this Agreement for such event in order (a) to avoid controversy, delay and expense, and (b) to specify now a reasonable amount agreeable to both for compensation to the SELLER for losses which may not be readily ascertainable or quantifiable, such as any of the following which might be necessary to place SELLER in the position SELLER would have been in had BUYER made timely performance: costs of carrying, maintaining, insuring and protecting the property; loss of interest income on the proceeds; loss of optimum market time, value and conditions; the uncertainty, delay, expense and inconvenience of finding a substitute buyer; additional commissions, fees, taxes and borrowing expenses to meet obligations entered into in anticipation of performance. In such event and upon SELLER's written notice of termination, the Premises shall be free of any claims or interest of the BUYER therein by virtue of this Agreement. If SELLER defaults hereunder, BUYER shall have such remedies as BUYER shall be entitled to at law or in equity, including, but not limited to, specific performance. However, failure to comply by the SELLER as a result of encumbrances or defects in title shall be governed by the provisions of Paragraph "6" of this Agreement and failure to comply as a result of risk of loss shall be governed by Paragraph "11" of this Agreement.

The foregoing notwithstanding, a delay in the closing occasioned by the SELLER, which results in either the loss of the BUYER'S mortgage commitment or an adverse change in the terms of such commitment shall entitle BUYER to rescind this Agreement and the SELLER shall forthwith refund all sums heretofore paid by the BUYER on account of the purchase price, whereupon all rights and liabilities of the parties hereto by reason of this Agreement shall terminate.

In no event shall the closing, or any extension thereof, take place later than four (4) weeks from the date of closing set forth in Paragraph 4 hereof, subject to the provisions of Paragraphs 6 and 11 of this Agreement. In the event closing has not taken place by the end of said four (4) week period, through no fault of the non-delaying party, the delaying party shall be deemed in default.

17. **MORTGAGE CONTINGENCY**. ~~This Agreement is contingent upon BUYER obtaining an unconditional written commitment for a loan, which commitment shall be subject only to such acts as shall be within Buyer's reasonable ability to perform, to be secured by a mortgage(s) on the Premises, in the amount of $_____ from a lending institution or licensed mortgage broker, which loan(s) shall be for a term of not more than 30 years and shall bear interest at rate(s) then in effect at the institution where application is made and shall include such other terms and conditions as are imposed by such institution at the time BUYER makes such application(s). BUYER agrees to make prompt application(s) for such a loan(s) and to pursue said application(s) with diligence. If having done so, BUYER is unable to obtain such unconditional written commitment for such a loan on or before _____ and if BUYER so notifies SELLER or SELLER's attorney, _____, in writing, at or before 5:00 p.m., on said date, then this Agreement shall be null and void and the BUYER shall be entitled to the immediate return by SELLER of all sums paid by the BUYER on account of this Agreement except for the sum of Three Hundred Fifty ($350.00) Dollars towards the cost of preparation of this Agreement. If SELLER or SELLER's attorney does not receive such written notice at or before 5:00 p.m. on said date, this Agreement shall remain in full force and effect. A denial of BUYER's mortgage application based upon the BUYER's inability to sell other real estate or another home, or a written commitment conditioned on the sale of other real estate or another home, shall NOT be deemed a denial of such mortgage application under this paragraph. In either of such events the BUYER shall not be entitled to terminate this Agreement nor be entitled to the return of any sums paid by the BUYER on account of this Agreement. Should the BUYER fail to comply with the foregoing requirements, this Agreement shall continue in full force and effect, and the rights and obligations of the parties shall be as if this paragraph did not appear in this Agreement.~~ This paragraph is intentionally deleted.

18. **PROPERTY CONDITION DISCLOSURE FORM**. Attached hereto as a Rider is the Property Condition Disclosure Form required by Section 20-327b of the Connecticut General Statutes. In the event the SELLER has

not furnished BUYER with the Property Disclosure Form, as required by Section 20-327b of the Connecticut General Statutes, with or prior to the BUYER's execution of this Agreement, the SELLER shall give and the BUYER shall receive a credit of $300.00 against the purchase price at closing.

19. **LEAD-BASED PAINT**. By signing this contract, BUYER acknowledges that the lead paint contingency granted pursuant to 42 USC 4852d as set forth in the Lead Paint Disclosure report attached to this Agreement has been waived or has been satisfied, and that the BUYER has no further testing period for lead paint.

20. **UTILITIES**. The SELLER represents that no utility lines cross the property of an adjoining owner to serve the Premises unless specifically set forth in this Agreement, and that no utility lines cross the Premises and serve property of an adjoining owner unless specifically set forth herein.

21. **BUILDING PERMITS**. The SELLER represents that during SELLER's period of ownership, no work has been performed on the Premises for which a building permit has been required other than that for which building permits were obtained and for which Certificates of Occupancy have been issued. **The failure by the Seller to close any open building permits (other than building permits more than nine (9) years old closed by operation of law) prior to the closing shall constitute a title defect and the Buyer shall have the rights and remedies set forth in section 6) of the Agreement.**

Buyer's obligations are contingent upon receipt of a satisfactory municipal search to be obtained at Buyer's expense.

22. **INSULATION AND ASBESTOS**. The SELLER represents that the Premises are not insulated in whole or in part with urea formaldehyde or any other type of foam insulation and do not contain any asbestos related material.

23. **KNOWLEDGE OF HEARINGS**. The SELLER represents that SELLER has neither knowledge nor notice of any pending public agency (including but not limited to Planning, Zoning, Inland Wetlands, etc.) hearings or appeals therefrom affecting the Premises or any abutting property and will promptly notify the BUYER if the SELLER receives notice or learns of any such hearings after the signing of this Agreement and prior to closing. If the purpose of such hearing would have an adverse effect on the property and/or BUYER's use and enjoyment thereof, either party can either: 1). Cancel this agreement; 2). Postpone closing date until after said hearing to determine if the requested use(s) or change(s) has/have been granted; or 3). Proceed to closing pursuant to the terms contained herein.

24. **DELIVERY OF DOCUMENTS**. The SELLER shall deliver to the BUYER prior to closing any documents, informational materials, building plans and any surveys in the SELLER's possession pertaining to the Premises, the appliances and the systems on the Premises.

25. **BASEMENT AND ROOF**. The SELLER represents that, during the period of the SELLER's ownership of the Premises, the basement has been free of any water except as disclosed herein, and represents that the roof currently is free of leaks.

26. **SEPTIC**. Unless, the premises are served by public sewer, the SELLER represents that the Premises are served by a septic tank and leaching fields located entirely within the Premises' lot lines, that said tank and fields serve no other Premises and that, during the SELLER's entire period of ownership, said septic system has required only normal maintenance and cleaning.

27. **WELL**. Unless the Premises are served by public water supply, the SELLER represents that the Premises are supplied by a well and pipes located entirely within the Premises' lot lines, that said well and pipes serve no other premises and that, during the SELLER's entire period of ownership, the well has produced sufficient clear and potable water for normal domestic use.

28. **UNDERGROUND STORAGE TANKS**. The SELLER represents that there are no above-ground or underground storage tanks on the Premises which leak or have leaked and that any such storage tank(s) are not currently in disrepair and SELLER has no knowledge of any underground storage tank(s), except as disclosed in the Property Condition Disclosure Form attached hereto. The SELLER further represents that the Premises are not contaminated by any oil, petroleum product or hazardous waste which, if known to the state and federal authorities, could result in remedial clean-up work and expense to the BUYER subsequent to the passing of title.

29. **NON-MATERIAL FACT CONCERNING REAL PROPERTY**. The BUYER hereby advises the SELLER that knowledge of any non-material fact concerning real property, as defined in Connecticut General § 20-329cc *et seq* with regard to the Premises is important to his decision to purchase the Premises. The SELLER represents to BUYER that he has no knowledge of any non-material fact concerning real property, as defined in Connecticut General § 20-329cc *et seq* with regard to the Premises.

30. **NOTICES**. All notices under this Agreement shall be in writing and shall be delivered personally and receipted or shall be sent by facsimile transmission or registered or certified mail or by overnight courier, addressed to the attorney for the respective party. Notice signed by the respective attorneys shall be deemed sufficient within the meaning of this paragraph without the signature of the parties themselves.

Notices to the SELLER shall be sent to:

Midhat H. Syed, Esq.
Law offices of Midhat Syed
60 Long Ridge Road, Suite 202
Stamford, CT 06902
Phone: 203.347.7222

Notices to the BUYER shall be sent to:

Lauren Walters, Esq.
Cohen and Wolf, P.C.
320 Post Road West
Westport, CT 06880
Phone: 203.341.5320

31. **RIGHT TO WITHDRAW**. This Agreement shall not be considered or construed as an offer by the SELLER. The SELLER reserves the right to withdraw this proposed Agreement at any time prior to the signature by both parties hereto, receipt by the SELLER's attorney of the full payment of the deposit set forth herein, and delivery of a fully executed Agreement to the BUYER's Attorney.

32. **ASSIGNMENT**. This Agreement and BUYER'S rights hereunder may not be assigned by BUYER without the written consent of SELLER, and any purported assignment without such written consent shall be void and of no effect. Consent of the SELLER to assignment shall not unreasonably be withheld or delayed. Upon any

effective assignment of BUYER's rights hereunder, BUYER and BUYER's assignee shall be jointly and severally liable hereunder, unless otherwise agreed by SELLER.

33. **IRS REPORTING COMPLIANCE.** Unless otherwise required by law or as set forth in a separate designation agreement, BUYER shall cause BUYER's attorney to comply with any reporting requirements of the Internal Revenue Service as to this transaction. The provisions of this paragraph shall survive the closing.

34. **ACCEPTANCE OF DEED.** The delivery and acceptance of the deed herein described shall be deemed to constitute full compliance with all the terms, conditions, covenants and representations contained herein, or made in connection with this transaction, except as may herein be expressly provided and except for the warranties of title.

35. **REPRESENTATIONS.** Unless otherwise specified in writing to the contrary, none of the representations made in this Agreement or any addenda attached hereto shall survive delivery of the deed and all representations by SELLER are made to the best of SELLER's knowledge and belief.

36. **EFFECT.** This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors, and permitted assigns of the respective parties.

37. **COSTS OF ENFORCEMENT.** Except as otherwise expressly provided herein, in the event of any litigation brought to enforce any material provision of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and court costs from the other party.

38. **GENDER.** In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within Agreement may require.

39. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original, and all of which when taken together shall constitute one and the same Agreement; and said counterparts shall be delivered personally and receipted or shall be sent by facsimile transmission or registered or certified mail or by overnight courier, addressed to the attorney for the respective party.

40. **ENTIRE AGREEMENT.** All prior understandings, agreements, representations and warranties, oral and written, between Seller and Purchaser are merged in this Agreement. This Agreement completely expresses the agreement of the parties, and has been entered into by the parties after discussion with their respective attorneys and after full investigation, neither party relying upon any statement made by anyone else that is not set forth in this Agreement. Neither this Agreement nor any provision hereof may be waived, changed or cancelled except by a written instrument signed by both parties.

41. **CAPTIONS.** The captions preceding the paragraphs in this Agreement are for ease of reference only and shall be deemed to have no effect whatsoever on the meaning or construction of the provisions of this Agreement.

42. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Agreement shall not render the remaining terms and provisions invalid or unenforceable.

43. **ALTERATION OF STANDARD FORM.** The Parties agree that unless a provision which is not a part of, or which varies from the Standard Form, is printed in bold typeface of not less than 16 points or handwritten, such provision shall be deemed not to be a part of this Agreement for any purpose, and any provision of the Standard Form that has been eliminated shall be deemed to be a part of this Agreement unless a reference to its

deletion in such typeface or handwriting is inserted in its place and is described in a separate cover letter. Addenda, exhibits and riders to this Agreement are not subject to the foregoing requirement of this paragraph.

44. **BANKRUPTCY.** SELLER represents that no SELLER is a "Debtor" in a proceeding presently pending in any Bankruptcy Court. If, between the date of SELLER's execution of the Agreement and the closing of title, a Bankruptcy petition is filed naming a SELLER as a Debtor under any Bankruptcy Code, then this Agreement shall terminate and Buyer shall be entitled to the return of any and all sums paid on account hereof, together with any expenses actually incurred by the BUYER, which expenses, however, shall be limited in the aggregate so as not to exceed the gross premium cost of fee title insurance based on the amount of the purchase price , for attorneys' fees, nonrefundable fees of lending institutions, survey costs and inspection fee, shall be paid to the BUYER without interest thereon. Whereupon, this Agreement shall terminate and the parties hereto shall be released and discharged from all further claims and obligations hereunder. This representation shall be deemed material and shall survive the closing of title.

45. **BOUNDARY LINES.** SELLER represents that all buildings, appurtenances, systems, and driveways are entirely within the boundary lines of said premises.

46. **NO FURTHER ENCUMBRANCE.** SELLER agrees that he will not further encumber the premises and that he will notify the Buyer immediately of any matters including, but not in limitation of, attachments, liens and any notice zoning matters which may affect the premises during the pendency of this agreement.

47. **RECORD OWNER.** SELLER is record owner in fee simple of the premises being conveyed herein.

48. **ABUTS PUBLIC STREET.** SELLER represents that the property abuts a public highway.

49. **MUNICIPAL ASSESSMENTS.** SELLER represents that Seller has no knowledge of the existence of any municipal lien and/or assessment, nor improvements for which a lien or assessment could be levied in the future.

50. SMOKE DETECTOR/CARBON MONOXIDE AFFIDAVIT. At closing of title, SELLER shall leave the existing smoke alarms and carbon monoxide detectors in place. Having no expertise with respect to the operation or placement of smoke alarms and carbon monoxide detectors and having made no inspection of same, SELLER represents that SELLER is not aware of any defects with respect to same. Notwithstanding the foregoing, SELLER will provide at closing the affidavit required by Conn. Gen. Stat. § 29-453, and as same may be amended,.

51. COUNTERPARTS/ELECTRONIC MAIL: This Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original, and all of which when taken together shall constitute one and the same Agreement. The parties hereto agree that this Agreement may be transmitted between them or their respective attorneys by facsimile or electronic mail and, upon evidence of receipt of

same, shall constitute delivery of this Agreement. The parties intend that faxed or electronic signatures constitute original signatures and that an Agreement containing the signatures (original, facsimile or electronic) of all the parties is binding on the parties once sent via facsimile or via electronic mail or delivered to the other party's counsel.

All notices under this Agreement shall be in writing and shall be delivered or sent by email, facsimile transmission, certified mail, or by overnight courier, addressed to the attorney for the respective party. Notice signed by the respective attorneys shall be deemed sufficient within the meaning of this paragraph without the signature of the parties themselves. Electronic signatures of the parties and of the attorneys for the parties on this Agreement, notices, or amendments to this Agreement shall be deemed to have the full force and effect of an original signature.

Each party authorizes their attorney as attorney-in-fact to execute all documents as may be required to effectuate the terms and conditions of this Purchase and Sale Agreement, once executed by the parties, including documents that may be reasonably requested and related to BUYER's lender's requirements.

52. NO LITIGATION. Seller represents that the Seller is not a party to any legal action in any way directly or indirectly related to the Premises. Seller represents that Seller does not know of any litigation or other proceedings, whether pending or threatened against Seller that could result in a "lis pendens" or other form of lien or attachment encumbering the Premises on or before the closing.

53. DISPUTES. Seller represents that there are no disputes between Seller and a neighboring property or unit owner over any matter relative to the Premises. Seller agrees to notify Buyer immediately in the event that any such dispute should arise.

54. ACCESS TO THE PREMISES. Seller agrees to allow entry upon the Premises at reasonable times upon reasonable notice by Buyer or Buyer's

representatives for purposes of obtaining an appraisal, conducting inspections, and the taking of dimensions.

55. This Agreement is contingent upon the approval of:

A) the Planning and Zoning Commission under Conn. Gen. Stat. §8-24; and

B) the Board of Selectman; and

C) the Board of Finance; and

D) The Representative Town Meeting; and

E) the Conservation Commission

56. All of Seller's representations are made to the best of Seller's knowledge and belief without any independent investigation and none of Seller's representations shall survive the deliver of the Deed.

The remainder of this page is intentionally blank.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals, the day first above written.

Juan Velez

THE TOWN OF FAIRFIELD

By:_____

Title to said Premises is to be taken in the name or names of:

_____

as _____

ATTACHMENTS:

SCHEDULE A

- Description of Premises
- Exceptions to Title [see Paragraph 6(e)(vi)]

PROPERTY CONDITION DISCLOSURE FORM [see Paragraph 18]

SCHEDULE A

Parcel 1:

All that certain piece or parcel of land, with the buildings and improvements thereon, situated in the Town and County of Fairfield and State of Connecticut, being known and designated as Lot No. 4 on that certain Map entitled "Subdivision for Robert Tomlin, Fairfield, Conn." dated January 28, 1963 made by The Huntington Company, Engineers, Surveyors, and on file in the Fairfield Town Clerk's office as Map #3358.

Said premises being known as 798 Sturges Road, Fairfield.

Parcel 2:

All that certain piece or parcel of land, situated in the Town and County of Fairfield and State of Connecticut, being known and designated as Lot No. 3 on that certain Map entitled "Subdivision for Robert Tomlin, Fairfield, Conn." dated January 28, 1963 made by The Huntington Company, Engineers, Surveyors, and on file in the Fairfield Town Clerk's office as Map #3358.

Said premises being known as 816 Sturges Road, Fairfield:

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
450 Columbus Blvd, Suite 901 ♦ Hartford, CT 06103

RESIDENTIAL PROPERTY CONDITION REPORT

The Uniform Property Condition Disclosure Act (Connecticut General Statutes Section 20-327b) requires the seller of residential property to provide this report to the prospective purchaser prior to the prospective purchaser's execution of any binder, contract to purchase, option, or lease containing a purchase option. These provisions apply to the transfer of residential real property of four dwelling units or less, including cooperatives and condominiums, made with or without the assistance of a licensed broker or salesperson. The seller will be required to credit the purchaser with the sum of $500 at closing if the seller fails to furnish this report (Connecticut General Statutes Section 20-327c).

INSTRUCTIONS TO SELLERS:

1. You **must** answer **all** questions to the best of your knowledge.
2. You are required to identify and disclose any problems regarding the subject property.
3. **Your real estate licensee cannot complete this form on your behalf.**
4. "UNK" means Unknown, "N/A" means Not Applicable.
5. If you need additional space to complete any answer or explanation, attach additional page(s) to this form. Include subject property address, seller's name and the date.

Pursuant to the Uniform Property Condition Disclosure Act, the seller is obligated to answer the following questions and to disclose herein any knowledge of any problem regarding the following:

A. SUBJECT PROPERTY

1) Name of seller(s): _____

2) Street address, municipality, zip code: _____

YES	NO	UNK	N/A	B. GENERAL INFORMATION
				3) What year was the structure built? 1965
☐	☐	☐	☐	4) How long have you occupied the property? 6 years at 7 months If not applicable, indicate with N/A.
☐	☑	☐	☐	5) Does anyone else claim to own any part of your property, including, but not limited to, any encroachments? If yes, explain: _____
☐	☑	☐	☐	6) Does anyone other than you have or claim to have any right to use any part of your property, including, but not limited to, any easement or right of way? If yes, explain: _____
☑	☐	☐	☐	7) Is the property in a flood hazard area or an inland wetlands area? If yes, explain: part of the property on 816 Storrs Rd. has some wetlands

YES	NO	UNK	N/A	B. GENERAL INFORMATION (Continued)
☐	☑	☐	☐	8) Do you have any reason to believe that the municipality in which the subject property is located may impose any assessment for purposes such as sewer installation, sewer improvements, water main installation, water main improvements, sidewalks or other improvements? If yes, explain:_____
☐	☑	☐	☐	9) Is the property located in a municipally designated village district, municipally designated historic district, or listed on the National Register of Historic Places? If yes, explain:
				Note: Information concerning village districts and historic districts may be obtained from the municipality's village district commission, if applicable.
☐	☑	☐	☐	10) Is the property located in a special tax district? If yes, explain:_____
☐	☑	☐	☐	11) Is the property subject to any type of land use restrictions, other than those contained within the property's chain of title or that are necessary to comply with state laws or municipal zoning? If yes, explain:_____
☐	☑	☐	☐	12) Is the property located in a common interest community? If yes, is it subject to any community or association dues or fees? Please explain:_____
☐	☑	☐	☐	13) Do you have any knowledge of prior or pending litigation, government agency or administrative actions, orders or liens on the property related to the release of any hazardous substance? If yes, explain:_____

YES	NO	UNK	N/A	C. LEASED EQUIPMENT
☐	☑	☐	☐	14) Does the property include any leased or rented equipment that would necessitate or oblige either of the following: the assignment or transfer of the lease or rental agreement(s) to the buyer **or** the replacement or substitution of the equipment by the buyer? If yes, indicate by checking all items that apply:

- ☐ Propane fuel tank
- ☐ Water heater
- ☐ Security alarm system
- ☐ Fire alarm system
- ☐ Satellite dish antenna
- ☐ Water treatment system
- ☐ Solar devices
- ☐ Major appliances
- ☐ Other_____

YES	NO	UNK	N/A	D. MECHANICAL/ UTILITY SYSTEMS

☐ ☑ ☐ ☐ 15) Fuel types? Oil Are you aware of any heating system problems? If yes, explain: _____

☐ ☐ ☐ ☐ 16) Hot water heater type? Oil Age: 8 years Are you aware of any hot water problems? If yes, explain: _____

☑ ☐ ☐ ☐ 17) Is there an underground storage tank? If yes, list the age of tank UNK and location: front of the property

☐ ☑ ☐ ☐ 18) Are you aware of any problems with the underground storage tank? If yes, explain: _____

☐ ☐ ☐ ☐ 19) During the time you have owned the property, has there ever been an underground storage tank located on the property? If yes, has it been removed? ☐ Yes ☑ No
If yes, what was the date of removal _____ and what was the name and address of the person or business who removed such underground storage tank? _____
Provide any and all written documentation of such removal within your control or possession by attaching a copy of such documentation to this form.

☐ ☐ ☐ ☐ 20) Air conditioning type: ☐ Central; ☑ Window; Other _____
Are you aware of any air conditioning problems? If yes, explain: _____

☐ ☑ ☐ ☐ 21) Plumbing system problems? If yes, explain: _____

☐ ☐ ☐ ☑ 22) Electrical system problems? If yes, explain: _____

☐ ☑ ☐ ☐ 23) Electronic security system problems? If yes, explain: _____

☑ ☐ ☐ ☐ 24) Are there carbon monoxide or smoke detectors located in the dwelling on the property? If yes, state the number of detectors 9 and whether there have been problems with such detectors: _____

☐ ☑ ☐ ☐ 25) Fire sprinkler system problems? If yes, explain: _____

YES	NO	UNK	N/A	E. WATER SYSTEM
☑	☐	☐	☐	26) Domestic water system type: ☑ Public; ☐ Private well; Other_____
				27) If public water:
☑	☐	☐	☐	a) Is there a separate expense/fee for water usage? If yes, is the expense/fee for water usage flat or metered? metered Provide the amount of the expense/fee_____ and explain: We don't know.
☐	☑	☐	☐	b) Are there unpaid water charges? If yes, state amount unpaid:_____
				28) If private well:
☐	☐	☐	☐	Has the well water been tested for contaminants/volatile organic compounds? If yes, attach a copy of the report. If no report is available, provide name of entity that performed testing and describe results of such testing:_____
☐	☑	☐	☐	If public water or private well: Are you aware of any problems with the well or with the water quality, quantity, recovery, or pressure? If yes, explain:_____

YES	NO	UNK	N/A	F. SEWAGE DISPOSAL SYSTEM
☑	☐	☐	☐	29) Sewage disposal system type: ☐ Public; ☑ Septic; ☐ Cesspool; Other:_____
				30) If public sewer:
☐	☐	☐	☐	a) Is there a separate charge made for sewer use? If yes, is it flat or metered?_____
☐	☐	☐	☐	b) If it is a flat amount, state amount_____ and due dates:_____
☐	☐	☐	☐	c) Are there any unpaid sewer charges? If yes, state the amount:_____
				31) If private:
☐	☐	☐	☐	a) Name of service company: Don't remember
☐	☐	☐	☐	b) Date last pumped: Oct. 2021 Frequency of pumping during ownership: every 2 years.
☐	☑	☐	☐	c) For any sewage system, are there problems? If yes, explain:_____

YES	NO	UNK	N/A	G. ASBESTOS/ LEAD
☐	☑	☐	☐	32) Are asbestos insulation or building materials present? If yes, location:_____
☐	☑	☐	☐	33) Is lead paint present? If yes, location:_____
☐	☐	☑	☐	34) Is lead plumbing present? If yes, location:_____

YES	NO	UNK	N/A	H. BUILDING/ STRUCTURE/ IMPROVEMENTS
☑	☐	☐	☐	35) Is the foundation made of concrete? If no, explain:_____
☐	☐	☑	☐	36) Foundation/slab problems or settling? If yes, explain:_____
☐	☑	☐	☐	37) Basement water seepage/dampness? If yes, explain amount, frequency and location:_____
☐	☐	☐	☑	38) Sump pump problems? If yes, explain:_____
☐	☑	☐	☐	39) Do you have knowledge of any testing or inspection done by a licensed professional related to a foundation on the property? If yes, disclose the testing or inspection method, the areas or locations that were tested or inspected, the results of such testing or inspection and attach a copy of the report concerning such testing or inspection. If no report is available, provide name of entity that performed testing and describe results of such testing: _____
☐	☑	☐	☐	40) Do you have knowledge of any repairs related to a foundation on the property? If yes, describe such repairs, disclose the areas repaired and attach a copy of the report concerning such repairs:_____
				41) Do you have any knowledge related to the presence of pyrrhotite in a foundation on the property? If yes, explain:_____
☐	☐	☑	☐	42) Roof type: Cedar Shingles; Age: 60 years
☐	☑	☐	☐	43) Roof leaks? If yes, explain:_____

☐ ☑ ☐ ☐ 44) Exterior siding problems? If yes, explain:_____

☐ ☐ ☑ ☐ 45) Chimney, fireplace, wood or coal stove problems? If yes, explain:_____

☐ ☑ ☐ ☐ 46) Patio/deck problems? If yes, explain:_____

YES	NO	UNK	N/A	H. BUILDING/ STRUCTURE/ IMPROVEMENTS (Continued)

☐ ☐ ☐ ☐ 47) If patio/deck is constructed of wood, is the wood treated or untreated? PVC.

☐ ☑ ☐ ☐ 48) Driveway problems? If yes, explain:_____

☐ ☑ ☐ ☐ 49) Water drainage problems? If yes, explain:_____

☐ ☑ ☐ ☐ 50) Interior floor, wall and/or ceiling problems? If yes, explain:_____

☐ ☑ ☐ ☐ 51) Fire and/or smoke damage? If yes, explain:_____

☐ ☐ ☑ ☐ 52) Termite, insect, rodent or pest infestation problems? If yes, explain:_____

☐ ☐ ☑ ☐ 53) Rot or water damage problems? If yes, explain:_____

☐ ☑ ☐ ☐ 54) Is the structure(s) insulated? If yes, type: Fiber glass; location: all over the house

☐ ☑ ☐ ☐ 55) Has a test for radon been performed? If yes, attach copy of the report. If no report is available, provide the name of entity that performed the testing and describe the results of such testing:_____

☐ ☑ ☐ ☐ 56) Is there a radon control system in place? If yes, explain:_____

☐ ☑ ☐ ☐ 57) Has a radon control system been in place in the previous 12 months? If yes, explain:_____

The seller should attach additional pages, if necessary, to further explain any item(s) above. Indicate here the number of additional pages attached: _____

Questions or Comments? Consumer Problems? Visit the Department of Consumer Protection website at: www.ct.gov/dcp

IMPORTANT INFORMATION

(A) Responsibilities of Real Estate Brokers

This report in no way relieves a real estate broker of his or her obligation under the provisions of section 20-328-5a of the Regulations of Connecticut State Agencies to disclose any material facts. Failure to do so could result in punitive action taken against the broker, such as fines, suspension or revocation of license.

(B) Statements Not to Constitute a Warranty

Any representations made by the seller on the written residential property condition report shall not constitute a warranty to the buyer.

(C) Nature of Report

This Residential Property Condition Report is not a substitute for inspections, tests, and other methods of determining the physical condition of the property.

(D) Information on the Residence of Convicted Felons

Information concerning the residence address of a person convicted of a crime may be available from law enforcement agencies or the Department of Public Safety.

(E) Building Permits and Certificates of Occupancy

Prospective buyers should consult with the municipal building official in the municipality in which the property is located to confirm that building permits and certificates of occupancy have been issued for work on the property.

(F) Home Inspection

Buyers should have the property inspected by a licensed home inspector.

(G) Concrete Foundation

Prospective buyers may have a concrete foundation inspected by a licensed professional engineer who is a structural engineer for deterioration of the foundation due to the presence of pyrrhotite.

(H) Buyer's Certification

The buyer is urged to carefully inspect the property and, if desired, to have the property inspected by an expert. The buyer understands that there are areas of the property for which the seller has no knowledge and that this report does not encompass those areas. The buyer also acknowledges that the buyer has read and received a signed copy of this report from the seller or seller's agent.

Date_____ **Buyer**_____ **Buyer**_____
Signature **Print Name**

Date_____ **Buyer**_____ **Buyer**_____
Signature **Print Name**

(I) Seller's Certification

To the extent of the seller(s) knowledge as a property owner, the seller acknowledges that the information contained above is true and accurate for those areas of the property listed. In the event a real estate broker or salesperson is utilized, the seller authorizes the brokers or salespersons to provide the above information to prospective buyers, selling agents or buyer's agents.

Date 06/06/24 **Seller** [signature] **Seller** Juan Velez
Signature **Print Name**

Date_____ **Seller**_____ **Seller**_____
Signature **Print Name**

Property Address: 798 Sturges rd

July 9, 2024

Dear Fairfield Board of Finance Members,

I am writing today to ask for your support of an agenda item that will soon be in front of your organization.

Conservation Director Tim Bishop has identified 2 parcels adjacent to the existing Perry's Mill Open Space that have become available for purchase. Over the last 8 months he has successfully negotiated an agreement with the current owner to procure this property and begun work on a strategy to establish an environmental and conservation education center at this site. This is of specific interest to Mill River Wetland Committee (MRWC) as this property is adjacent to the areas where we run our programs and our founder's personal residence where MRWC began.

As the first town in Connecticut to establish a Conservation Director position, Fairfield's dedication to the protection of our natural resources is well documented. We believe there is a unique and generational opportunity to exponentially advance Fairfield's leadership in conservation by making an investment such as the one proposed. This location, and the facilities that reside there, can be shaped into a hub for learning about the environment, our human impact on the ecosystems that surround us and ways that we can conserve and live more harmoniously with the natural resources that we are fortunate to have in Fairfield.

Secondary to the opportunity to use this property as an instructional center and model for sustainable living methodologies is the intent to use a portion of the property to make it safer to access the existing open space. Along with many other Fairfield citizens, MRWC uses this space near Perry's Mill and Mill Hollow to educate over 3,000 Fairfield students every year and today our ability to access these locations requires our volunteers to walk along Sturges Road where they park their cars. This is not an ideal situation and having a pervious parking lot at this new location will allow all to safely enjoy this special place.

In our discussions with Tim, we continue to identify other non-profit groups in our area that can benefit from this space and use it to teach our residents about our respective missions. There is an amazing amount of excitement about the property and, most importantly, the impact it will have on how we collaborate as a town to realize an even more conservation-focused Fairfield.

Your vote in favor of this proposal can help make this property and center, and all the benefits that can come along with it, a reality for future generations of Fairfield citizens. Thank you in advance for your support.

Jon Dilley, President

From: Fair PLAN <fairfieldplan@gmail.com>
Sent: Wednesday, July 10, 2024 2:12 PM
To: Board of Selectmen <BOS@fairfieldct.org>; Carpenter, Jennifer <JCarpenter@fairfieldct.org>
Subject: Support 798 & 816 Sturges Rd Acquisition

July 10, 2024

Dear Honorable Members of the Board of Selectmen:

Fairfielders Protecting Land & Neighborhoods (FairPLAN), an organization dedicated to supporting open spaces, natural resources and the character of our neighborhoods, fully supports the Town's purchase of 798 and 816 Sturges Road for open space and environmental education purposes.

The unique vision to procure this property and establish a town-owned, environmental and conservation education center will serve the Fairfield community for generations to come. As a coastal community, we value educating our residents, especially our youth, on environmental and climate issues so they are informed and motivated to take action on these critical problems. Nothing is more evident in this value than the Mill River Wetlands curriculum known as River Lab that has supplemented Fairfield's science education for over 50 years. The synergies between River Lab and the new environmental/conservation center will only further enhance that program and other groups who work with the community.

Mill River is an important natural resource - historically it has been impaired and targeted by the Department of Energy and Environmental Protection (DEEP) to improve its water quality. Mill River starts in Easton, meanders through Northern Fairfield, flows over the Samp Mortar Dam, and ends up in Long Island Sound at Southport Harbor. It supports a variety of wildlife habitats and passive recreation such as boating, fishing and swimming as well as several ponds that it feeds into along its path.

The river is so important to the town that three town commissions (Shellfish, Harbor Management, and Conservation) intervened into the DEEP hearing 11 years ago to ensure a higher-level cleanup of lead from the former Exide battery plant off of the Post Road. FairPLAN also played an integral role in the clean-up. Expanding the protected greenway along its course is a priority for both the Conservation Commission and nonprofits such as the Aspetuck Land Trust. These 2 parcels are adjacent to and will expand the Perry's Mill Pond Open Space area, and will enhance the Mill River greenway.

Providing education to tomorrow's future environmental leaders is critically important and this is an excellent step in the right direction. We urge the Board of Selectmen to support this project.

Thank you for your time and consideration.

--
Sincerely,

Fairfielders Protecting Land and Neighborhoods

FairfieldPLAN's mission is to support open spaces, natural resources and the character of our neighborhoods, by -
- supporting positive government action through good laws, regulations and land use decisions
- promoting appropriate development to achieve both economic and environmental health
- being a resource for local groups by providing education, support and advocacy
- encouraging and sponsoring planning initiatives



TOWN OF FAIRFIELD

Plan of Conservation and Development

Feb 2024 DRAFT

Plan of Conservation and Development Fairfield
Town of Fairfield, Connecticut

Prepared with the support of FHI Studio

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Executive Summary

POCD Background

A community's Plan of Conservation and Development (POCD) is the articulation of priorities for public and private investment in the community for the next 10 years. It is used to inform the community's regulatory framework such as local Zoning Regulations and is frequently used to highlight local policy priorities for grant funding applications.

The authority to adopt a Plan of Conservation and Development is found in Section 8-23 of the CT General Statutes as is quoted in part:

Such Plan shall show the Commission's recommendation for the most desirable use of land within the municipality for residential, recreational, commercial, industrial and other purposes……

The plan of conservation and development shall be a statement of policies, goals and standards for the physical and economic development of the municipality…….

The Plan shall be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people…..

This update to the POCD serves as Fairfield's most comprehensive update since the 2000 plan. The proposed plan presents targeted strategies to increase housing opportunities, including further advancing the recommendations of the Affordable Housing Plan as well as targeted economic development opportunities near transit and our downtown. The plan does not propose wholesale change throughout town and specifically recognizes that fact:

Many Fairfielders strongly connect the quality of the Town with the quality of its residential neighborhoods. As such, there is little opportunity or appetite to grow its economy through expansion of its commercial and industrial area. Thus economic growth will be driven by adaptive reuse and redevelopment.

The two prior POCDs (2000 and 2016) divided the town into 11 planning areas as the basis for land use policy recommendations. These areas are referenced in the *A Community That is Home for All* chapter and in Appendix A. This plan seeks to protect those legacy neighborhoods, however the land use policies herein are not constrained by neighborhood boundaries.

Priorities

An overview of Fairfield's priorities for the next 10 years includes:

- A commitment to preserve Fairfield's single-family residential neighborhoods balanced with an obligation to diversify housing options at all price points by identifying opportunities for mixed-use with residential in commercial corridors with a particular focus in the Metro-Center train station/Commerce Drive area.
- Achieve grand list growth by promoting and supporting walkable, mixed-use corridors to not only supply necessary new housing choices, but also invigorate existing commercial properties.
- Further study potential for increased housing types by the introduction of gentle density in strategic locations.
- Planning for future Sea Level Rise that is anticipated to significantly affect Fairfield's shoreline area while implementing hazard mitigation projects to protect or adapt these areas.
- Recommending a coordinated planning study for open space preservation and acquisition opportunities. Future possibilities may be available for expanded greenways along riverine corridors that also satisfy future resiliency objectives.
- Better connecting Fairfield's people and places through additional transportation and placemaking studies in multiple locations such as Downtown and Metro-Center. Pursuing funding for projects for the completed traffic safety studies along Black Rock Turnpike and Post Road Circle.
- Reinvestment in Fairfield's existing, aging infrastructure including drainage, waste water, sidewalks, and roadways.

Introduction

What is a Plan of Conservation and Development?

A Plan of Conservation and Development is a document that guides land use and infrastructure investment priorities over a 10-year horizon. The POCD acknowledges the context of how the town evolved with its successes and challenges, but its purpose is to identify how to best move the municipality forward into the future. This plan seeks to incorporate the best policies and goals to meet the needs of the changing influences of demographic trends to improve quality of life for long-term residents and those who visit, work in, and want to move to Fairfield. The POCD examines data and conditions related to population and economic growth, housing cost relative to incomes, and changing needs relative to employment, transportation, and cultural norms – all with the input of its residents.

POCD Progress

In 2018, the TPZ and Economic Development Commission undertook a Transit-Oriented Development (TOD) Study, whose report and recommendation were adopted in October of 2019. Many of the recommendations of that report are included within this Plan. Also in 2018, the town created an Affordable Housing Trust Fund with the primary source of funding established by an inclusionary housing fee applied to new construction and additions for both residential and commercial properties. The town has implemented an online permitting system and as a result of the COVID pandemic has become adept at hybrid-based web-based and in-person public meeting. Zoning Regulation amendments have been adopted to: expand the provisions for Accessory Dwelling Units (ADUs), reduce barriers to establishing outdoor dining, and implementation of several of the TOD study recommendations that have allowed for multi-family mixed use projects with ground floor commercial spaces that add vibrant new uses to these areas. The town has experienced grand list growth as a result of the large-scale TOD projects near our train stations that have repurposed former industrial sites. This plan seeks to build on that prior work and planning.

How is this Plan organized?

This POCD is organized around a series of statements that reflect the values of Fairfielders and articulate a vision for what Fairfield should be. They include:

- A Community that is Home for All
- A Sustainably Prosperous Community
- An Interconnected Community
- A Community Where People Come Together
- An Environmentally Rooted Community
- A Resilient Community

A chapter is dedicated to each of these statements. Those chapters include an overview of the background information that was gathered during the POCD process, a summary of the community input, and a list of the strategies and recommendations that will help the Town advance its goals.

An initial chapter details the information about previous planning efforts, core trends and conditions, and summarizes the community engagement process. It also includes a list of the specific goals that the recommendations are designed to advance.

The final chapter of the POCD articulates the Future Land Use vision for the Town, which serves as the foundation for zoning.

Plan Foundations

Previous Planning Summary

The following summarizes where Fairfield stands, as expressed through previous planning documents. It establishes a foundation for the discussion and recommendations presented in the following elements of this plan.

Reconnect Region: A Comprehensive Plan for the MetroCOG Region

MetroCOG is the Regional ~~planning organization~~ Council of Governments (COG) that covers Fairfield and several of its neighboring communities. In 2015, MetroCOG released its plan of conservation and development (which they referred to as their Comprehensive Plan) that was organized around three guiding principles:

- Reconnected
- Revitalized
- Resilient

That plan identifies a future land use framework for Fairfield ~~that divides the~~ delineates four Town ~~into four~~ focus areas that radiate from Bridgeport's center, as illustrated in Figure 1. This strategy sets the foundation for regional investments in the Regional Center and Urban Core that promote more intensive development with an integrated mix of uses that are supportive of, and are supported by, a regional transportation network.

Local Planning Efforts

Overall, Fairfield is a hybrid of urban and suburban development that has proved attractive to families and long-time residents. It has been fully developed, and future changes to land use will come through redevelopment.

Located along the Long Island Sound, the community has a variety of wetlands, watercourses, habitats for wildlife, parks, and beaches that significantly contribute to the character of the community and help sustain

Previous Planning Work

2013 - Bicycle and Pedestrian Master Plan

2015 - MetroCOG Comprehensive Plan

2015 Fairfield Flood Mitigation Plan

2017 - POCD

2017 - Creating A Strategic Vision for Fairfield

2017 - MetroCOG Regional Framework for Coastal Resilience

2018 - Resiliency for Downtown Fairfield Using Green Infrastructure

2019 - Transit Oriented Development Study

2019 - Fairfield & New Haven Counties Coastal Store Risk Management Study

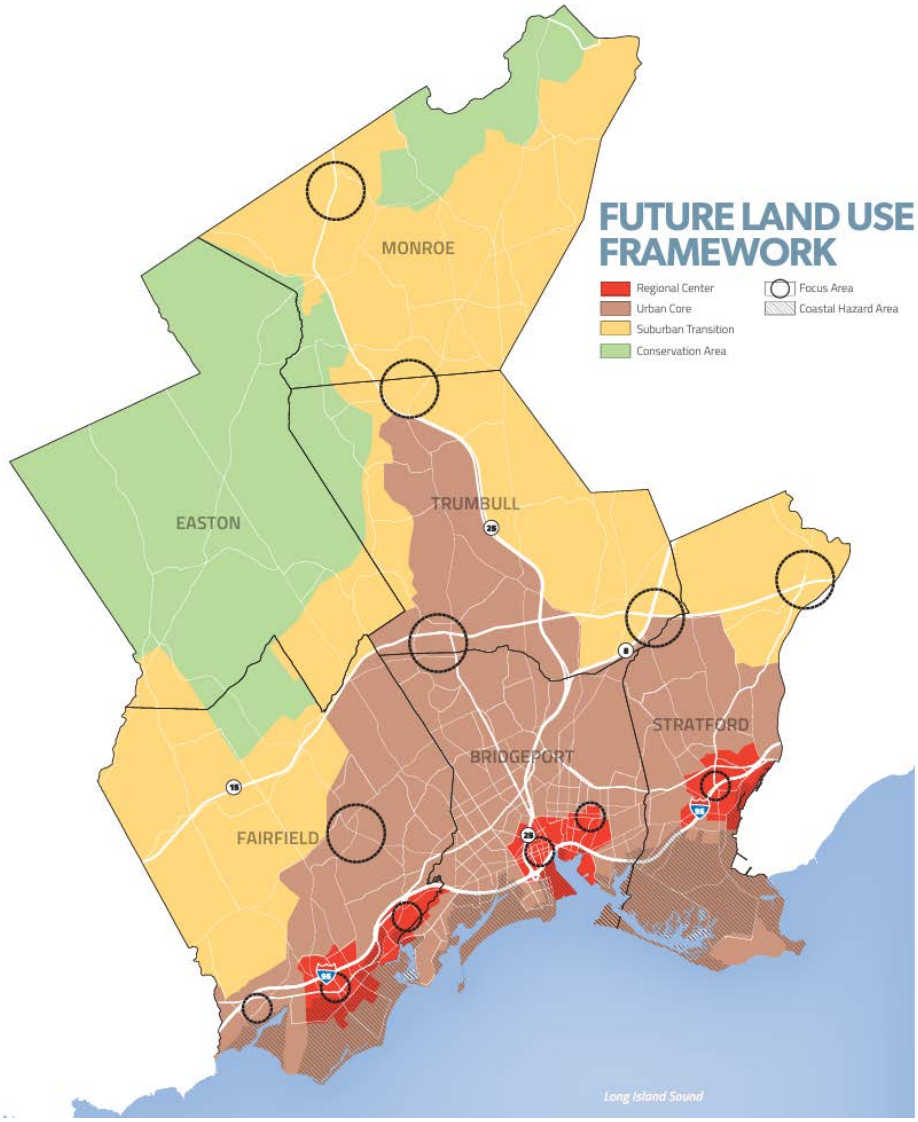
2020 - Sustainability Plan 2020

2020 - Strategic Plan - "One Town; One Vision" (Including Supplemental Documents)

2022 - Affordable Housing Plan

2022 - Parks and Recreation Plan

Figure 1. MetroCOG – Regional Future Land Use Framework



Reconnect Region 1: A comprehensive Plan for the MetroCOG Region (2015)

its residents. The Town has recently completed a Parks and Recreation Plan that includes a strategy for enhancing the existing network over the next 10 years.

The proximity of the Town to these natural amenities also poses a risk. These areas can transform into areas of substantial danger during natural disasters. Likewise, human intervention poses significant long-term risks to some of the community's natural environments and threatens the long-term existence of important ecosystems. Creating short- and long-term strategies to mitigate the risks associated with these events will be critical to the long- term viability of the community.

Many Fairfielders strongly identify with their neighborhoods and see the quality of the residential communities as a key reason to live in Town. Fairfield's population is projected to continue to increase, which, along with changing housing preferences, means there will be more demand for housing. In addition, the Town will need to provide a larger variety of housing options and choices to meet the changing needs of households, especially younger and older residents. The Town, like many communities in Connecticut, is experiencing substantial increases in housing prices which makes it a less accessible place to live for moderate- and lower- income residents. Going forward, Fairfield will have to strategically balance its need for more and different housing with neighborhood and character preservation efforts.

Although predominantly residential, Fairfield has significant commercial and industrial corridors focused around a state highway system owned and maintained by the Connecticut Department of Transportation. Previous plans have noted the importance of encouraging redevelopment along these corridors to expand the Town's commercial tax base.

The Metro -North New Haven Rail Line passes through the Town, establishing an important transit connection to regional destinations.

Over the past ten years, there has been substantial interest

in the redevelopment of these station areas to support transit-oriented development. By prioritizing mixed-used, walkable communities, supporting adaptive reuse and redevelopment, and allowing higher density in strategic parts of Town, Fairfield can increase its property tax revenues and attract both millennials and downsizing baby boomers in addition to retaining existing residents by offering more diverse housing options. In 2019, the Town completed a Transit Oriented Development Study that included recommendations for how the Town can support those efforts.

Since the last POCD, Fairfield has taken significant steps to support walking and biking for transportation, recreation, exercise, and quality of life. However, there is more to be done. This includes improving sidewalk conditions, expanding the bicycle and sidewalk network, and addressing issues that make streets less safe and accessible.

Looking to ensure that the high-quality community that residents currently enjoy is available for future generations, the Town of Fairfield is striving to make the community more sustainable. This includes improving air quality, providing people with alternatives to traveling by personal vehicle, maintaining a healthy supply of drinking water, and supporting energy efficiency and conservation, among other topics.

Core Trends & Conditions

This plan presents most trends and conditions in the most relevant chapter. This ensures that the information is easier to find and connects to the respective recommendations. However, the following provides a summary of some core demographic data.

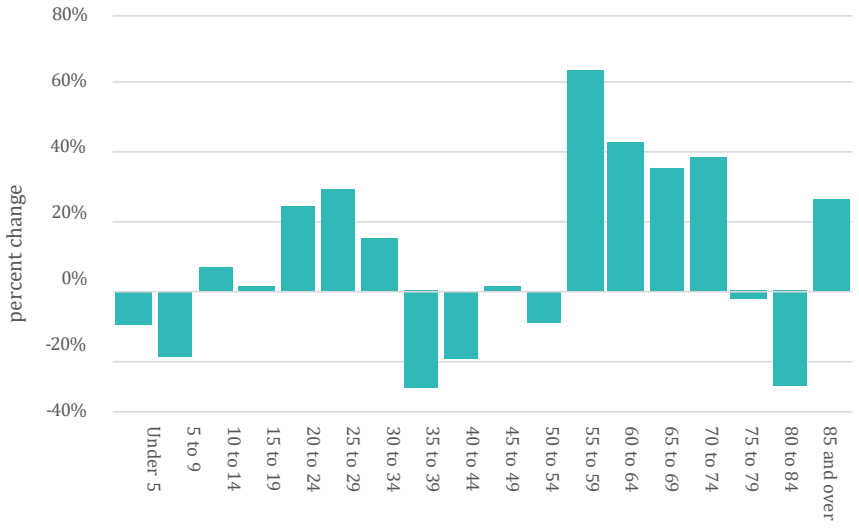
Since 2010, the Town has seen a moderate increase in residential population (3.5% / 2,108 residents), increasing from 59,404 to 61,512. This is in line with the growth in the County (4%) and outpaces the growth rate for the state (1%). A large portion of that growth has been the result of increases in the number of Hispanic residents. There are 1,807 more Hispanic residents than in 2010, a 60% increase. This is significantly faster growth than the County (32%) and State (30%).[1]

As illustrated in Figure 2, the Town has seen increases in the number of young and older adults. The presence of a walkable downtown and transit-accessible housing may be one of the drivers of this change since both demographics have shown a preference for these conditions nationally. Conversely, Fairfield has seen a decline in the number of children over the past 10 years: there are 1,286 fewer children, a 9% decline.

As illustrated in Figure 3, Fairfield has seen substantial growth in its Hispanic population. This growth has far outpaced the

[1] *National Center for Health Statistics (NCHS) as published by the Connecticut State Department of Public Health at portal.ct.gov/DPH/*

Figure 2. Population Change 2010 - 2020



US Census Bureau. American Community Survey, Five-Year Estimates (2020 and 2010)

growth of the Town as well as any other race or ethnicity in Town. Of particular importance is the growth in the number of Hispanic children which has helped to offset a larger decline in non- Hispanic white children.[2]

Otherwise, Fairfield's population profile has remained steady over the past ten years. Residents largely own their own homes

Figure 3. Population Changes

		Change		
Population	Age	State	County	Fairfield
total	total	1%	4%	3.5%
total	adults	4%	8%	8%
total	children	-10%	-6%	-9%
Hispanic of any race	total	30%	32%	60%
Hispanic of any race	adults	35%	34%	73%
Hispanic of any race	children	20%	30%	37%

National Center for Health Statistics (NCHS) as published by the Connecticut State Department of Public Health at portal.ct.gov/ DPH/

(82%), have at least a high-school diploma (96%), and live outside of poverty (5%). Those identifying as white make up a larger share of the population (84%) than the state (66%).
Approximately 8% of residents identify as Latino, 5% as Asian, 2% as Black, and 4% as some other race or ethnicity. Approximately 13% of residents were born outside of the US.

Fairfield is also an economic center and home to just under 26,000 jobs, with the largest share in the Health Care and Social Assistance sector. For people's primary jobs in the private sector, 84% of jobs are filled by people commuting into Town while 85% of residents commute out of Town to work.[3]

[2] *National Center for Health Statistics (NCHS) as published by the Connecticut State Department of Public Health at portal.ct.gov/DPH/*

[3] *U.S. Census Bureau. LEHD Origin-Destination Employment Statistics (2002- 2020) accessed at onthemap.ces.census.gov*

A Community-Driven Plan

The creation of this POCD included a substantial amount of community, stakeholder, commission, and department engagement. The engagement efforts started before the start of the 2020 COVID pandemic, were placed on hold, and then restarted in 2022. The specific findings from these engagement efforts are detailed within the respective chapters. The following summarizes the pre- and post-pandemic engagement efforts.

Initial Engagement

Departments, Boards, and Commissions

Public outreach for the POCD began with internal meetings with Department heads and local Boards and Commissions in the summer of 2017 to discuss how their agencies might contribute to the plan and to remind them of the POCD's important role in grant-writing and public support of future projects and planning efforts.

Harvest Festival Pop-Up

The Harvest Festival in October 2018 was the general public's first opportunity to brainstorm with Planning staff in a casual setting. Set up between craftspeople, farmers, and food vendors, Fairfield residents visited our planning tent and filled two boards each with ideas of "What they Love" and "What Fairfield Needs." Fairfielders love their local restaurants, beaches, libraries, schools, culture and arts events and facilities (Fairfield Theater Company and the Quick Center in particular), Lake Mohegan, and the two local universities. Participants identified the need to include sidewalks and additional recreation facilities, such as a town pool. These have been discussed, and where appropriate, incorporated into the Parks and Recreation Master Plan.

Initial Workshops

The Plan and Zoning Department also held workshops related to Sea Level Rise (July 2018) and did presentations regarding Housing to the Fairfield Senior Advocates (April 2019). A preliminary public Open Space meeting was held with the Conservation Commission. A joint Economic Development and Planning Commission meeting was also held.

Topic-Focused Workshops

In January and February of 2020, the Town held in-person town-wide POCD workshops with members of the public at the Sacred Heart University West Campus, Fairfield University, and Penfield Pavilion. The workshop series sought to focus on three key areas: Conservation, Economic Development and Housing, and Infrastructure, including a mandated discussion of Sea Level Rise.

As shown on Figure 4, community members were broken into smaller table settings where they could discuss the three major focus areas with corresponding maps to provide their input in ways specific to sites and locations that residents had familiarity with. People could mark up the maps with notes and suggestions and use provided photos for examples of what they would like to see. The interactive workshops were well attended, and residents provided feedback about how much they enjoyed participating.

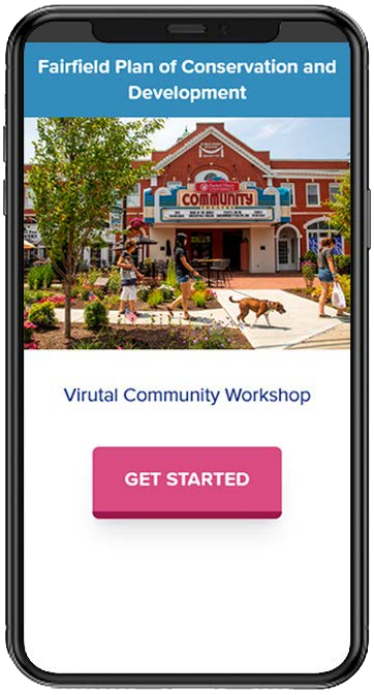
COVID Pause

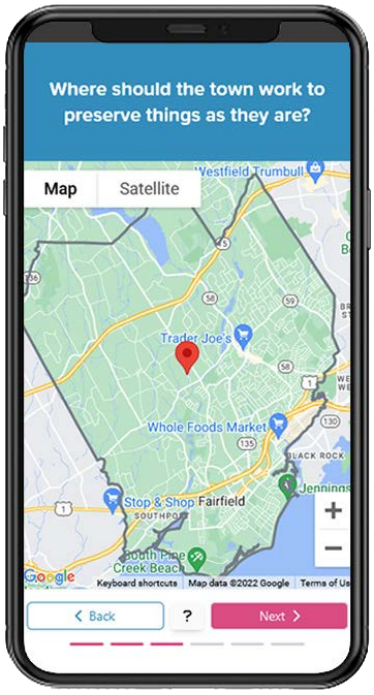
Following the outbreak of the Coronavirus (COVID-19) pandemic in March 2020, in-person public meetings were limited. The following summarizes the engagement efforts that were conducted when the project was restarted in 2022.

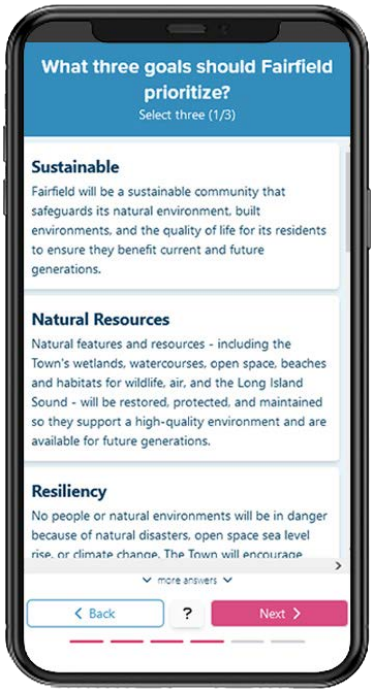
Figure 4. Topic-Focused Workshops



Figure 5. Virtual Workshop Examples







The virtual workshop was designed "mobile-first" and available in multiple languages to make it as accessible as possible.

Follow Up Engagement

Department and Committee Meetings

Following the restart of the engagement process, the Town and its consultant re- engaged departments and commissions in a variety of meetings to confirm and update the findings from the initial engagement.

Virtual Workshop

In the Fall of 2022, the Town launched a virtual workshop (Figure 5) that allowed participants to:

- Identify Town strengths, weaknesses, opportunities, and threats.
- Identify priorities for improvements.
- Map locations where they believe places should be preserved, enhanced, or transformed.
- Share their big ideas for changes in Fairfield.
- Submit feedback on how the COVID pandemic would change their behaviors going forward.

The virtual workshop had more than 200 participants, allowing for a significantly larger number of people to provide input into the plan.

Open House

In April of 2023, the Town hosted an open house at the Osborn Hill School. Facilitators presented those in attendance with an overview of the work that had been done to date, including a summary of the community engagement efforts. Participants were then encouraged to circulate to six different stations that corresponded to the chapters in this POCD.

At each station, participants were given an overview of some of the key background information relevant to the topic as well as a summary of the key recommendations. They were encouraged to talk with staff, identify ideas they did or did not support, and submit additional comments for consideration.

Figure 6. POCD Open House



Plan Goals

The following goals are based on the comprehensive review of previous plans and community engagement efforts. They provide clarity on what the recommendations, across all chapters of the POCD, are striving to achieve.

1. Fairfield will be a sustainable community that safeguards its natural environment, built environments, and the quality of life for its residents to ensure they benefit current and future generations.
2. Natural features and resources - including the Town's wetlands, watercourses, open space, beaches and habitats for wildlife, air, and the Long Island Sound - will be restored, protected, and maintained so they support a high-quality environment and are available for future generations.
3. People and places will be protected from natural disasters, sea level rise, or climate change. The Town will encourage land protection within natural hazard areas. ~~and minimize development or redevelopment within natural hazard areas~~. In recognition of the competing public policy interests of housing and resiliency, significant zoning density increases in most of these areas is discouraged.
4. Excellent recreational and community facilities will serve the diverse needs of residents of Fairfield.
5. Quality residential areas, that include historic districts, will continue to be the predominate land use in the community.
6. People of all ages, creeds, races, incomes, and physical abilities or capabilities ~~disabilities~~ will have access to diverse and affordable housing options.
7. High-quality commercial areas will be visually attractive and support additional vibrant economic activity.
8. Areas around train stations will be places where people can work, live, learn and play and be connected.
9. Multi-modal streets are a priority such that residents will have safe and convenient spaces where they can walk and bike as a means of transportation, recreation, and exercise and infrastructure investments shall consider all users.
10. The Town government will be transparent, efficiently provide services, and professionally implement policies through sound leadership and the use of best practices.
11. Fairfield University and Sacred Heart University and their students, faculty, and staff will be integrated into the community and will be important drivers of local growth.

A Community that is Home to All

Fairfield is largely a residential community. The Town's residential areas consist mostly of single-family housing, of which there is a great variety. The ~~Town's residential areas can be divided into two distinct areas: those east of the Mill River and those to the west.~~

The Town's lowest-density housing can be found in Greenfield Hill, an area that is predominantly low-density housing on two-acre wooded lots with large colonial-style homes. Like Greenfield Hill, Mill Plain is an area that is primarily single- family residential development, but lots sizes are smaller (one-quarter to one-acre lots) with large older homes, set close to the street and surrounded by mature trees. Samp Mortar is also primarily a single-family residential area, with many homes sitting on one-half to one- acre lots. However, there is some condominium development adjacent to the Black Rock Turnpike commercial area.

There are areas in the northern part of town that are home to a wider variety of housing types, including Stratfield and Holland Hill / Grasmere. These areas can have a wide diversity of housing, including luxurious to modest single- family homes usually on one-half and one-third acre lots, a substantial number of condominium units, and other multi-family housing.

Tunxis Hill is an example of a community that developed during the first wave of population growth after World War I. The area is characterized by relatively small lots, a high concentration of two, three, and four-family dwellings, and a dense network of grid-pattern streets.

Southport is the only area of town that straddles the interstate. The area to the north is primarily residential while the area to the south is a community with the visual character of an old colonial waterfront, with many old historic homes. Much of Southport Village has been designated as a historic district.

The shore is a defining element of Fairfield and the residential area nearest to it has its own unique characteristics. It is a densely developed residential area of one-quarter acre or smaller lots, with many two-family dwellings. This area has experienced significant change because of rebuilding after superstorm Sandy. It is also home to many students who share single-family homes.

Both the Downtown and Commerce Drive are evolving into mixed-use districts. The Metro Center TOD area has seen significant growth in multi-family housing which has helped to diversify the Town's housing option. The Downtown is also an area experiencing residential growth, with this wide variety of commercial uses, pedestrian orientation, and transit accessibility. The overall goal is to preserve existing single-family residential neighborhoods and focus more diverse housing options in the commercial corridors and adjacent to the Fairfield downtown and Metro Center train stations. A map and descriptions of the 2000 POCD Plan "Planning Areas" are located in the Appendix.

Background

Housing Stock Profile

Eighty-five percent (85%) of all housing in Fairfield is single unit, with a majority of those being detached homes. Eleven percent (11%) of units are in small multi-family buildings: those that have between 2 and 9 units. These "missing-middle" housing typologies have gained national attention as communities look to encourage more multi-family housing that can better blend with single- family neighborhoods. Only about 3% of all units are in larger, multi-family buildings. [1]

Since 2010, the town has seen approximately a 6% increase in the number of housing units, according to construction data provided by the Connecticut Department of Economic and Community Development. New construction has largely occurred at opposite ends of the spectrum: about 1/2 of all units are in new single-unit homes while 40% occur in 5-or-more unit buildings. The American Community Survey 5-Year estimates include a larger range of building types and reports that almost all that growth was in buildings with 20 or more units.[2]

Household Composition

Households refers to residential dwellings occupied by one or more individuals who are related by blood, marriage, or adoption, and who share common living spaces and resources within the same premises. These households live in the various housing units across Fairfield:

- 73% are family households.
- 60% are married couples.
- 36% include a child under the age of 18 living at home.

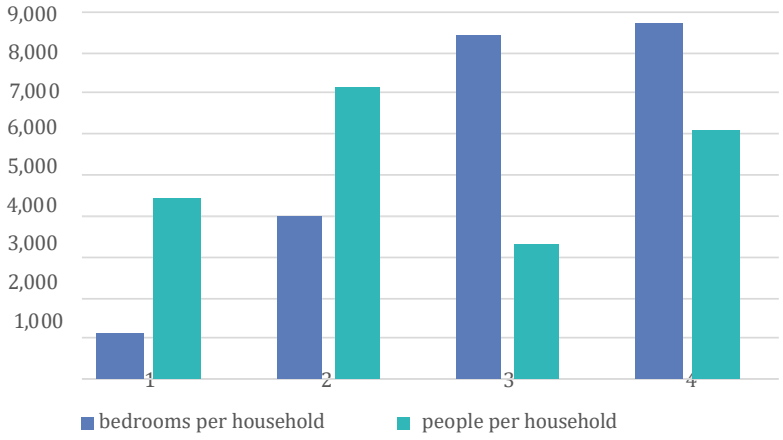
Since 2010, there has been very little change in these areas. There has, however, been a change in the size of households. Between 2010 and 2020, Fairfield experienced a 10% growth in the number of households. As illustrated in Figure 6 the town has seen as substantial growth in the number of 2-person households since 2010 and a modest increase in the number of households with 4 or more people. These trends underscore the growing need for more diverse housing stock in Fairfield to accommodate the evolving demographics and ensure a thriving and inclusive community for years to come.

Figure 6. Change in Household Size

Household Size	2010	2020	Change
1-person	4,190	4,480	6.9%
2-person	5,977	7,192	20.3%
3-person	3,460	3,364	-2.8%
4-or-more	5,593	6,140	9.8%

US Census Bureau - American Community Survey, 5-Year Estimates (2020) and US Census Bureau- 2010 Census.

Figure 7. Home Size vs Household Size



US Census Bureau - American Community Survey, 5-Year Estimates (2020)

[1] *US Census Bureau - American Community Survey, 5-Year Estimates (2020)*

[2] *Ibid.*

Housing Stock and Household Comparisons

Fairfield's housing stock was built to service an overwhelmingly single-family market. However, this has left the Town with a shortage of small units and an over-supply of larger units, relative to its household composition. Figure 7 compares how many 1-, 2-, 3-, and 4-bedroom homes there are relative to how many 1-, 2-, 3-, and 4-person households there are. Although some households may need more bedrooms than people (e.g., for an office) this data shows that there are far fewer one-bedroom and studio housing units than there are one-person households. The result is that single people and non-family couples are likely unable to find smaller housing that meets their needs.

This under-supply of smaller homes is likely having two effects. First, smaller households are likely paying more for housing than they need to be. Second, it likely increases housing costs for mid-sized households (3- and 4-person households) as they have more competition for mid-sized homes (2- and 3-bedroom units). Based on this analysis, it is likely that the production of smaller units will not only help make housing more affordable for singles and couples, but also for mid-size families who will have less competition for the housing that meets their needs.

Affordable Housing

In 2022, Fairfield adopted its Affordable Housing Plan. That plan noted that, according to the United Ways "ALICE" metric (Asset Limited, Income Constrained, Employed), more than one- quarter of all households in Fairfield (28%) are likely struggling with the overall cost of living. According to the US Census Bureau's American Community Survey, housing un-affordability is an especially difficult problem for renters: more than half of all renters reported that they spent 30% or more of their household income on rent.

- More than 50% of all homes in Town are estimated to be worth more than half a million dollars. First-time homeowners with higher education debt or no family wealth are going to have a harder time saving to make the down payment, even if they can afford the monthly mortgage payments.
- In 2021, the median housing cost for homeowners with a mortgage in Fairfield is $3,570. The median rental cost of living is $1,977.[3] If most renters are already cost- burdened, then there may be a whole segment of the resident population that simply cannot afford the mortgage payments on a home in Fairfield.

The high cost of for-purchase homes is also a barrier for many prospective buyers. The Census estimates the median household value to be nearly $645,00 with a 67% of homes valued at more than a half-million dollars.[4]

Fairfield's Housing Progress

Zoning applications filed under the State's affordable housing statute (8-30g), which does not require adherence to local regulations, continues to generate a significant number of housing units. Fairfield has seen 24 such applications since 2012 and a total of 710 dwelling units have been authorized that include 284 below market rate units.

In 2015, the TPZ Commission adopted an inclusionary zoning provision requiring that at least 10% of dwelling units in developments creating 10 or more units be deed restricted as below market rate units. Projects in compliance with Fairfield's zoning has produced a total of 892 units with 91 below market rate units. In addition, in 2018, the town established an affordable housing trust fund and implemented zoning fees that requirement payment into the fund for the purpose helping to maintain and establish additional affordable units

The town expects to qualify for a 4-year 8-30g moratorium in 2024 as more authorized dwelling units come online through construction. With additional units in the pipeline, and strategies to provide more affordable housing outside the scope of 8-30g applications, the goal is to produce enough below market rate units to qualify for a subsequent moratorium and in doing so, achieving addition progress in providing affordable housing.

Housing Trends

As Fairfield plans for housing over the next 10 years, it should take into consideration the following trends which are likely to have an impact on housing.

Aging Population

Fairfield has experienced an aging population over

[3] *US Census Bureau - American Community Survey, 5-Year Estimates (2021)*

[4] *Ibid.*

the past decade. The baby boomer generation has been reaching retirement age, leading to an increased demand for downsizing options, such as smaller homes, townhouses, or retirement communities. This shift has affected the types of properties in demand and the availability of larger-family homes. This is especially troublesome because of some of the obstacles that renters have when trying to purchase homes in Fairfield:

Millennial Homebuyers

Millennials (born between 1981 and 1996) are currently our nation's largest population group and have reached the age where they are starting families and seeking home ownership. They are attracted to areas with good schools, family-friendly neighborhoods, and access to amenities, making Fairfield an appealing destination. Fairfield is fortunate in that many of its residents (and prospective residents) have strong incomes. Nonetheless, these higher- income workers are professionals with higher-education degrees which has saddled them with more debt than previous generations. Fairfield may start to see more families looking for rental opportunities so they can establish themselves in town before buying a home.

Influx of Young Professionals

Fairfield has also experienced an influx of young professionals over the past decade. These individuals are typically drawn to areas with employment opportunities, vibrant social scenes, and access to amenities. As young professionals settle in Fairfield, they contribute to the demand for rental properties, particularly in areas with proximity to job centers and urban amenities.

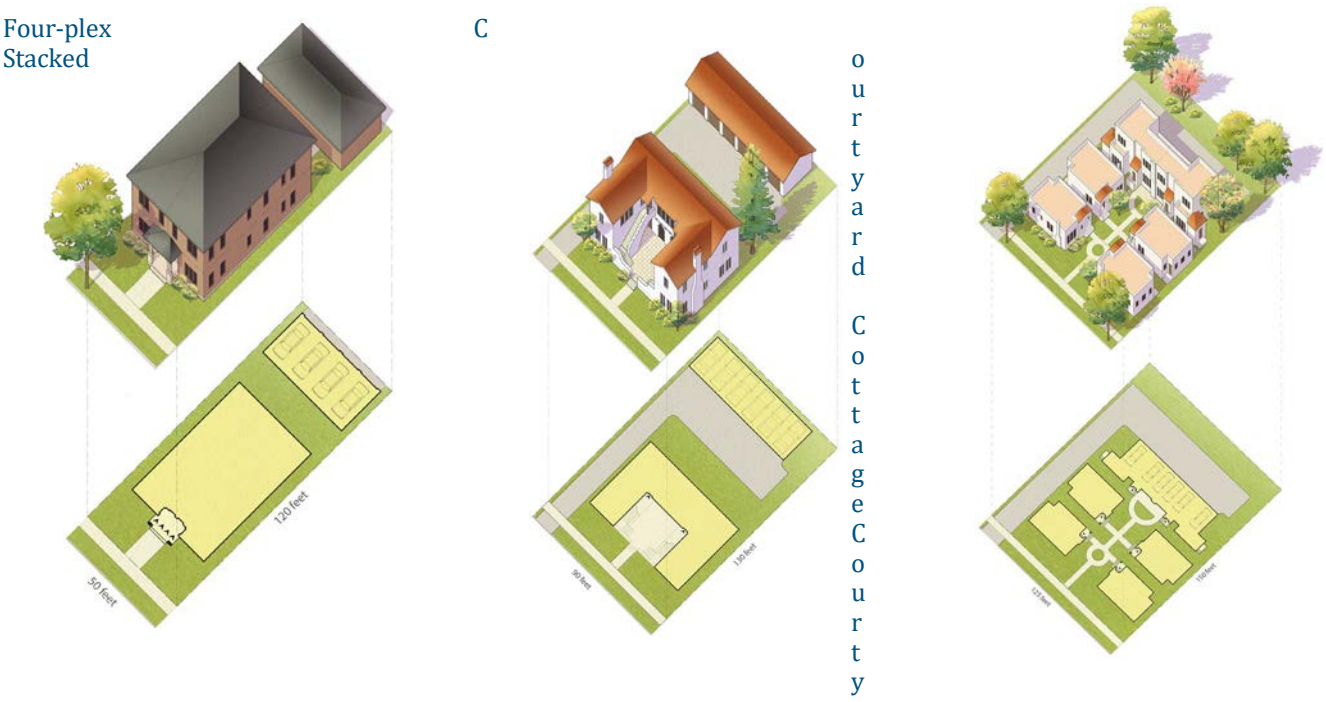
Diversity and Immigration

Fairfield has seen an increase in diversity and the presence of immigrant communities. As highlighted in the Plan Foundations element, Fairfield's population is on the rise, leading to a noticeable increase in the town's diversity, particularly with a growing number of Hispanic residents. This demographic shift is likely to generate new demands for different housing and neighborhood amenities that can more effectively cater to the evolving needs of this community.

Shifts in Lifestyle Preferences

Over the past decade, there has been a shift in lifestyle preferences among homebuyers. Many individuals and families prioritize walkable neighborhoods, access to parks and green spaces, and proximity to amenities like shopping and dining. These preferences have influenced the demand for housing options in neighborhoods that offer these features and are reflected in the high value of neighborhoods that are walkable to Fairfield's Downtown.

Figure 8. Examples of Missing Middle Housing



Multi-Generational Households

The past decade has also seen an increase in multi-generational households, where multiple generations of a family live together under one roof. Economic factors, cultural traditions, and changing family dynamics have contributed to this trend. One outgrowth of that change has been the increased demand for accessory dwelling units. Multi-generational housing may also help keep larger homes (those with 4 or more bedrooms) in demand.

Transit-Oriented Development

Transit-oriented development (TOD) focuses on creating mixed-use communities around public transportation infrastructure. The practice has gained considerable traction over the past year as communities look to promote housing that is more sustainable and accessible to people who do not have a car (or wish to have fewer cars) commonly referred to as 20-minute neighborhoods or Live Work Play communities. The goal is to foster vibrant, walkable neighborhoods near transit infrastructure. Fairfield's Transit-Oriented Development Study provides a strong framework for how the Town can support this type of growth in the community. The result can be substantial increases in property values near the station, which contribute to the Town's tax base while expanding housing options.

Missing Middle Housing

Over the past decade, there has been growing awareness that not all multi-family housing needs to happen in larger condo or apartment buildings. This "missing middle" housing (Figure 8 from *Daniel G. Parolek. "Missing Middle Housing: Thinking Big and Building Small to Respond to Today's Housing Crisis" (2020))* includes a range of buildings with multiple units that are compatible in scale and form with detached single-family homes. As communities have looked to diversify their housing stock, this category of housing has been an important area of focus.

Harm Reduction and Resiliency

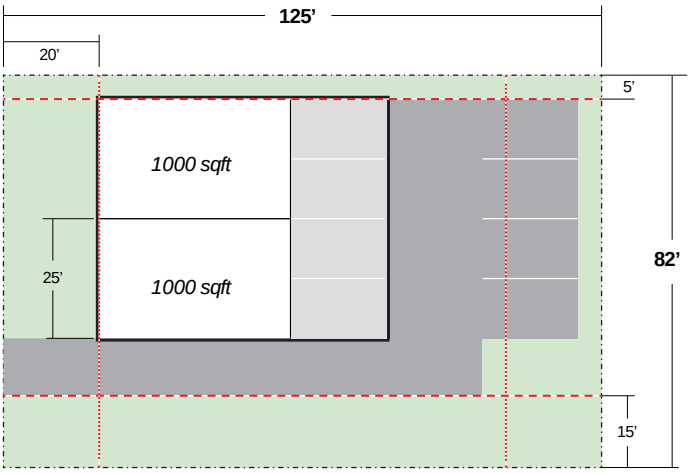
As communities across the country face the realities of a changing climate, they have been re-examining their zoning ordinances to determine how they can limit new construction in hazardous areas. For many communities, this has meant reducing permitted housing densities in flood-prone areas that may become isolated or difficult to evacuate.

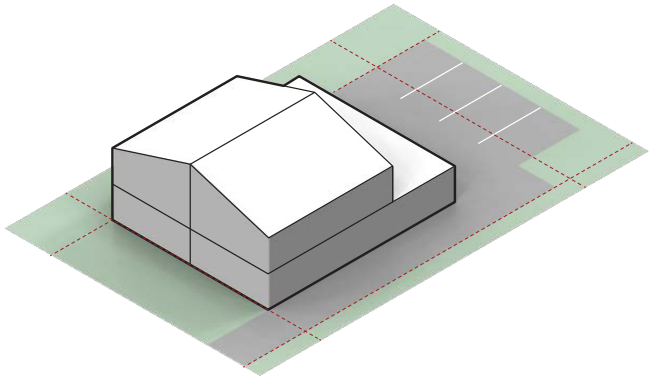
Regulatory Barriers

C Zone Standards for Four-Family Homes

Section 5.1 of Fairfield's zoning ordinance requires that all four family dwellings have a minimum lot of 12,500 square feet. These four- unit buildings are quintessential "missing middle" housing and can provide multi-family housing options that fit well within one- and two-family neighborhoods. However, the 12,500 square foot minimum reduces the number of parcels that could accommodate such homes: under

Figure 9. Four-Family Building on 10,250 sqft Lot





this standard, only 35 parcels would meet the requirement. As illustrated in Figure 9, a four-family building could be accommodated on a 10,250-square-foot lot while still meeting all the setback requirements and accommodating the necessary parking. If the minimum lot requirements were reduced, an additional 15 parcels in the C zone to meet the minimum lot requirements without any significant impact on the character of the area.[5]

Parking Requirements

Fairfield currently requires parking according to the following schedule.

Figure 10. Parking Requirements

Properties with	Spaces per family
dwelling units for 1 to 4 families	2
dwelling units for 5 to 10 families	2.5
dwelling units for 11 or more families	3

Section 28.6.1

There is no evidence that properties that accommodate multiple units require more parking per family. This approach to parking regulation increases the cost of developing multi-family housing and discourages the development of missing middle housing. It also creates excess impervious surfaces that have a negative impact on the environment. It is generally best practice to regulate parking either on a per-unit basis or a per-bedroom basis, irrespective of the number of units in the housing development.

The requirement that the Design Residential District include a minimum of 1/2 space per unit of visitor parking is also excessive, given the requirement to have at least 2 spaces per dwelling unit.

[5] *FHI Studio analysis of parcel data using geographic information system (GIS) software.*

Ground floor Commercial Requirements

Fairfield's zoning ordinance currently prohibits ground-floor residential uses in the in the Designed Commercial District (DCD) and Center Design Business District (CDBD). These standards intend to ensure that commercial corridors remain active. However, there are sites ~~– including the former Exide Battery site –~~ that are substantially deeper than most properties. For these types of sites, it is unlikely that ground-floor retail or commercial space will be economically viable if it were to be located deep within a site. Permitting residential uses on the ground floor and behind commercial uses would make these sites more economically viable while also permitting more residential uses in Town.

Residential 50% Standards

As discussed in the Sustainably Prosperous Community chapter, the Center Designed Business District (CDBD) and Design Commercial District (DCD) prohibit residential uses from occupying more than 50% of the total floor area of any building constructed in those districts. (See Strategy A for more details) This requirement unnecessarily limits the development of new residential projects that can help meet the Town's housing needs.

Center Design Business District Standards

The Fairfield TOD Study identified the following regulatory issues that create barriers to the construction of more transit-oriented residential units in Fairfield Downtown.

Building height: The CDBD zoning allows for up to 5-story buildings or a total building height of 50 feet, whichever is less. In practice, with modern construction techniques and the desirability of taller ground floor heights to accommodate retail and dining space, this means that buildings will not achieve 5 stories.

Floor Area Ratio (FAR): FAR is a measure of

the gross floor area of a building in comparison to the size of its parcel of land. Currently, the CDBD has a FAR limit of 2, This limits applicants who wish to use the full lot coverage (90% maximum) to 2 stories, rather than the 5 stories currently permitted in the district. This FAR limitation is inconsistent with the goal to increase residential and commercial activity in the Downtown.

Parking requirements: The Downtown station area has the strongest walkable character of any area of Fairfield, with shopping, dining, community uses, schools, and workplaces all located in the area. It also has the same level of train service as the Fairfield Metro station and on-street parking is regulated. Yet the area is subject to the same parking standards as less walkable and transit- accessible areas.

Parking and open space design: There are several areas where the Town currently does not have standards to protect and promote an active pedestrian environment. This includes a lack of standards for landscape buffers around parking lots, green stormwater management strategies, and standards for active ground floor uses along parking structures.

Fairfield Metro TOD Station Standards

The Fairfield TOD Study identified the following regulatory issues that create barriers to the construction of more transit-oriented residential units.

TOD Park Overlay District: This overlay district currently only applies to parcels at least 35,000 sf in size within the Commerce Drive Area Designed District (CDAD). The CDAD and TOD Park overlays together incorporate important changes from the base zoning to encourage transit-oriented development, including reducing parking requirements, allowing taller buildings, and ensuring pedestrian-friendly uses and architectural standards. However, the way the standards are drawn limits the ability of the Town to encourage smaller-scale infill that promotes walkable development near the Fairfield Metro Station.

Density requirements: Fairfield has a density cap for residential development within the TOD Park overlay of 50 bedrooms per acre. This density cap is lower than the number of units that could feasibly be provided within the floor area and building envelope allowed under current regulations. Because developers typically aim to develop as much revenue- producing floor area as they are entitled to
under regulations, a project developer will likely increase the size of units to fill the allowable floor area. This strategy encourages excessively large units, which are expensive and serve only a segment of the market for TOD housing.

Inclusionary zoning requirements: The TOD market study found that the Town could reasonably increase the minimum share of inclusionary units to at least 12% without discouraging housing production.

Residential square footage requirements: The TOD Park overlay limits residential use to a maximum of 70% of the gross floor area of a development. The balance of 30% or more of the floor area within a development must be occupied by other permitted commercial uses such as office, retail, and dining. This requirement is overly restrictive of residential development and may not align with market conditions in a Post-COVID era.

It should be noted that many of these recommendations have been achieved in 2023 for one of the TOD overlays for the TOD Park, but changes are still pending for the other TOD overlay in the Commerce Drive area for the Transportation Commercial Park in the Industrial District area near the Fairfield Metro Rail Station.

Community Input

Fairfielders understand the importance of maintaining and encouraging strong neighborhoods and communities. Among respondents to the virtual works, nearly 1 in 2 identified "Housing or Neighborhood Quality" as one of Fairfield's strengths. However, it was also identified by people as the top weakness and greatest opportunity for improvement. Zoning was also identified as the second most important opportunity for improvement.

A careful reading of the reasons participants gave for their answers shows that these answers are not contradictory. Instead, they come from an important acknowledgment that there is a tension in Fairfield between the desire to provide more housing diversity and affordability, while also being worried about the impact of new development on community scale and architectural character.

While there is divergence around these two issues, there were several themes that emerged that were shared by many participants in the various engagement efforts:

Open space access: To the greatest extent possible, the Town should maintain and encourage neighborhood access to parks, beaches, and open spaces.

Architectural quality and continuity: New development should generally fit into the existing community in terms of architectural quality and character.

Walkability: The Town should encourage and support residential development that allows people to walk to access amenities, work, and recreational opportunities. The Town should pursue funding to retrofit pedestrian infrastructure where deficient or needed.

participant quote

Change the zoning laws to protect our neighborhoods from over development.

participant quote

The town should have a plan to find areas throughout town (not just in a few neighborhoods) for affordable housing and work with developers and others to create this housing. Small and mid-sized affordable housing that blends with the neighborhoods in town will benefit those who buy or rent that housing, by integrating them more into the life of the town, and the neighbors, who will not be confronted with mammoth apartment complexes.

participant quote

Fix the zoning regulations to stop building apartment buildings all over the place.

participant quote

Now that we have so many people paying attention to the concept of affordable housing due to the recent proposals, we have an opportunity to engage more members of the community to come up with creative solutions to the challenge."

participant quote

Rethinking zoning rules around density issue so that we can create more sustainable housing in an affordable manner.

participant quote

We need more diversity with the types of housing stock so that we can attract and retain younger people with fresh ideas and energy"

A Community That Is Home To All Recommendations

Strategy A: Diversify housing options in strategic locations.

1. In the Center Designed Business District and the Designed Commercial District, consider eliminating the requirement that residential uses may not exceed 50% of a buildings floor area. Applicants should still be required to provide ground floor commercial space.

2. In the Center Designed Business District and the Designed Commercial District, consider permitting ground floor residential for secondary rear buildings for campus-like projects. Require that all buildings located on a public right- of-way have ground floor commercial facing primary street frontages that meet the design standards of the zone.

3. Consider expanding the Center Design Business District to the west along Route 1 / Post Road as illustrated in Figure 11. This will expand opportunities for new mixed-use construction with proven design standards, and support a more walkable environment along this portion of the Post Road to complement the existing Downtown. Expansion of this more walkable District to the east should also be considered.

4. Consider rezoning the area identified in Figure 12 on page 38 from A to B to increase the type of permitted housing options in close proximity to downtown and the Fairfield Station by.

5. Increase the type of permitted housing options in close proximity to Fairfield Metro by rezoning the area identified in Figure 13 on page 38 from B to C.

6. Undertake a study to identify missing middle housing types and where they might be permitted. Based on that study, explore permitting additional residential density in select areas and regulating it through appropriate design standards.

7. Consider new zoning standards to allow conversion of outdated office properties to residential conversion in ~~the NDD~~ commercial ~~zones~~.

Strategy B: Maintain historic districts and legacy neighborhoods.

1. Maintain the current zoning standards for Residence AAA, AA, A, R-3, and R-2 districts. Future detached Accessory Dwelling Unit (ADU) standard may be considered in smaller lot zones.

2. Continue to support efforts to preserve and protect historic districts.

Figure 11. Expansion of Center Design Business District

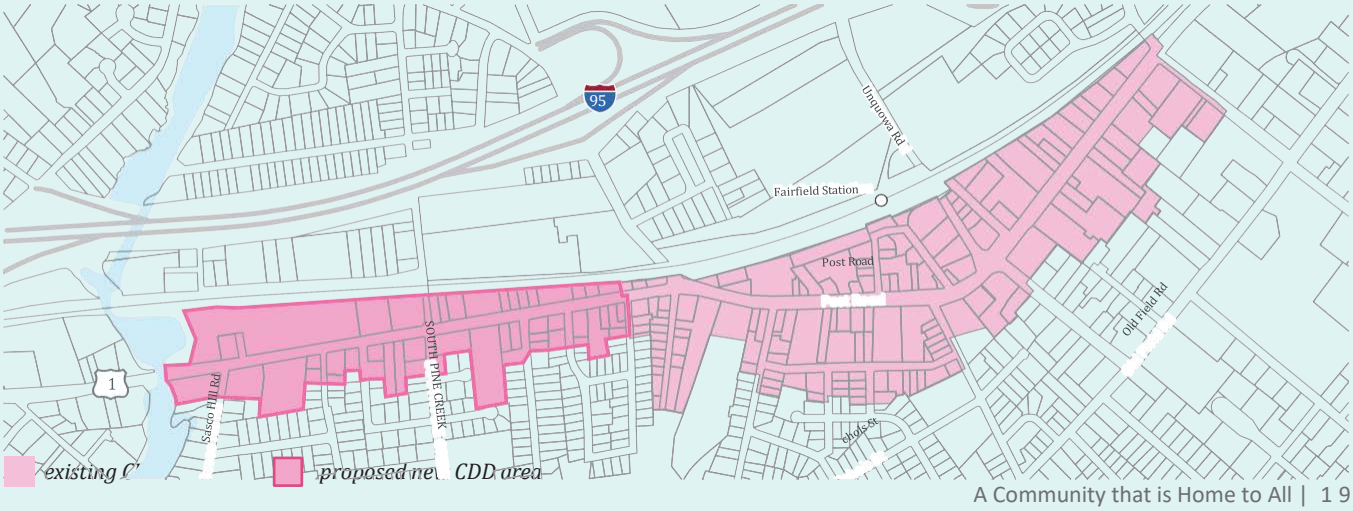


Figure 12. Rezoning from A to B

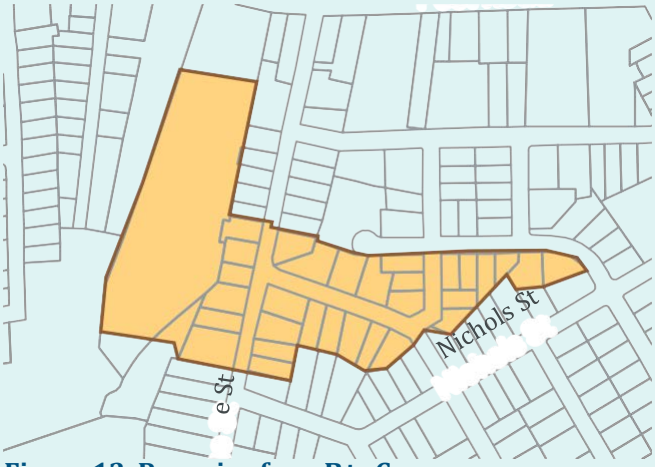
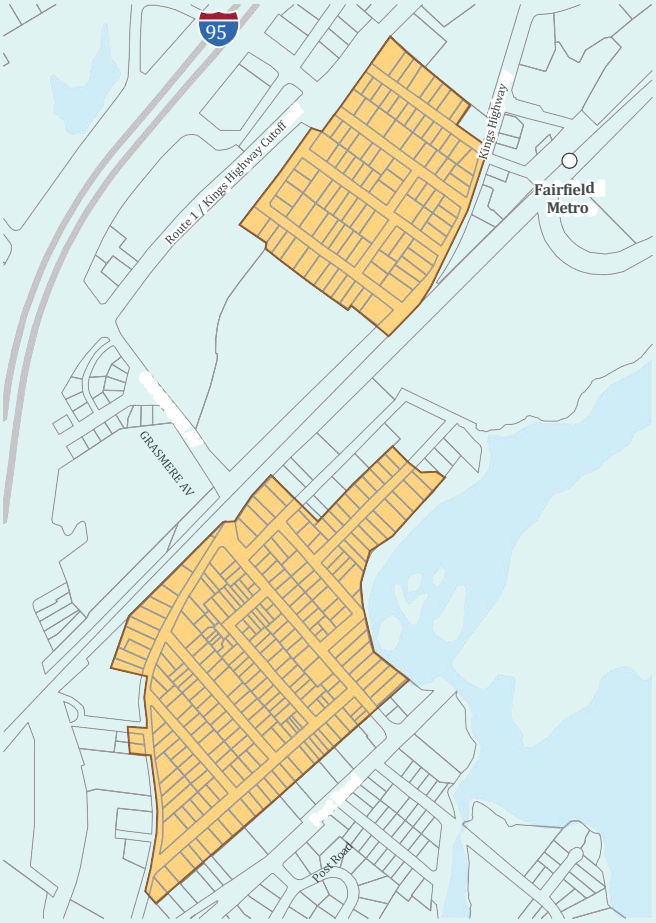


Figure 13. Rezoning from B to C



Strategy C: Promote housing near transit facilities by adopting the recommendations of the Fairfield Transit Oriented Development Study.

1. Establish a maximum height in the CDBD of 4 stories but increase the overall allowable hight to 52 feet to permit high-value spaces while maintaining the overall appearance of building massing and height to a limit that closely matches the existing context. The Town should also consider a minimum height of 15 feet for the ground floor story to ensure that buildings are designed to best serve retail and dining uses as envisioned.

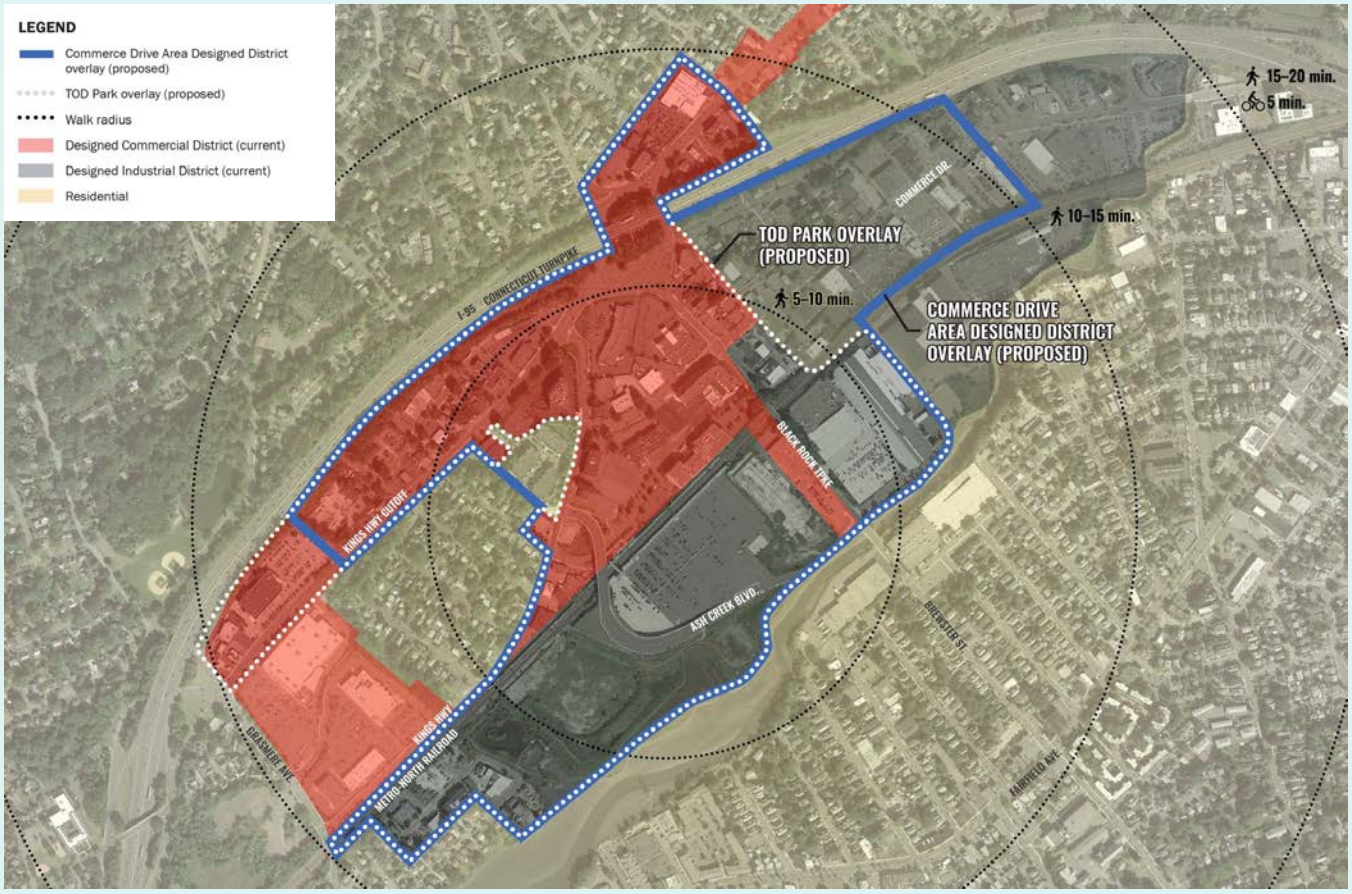
2. In the CDBD, increase the FAR limit to 2.5 ~~3~~ to enable development of buildings in the 3- to 4-story range. This scale is fully consistent with existing building scale and the intent of the current zoning, with the inclusion of increased setbacks above the 3rd floor or other design elements to break up building massing..

3. Redraw the TOD Park overlay to align with the boundary suggested in the TOD Study, as illustrated in Figure 23 on page 39.

4. Reduce the minimum lot size for the TOD Park overlay and its subsequent regulations from 35,000 square feet to 10,000 square feet would match the minimum lot size of the CDAD overlay, providing for consistency in development across all station-area parcels.

5. Adjust the height requirement in the TOD Park overlay in the following ways to balance a desire to create higher floor-to-floor heights while limiting the overall scale of buildings:
   - Establish a height limit of no more than five stories.
   - Establish a ground floor height of at least 15 feet in order to promote high-value

Figure 14. TOD Park Proposed Overlay



retail, dining, entertainment, and even office

- Establish a maximum height of 70 feet across the overlay.

6. Adjust the minimum inclusionary zoning requirement to 12% or more.

7. Promote a higher standard of accessible development in the Park TOD area by requiring 5% fully accessible units and 15% Type A adaptable units in projects with over 20 units.

8. Implement the urban design and building scale recommendations from the Fairfield TOD plan, including:

- Increase 70% maximum residential floor area requirement or eliminate the requirement and require ground floor commercial uses.
- Require retail and dining to be located at corners of prominent intersections and areas with high levels of pedestrian activity, rather than throughout the TOD district.
- Require 15% usable open space for all projects that include residential units in the Park TOD area.

9. Evaluate consolidating Fairfield Metro zoning districts into a single district to aid usability and marketability of the area.

Strategy D: Increase the supply of affordable housing.

1. Study increasing the affordability set-aside requirements to 15% in all zoning districts.

2. Review the Design Residence Districts (DRD) to identify the extent to which the following recommendations from the affordable housing plan would produce meaningful increases in affordable housing:
   - Reduce the minimum parcel size requirement for the DRD
   - Increase the maximum density limitation.
   - Require that deed-restricted units be provided.
   - Allowing DRD development by special permit if it were connected to public water and sewer, near arterials or collector roads, or near transit service.
   - Reviewing lot coverage, building coverage, and floor area limitations

3. Explore hybrid form-based zoning as a way of introducing more missing-middle housing typologies that will be more affordable than currently permitted housing options.

4. Consider amending Zoning Regulations to increase the term of the affordable housing set-aside requirements beyond the State minimum of 40 years.

5. Review Affordable Housing Trust Fund as needed and propose flexible alternatives for supplying affordable housing such as in-lieu fees or off-site units where appropriate.

Figure 15. Rezoning to Residence A



Strategy E: Reduce Density in the FEMA Floodway.

1. Change the zoning in area identified in Figure 15 to Residence A.

Strategy F: Reduce parking requirements to reduce unnecessary burden on the construction of new residential units.

1. Require two (2) spaces per dwelling unit unless fewer spaces are permitted because of special conditions (e.g., located in a Transit Oriented Design Overlay)

2. The Town should reduce the number of visitor parking spaces to 1/4 space per unit in the Designed Residential District.

Strategy G: Bring residential zoning into conformance with State statutes.

1. The Town should eliminate minimum unit size requirements so as to conform with Statute.

A Sustainably Prosperous Community

Fairfield is a largely built-out community with most of its commercial and industrial properties located along major transportation corridors. More than 40% of the jobs in Fairfield are within two primary sectors: Educational Services (26%) and Health Care and Social Assistance (17%). These "eds and meds" industries provide an important foundation for the Town's economy, employing people with a wide variety of incomes. Commercial properties make up the next largest segment of employment: approximately 13% of jobs are in the retail trade and 10% are in the accommodation and food services. Combined, these four industries account for about two-thirds of all jobs in the community.

Many Fairfielders strongly connect the quality of the Town with the quality of its residential communities. As such, there is little opportunity or appetite for the Town to grow its economy through the expansion of its commercial and industrial areas. Thus, economic growth will be driven by adaptive reuse and redevelopment.

Background

Tax Base

The importance of expanding the tax base was a key point of the Town's 2020 "One Town, One Plan" strategic vision document and corresponding 2017 economic development analysis conducted by the Connecticut Economic Resource Center, Inc (CERC).[1]
The strategic vision noted the importance of expanding the economy to ensure that Fairfield can continue to provide high- quality services and amenities without unduly burdening residents with higher taxes, which runs the risk of making the Town a less

[1] *See Creating A Strategic Vision For Fairfield, 2017*

attractive place to live and puts strain on lower-income households and those on fixed incomes.

CERC noted that, on average in Connecticut, the residential component of the grand list is approximately 68%, while it makes up 82% of Fairfield's grand list. As illustrated in Figure 16, this means that the Town of Fairfield has less of its tax revenue generated by land uses (e.g., commercial uses) which tend to have a lower fiscal impact on town finances.

Key Economic Drivers

Eds and Meds

Four in ten jobs in Fairfield are in the Educational Services and Health Care and Social Assistance (HCSA) industries. Fairfield University, Sacred Heart University, and the school district are the major employers that contribute to the Educational Services sector.[2]

Fairfield's HCSA sector is diversified with no entity employing more than 10% of the people in the industry. Employment is in a diversity of medical-related settings from doctors' offices and outpatient medical facilities to nursing homes and assisted care facilities.

Fairfield should expect the healthcare industry to be strong going forward. As detailed in the State's 2015 Economic Development Strategy:

> Healthcare promises to be a strong driver of employment the coming decades. Traditional healthcare jobs in healthcare delivery will grow due to the aging of the baby boomers and their need for additional healthcare services. Connecticut also will see growth from its strong position in life sciences (including pharma, medical devices, and genomics) due to the strength of the university research community and the strong array of companies expanding their R&D and manufacturing.

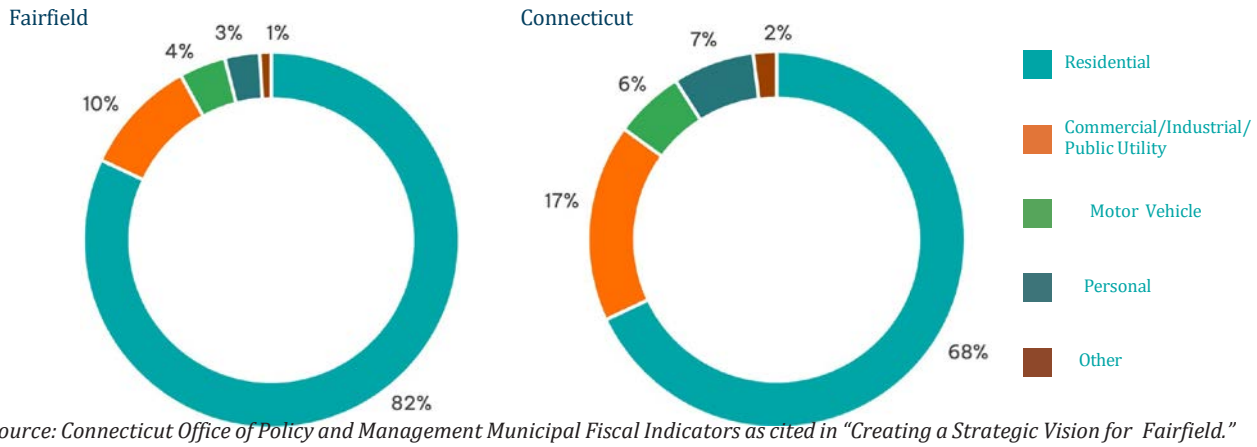
The Town should expect the education sector to remain stable, with little indication that any of the core employers anticipate major growth or declines.

Residents

The Town's strong residential communities are an important driver of its economy. The Town's high-quality neighborhoods and communities attract residents who are generally wealthier than residents of the state as a whole. The median household income in Fairfield is approximately $150,000 compared to $83,500

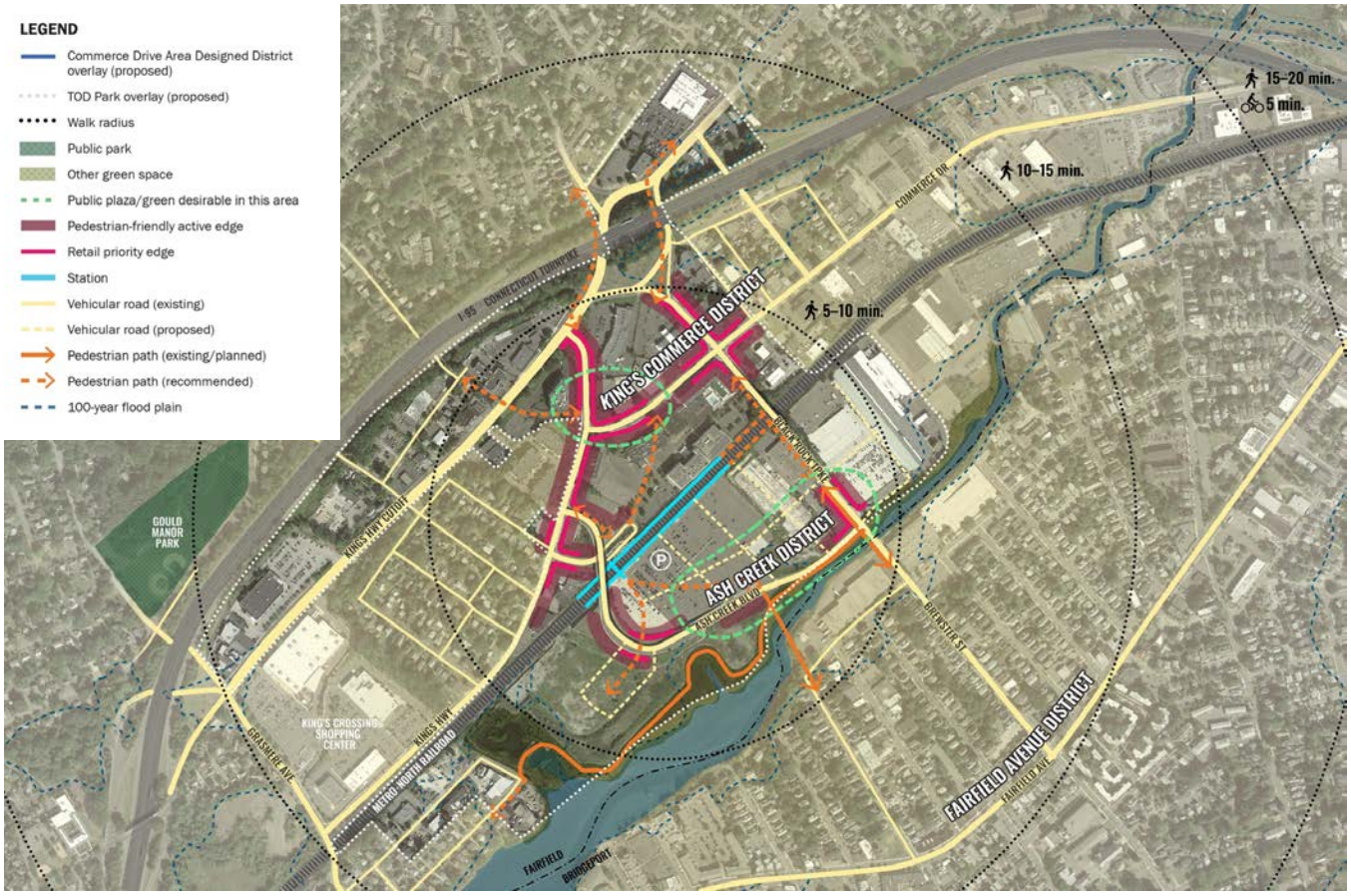
[2] *U.S. Census Bureau. LEHD Origin-Destination Employment Statistics (2002-2020) accessed at onthemap.ces.census.gov*

Figure 16. Components of Net Equalized Grand List for Fairfield and CT



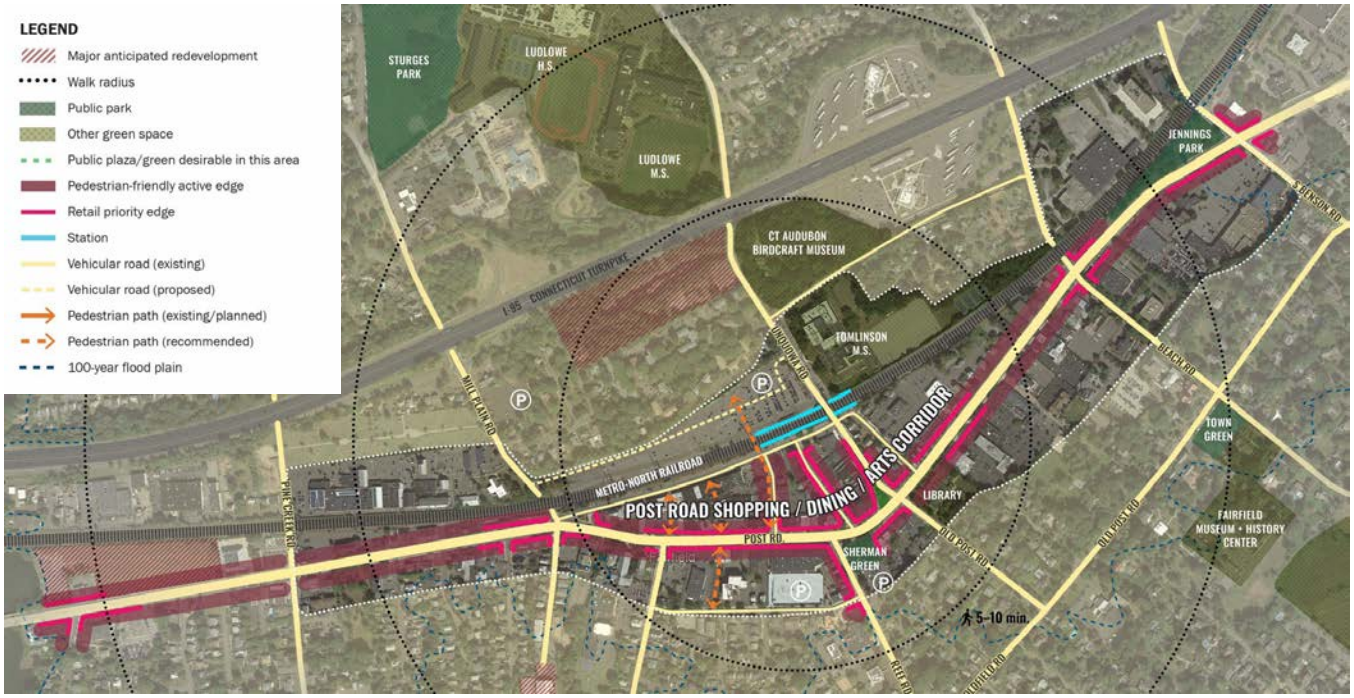
Source: Connecticut Office of Policy and Management Municipal Fiscal Indicators as cited in "Creating a Strategic Vision for Fairfield." (2017)

Figure 17. Fairfield Metro TOD Plan



Fairfield Transit Oriented Development Plan (2017)

Figure 18. Fairfield Downtown station area TOD



Fairfield Transit Oriented Development Plan (2017)

for the state.[3] More than 1 in 3 households in Fairfield make more than $200,000 a year.[4] Since Fairfield has a higher concentration of high-income earners, there are more dollars available for local businesses to capture.

An indication of the spending power of Fairfielders (and residents of surrounding communities) is that nearly one-quarter of the jobs in Fairfield are in the retail trade and accommodation and food services industry.[5]

Roadway Infrastructure

The Town's major commercial areas are concentrated along the Post Road and Black Rock Turnpike, both state roads and regional transportation corridors. The auto-orientation of these roadways has served a valuable purpose: they connect the areas to the region and expand the Town's market catchment area.

However, as traffic along them has increased, the corridors have become more congested. This auto-orientation of the corridors has made the public realm more fragmented, less attractive with more paving, and more dangerous for pedestrians and cyclists. The result is that many Fairfielders feel that these areas have come to embody a quality that contradicts the quality of the residential communities. Recent traffic safety and improvement studies have been completed for both of these state roads with future projects identified.

Transit Infrastructure

The Town has significant opportunities to encourage transit-oriented development (TOD), as documented in the 2019 Fairfield Transit- Oriented Development Study. At Fairfield Metro, TOD development could transform the station area into a mixed-use neighborhood.

Walkable multifamily residential and mixed- use development can create a cohesive, distinctive district that enhances the Town's tax base (Figure 14 on page 39). At Fairfield Downtown, small-scale infill development will support the continued vitality of Fairfield's beloved downtown shopping and dining district. The significant market demand for transit- oriented development in Fairfield means that minor revisions to land use and development regulations can unlock significant potential and economic development.

As documented in the 2019 Study, leveraging these opportunities will require the Town to make some regulatory changes, which are discussed in the recommendations section of this element. The Town has also identified the need to establish urban design standards and an investment strategy to ensure that the public realm supports, and is supported by, new investment around Fairfield Metro.

Key Trends

Work from Home

In 2018, before the COVID pandemic, the Census Bureau estimated that approximately 9% of Fairfield workers over the age of 16 worked from home. By 2021, that number had doubled to 18%.[6] The result is that there are approximately 2,000 more people in Fairfield during a given work day than there were before the pandemic.[7] As such, there will likely be more demand for supporting commercial uses. (E.g., coffee shops, quick-grab food, office services, etc.) Fairfield will also likely see more households investing in dedicated office spaces.

When asked about the long-term impacts of COVID, participants in the virtual workshop

[3] *US Census Bureau. American Community Survey, Five- Year Estimates (2021)*

[4] *US Census Bureau. American Community Survey, Five- Year Estimates (2021)*

[5] *U.S. Census Bureau. LEHD Origin-Destination Employment Statistics (2002-2020) accessed at onthemap.ces.census.gov*

[6] *US Census Bureau. American Community Survey, Five- Year Estimates (2021)*

[7] *Approximately 83% of residents travel outside of Fairfield to go to their primary employment. (U.S. Census Bureau. 2021. LEHD Origin-Destination Employment Statistics from On the Map.*

noted that they will be decreasing the amount of commuting. As one said, "Remote work is here to stay for most professionals."

Multi-Family Housing

Fairfield does not need to only rely on commercial properties to expand its economy and tax base. As previously discussed, Fairfield's residential population is an important driver of the economy. In addition, there is strong demand for multi-family housing that will expand the market of people who can find a place to live in Fairfield, including recent graduates, newly married couples, young professionals, and downsizing baby boomers. By providing more opportunities for multi-family housing, the Town will expand its consumer base which, in turn, can help drive demand for higher and better uses of its commercial properties.

Multi-family housing can also help Fairfield expand its tax base. Unlike single-family housing, multi-family housing:

- Supports housing choice for all ranges of incomes as well as additional choices for smaller households.
- Is denser and therefore requires less infrastructure to support which costs less to maintain on a per-person basis.
- Has less of a school enrollment impact than single family housing.
- Helps develop a walkable community option for Fairfielders supportive of that housing lifestyle.
- Produces higher land values compared to single-family homes and low-density commercial properties and so generates more taxes on a per-square-foot basis than alternative land uses.

Place-Based Retail & Downtowns

Communities across the country have learned that their downtowns and central business districts have unique characteristics that allow them to attract retail and dining options.

These communities have emphasized creating multi-modal access and strong streetscapes, providing cultural programming, and encouraging businesses to spill out onto the street (e.g., street cafes and outdoor displays).

To that end, MetroCOG has emphasized the importance of these areas to its regional economic development strategy. They identify Downtown Fairfield, the Metro Center station, and Black Rock Turnpike Commercial District as "Focus Areas", which are places that are centers of commerce and employment for the surrounding community, and which are ideal locations for transit-oriented development.
MetroCOG recommends that towns focus on:

- Placemaking strategies to increase the visual appeal and unique character of the area and support.
- Encouraging the development of multi-family housing that can capitalize on proximity to transit and major employers and support retail and restaurant uses.
- Establishing Downtown partnerships that meet regularly to coordinate investment and work collaboratively to solve problems.

Regulatory Barriers

Residential 50% Standards

The regulations for the Town's Design Commercial Districts (DCD) restrict residential uses. Section 12.4.18 states:

> Residential uses provided it shall not be located on a ground floor and not to exceed more than 50 percent of the total floor area of the building, and not to exceed more than 70 percent of the total floor area of the
> building, when located within the Commerce Drive Area Designed District, and no building of mixed residential business shall contain more than two stories devoted to residential use.

Similar language is in the Center Designed Business District in Section 12.3.16,

These standards substantially and unnecessarily limit the amount of mixed-use development that can occur in the DCD. As illustrated in Figure 19, there are two configurations that

would allow an applicant to maximize the residential square footage to proceed under these standards. In Configuration A, an applicant would be required to provide second-story commercial space to meet the 50% requirement. In many areas, including the Town's commercial districts located along major thoroughfares, this second-story office space would have a low market value and would likely be difficult to rent. Configuration B would require the construction of a very deep building that would not be appropriate for most retailers looking to locate in mixed-use buildings. Although these are not all the potential scenarios, they are representative of the challenges that an applicant would face in meeting the 50% requirement.

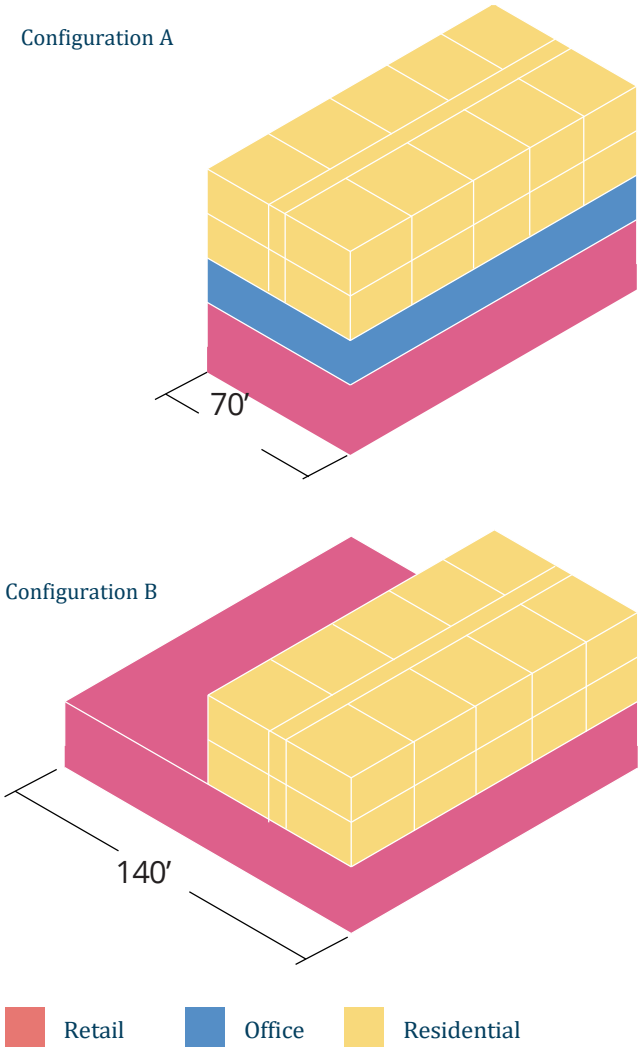
As a result of these standards, Fairfield is restricting the ability of property owners to support the Town's economic goals by creating new mixed-use projects that would expand the amount of commercial space, increase the amount of high-quality commercial space, and provide new residential opportunities.

Sewer Capacity

The existing Waste Water Treatment Facility (WWTF) has the capacity to treat approximately 9 million gallons of waste water per day. Due to the advanced age of Fairfield's sanitary sewer pipes and manholes, roughly 50% of the existing treatment flow is comprised of ground water inflow and infiltration. System Improvements such as pipe and manhole repairs and replacements are needed to reduce these increased flows and improve the overall capacity and system functionality. The targeted development opportunities within this section will result in increased grand list growth that benefits all residents of the town. This growth cannot be achieved without consideration of upgrading sewer infrastructure function. Priority funding including property tax revenue, should be considered to achieve system repair upgrades not only to allow additional development, but to decrease WWTF processing costs due to more efficient flow to the plant.

.

Figure 19. Illustration of DCD 50% Floor Area Standards



Equalize Parking Requirements

Currently, the Town has higher parking requirements for dining uses as compared to office and retail uses. The result is that it is discouraging investment in this desired growth sector by complicating conversion or re-tenanting of spaces from retail to dining or vice versa and encouraging excessive amounts of off-street parking. The issues were highlighted in the Fairfield TOD Study, but it is also applicable across Town.

Community Input

Fairfielders want to see sustainable economic growth that supports a growing population while maintaining Fairfield's charm and small- town feel. Several themes emerged from the community engagement process:

Encourage walkable local businesses: Fairfielders want to see the Town's local businesses close to residential areas, creating walkable communities.

Encourage unique businesses: Participants in the process noted that they would like to see more unique local businesses that cater to Fairfield's diverse communities.

Revitalized commercial corridors: Participants emphasized the importance of revitalizing core commercial areas, including the Black Rock Turnpike Shopping District. Fairfielders noted the disjointed nature of development in this area and the need to make the area more attractive.

Enhance downtown aesthetics: There was a desire to see the maintenance of Downtown shops improve and the Town to encourage public space improvements. Suggestions for improvements included murals and more trees.

Better access management: Participants would like the Town to encourage better access to the town's commercial areas for all users. This includes better pedestrian and bicycle access. In the Downtown, there was a desire to have better wayfinding, especially for parking. Along Black Rock Turnpike, there was a desire to see better access management.

participant quote

Too many empty commercial spaces that appear not well maintained. Find ways to incentive commercial building owners to lease space to community members and small businesses.

participant quote

More affordable, centrally located smaller commercial space to be created for service-oriented or boutique retail businesses. Not big box stores.

participant quote

Our neighborhoods need small mixed-use opportunities so that we can have coffee shops, little general stores, and other services we can walk to or bike to.

participant quote

There are not a lot of stores that appeal to my demographic. And some buildings go many months, some years, before new tenants move in. I wish Fairfield could inspire more businesses to open shop anywhere else other than on the Post Road at an affordable rent.

participant quote

Provide targeted tax incentives for downtown/ Black Rock/ neighborhood shopping areas, to promote: efficient auto, bike and foot traffic flow; parking; connectivity; and good design.

A Sustainably Prosperous Community Recommendations

Strategy A: Promote redevelopment in strategic locations that will strengthen the economy and grow the local tax base.

1. Promote transit-oriented development by implementing the recommendations for Fairfield Metro and Downtown that are identified in A Community that is Home to All. (See *Promote housing near transit facilities by adopting the recommendations of the Fairfield Transit Oriented Development Study. on page 38)*
2. Consider extending the Center Design Business District to the west to the Mill River and to the east to South Benson Road to promote more walkable commercial areas and design standards. ~~include the former Exide Battery site to encourage redevelopment of that property~~.
3. Explore a home-professional office overlay for Black Rock Turnpike and Tunxis Hill Cut- off that would permit owner-occupied housing to include appointment-based professional businesses such as lawyer, therapist, psychiatrist, and accountants to be located on the ground floor.
4. Encourage the redevelopment of bus depot on Easton Turnpike near the former general electric site (now Sacred Heart University).
5. Explore the possibility of leveraging brownfield funding to support redevelopment along Kings Highway.
6. Prioritize funding opportunities to advance sanitary sewer system upgrades.
7. Continue to coordinate impact of increased housing opportunities with the Board of Education Facilities planning committee.

Strategy B: Encourage development in existing commercial districts.

1. In the Design Commercial District (DCD) and the Center Designed Business District (CDBD):
   - Eliminate the 50% maximum residential floor area requirement.
   - Permit ground-floor residential in the DCD and CDBD on the condition that it is not within 50 feet of the front or side setback and that an equal amount of commercial space separates the right-of-way from the residential uses.
   - In all other instances, require that the ground floor be occupied by a commercial space or any of the other non-residential permitted uses in the district.
2. Reexamine the permitted uses in the Design Commercial District (DCD) and the Center Design Business District (CDBD) to modernize the list of permitted uses and make the code easier to use.
3. Explore amending the parking requirements for all retail uses, including restaurants, to 4 parking space for every 1,000 square feet and office parking to 3 spaces for every 1,000 square feet.
4. Explore expanded shared parking opportunities to reduce the amount of land dedicated to surface parking.
5. Review existing Zoning Map to reduce residential and commercial split zoned properties
6. Review Zoning Map to examine opportunities to widen the commercial corridor along Kings Highway.

An Interconnected Community

The Town of Fairfield has a well-developed transportation network that provides various options for residents and visitors to move around the area. However, more improvements can be made to better accommodate bike and pedestrian infrastructure

Road Network: A defining feature of Fairfield is its major highways which make it easily accessible by car. Interstate 95 (I-95), which runs along the eastern coast of the United States, passes through the town. I-95 runs east-west locally, a convenient connection within town. Additionally, the Merritt Parkway (Route 15) is another major highway that passes through Fairfield, offering an alternative route for commuting and travel. In addition, Route 1 bisects the community and is home to most of the Town's major commercial development.

Public Transportation: The town is served by public transportation systems, primarily operated by the Greater Bridgeport Transit Authority (GBT). GBT operates several bus routes within Fairfield and connects the town to other neighboring cities and towns. These buses provide transportation options for commuting to work, schools, shopping centers, and other destinations within the area.

Train Service: Fairfield is also well-connected by train service, with the Metro-North Railroad providing convenient access to New York City and other parts of Connecticut. The Fairfield Metro, Fairfield Center, and Southport stations all ~~located in the town,~~ offer commuter rail services on the New Haven Line. This allows residents to easily travel to and from various locations in Fairfield County and beyond.

Bicycle and Pedestrian Infrastructure: Over the past 10 years, Fairfield has made efforts to create a safer and more enjoyable walking and bicycling network. The town has implemented bike lanes, multi-use trails, and sidewalks. Additionally, there are ~~bike-sharing~~ micro-mobility programs available in some locations such as scooters, encouraging eco- friendly transportation options.

Airports: While Fairfield does not have an airport, it is conveniently located near several New York area international airports. Bradley International Airport (BDL), Laguardia, John F. Kennedy International Airport, and Newark Airports are all within a two-hour drive. Regional airport service is also easily available within 40 minutes with the Westchester, NY and Tweed-New Haven airports.

Background

Commuting Patterns

Only 2.4% of households in Fairfield do not have access to a vehicle, which makes driving one of the primary ways people move through Town. Nonetheless, only 61% of Fairfielders drove to work in 2019. This is a substantial decline in the share of people who did so from 2009, when 76% of residents did so. This change is the direct result of a large increase in the number of Fairfielders who reported working from home in 2019 (18%). In 2009, only 7.5% of residents did so.

Most commuters traveled outside of town to go to work (82%). Just over 1/3 of all workers travel to the five metropolitan areas identified in Figure 21. This is consistent with historic development patterns which include most major transportation infrastructure running north- south along I-95 and passenger rail corridors going in and out of New York City.

Figure 20. Commuting to Work

Household Size	2010
Drove Alone	61%
Carpooled	4%
Public Transportation	12%
Walked	3%
Other	2%
Worked from Home	18%

US Census Bureau - American Community Survey, 5-Year Estimates (2017 - 2021)

Figure 21. Destination of Commuters

Destination	Share of Workers
Stamford, CT	10.6%
New York City, NY	7.5%
Norwalk, CT	7.2%
Bridgeport, CT	6.1%
New Haven, CT	4.0%

U.S. Census Bureau. LEHD Origin-Destination Employment Statistics (2002-2020) accessed at onthemap.ces.census. gov

Safety

Figure 22 illustrates the location of crashes in the Town as well as traffic fatalities. Figure 23 highlights pedestrian and bicycle crashes specifically. These maps illustrate something that is well known in Fairfield: that the state and federal highways experience the most crashes in Fairfield. The maps point to several areas of concern:

Black Rock Turnpike Shopping Center: The commercial area is home to mostly auto- oriented commercial businesses that have evolved through a patchwork of developments. The result is a sometimes-chaotic environment that is difficult to navigate. The space is particularly dangerous for pedestrians because of the numerous curb cuts, long crosswalks, and narrow sidewalks. The lack of any bicycle infrastructure makes the area largely inaccessible to those users. The Black Rock Turnpike Safety Study seeks to improve these conditions as well as opportunities to pursue funding to implement projects.

Exit 24: The exit off I-95 that intersects with Route 1 is the location of a considerable number of crashes in Town. This area is home to a major traffic circle that goes under the interstate and includes seven feeder roads. The result is an environment that can be difficult to understand and navigate. Moreover, there are a limited number of sidewalks and few crosswalks. The result is that this major intersection is not a safe or convenient place for pedestrians and serves

Figure 22. Crashes and Fatalities

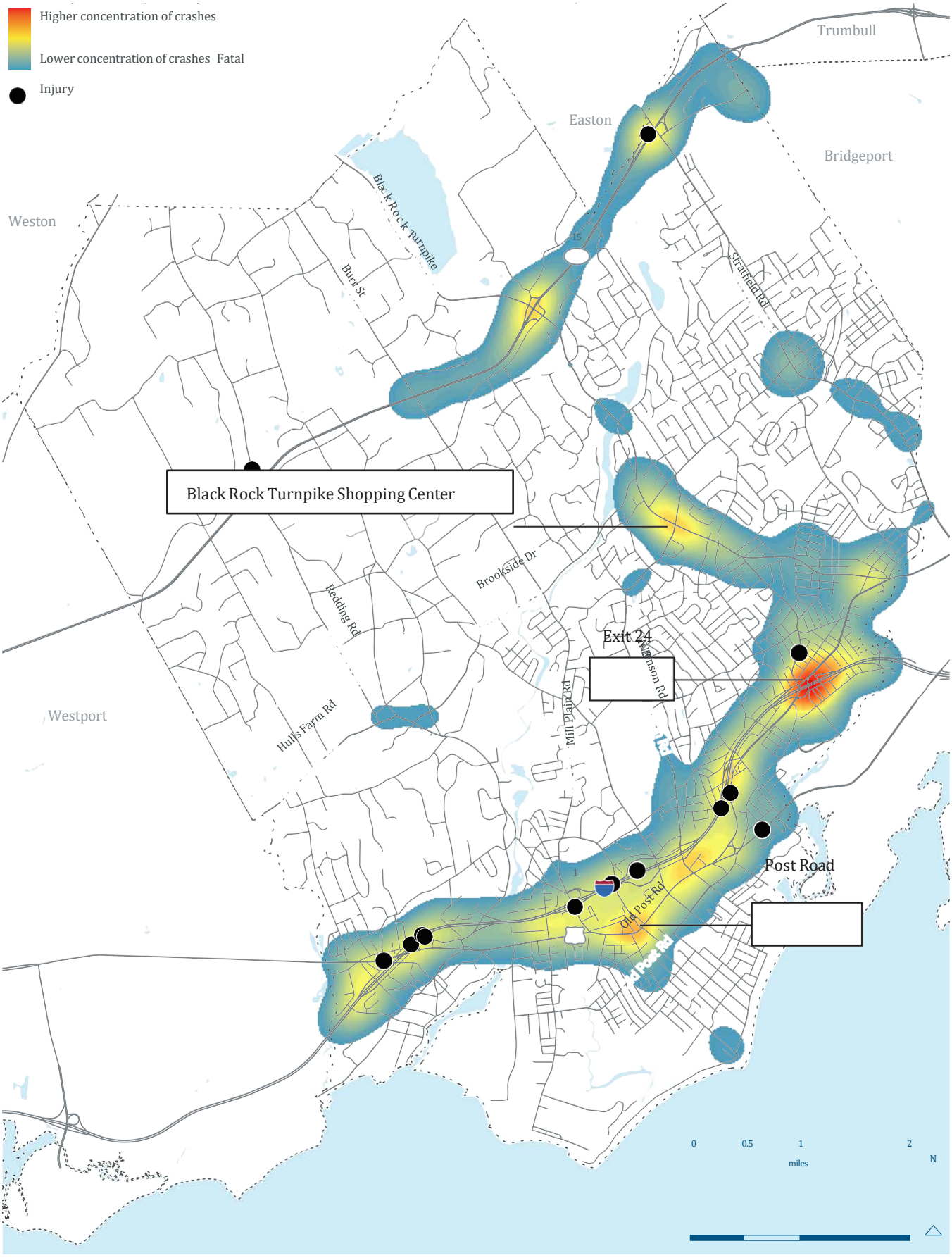
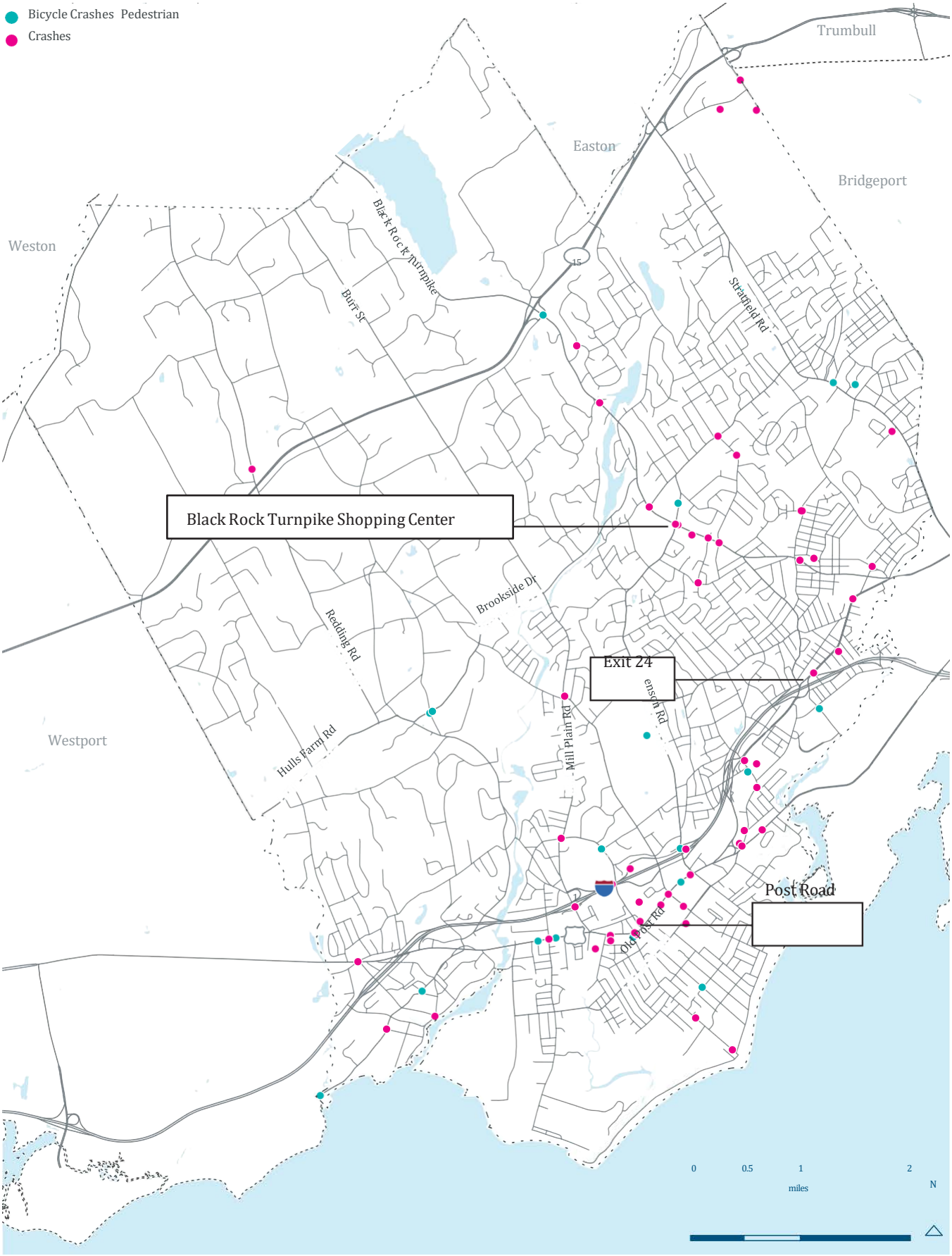


Figure 23. Bicycle and Pedestrian Crashes



as a major pedestrian barrier between the north and south sides of town.

Post Road: The Post Road around the Downtown is home to a large number of crashes, especially pedestrian-involved crashes. This area is home to some of the Town's most walkable businesses and is increasingly the focus of housing development that is looking to take advantage of the train station and proximity of amenities within walking distance. A major issue in this area is that drivers frequently use it to bypass traffic on the interstate. The Post Road Circle Study, conducted by MetroCOG, seeks to determine improvements to address vehicular safety, bicycle/pedestrian safety, and congestion.
Both near- and long-term strategies, at various funding levels, will need to be identified and funding should be sought to implement projects from Study findings. The following areas were identified by participants as particularly problematic:

- Mill Plain Road - Five-leg intersection.
- Unquowa Pl, Sanford St, Miller St, Carter Henry Dr.
- Sanford Pl / Reef Road offset intersection.
- Unquowa Place.

Bicycle Network

Figure 24 illustrates the proposed bicycle network that was developed as part of the 2013 Bicycle and Pedestrian Master Plan. The plan identified both North-South Bicycle Routes via:

- Route 136 (Westport Road), Sturges Highway, Hulls Farm Road, and Bronson Road.
- Hillside Road, Old Academy Road, Greenfield Hill Road, Duck Farm Road, Mill Plain Road, and South Pine Creek.
- Redding Road, Bronson Road, and Pequot Avenue.
- Black Rock Turnpike, Tahmore Drive, Burroughs Road, High Street, Holland Hill Road, and Barlow Road.
- Route 59 (Stratfield Road), Brooklawn Avenue, Briarwood Avenue, Dewey Street,
- Commerce Drive, Kings Highway East.
- Park Avenue from Jefferson Street to Seaside Park.

East-West Bicycle Routes Via:

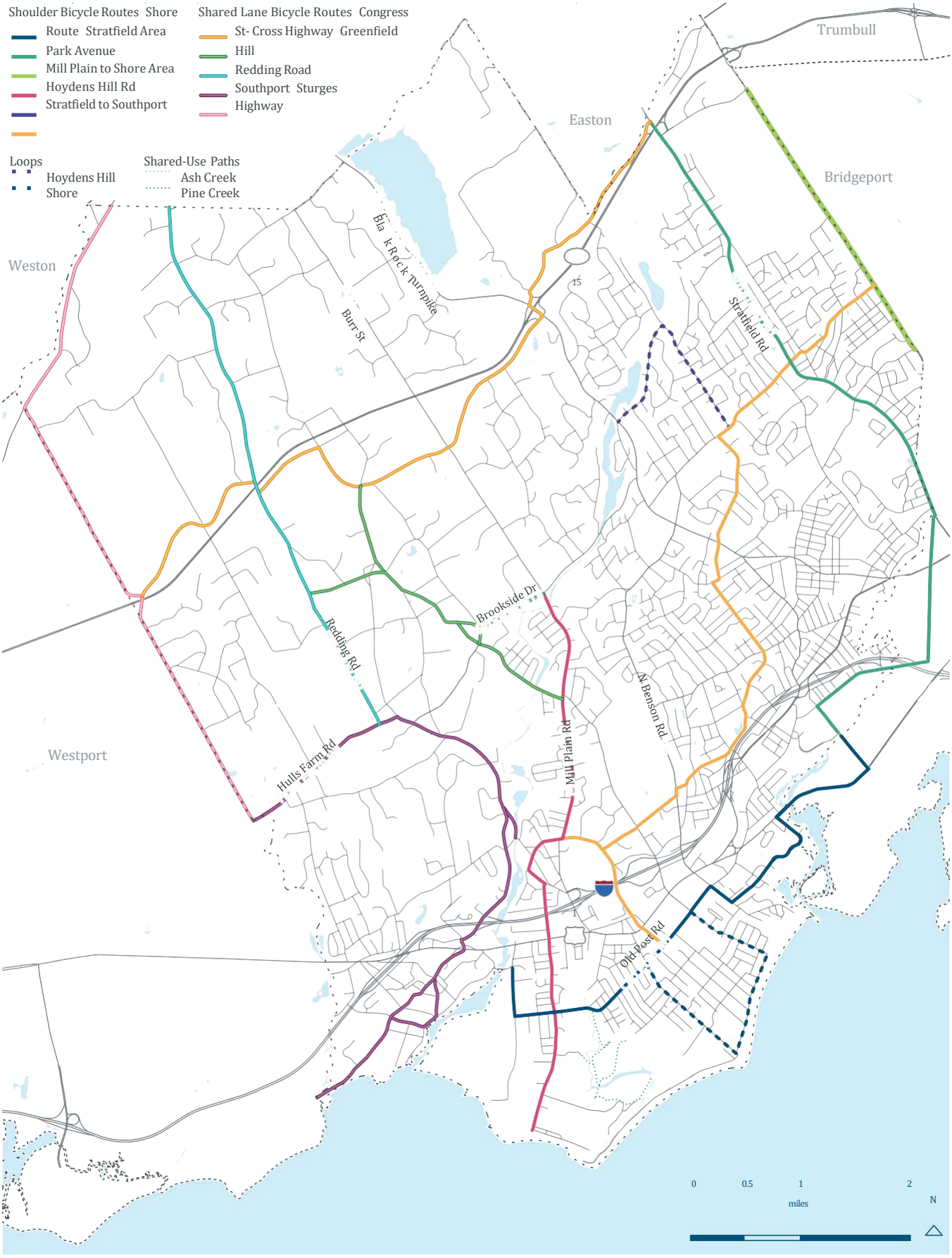
- Jefferson Street, Congress Street, and Cross Highway.
- Wilson Street, Fairfield Woods Road, Burroughs Road, High Street, Holland Hill Road, and Barlow Road.
- From the Fairfield Metro Center via the Post Road, Riverside Drive, South Benson Road,
- Old Post Road, Old Field Road, Sasco Hill Road, Harbor Road, Westway Road, and Pequot Avenue (also part of the East Coast Greenway).

Complete Streets Policy

In 2018, the Town adopted a complete streets policy that was further clarified by a Complete Street Ordinance (Section 91-29 through 91-33) adopted by the Representative Town Committee (RTM) in October 2023. The policy states that the Town will provide safe and welcoming roadways to all people regardless of age, income, ability, or mode of transportation. It notes that a transportation policy for the town must provide an integrated and balanced transportation network that accommodates all modes: pedestrians, bicyclists, motorists, transit riders, commercial vehicles, and freight. The Policy also adds a Complete Streets Coordinator to develop an Annual Complete Streets Plan and review public and private projects to ensure Complete Streets priorities are met and implemented.

Many communities across the country and state have started to advance beyond policies to the adoption of complete streets ordinances and design guides. These ordinances codify the specific roadway geometry throughout town, making clear how the network will accommodate all users. In addition, they often include specific guidance for how different street elements - such as traffic calming devices, bike infrastructure, and pedestrian enhancements - should be included in future roadway designs.

Figure 24. Bicycle Network



Community Input

Participants identified improving traffic conditions, parking, and pedestrian and bike infrastructure as some of the top issues that need to be enhanced in Fairfield. In particular, respondents rated traffic and parking as the top area that could be transformed in Fairfield. The following key issues were identified:

Congestion: Fairfielders noted that is difficult and slow to get around Fairfield's hotspots, especially during rush hour. There was a desire to see more traffic management and continued efforts to shift users to more active modes of transportation or public transit that can reduce cars on the street and foster a safer environment for all modes.

Safe Streets: Respondents cited dangerous road conditions for all users due to insufficient or poor infrastructure. Fairfielders were particularly concerned about the condition of roadways for pedestrians and bicyclists, noting that the roadways are primarily designed to support vehicle travel.

Underpasses: Participants noted that walking under the railroad tracks and I-95 is problematic and that it was unreasonable to ask people to use those connections. They are dirty, dark, and feel like you are at risk of being hit by a car. In total, these areas create a very large barrier in town.

Connectivity through open space: There was a desire for the town to combine efforts to expand open space with efforts to build trails, greenways, and bike paths. This could not only improve connectivity and help support healthy lifestyles.

Continuous pedestrian network: Participants expressed a desire for the Town to prioritize new sidewalks to establish a continuous east- west connection along Route 1 and a continuous north-south connection up to Black Rock Turnpike. Many people felt the current sidewalk expansion is piecemeal with no sense of priority.

Residents expressed a need for a sidewalk expansion priority list.

Better access management: Participants would like the Town to encourage better access to the town's commercial areas for all users. This includes better pedestrian and bicycle access. In the Downtown, there was a desire to have better wayfinding, especially for parking. Along Black Rock Turnpike, there was a desire to see better access management.

> *participant quote*
>
> *Our death-by-design roads. Outside of certain streets in my neighborhood, I feel unsafe walking and biking in Fairfield. Families who won't allow their children to walk or bike on their own streets for fear that they will be hit by speeding cars.*

> *participant quote*
>
> *The vast majority of streets prioritize the swift throughput of private motor vehicles above other modes such as walking, biking, rolling, & public transit. To date, we have 0 protected/separated bike lanes, 0 gradual elevated crosswalks, no speed humps.*

> *participant quote*
>
> *There are several neighborhoods where traffic dangerously speeds through during rush hour to avoid Post Road traffic.*

> *participant quote*
>
> *Narrowing of streets to reduce car speeds and accommodate space for protected bike lines, sidewalks, and trees. The ideal road is one with two lanes able to accommodate vehicles snugly, patches of parking alternating with plantings, and beyond that a bike lane and sidewalk. Something like this would make it much easier, safer, and more desirable to get around in any mode of transport. Places with very wide streets or intersections can even have space reclaimed to miniature parks/community space.*

An Interconnected Community Recommendations

Strategy A: Build a transportation network that supports the needs of all users.

1. Continue to advance the recommendations of the Bicycle and Pedestrian Plan Master Plan.
2. Identify new safety standards, such as corner visibility standards, that can be added to regulations that will advance complete streets.
3. Develop a complete streets ordinance and design guide.
4. Coordinate passive biking and walking opportunities with greenway identification.
5. Pursue funding for a future study for possible micro-mobility solutions

Strategy B: Address critical roadways and intersections.

1. Pursue funding to undertake a placemaking, traffic, and safety study along Post Road (Route 1) from Sasco Hill and North/South Benson Road that will identify opportunities to make the Downtown a safer and more attractive corridor where traffic is able to maintain a consistent slow-moving flow. Include within this study an examination of the potential for a road diet along portions of Route 1.
2. Pursue funding for the project implementation of ~~a~~ the Black Rock Turnpike traffic safety study and access management strategies ~~y~~.
3. Pursue project implementation funding for Post Road safety study.
4. Pursue funding for traffic calming and urban streetscape improvements for the Metro Station area and Ash Creek Boulevard.
5. Pursue funding for sidewalk connectivity study.
6. Pursue funding for improving multi-modal access under the railway underpasses per the Resiliency Study recommendations.

Strategy C: Address student parking.

1. The Town should coordinate with Fairfield University and Sacred Heart University to develop a student mobility and parking study to identify ways to reduce the demand for off-campus parking.

A Community where People Come Together

Fairfielders are proud of their community and of the variety of opportunities that they have to come together ~~as a community~~ through its shared facilities and recreational amenities. The following summarizes some of the major community facilities in town.

Libraries: Fairfield has multiple public libraries that provide resources, programs, and services to the community. The main library is the Fairfield Public Library, located on Old Post Road, offering a vast collection of books, multimedia materials, and digital resources. In addition to the main library, there are branch libraries, such as the Fairfield Woods Branch Library, and a private library known as the Pequot Library. These facilities offer additional resources and programming options to the community and serve as important community meeting spaces within Fairfield.

Parks and Recreation: The Town of Fairfield maintains several parks and recreational facilities for residents to enjoy outdoor activities. Some notable parks include Jennings Beach, Penfield Beach, Lake Mohegan, and Gould Manor Park. These parks offer amenities such as picnic areas, sports fields, walking trails, playgrounds, waterfront access, harbor, and beach access.

Community Centers: Fairfield has community centers that provide spaces for recreational and social activities. The Fairfield Bigelow Senior Center caters to the needs and interests of older adults, offering programs, classes, and social events.
The Fairfield Woods Branch Library also serves as a community center, hosting various events and programs for residents of all ages.

Schools and Educational Facilities: The Fairfield Public School District operates 11 elementary schools, 3 middle schools, and 2 high schools in addition to an early childhood learning center and alternative high school. There are also several private schools at all education grade levels.
Comprehensive facility planning for Fairfield's public schools is completed by the Board of Education and school administration.
In addition to K-12 schools, Fairfield is also home to two private universities – Fairfield University and Sacred heart University both providing undergraduate and advanced graduate and doctorate degree programs.

Cultural and Performing Arts Centers: Fairfield offers cultural and performing arts facilities that contribute to the town's vibrant arts scene. The Fairfield Museum and History Center showcases exhibits on local history and hosts educational programs and events. The Fairfield Theatre Company offers live music, comedy, and community theater at two concert venues in Town. Both colleges add to Fairfield's cultural richness with Fairfield University's Quick Center for the Arts, ~~located at Fairfield University,~~ and Sacred Heart University's Community Theatre and Edgerton Center for the Performing Arts. These facilities provide a variety of performances, including theater, music, dance, and visual arts to their campus community, Fairfield residents, and the greater Southwestern Connecticut region as a whole.

Insert Community Facilities Map

Background

In 2022, the Town completed the Fairfield Parks and Recreation Master Plan Report. That plan was developed in close coordination with community members and stakeholders and included recommendations on how to:

- Build new athletic fields and improve existing ones.
- Repair and update playgrounds.
- Enhance parking, ADA access, and pathways in parks.
- Explore green infrastructure in parks.
- Explore opportunities for indoor gym and pool space.
- Enhance bicycle facilities in parks.
- Continue to pursue the acquisition of the Turner Reserve site for recreation.

Community Input

Generally, participants love Fairfield's community facilities and would like the Town to continue to invest in their improvement.
The following themes emerged during the engagement process.

Accommodation for all ages: Participants in the process expressed a desire to see that there are places for older kids and teenagers to spend time. This included a suggestion that the Town add lights to playgrounds so older kids can hang out in the evenings. It was also noted that play areas and playgrounds are designed for very young kids and that there is a need for them to be stimulating for older kids too.

Diversity of spaces: There was a sense that Fairfield already has great playgrounds, and that the Town needs to prioritize other community spaces.

Vibrant gathering spaces: Participants expressed the desire to see the Town re-imagine the streetscape and public spaces to make them places where people can come together and strengthen community bonds.

Equitably located spaces: Neighborhood proximity and equitable opportunity to access community assets such as parks and playgrounds was deemed a sustainability priority.

participant quote

Community centers with activities for all ages, access to swimming and aquatic facilities, educational opportunities for seniors.

participant quote

Easier/safer crossings and more gathering places for tweens and teens to go with friends.

participant quote

More creative outdoor parks, activities for young families. More activities for the 30-40 something.

A Community Where People Come Together Recommendations

Strategy A: Advance the recommendations of the Parks and Open Space Master Plan.

1. Build new athletic fields and improve existing ones.
2. Repair and update playgrounds.
3. Enhance parking, ADA access, and pathways in parks.
4. Explore green infrastructure in parks.
5. Explore opportunities for indoor gym and pool space.
6. Enhance bicycle facilities in parks.
7. Continue to pursue acquisition of the Turner Reserve site ~~for recreation~~ with a potential future study to determine its best site planning and recreation use.
8. Identify new safety standards, such as corner visibility standards, that can be added to regulations that will advance complete streets.

Strategy B: Integrate placemaking in roadway projects.

1. When undertaking its Complete Streets efforts, integrate design standards that would promote placemaking. This may include creating street tree standards, identifying the type and intensity of street furniture (e.g., benches, trash cans, pedestrian lighting, etc), and providing direction on how art can be integrated into public infrastructure (e.g., murals) as well as small pocket gathering spaces.
2. Undertake placemaking plans for Downtown ~~the Post Road downtown~~ and in the Metro Center that would specifically focus on how private and public investments could create a more attractive and comfortable pedestrian realm, such as pocket parks, plazas, etc.

An Environmentally Rooted Community

Fairfield has a very diverse environment that has several conditions that help to make it unique.

Coastal Environment: Fairfield has a significant coastal presence, with a portion of its territory situated along the Long Island Sound. The coastline offers scenic views, sandy beaches, and coastal habitats. The coastal environment plays a crucial role in the town's recreational activities, tourism, and natural beauty.

Inland Geography: Moving away from the coast, Fairfield transitions into a more inland geography characterized by rolling hills, forests, and open spaces. There are several parks, nature reserves, and green spaces within the town, providing opportunities for outdoor activities such as hiking, picnicking, and wildlife observation.

Biodiversity: The diverse environmental conditions in Fairfield support a range of plant and animal species. The town is home to various tree species, including oaks, maples, pines, and birches. The coastal areas provide habitats for marine life, shorebirds, and migratory birds. Inland, you can find a variety of wildlife such as white-tailed deer, squirrels, foxes, and a variety of bird species.

Watersheds: The Town of Fairfield has documented eleven individual watershed areas which contain the tributaries and inland wetlands to three major riverine systems. These systems, known as the Mill River, Sasco Brook and Rooster River/Ash Creek, all flow south into their respective tidal marshes and estuaries before transitioning into Long Island Sound. All wetlands and watercourse play a very important and ever-increasing role in the quality of surface water and habitat/ecosystems, stormwater management, water supply and recreational uses.

Background

Open Space

As illustrated on Figure 26, the Town of Fairfield owns over 1,100 acres of open space that includes upland forest, lakes, rivers, salt marsh, wetlands, and meadows throughout inland and coastal Fairfield. Fairfield also has 410 acres of parks, 1,730 acres of private open space such as golf courses and land held by non-profit land preservation partners (such as Aspetuck and Audubon) for a total of 3,240 acres which represents approximately 17% of Fairfield's total land area. These recreational parcels provide opportunities for uses such as hiking, leisurely walking, horseback riding, and cross- country skiing. In addition, they enhance and conserve natural resources, protect fish and wildlife habitats, serve as outdoor classrooms for nature study, and contribute significantly to the beautiful rural characteristics that are so much a part of the Town of Fairfield. In addition, an extensive network of trails is open to the public free of charge.

Biodiversity Preservation

Fairfield residents have joined together to support efforts to protect and support pollinators as an important part of the community's environmental protection efforts. The goal is to establish public and private pesticide-free corridors of native plants that provide nutrition and habitat for pollinating insects and birds. Even the smallest green spaces, like flower boxes and curb strips, can be part of a pollinator pathway. These efforts have been supported by the Aspetuck Land Trust, Connecticut Audubon Society, Fairfield Forestry Committee, and the Mill River Wetland Committee.

Flooding and Sea Level Rise

As a result of its geography and topography, the Town is susceptible to flooding. These issues can become especially hazardous during hurricanes and coastal storms. At the same time, increased sea level is expected to result in more flooding and increased height of storm surges for coastal communities. The section on "A Resilient Community" deals with these issues in more depth.

Sustainability

The State of Connecticut has set an ambitious goal: to be carbon-free by 2040. As a sustainability leader in the state, The Town of Fairfield has a long history of support for sustainability initiatives. To advance sustainable practices in Town, the Sustainable Fairfield Task Force (SFTF) presented an updated Sustainability Plan, which builds on the original plan released in January 2018. Fairfield participates in the Sustainable CT Program and has achieved Silver status in November 2021 for its efforts, including watershed and open space protection, low-impact development, promoting pollinator pathways, arts and culture initiatives, resilient planning including actions that allow for diverse housing choices, furthering complete streets planning and projects, promoting transit and mobility alternatives, and promoting energy efficiency initiatives. It assesses achievements, challenges, and action plans across a broad array of eighteen sustainability modules. The goals within the modules have been set – both short term and long-term for the year 2030.

Coastal Management Act Consistency

State Statute requires that for "any municipality contiguous to Long Island Sound, such plan [of Conservation and Development] shall be A) consistent with the municipal coastal program requirements of the Coastal Management Act sections 22a-101 to 22a-104, B) make reasonable consideration for restoration and protection of the ecosystem of Long Island Sound, and C) designed to reduce hypoxia, toxic contaminants, and floatable debris in Long Island Sound." 22a-101b(1) requires municipalities to identify and describe immediate and long- term major coastal-related issues and problems. See Coastal Boundary Map in Figure 25. Those issues are identified in Figure 27 and Figure 28,

Harbor Management

Municipalities with navigable waters may establish a Harbor Management Commission per CGS 222-113k. Fairfield's Harbor Management Commission (HMC) is charged with implementing the Town's adopted management plan for Southport Harbor including managing Town-owned public access such as the Lower Wharf along the Harbor waterfront. The HMC also reviews other land developments along the Harbor for Harbor Management Plan consistency.

Green Infrastructure

The Town of Fairfield experiences challenges relating to an excess of urban stormwater runoff coupled with a restrictive storm drainage system that is inadequate to handle the large volume of runoff generated by the town's impervious surfaces. Due to the high-density surface and subterranean infrastructure, it is impossible to fully condition the storm drainage system to handle the current and future stormwater

Figure 25. Coastal Boundary Map



Areas waterward of the blue line are within the coastal boundary and subject to review per the Coastal Management Act per CGS 22a-94 and CGS 22a-105.

Figure 26. Open Space

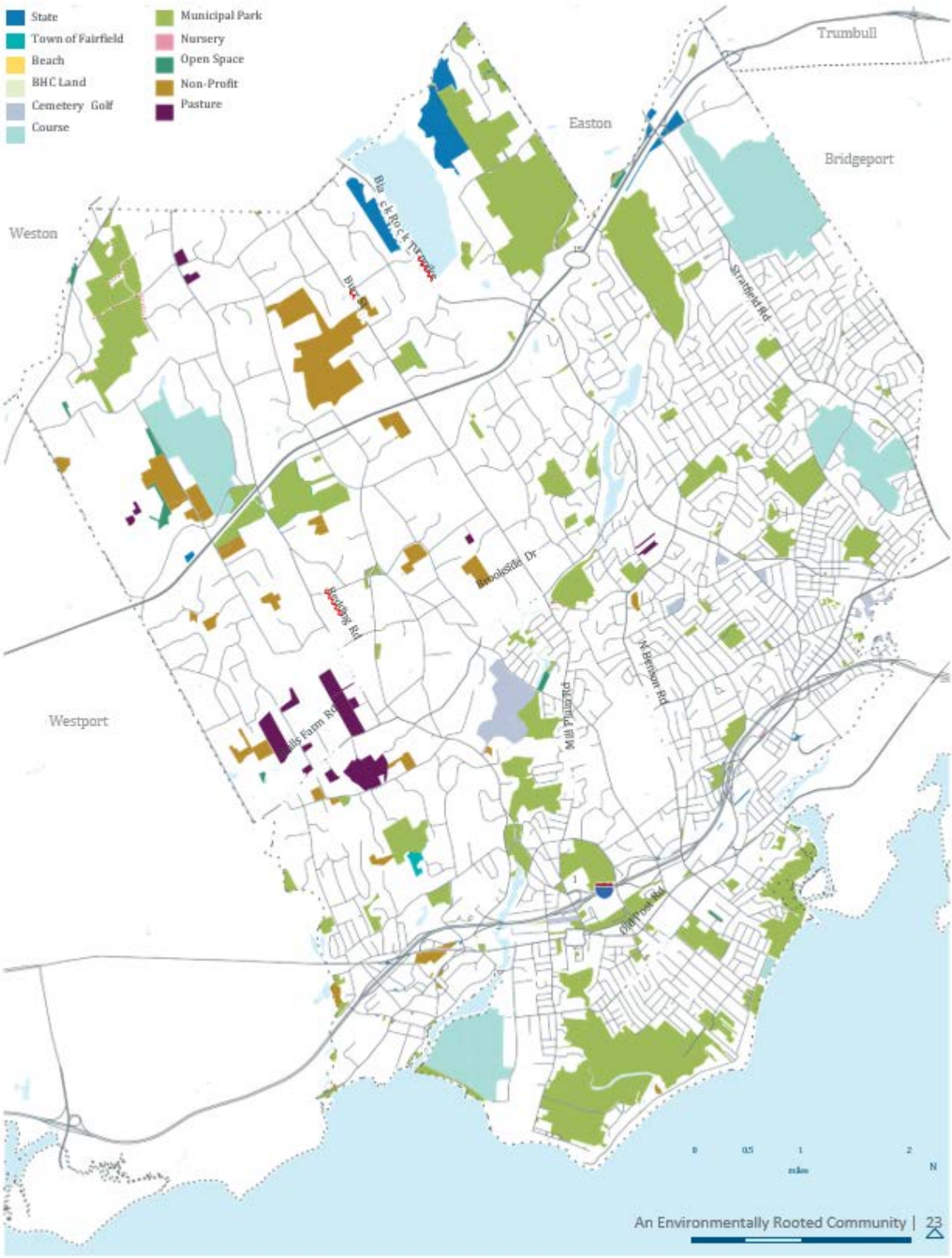


Figure 27. Coastal Management Act Consistency - 22a 101b(1)

22a 101b(1) requires municipalities to identify and describe immediate and long-term major coastal related issues and problems. Those issues are identified below.

Statutory Requirement	Fairfield Conditions
Erosion	Fairfield is subject to beach erosion in several locations. These beaches include Town- owned facilities such as Southport Beach, Sasco Beach, South Pine Creek Beach, Jennings Beach, and Penfield Beach; and private beaches such as those in the greater "Fairfield Beach" region associated with Fairfield Beach Road. The Town has conducted beach nourishment at Jennings Beach and Penfield Beach. The privately-owned section of beach between Penfield Beach and Shoal Point was the subject of a beach nourishment and dune ridge concept in the Regional Framework for Coastal Resilience, but the project has not yet been pursued. Some erosion also occurs along the tidal creeks and estuaries of Fairfield including Pine Creek and Ash Creek. A component of this erosion is occurring along tidal marsh fringes. Erosion is also occurring along private properties that line parts of these creeks. In particular, the bulkhead along Pine Creek on the back side of Fairfield Beach has experienced some erosion and failure over time.
Flooding	Fairfield has a wide and broad coastal floodplain extending from Sasco Hill to Ash Creek that is developed with thousands of houses, several key critical facilities, and important public access to the shoreline (the aforementioned Penfield Beach and Jennings Beach). This entire area was flooded by SuperStorm Sandy, and much of the Town's work toward resiliency is focused on this area. The Fairfield Flood Mitigation Plan is updated as needed by the Flood and Erosion Control Board and operates as a key companion to the MetroCOG Hazard Mitigation Plan, providing more detail than the multi-jurisdiction hazard mitigation plan. Coastal flooding also occurs in the Southport area, but the density of residential development and critical facilities is lesser in this area compared to the region east of Sasco Hill. Coastal flood risk extends along all the tidal estuaries of Fairfield such as the Mill River, Pine Creek, and Ash Creek/Rooster River.
Recreational facilities	As noted above, the Town-owned beach facilities are Southport Beach, Sasco Beach, South Pine Creek Beach, Jennings Beach, and Penfield Beach. Other coastal recreational areas include the Ash Creek/Riverside Drive Open Space and Old Field Marsh Open Space. Several recreational parks and athletic fields, such as Old Dam Road, Veterans Park, and the Senior Center, are located in the coastal flood zones, but do not provide coastal recreational access.
Utilization of port facilities	Public marinas include Fairfield Marina (located at Ash Creek) and private marinas include the docks and mooring fields in Southport Harbor. In addition, there is boat and kayak access for the Harbor Road Site in Ye Yacht Yard. In general, the Town lacks the significant port opportunities that other towns and cities have in Connecticut. Frequent dredging is necessary to maintain access to Fairfield Marina from Long Island Sound.
Boards & commissions who enforce Coastal Program	Plan & Zoning Commission, Harbor Commission, Flood and Erosion Control Board. Municipal agencies consult with the DEEP's Office of Long Island Sound Programs (OSLIP)

Figure 28. Coastal Management Act Consistency - 22a 102b(1)

In accordance with 22a 102(b), the following criteria shall be considered:

Statutory Requirement	Fairfield Conditions
Character and distribution of coastal resources	The Town's coastal resources are dominated by beaches, tidal estuaries, and tidal wetlands, which is consistent with the geography and surficial geology of the town and its position along Long Island Sound. Rocky outcrops and bluffs are less common than they are in other shoreline communities. Fortunately, the Town has secured and maintains five Town-owned and managed public beaches, which is a considerable resource and significant benefit to residents. The Town has also taken steps to protect remaining tidal wetlands and marshes, recognizing that development more than 50-100 years ago eliminated some of these tidal wetland resources.
Capacity and limitations to support development	The Town's coastal development has largely been residential; and focused on public access and recreation (including the five Town beaches, the Town marina at Ash Creek, and Ye Yacht Yard). Fairfield lacks suitable locations and typologies for developing water- dependent uses such as Ye Yacht Yard (i.e., some protection from waves, deep water, etc.). Likewise, Fairfield lacks suitable locations, infrastructure, and zoning for major development projects along the shoreline. Nevertheless, some of the major development projects in the Fairfield Metro TOD region are located within the coastal boundary associated with Ash Creek.
Types and methods of development compatible with the wise use, protection, and enhancement of such resources.	Through the Coastal Site Plan Application review process, projects are thoroughly reviewed for appropriateness. Based on the intersection of the Fairfield Metro TOD and the coastal boundary associated with Ash Creek, most of this development review is focused on that part of the town. However, as potential projects are proposed in the Southport and Fairfield Beach areas, the Town appropriately reviews them for consistency with coastal management principles.
Nature and pattern of existing development	This has mostly been addressed in the responses to the above questions. Residential and commercial properties exist in the Southport area and along Southport Harbor; residential, critical facilities, and beach/public access uses are found in the broad coastal floodplain from Sasco Hill to Ash Creek; and mixed TOD-type uses (residential, commercial, and industrial) are found near the upper Ash Creek estuary. Marina and boat yard development is very limited in Fairfield relative to other shoreline towns.
Need for public services	The Town desires flood protection, flood mitigation, and other resiliency projects to reduce the adverse impacts of flooding. Several efforts are underway in consultation with the Town's Flood Erosion Control Board. The WWTF has also recently been protected by an elevated bulkhead and berm.

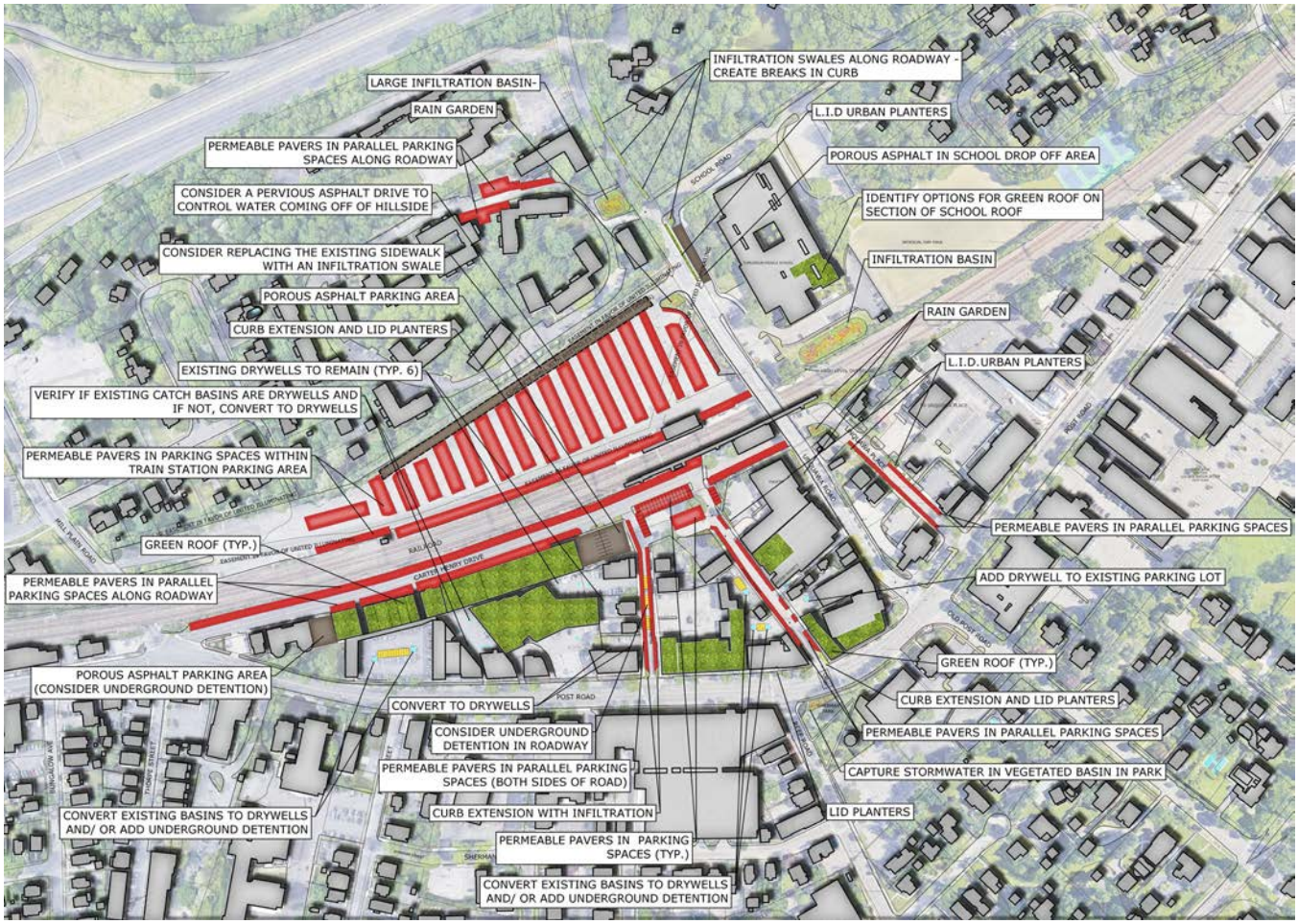
volumes. Additionally, climate change projections indicate that future storms may be more intense, with greater rainfall totals in shorter amounts of time.

In July 2018, the Town developed a study titled, "Resiliency for Downtown Fairfield using Green Infrastructure." The project was developed to help the Town identify green infrastructure improvements to the Downtown that could support and replace "grey" infrastructure like catch basins and stormwater conveyance systems. Green infrastructure relies directly on natural ecosystem services or natural design concepts to assist, enhance, and, in some cases, replace "grey" infrastructure like catch basins and stormwater conveyance systems.

Figure 29 is a conceptual plan for green infrastructure in the Downtown. The plan includes recommendations for a variety of solutions including, but not limited to permeable paving systems, tree trenches, bioretention basins, infiltration swales, and green roofs.

While the Green Infrastructure Plan will achieve improvements in lesser storm events, further consultant study has determined that increasing the capacity of the outlet pipes of the drainage system as a whole is the only effective solution to alleviating downtown flooding during higher intensity rainfall events that are becoming more frequent. A complete storm drainage system upgrade could exceed $20 million. Thjs project should be considered a funding priority.

Figure 29. Conceptual Plan for Green Infrastructure



Community Input

Participants in POCD engagement efforts identified parks, beaches, and open spaces as Fairfield's biggest strengths. Likewise, participants felt that protecting the Town's natural resources should be of the highest priority. Participants identified the following key themes.

Preserve and enhance natural resources: Protect Fairfield's prized network of parks, beaches, and green spaces through stricter zoning regulations. Fairfielders wanted to see creative ways to expand and enhance the network through pocket parks and development restrictions.

Sustainable Practices: Reducing waste and mitigating pollution creates a better quality of life and allows Fairfielders to enjoy the nature that is in their backyard. Investing in green infrastructure and increasing the tree canopy adds beauty while creating a more sustainable Fairfield.

Ecosystem preservation: There was consistent support for efforts that would protect and enhance habitats for wildlife, including support for pollinator pathways and the use of native plant species.

participant quote

More land should be conserved to ensure biodiversity in the town. Even parcels in between houses needs to be preserved, with zoning restricted to encourage green space and trees.

participant quote

The Post Road also needs many more shade trees to beautify, provide much-needed shade, cool buildings, absorb storm water run-off, and enrich outdoor dining.

participant quote

I think that Street Scapes and Pocket Parks, especially at Gateway corridors and entrances into the Town are very important.

participant quote

Preserve tidal areas, salt marshes, woods.

An Environmentally Rooted Community Recommendations

Strategy A: Expand greenways and open space corridors.

1. Leverage the DEEP Open Space Grant program and other funding sources to acquire properties that:
   - Support habitat and pollinator corridors;
   - Help promote resiliency efforts; and/or
   - Provide opportunities for improved trail connections.

Strategy B: Maintain and enhance existing open space assets.

1. Coordinate across Town departments to apply for grant funding opportunities to maintain and enhance existing open spaces.
2. Update Open Space Acquisition Plan with the Conservation Department, Conservation Commission, and the Land Acquisition Commission

Strategy C: Protect beaches and coastal resources.

1. Restore the tidal marsh north of Fairfield Beach Road between Reef and Rowland roads.
2. Advance the Jennings Beach dune restoration.
3. Continue to partner with Bridgeport on Ash Creek restoration efforts.
4. Prioritize tree plantings to enhance tree canopy and create cooler urban streets.

Strategy D: Advance the recommendations from An Action Plan for a Sustainable Fairfield.

1. Study and promote sustainable neighborhood design techniques such as 20-minute neighborhoods where residents have easy, convenient access to places and services such as shopping, schools, and parks without automobile reliance.
2. Support individual efforts on water conservation efforts and promote a culture of water conservation.
3. Continue to support individual efforts to install renewable energy on private properties.
4. Prioritize funding for downtown storm drainage capacity improvements.

A Resilient Community

Background

Community resilience can be defined as having the capacity or ability to withstand and recover quickly from an event. In general, there are four components of resilience: prepare, withstand, recover, and adapt. As a resilient community, the Town of Fairfield is already implementing and incorporating these four components throughout the community:

Prepare the community, residents, and infrastructure for the impacts of floods, severe storms, and extreme heat. This might include education and outreach, planning for events and emergencies, or ensuring emergency response supplies and measures are in place.

Withstanding an event includes supporting infrastructure, homes, and buildings that will be minimally damaged during a flood or severe storm, and educating the population so they understand available resources during these events, including heat waves.

Recovering from storms or floods means having the emergency response capabilities to assist those in immediate need, the mechanisms and fiscal avenues to rebuild and repair, and the support system for the community in the wake of an event such as SuperStorm Sandy.

Adapting to changes can include tangible or visible modifications or actions, such as flood protection systems or elevating structures to help reduce damages in the future; or modifying how the community prepares, withstands, and recovers as storms become more frequent and severe, and as climate change results in increased heat waves and rising sea levels.

Fairfield understands that fostering a whole-community resiliency approach will help prepare the community to flourish even as climate change impacts become more challenging

Existing Conditions

Floods

Flood risks in Fairfield can be characterized using resources developed and supported by FEMA. FEMA Special Flood Hazard Areas (SFHAs) are found along rivers and streams, as well as in the broad coastal floodplain generally located south of the Post Road. (Figure 30)
The SFHA is the area that has a 1% chance of flooding any given year and is more commonly known as the 100-year flood zone. A property in the SFHA has about a 25% chance of being flooded over the course of a 30-year mortgage.

SFHAs located along rivers and streams are likely to flood as a result of heavy precipitation events where the streams rise and overtop the banks.
Some of the more extensive SFHAs in Fairfield can be found along watercourses such as the Rooster River, Mill River, Sasco Brook, Great Brook, and Browns Brook.

A broad, wide, low-lying coastal area extending from Southport to Ash Creek, excluding Sasco Hill, is mostly coterminous with the coastal SFHA. This area experiences flooding from a variety of sources such as storm surges related to tropical systems and nor'easters, wave action, king tides, and severe precipitation events that overwhelm drainage systems or cannot be drained due to tidally-submerged outlets or downstream tide gates responding to high tide conditions.

The 1% annual chance flood is assumed to cause flooding from one edge of a SFHA to another. In reality, the lowest portions of a SFHA nearest to stream corridors and the beachfront, Ash Creek, Pine Creek, or Mill River estuary are likely to experience frequent floods.

The mean higher high water (MHHW) is a convenient figure to help understand frequent coastal flooding. The MHHW is the average of the higher high water levels of each daily tide. The MHHW is typically slightly higher than the mean high water (MHW) which is the average of all water heights. For example, the NOAA tide gauge in Bridgeport reports a MHHW of 3.48 feet, and a MHW of 3.15 feet. Some residents may already be experiencing flooding attributed to water levels that slightly exceed the MHHW. This flooding might be referred to as "sunny day flooding" and could be occurring during king tides or even during a prolonged period of onshore winds. Some of the properties surrounding Pine Creek and Ash Creek may be experience occasional king tide or sunny day flooding.

Turning attention to more severe floods that occur less often, the most recent examples are from Superstorm Sandy in October 2012 (for the coastal flood zone) and the flood of September 2018 (for riverine flood zones) that ravaged the Rooster River corridor.

Flood inundation from Sandy is one of the most closely aligned events in recent history to ~~the~~ FEMA's delineated 100- year floodplain.~~, and most practitioners believe the storm surge~~ However, observed flood heights approximated between a 50-year to 75-year flood event.

The Rooster River flood is more difficult to assign to a return period. Sasco Brook hit about 1580 cfs according to USGS, which is about equivalent to a 10% storm, or ten-year flood. ~~However, most people believe the flood of the Rooster River was somewhat more severe.~~ The seven inches of precipitation in the Rooster River watershed is more aligned with a 25- or 50-year flood, based on precipitation figures in NOAA Atlas 14.

Flooding in Fairfield often occurs outside of FEMA-delineated areas of risk. Downtown

Figure 30. Flood Hazard Areas



Fairfield is known to flood from short-duration but intense precipitation events of only one to two inches of rain. The causes of this flooding are documented in the Downtown Fairfield Green Infrastructure Study and Plan (2018) and, in general, are related to limited stormwater collection and conveyance systems. Flooding in the downtown area can occur at the Metro-North parking lots and at the Post Road, Sanford Street, and Unquowa Place. Flooding is also frequent at the four railroad underpasses closest to downtown (North Pine Creek Road, Mill Plain Road, Round Hill Road, and North Benson Road).

Other Climate-Driven Challenges

The State of Connecticut has recognized extreme heat as a major health concern and invested resources into characterizing the impacts of extreme heat events, sometimes known as heat waves. The Connecticut Institute for Resilience and Climate Adaptation (CIRCA) developed the climate change vulnerability index (CCVI) to characterize extreme heat vulnerabilities based on the sensitivity, exposure, and adaptive capacity scores in 200-meter (10 acre) grid cells distributed throughout the state. In Fairfield, extreme heat vulnerability causes vary from exposure to high temperatures associated with pavement and development (I-95, other State and local roads, large parking areas at the railroad stations, dense development, etc.) in the southern part of the town, to social factors such as elderly people living alone and distances to cooling centers in the northern part of the town.

Future Conditions

Sea Level Rise

CIRCA prepares sea level rise planning figures as required by Public Act 18-82, and these figures are required for use in POCDs and other municipal plans. (Figure 31 and 32) The current planning threshold for the year 2050 is 0.5 meter, or20 inches. Adding 20 inches to the MHHW by the year 2050 is an elevation of 5.15 feet.

Properties along Fairfield Beach Road, French Street, and properties between Rowland Road and Eunice Avenue could be faced with more frequent sunny day and king tide flooding under these conditions. In most shoreline towns in Connecticut, the estimated increase in nuisance sunny day flooding is a tenfold increase in number of days by 2050. This figure will vary somewhat based on the specific location.

Similar to MHHW plus sea level rise, the 100-year storm event flood extent is also expected to increase with an additional 20 inches of sea level. Because of the Fairfield topography along the fringes of the coastal floodplain, much of the projected areal increase is relatively minimal. However, one area expected to see the largest inundation area of increase is surrounding the Reef Road and Oldfield Road Intersection.
Flooding to this extent will not only impact properties, but will pose incremental access and egress challenges beyond those already being experienced.

Precipitation Trends

Increasing precipitation volumes and intensities will contribute to more frequent flooding of streams, rivers, the four underpasses mentioned above, and downtown Fairfield. Consider the following:

- The 4th National Climate Assessment (2018) notes that the recent dominant trend in precipitation throughout the Northeastern United States has been towards increases in rainfall intensity, with increases in intensity exceeding those in other regions in the contiguous United States. Further increases in rainfall intensity are expected, with increases in precipitation expected during the winter and spring with little change in the summer. Monthly precipitation in the Northeast is projected to be about 1 inch greater for December through April by end of century (2070–2100) under a higher

Figure 31. Sea Level Rise Scenarios

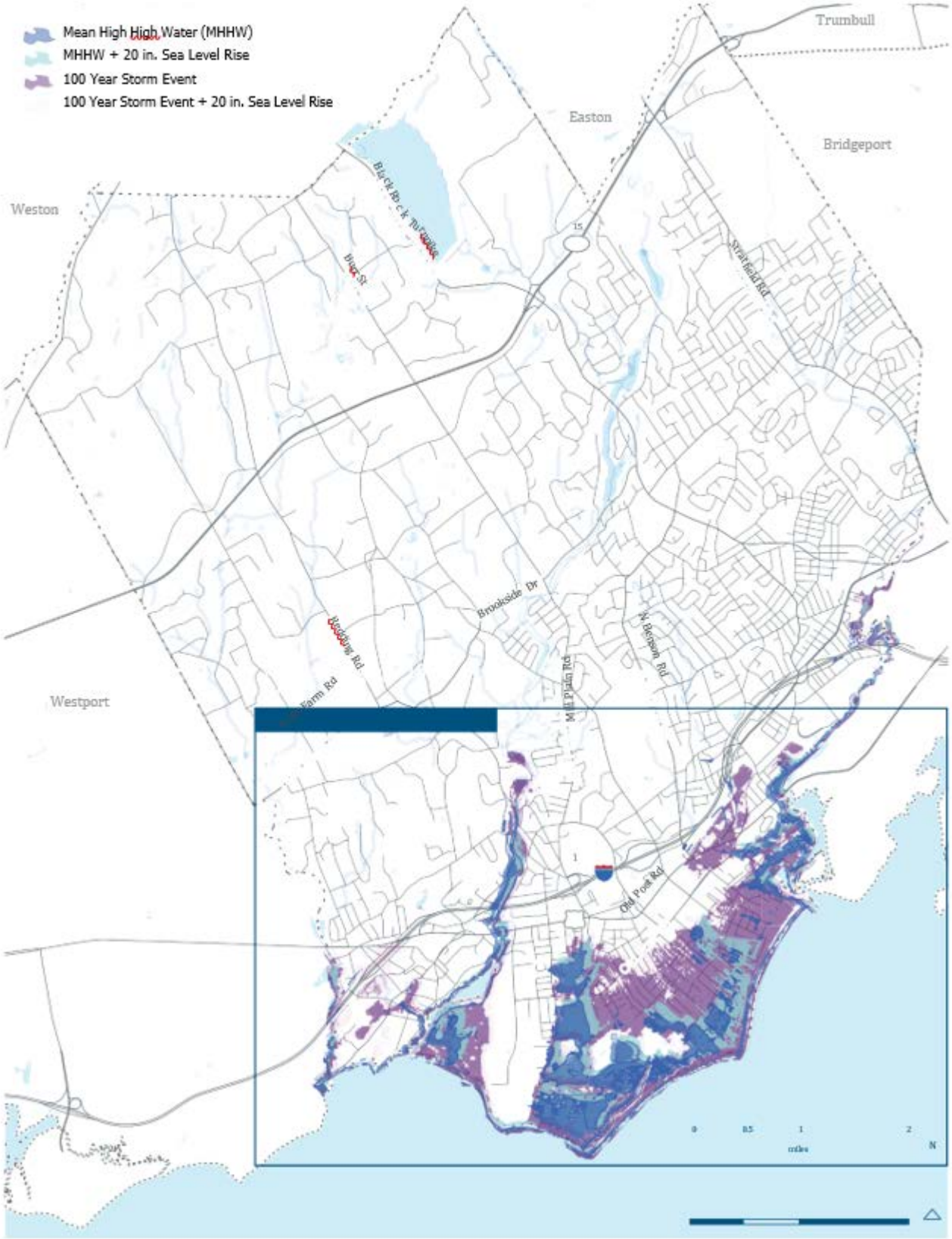
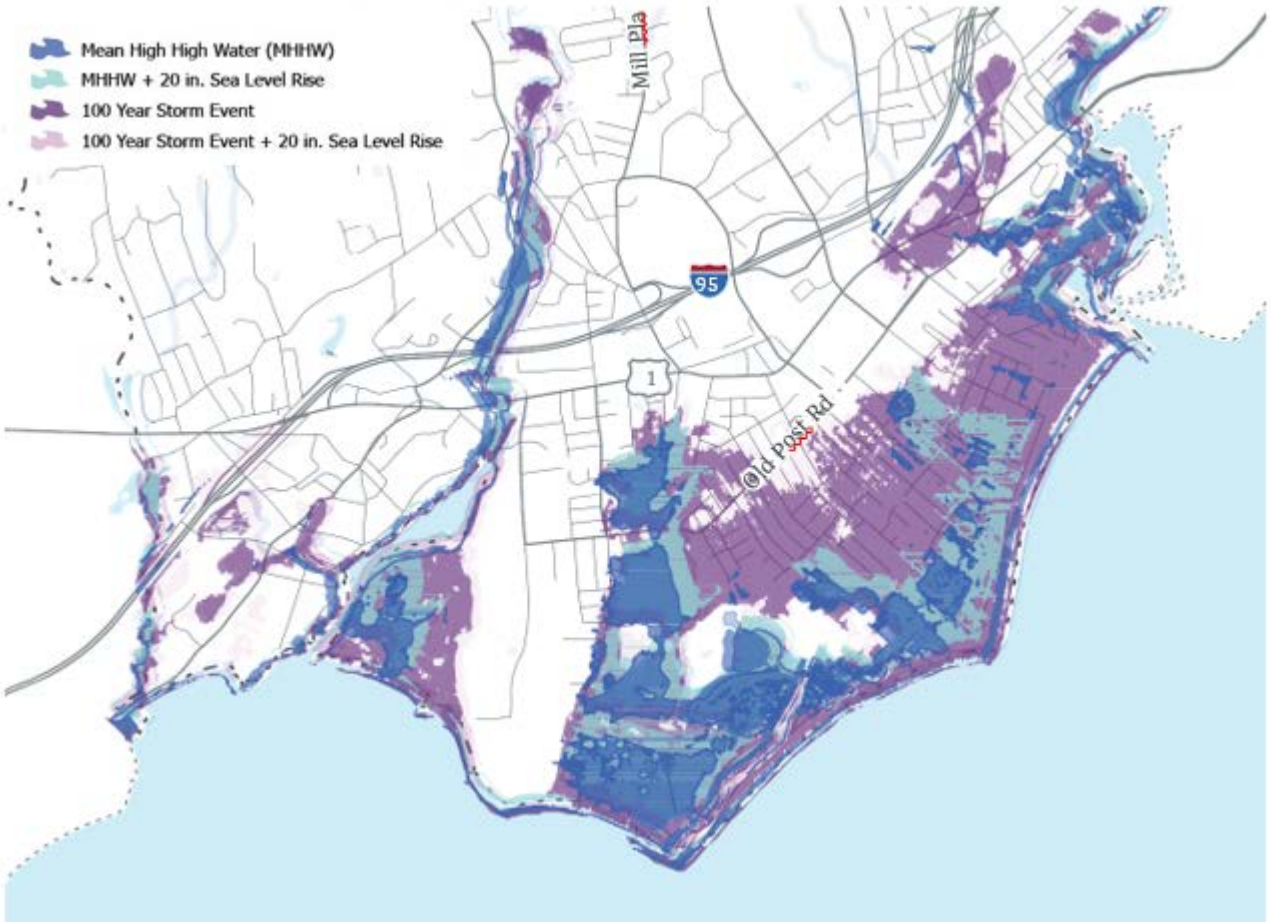


Figure 32. Sea Level Rise Scenarios



emissions climate change scenario. Although future projections of major floods remain ambiguous, more intense precipitation events have increased the risk of some types of inland floods.

- The Connecticut State Water Plan (2018) precipitation projections are variable, although consistently project a wetter future for all four climate scenarios evaluated.
  The largest precipitation increases are projected for the wetter months (higher percentiles) including extreme wet months; and the seasonality plots in the plan show that winter and spring precipitation changes are projected to be larger than summer and autumn changes.
- The Connecticut Physical Climate Science Assessment Report (2019) notes that average annual precipitation is expected to increase 8%, and the number of days with heavy precipitation will rise from three to five days, with the maximum one-day precipitation increasing.
- The NCEI State Climate Summary (2022) for Connecticut notes that annual precipitation has been highly variable, with a slight increase since 1895; but increases in the frequency and intensity of extreme precipitation events are projected, as are increases in winter and spring precipitation. Increases in total precipitation number of extreme precipitation events may increase inland flooding risks.

While summertime precipitation volumes are not necessarily projected in the above resources, the NWS has demonstrated that summer precipitation events (whether thunderstorms or tropical systems) remain among the most severe and flashy causes of flooding in the northeast.
In other words, these summer flood events will continue to challenge Fairfield even as winter and spring flood events may be increasing in frequency.

Other Climate-Driven Challenges

The number of days experiencing warm temperatures is expected to increase over the coming decades. Projections show that by late-century, the number of "summer days" is expected to increase, along with the number of warm-spell days. A warm spell is defined as an "annual count of warm spell days, where a
warm spell is six or more consecutive days with temperatures >90th percentile". The number of summer-like days could increase from around 80 days (in the 1950s) to more than 140 days by 2100. Models also show that in the 1950s
the number of warm spell days was fewer than three per year, and could rise to about 50 days by 2050, and more than 120 days by the year 2100. Absent efforts to reduce exposure and sensitivity, extreme heat vulnerabilities in the CCVI described above will lead to increased risks.

Climate projections are less certain about the future conditions relative to severe wind events. A warming atmosphere is expected to allow thunderstorm conditions to occur more frequently and may allow hurricanes to remain stronger as they move through or past Connecticut. However, the frequency of severe wind events is not projected to decrease.

A Resilience Framework

The Town of Fairfield is embracing a resiliency framework that ensures all parts of the community will remain resilient to flooding or become more resilient over time by reducing risks. (Figure 33) The framework also works in the context of other climate-driven challenges such as extreme heat and severe wind events.
The framework is centered on five types of areas represented in Fairfield:

- Resilient Neighborhoods
- Resilient Hubs
- Resilient Corridors
- Individual Risk Reduction
- Coordinated Risk Reduction

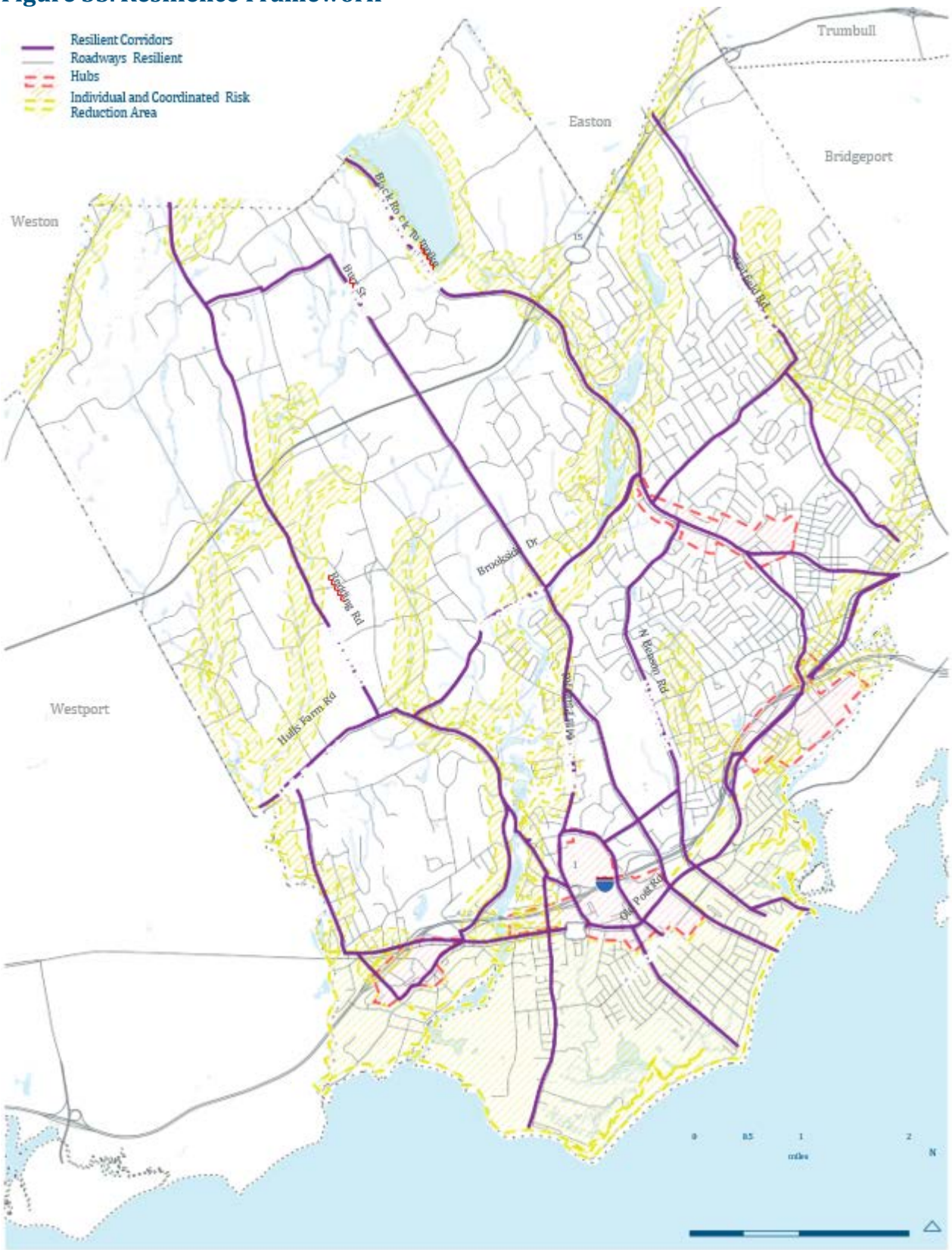
For more details on the justification for the establishment of the five tiers of community resilience to address natural hazards and climate change, see Appendix A.

Resilient Neighborhoods

These are located throughout the central and northern parts of Fairfield. These are areas where much of the existing development is situated outside areas of flood risk along rivers and streams. Nevertheless, river and stream flood zones are present. Aligning future uses of

A Strategy Built on a Strong Foundation: Resilient hubs and resilient corridors are concepts borrowed from CIRCA's work within the *Resilient Connecticut* planning framework. CIRCA's work has been used in the master plans of other communities; for example, the Town of
Hampton (New Hampshire) Master Plan promotes protection of resilient hubs and corridors as strategies in the community's overall flood risk reduction and resiliency framework.

Figure 33. Resilience Framework



these corridors with open space goals will be important to maintain neighborhood resiliency. Securing and promoting open space and continuing low density development will have co-benefits related to managing extreme heat risks, as exposure will generally be lower. Care must be taken to ensure that risks related to severe wind events are balanced by electrical grid strengthening and redundancies.

Resilient Hubs

These are locations where the Town's critical facilities, essential services, historic and cultural resources, regional assets, and key economic development are clustered. Resilient hubs are situated largely outside current and future flood zones, but these risks may be nearby. For example, downtown Fairfield is a resilient hub surrounded by FEMA flood zones to the west, south, and east; and affected by stormwater flooding. Investment in reducing flood risk is justified and desired in and at the margins of resilient hubs. Overall, public investment is desired in resilient hubs, but is not meant to preclude investment elsewhere. Resilient hubs will be critical to Fairfield's ability to manage other climate-driven challenges such as extreme heat, as cooling centers will tend to be clustered in resilient hubs.

Resilient Corridors

These are the roads and the adjacent land uses that must move people, goods, and services during and after severe storms, floods, and other disasters. Resilient corridors are more than evacuation routes; in fact, emergency managers must have the flexibility to change evacuation routes. Resilient corridors are the roads and land uses where investment must be possible, even where they cross areas of current and future flood risk. Resilient corridors will also become more important in managing other climate- driven risks, as transit and transportation will move people to areas of respite during extreme heat events or before severe wind events.

Individual Risk Reduction

These areas are located where current and future flood risks will present challenges to the Town and its residents. Overall, the goal for managing risk and fostering resiliency is to allow property owners to make resiliency improvements while ensuring that rapid recovery is possible after storms and floods. Strategic Town investments may be needed in these areas from time to time, and some critical facilities and Town assets will remain located in these areas. For example, the wastewater treatment plant and adjoining critical facilities are located in the area of Individual Risk Reduction. However, the majority of the properties in this area of Individual Risk Reduction are privately-owned. An example of a strategic Town investment is the potential South Benson Road pumping station, which would help remove floodwaters from a large area.

Coordinate Risk Reduction

Coordinated Risk Reduction areas are located where current and future flood risks will present challenges to the Town and its residents, but (in contrast to the Individual Risk Reduction area), the Town may need to help develop complex coordinated approaches for reducing risks and fostering resiliency. Strategic Town investments will likely be needed in these areas from time to time. An example is the Rooster River watershed, where Town-funded flood detention projects are poised to reduce flooding along the Rooster River. This effort does not preclude property owners along the Rooster River from elevating their own homes.

A Resilient Community Recommendations

Strategy A: Focus Investment in Resilient Hubs

1. Continue efforts to reduce flood risks in resilient hubs, such as further implementation of the Downtown Fairfield Green Infrastructure Study and Plan.
2. Consider requiring green infrastructure techniques for redevelopment in downtown Fairfield, focusing on properties that drain toward the stormwater systems with limited capacity or toward the underpasses.
3. Pursue recommendations of the *Resilient Connecticut* underpass flood study due for completion in ~~fall~~ 2024.
4. Support appropriate development in resilient hubs, such as TOD near the Metro Fairfield passenger rail station.
5. Ensure that each resilient hub in Fairfield is served by a shelter or backup shelter and a cooling center.
6. ~~Ensure~~ Prioritize that critical facilities in resilient hubs are served by standby power.
7. Evaluate the appropriateness of microgrids to serve resilient hubs and Town facilities.

Strategy B: Invest in Resilient Corridors

1. Prepare a list of resilient corridors including critical road segments that connect the southern and northern parts of the town while connecting resilient hubs.
2. Reduce flood risks along resilient corridors through judicious road segment elevations, improved stream and creek crossings with appropriate conveyance, and promotion of adjacent land uses that facilitate resilient corridor investments (rather than making them more difficult; for example, land uses that require more complicated driveways).

Strategy C: Look for opportunities to maintain the low-risk, resilient character in Resilient Neighborhoods

1. Obtain and set aside open space in riverine flood zones when possible, remaining mindful of open space goals for this part of Fairfield.
2. Ensure that low impact development is utilized where possible.
3. Work with UI/Avangrid to ensure that the grid is resilient through hardening, redundancies, and judicious tree trimming that is carefully coordinated with the Town's Conservation Department.
4. Add multi-modal streetscape and tree planting initiatives where possible for cooler streets and corridors to address future intense heat issues.

Strategy D: Facilitate resilient choices in the Individual and Coordinated Risk Reduction areas.

1. In connection with the Town's CRS participation, ensure that property owners understand their flood risks and their options for reducing flood losses.
2. Continue to support home elevations that meet or exceed the flood damage prevention sections of the Town's regulations and the State Building Code.

Strategy E: Make progress on resiliency efforts in the Individual and Coordinated Risk Reduction areas.

1. Look for opportunities to acquire properties in the Camden/Rutland neighborhood.
2. Proceed with flood detention projects in the Rooster River watershed.
3. Continue to look for funding to advance segments of flood protection systems to help reduce flood risks in the coastal floodplain if the subject segments present tangible benefits on their own merit.
4. Continue to look for funding for the South Benson Road pumping station.
5. Consider adopting a schedule of required updates to the Town's Flood Mitigation Plan, developed by the Flood and Erosion Control Board (i.e., every five years).

Future Land Use

The following summarizes the purpose and intent of the area identified in Figure 34. In addition, Figure 35 on page 62 illustrates the Town's major connectors. These connectors are relevant to the Designed Residence District Regulations as well as requirement for assisted living facilities, among other zoning regulations.

District	Intent
Residence Districts	The Town has six residence districts that are intended to provide Fairfielders a variety of housing options in communities that are largely separate from the Town's commercial areas, although they may abut those areas. These areas may also accommodate home occupations, public facilities, parks, homes for the aged, accessory apartments, schools, and other land uses customarily associated with residential districts.
Design Residence Districts	This District overlay should provide for flexibility in site design and housing construction which will provide a variety of housing opportunities including the encouragement of elderly and affordable housing.
Beach District	The purpose of the Beach District Regulations is to promote shorefront residential land uses that does not adversely impact the coastal resources and preserves and protects the quality of life that has developed. These regulations provide a basis for administering the goals and objectives of the Connecticut Coastal Management Act. These regulations prohibit degradation and encroachment on the shorefront in order to ensure that the beneficial characteristics inherent to the shorefront remain intact.
Design Business Districts	The Town's three Designed Business Districts provide a mix of commercial and residential development opportunities at different scales, based on their proximity to residential neighborhoods, availability of transportation infrastructure, and parcel sizes.
Industrial District	The Town's industrial district is intended to provide opportunities for the development and continuation of low-impact industrial activities and higher impact commercial activities.
Research District	The Town's research district is intended to provide opportunities for laboratories, engineering laboratories, and other commercial and experimental basic research and testing as well as offices for businesses and professional establishments.
Flood Plain District	In the establishment of this Flood Plain District it is recognized that there are areas of the Town that are, or are surrounded by areas which are, subject to frequent, occasional or periodic flooding. The intent is to strictly limit the use of land, buildings and other structures for human habitation or the construction of buildings and other structures and on filling and excavation of land are necessary for protection of the public health and safety and for protection of property values.

Figure 34. Existing Land Use Map

The future land use map is built upon the Town's existing zoning map with modification as proposed in other sections of this POCD.

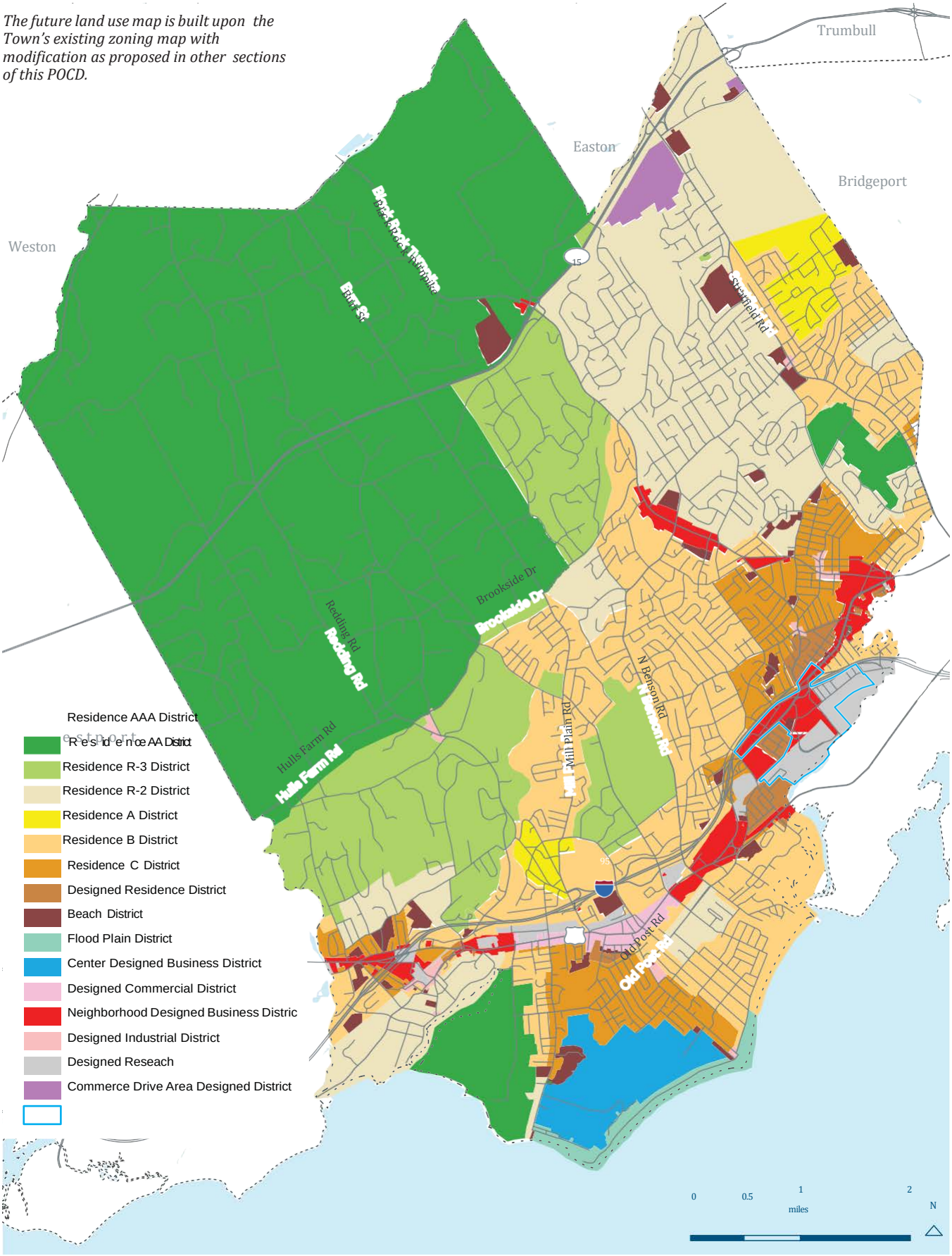
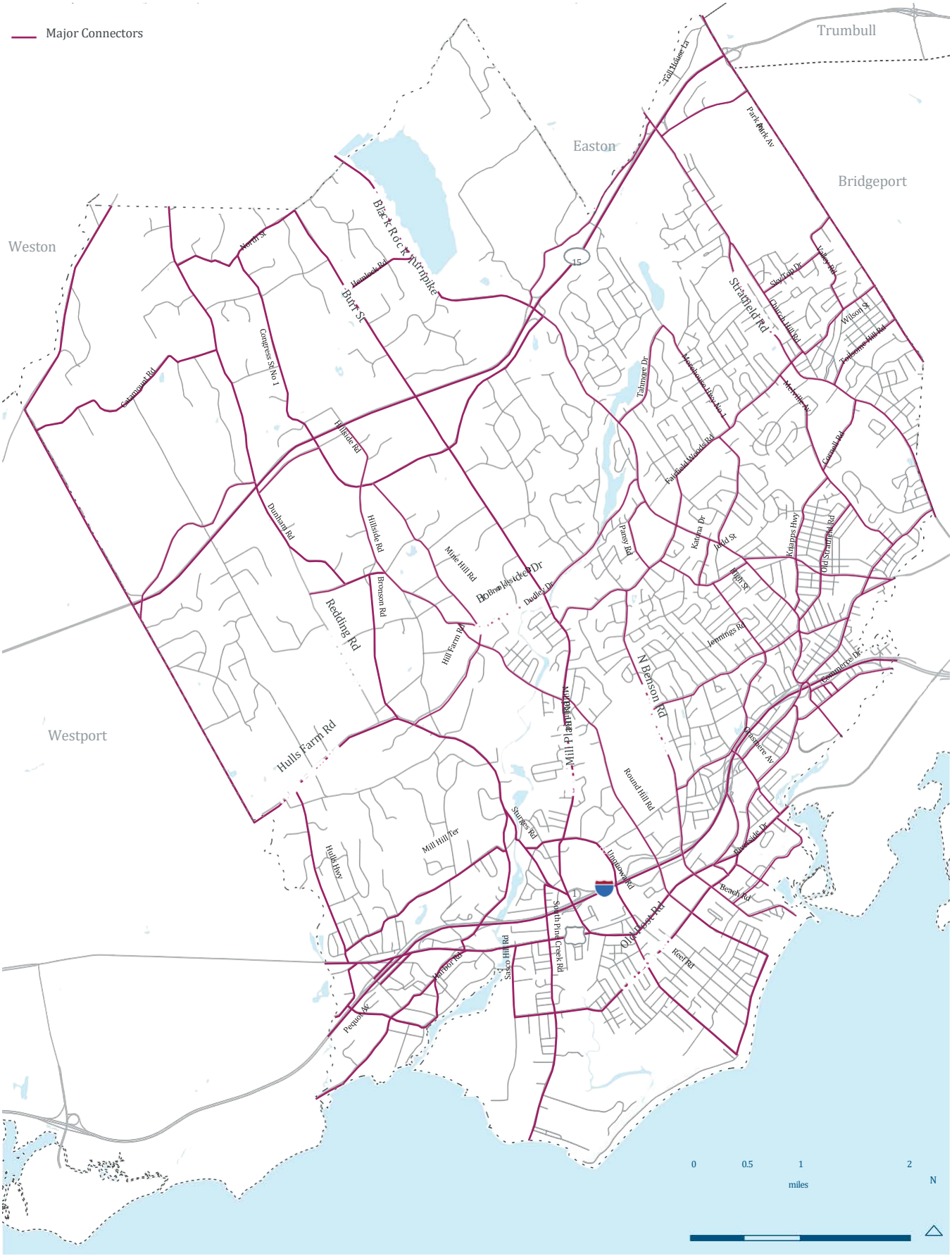


Figure 35. Major Connectors



Plan Consistency

Per Section 8-23(e)(1)F), the Town of Fairfield, proposed Plan of Conservation and Development is not inconsistent with either the State Plan of Conservation and Development Plan (2018-2023)'s growth management goals.

In regards to the State's POCD, Fairfield's POCD aligns with the Growth Management Principles in the following ways:

Growth Management Principle	Fairfield POCD Strategies
#1: Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure	• Promoting mixed-use projects in the Post Road and other commercial corridors with bus access and in the downtown and Metro-North station areas. • Targeted Infrastructure improvements to increase sewer capacity in the Metro and Downtown areas. • Infrastructure improvements in Downtown area to increase storm-water capacity and prevent flash flooding conditions. • Seek future funding for sewer upgrades in existing service areas.
#2: Expand Housing Opportunities and Design Choices to Accommodate a Variety of Household Types and Needs	• Review existing as of right C zone to lower minimum lot size per unit (4-unit as of right). • Review Designed Residence District overlay to revise minimum lot size and density. • Proposed rezone for two B zone (two-family) areas to C zone (4-family) near the Metro Center train station.
#3: Concentrate Development Along Transit Nodes and Along Transportation Corridors	• Targeted revisions to the zoning regulations in the Commerce Drive area to facilitate mixed-use Transit-Oriented Development on former brownfields sites near Fairfield Metro. • Increasing residential percentage for mixed-use projects.
#4: Conserve and Restore the Natural Environment, Cultural and Historical Resources, and Traditional Rural Lands	• Fairfield has a significant number of conservation lands and actively acquires new properties adjacent to them, particularly those with wetlands. • Fairfield has three historic districts located primarily in single family residential district that preserve Fairfield's historic resources.
#5: Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety	• The Town performs ongoing Resiliency and Sea Level Rise Analysis with its Flood Erosion Control Board and State partners for Fairfield's flood-prone neighborhoods and commercial areas. • Fairfield's emphasis on Complete Streets and supporting multi-modal transportation initiatives ensures greater sustainability for Fairfield's residents.

Fairfield's proposed POCD strategies and goals are also consistent with the State's Locational Guide Map (Figure 35). Priority Funding areas are defined in CGS 16a-35c as state designated growth centers and locally these are areas of Fairfield that include commercial corridors, mixed use, and smaller lot residential neighborhoods and these are located ~~in the along the~~ proximate to I-95, portions of areas along the Merritt Parking, and the Metro-North rail corridor. ~~It should be noted that the Mill River that is shown to distinctively bifurcate the town from west to east also defines the larger lot, more significant wetlands areas to the west that does not have sewer service and the higher residential density of the east side of Fairfield that does have current sewer service~~. As noted on page 28 for sewer infrastructure, upgrades to the existing sewer ~~service areas~~ infrastructure are ~~anticipated~~ recommended to fix inflow and infiltration issues, ~~but~~ However, expansion of the existing service ~~geography~~ service area is not anticipated(Figure 36 on page 67).

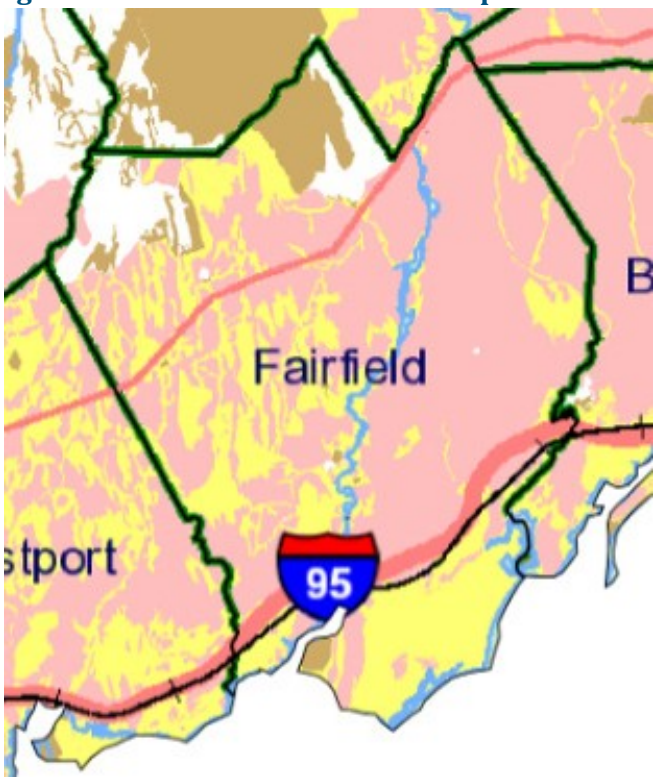
Expansion of residential density is not proposed in the Balanced Priority Funding Areas where a there are environmental concerns such as flood zones and inland wetlands. However, the Town does prioritize future resiliency funding efforts for the BPFA area that largely delineates the shoreline area that is subject to current coastal flooding and future sea level rise. Fairfield also has Conservation Areas that are preserved open space and reservoir areas where no future growth or development is proposed.

Growth Management Principle #6 promotes integrated planning across local, regional and state-wide levels and the Town of Fairfield is consistent with coordinated planning efforts. In particular, Fairfield is part of MetroCOG's Multi-Jurisdiction Hazard Mitigation Plan and is a partner in regional transportation, natural resource, and economic development planning efforts.

Fairfield's POCD is also consistent with the general policies of MetroCOG's Regional Plan of Conservation of Development for reconnected, revitalized, and resilient region that, similar to the State POCD:

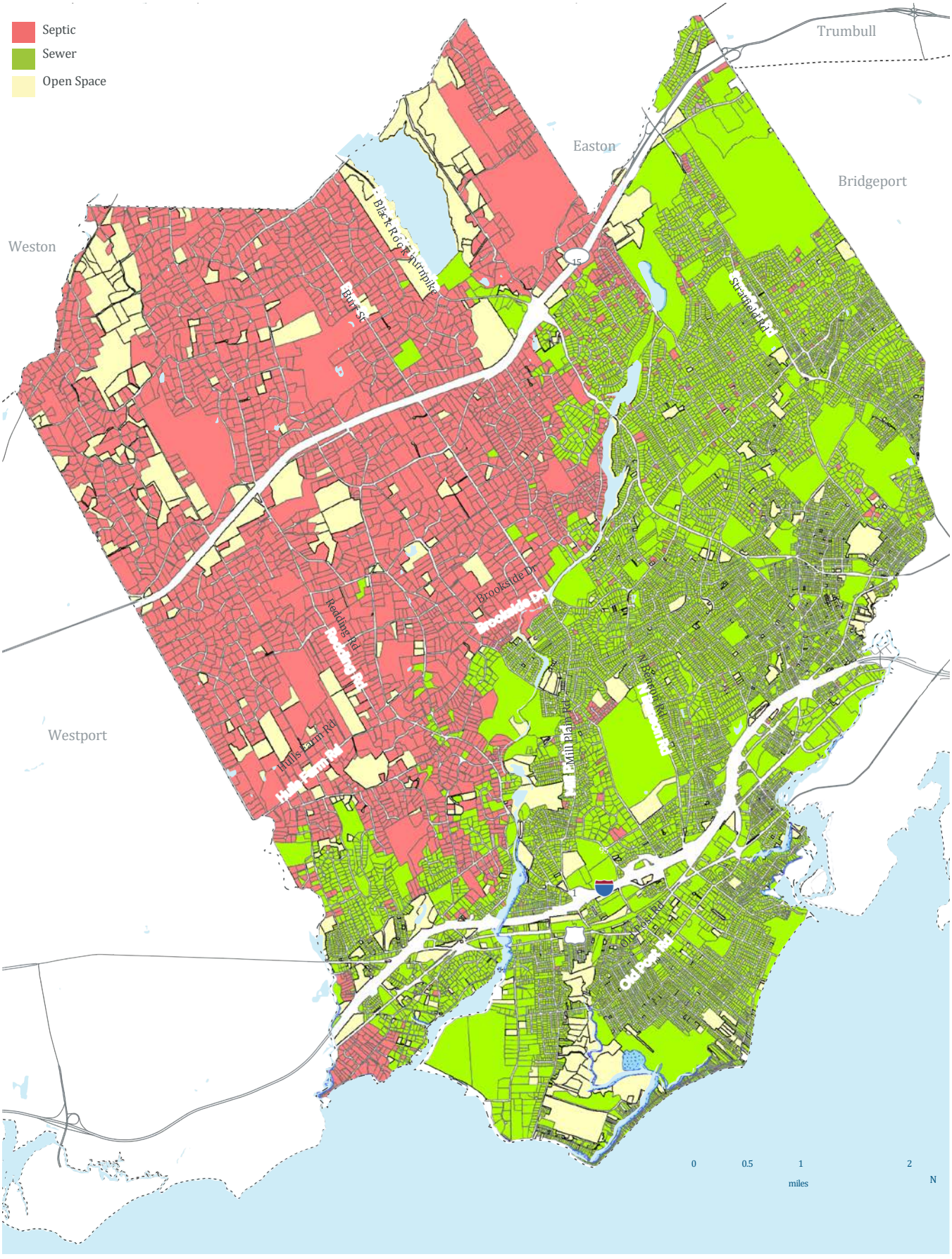
- Focuses on inter-region coordination and collaboration, particularly with its multi-modal transportation network and infrastructure.

Figure 35. State Locational Guide Map



- Mixed-use centers where public transit anchors are located.
- Redevelopment of brownfields sites and reinvestment in existing cultural and economic hubs.
- Quality diverse neighborhoods located where existing infrastructure can be leveraged.
- Protecting and preserving local senses of place in its member communities.
- Natural system protection and resiliency from natural hazard events.
- Sustainable industries and future construction projects.
- Constituency that is educated and engaged to support these policies moving forward.

Figure 36. Sewer Service Area



Appendix A

Neighborhood Planning Area Summaries from 2000 Plan of Conservation & Development

Overview

The 2000 Plan of Conservation and Development introduced eleven (11) "planning areas" (Figure 36) defined by a commonality of characteristics to which goals and policies can be applied. The borders are general in nature and thought at the time to be subject to "broad ranging opinion." The current POCD shifts its focus from these predominantly single-family residential areas that are not targeted for policy or future regulatory change within the Zoning Regulations and instead shifts to focusing on the commercial corridors where regulatory refinement is anticipated and to policies that are not constrained by neighborhood planning boundaries.

However, these areas are summarized from the 2000 Plan as follows and as delineated on the following map provided with that plan:

Greenfield Hill

Fairfield's northwest section is a rural, formerly agricultural area with two (2) acre-plus zoned single-family wooded parcels with substantial areas of public and private conservation lands, including the Audubon Society and the Aspetuck Land Trust. This area is serviced by private septic systems and public water supply and contains a historic District that includes the Greenfield Hill Congregational Church, historic homes, and the adjacent town green.

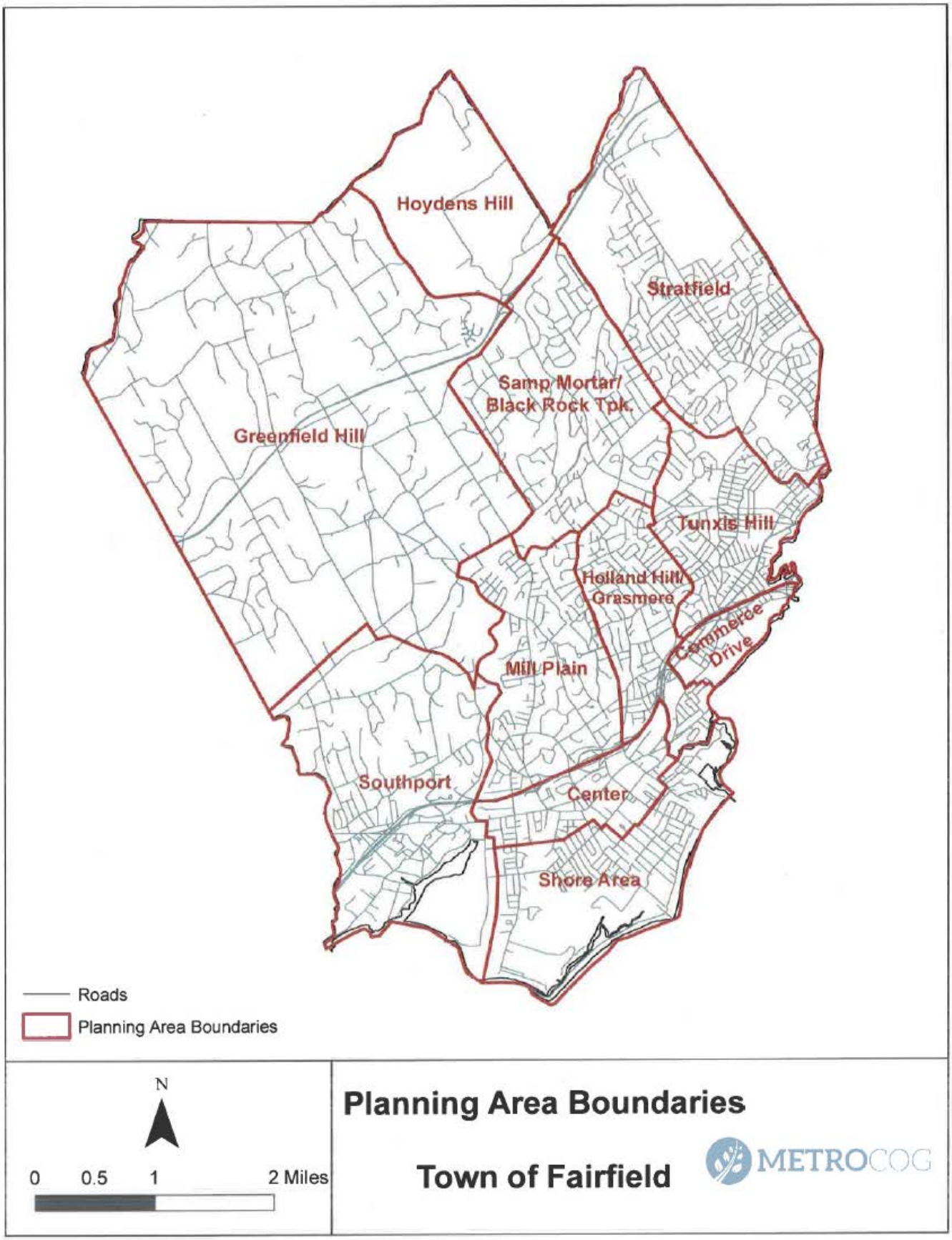
Stratfield

As delineated in the 2000 plan, this northeastern area of Fairfield follows Stratfield Road as its center and consists of a mixture of single-family lot sizes ranging from ½ to 1/3 acre, several large condominium sites, and includes the small village business district at the intersection of Fairfield Woods Road. This area includes several institutional uses such as the two Sacred Heart Campuses, Fairfield Wheeler Golf Course, the Brooklawn Golf Course, Owen Fish Park, a convalescent home, and an assisted living facility.

Holland Hill/Grasmere

This area is characterized by densely developed ¼ acre single-family residential lots north of 1-95 and the hilly 1-2 family neighbor north of Route 1. Includes the portion of the Post Road that extends east to the Ash Creek. Gould Manor Park is a recreational amenity in this area.

Figure 36. 2000 POCD Planning Areas



Tunxis Hill

This area generally follows Tunxis Hill Cut-off and Tunxis Hill Road south to 1-95. Housing type is more diverse in this area and includes 1/8 acre lot single family, ranging to duplex and fourplex buildings. The area includes Warde High School, Melville Park, and the commercial corridor along Kings Highway and Tunxis Hill Road

Hoyden's Hill

Primarily undeveloped area consisting of water company reservoir lands, the H. Smith Richardson Golf course, and a town-owned conservation area. There is limited large 2-acre lot single-family development and the area contains extensive wetlands

Samp Mortar/Black Rock Turnpike

This residential area is bordered by the Merritt Parkway to the north and its center is the regional commercial corridor of Black Rock Turnpike. Samp Mortar Lake/Reservoir is a significant natural feature and this area includes the community serving cluster of the Fairfield Woods Library, Fairfield Woods Middle School, and Jennings Elementary

Southport

Located in the southwest portion of Fairfield, this area includes the Greenfield Village commercial district at its northern boundary, the western portion of the Post Road at its center, and the historic Southport District and train station to the south. Single-family areas with 1-acre zoning north of I-95 are generally not serviced by public sewer. The County Club of Fairfield is a large recreational facility within this area as well as Southport Harbor with the Southport Green and the Lower Wharf

Mill Plain

This residential area is Located north of I-95, bounded on the west by the Mill River, and by Fairfield University to the east. It includes several town greenspaces such as Sturges Park and Mill Plain Green, the Ludlowe Middle and High School complex and Riverfield Elementary School. It is a mixture of 1/8 acre and ¼ acre single-family residential lots.

Shore Area

The residential area and coastal floodplain south of downtown roughly extending from South Pine Creek east to Ash Creek. Contains the town beaches of Jennings and Penfield, the Town Marina, the Public Works and Regional Fire Training Facility, the Senior Center, the Old Dam Road Parks and Recreation Complex and 9-hole golf course. Residential lots sizes are smaller than ¼ acre with significant duplex development in the Residence B zone.

Center Area

Contains Fairfield's walkable downtown center and train station and the Post Road commercial areas from the Mill River east to Kings Highway/Route 1. Includes the Old Post Road Historic District, the Town Hall Campus with the Fairfield Museum, the Main Library, and Sherman Green

Commerce Drive Area

Fairfield's third train station area adjacent to the Black Rock neighborhood of Bridgeport. Formerly large factories and targeted for redevelopment for a higher density mixed-use neighborhood based on the Transit-oriented Development Plan of 2018/2019. Includes the hilly New England named streets/neighborhood south of I-95 and north of Kings Highway. Commerce Drive's eastern area is still industrial and dominated by car dealerships, warehouse/showroom uses, and a regional serving post office. Since 2018, parcels closest to the train station continue to be developed with mixed-use parcels & buildings adding more rental apartments to this area

Appendix B

Five Tiers of Community Resilience to Address Natural Hazards and Climate Change

Overview

The Town of Fairfield has undertaken and participated in a number of planning efforts to understand, describe, and set policy for hazard mitigation, climate adaptation, and resiliency relative to natural hazards and climate change:

Regional

- Multi-Jurisdiction Hazard Mitigation Plan
- Regional Framework for Coastal Resilience in Southern Connecticut
- Historic Resources Resiliency Planning
- Resilient Connecticut

Local

- The FECB's Flood Mitigation Plan
- Downtown Green Infrastructure Plan
- Rooster River Flood Mitigation Study and Plan
- Riverside Drive/Ash Creek Flood Mitigation Study and Plan
- Various Community Resilience Building (CRB) events

Other

- Army Corps of Engineers Flood Protection Master Plan

Plan Review

Multi-Jurisdiction Hazard Mitigation Plan

The Metropolitan Council of Governments Multi-Jurisdiction Natural Hazard Mitigation Plan Update was adopted in July 2019. The plan covers Bridgeport, Easton, Fairfield, Monroe, Stratford, and Trumbull. Like most hazard mitigation plans, this plan includes a suite of actions that the Town of Fairfield can undertake to reduce losses from natural hazards. These actions fall into the categories of public education, emergency services, prevention (i.e., flood regulations and building codes), natural resources protection, property protection, and structural projects. Hazard mitigation plans are meant to include options that can be undertaken somewhat independent of broad policies set in POCDs, such as strengthening critical facilities and making housing more resilient.

Regional Framework for Coastal Resilience

The "Regional Framework for Coastal Resilience in Southern Connecticut" was funded by appropriations from SuperStorm Sandy through the DOI to the National Fish and Wildlife Foundation (NFWF). The goal of the project was to identify community-supported nature-based resilience actions such as green infrastructure and living shorelines in ten shoreline municipalities. The project was broken into four phases, with some tasks completed by TNC and the two subject COGs (MetroCOG and SCRCOG) and some tasks completed by the consultant team.

The project included development of a GIS database of potential nature-based resilience actions such as green infrastructure and living shorelines; but importantly, the GIS database also included desired actions that could be re-cast as nature-based resilience actions. As such, projects like revetments and seawalls were mentioned by municipal staff participants and included in the database. A viewer tool was developed to allow for review of all 250-plus identified actions. Examples of potential actions identified in the Regional Framework for Coastal Resilience for the Town of Fairfield were green infrastructure in the downtown area and all the individual segments of flood protection in the beach and Ash Creek areas.

The concept designs developed for the Regional Framework for Coastal Resilience included one in the Town of Fairfield: a dune ridge along the beach between Reef Road and Penfield Beach. This section of shoreline was selected because of the numerous flood pathways from Long Island Sound to the homes located between Reef Road and Penfield Beach.

Historic Resources Resiliency Planning

Historic and cultural resources are increasingly at risk to natural hazards and climate change; furthermore, historic resources are difficult to floodproof, elevate, or relocate without potential loss of their historicity. Recognizing this challenge, the Connecticut State Historic Preservation Office (SHPO) embarked on a resiliency planning study for historic and cultural resources beginning in 2016. The study was funded by the National Parks Service in response to SuperStorm Sandy.

MetroCOG hosted a historic resources resiliency planning meeting in June 2016, with Fairfield attending. During winter 2016-2017, individual meetings were held with shoreline communities including Fairfield. Municipality-specific reports were issued to each of these coastal communities in 2017. These reports outline historic resources at risk, gaps in municipal planning documents with regards to addressing historic preservation in the context of natural hazards, and strategies that can be employed to make historic and cultural resources more resilient. Recommended strategies identified in the municipal reports are:

- Identify Historic Resources
- Revisit Historic District Preservation Regulations and Ordinances
- Coordinate Regionally and with the State
- Incorporate Historic Preservation into Planning Documents
- Revisit Floodplain Regulations and Ordinances
- Educate Regarding Historic Resources and Resilience
- Strengthen Recovery Planning
- Structural Adaptation Measures

A best practice guide for planning techniques to make historic resources more resilient was distributed in 2019. This guide can be used by all jurisdictions in Connecticut when undertaking development of hazard mitigation plans.

Resilient Connecticut Phase II

Resilient Connecticut is a planning process originating from the State's successful application to the National Disaster Resilience Competition. The vulnerability assessment and COG-based planning phase commenced in summer 2020 and continued until the end of 2021. The vulnerability assessment included the development of a climate change vulnerability index (CCVI) and delineation of zones of shared risk. *Resilient Connecticut* introduced the concepts of resilience hubs and resilience corridors in the overall framework of making the State more resilient to the impacts of climate change such as flooding and sea level rise. The CCVI, zones of shared risk, regional infrastructure, and regional assets were overlaid and intersected to identify 64 regional opportunity areas in Fairfield County and New Haven County. Four regional opportunity areas were identified in Fairfield: two TOD-based (downtown Fairfield and the Fairfield Metro TOD area) and two based on existing affordable housing (one along Reef Road and one near the university).

Resilient Connecticut Phase III

Fairfield is one of seven recipients of a "Phase III" project which is being executed 2022-2023. Recognizing the potential for downtown Fairfield investment as a resilience hub, the Fairfield project focuses on making the downtown area more resilient through furtherance of the green infrastructure plan and development of concepts to make four underpasses more resilient (North Pine Creek Road, Mil Plain Road, Round Hill Road, and North Benson Road).

Town of Fairfield Flood Mitigation Plan

This report and the accompanying concept plans demonstrate various configurations of flood protection that can be developed to reduce flood pathways to the broad coastal floodplain inclusive of thousands of residential properties and several key critical facilities like the WWTP. The FECB developed the initial version of this plan and has been updating it as needed over the last ten years. The Town has undertaken individual projects to advance the goals of this plan, such as hardening of the wastewater treatment plant facility through a local flood protection system. This plan also calls for the development of a pumping station near South Benson Road to remove floodwater from storm surge after they are trapped northwest of Penfield Beach and Jennings Beach.

Ash Creek/Riverside Drive Flood Mitigation Plan and Concept Designs

Using CDBG-DR funds, the Town commissioned a study and plan for resiliency efforts on the eastern periphery of the broad coastal floodplain. This report and the accompanying concept plans demonstrate various configurations of flood protection that can be developed to reduce flood pathways from Ash Creek, which is the estuary of Rooster River. Because the flood protection system configurations in the report are geared toward reducing the number of flood pathways to the broad coastal floodplain of Fairfield, but not eliminating all of them, the concepts in the plan will likely need to be advanced along with other efforts. The report also discusses the concept of elevating Turney Road as an alternative to elevating Riverside Drive, which is an option better aligned with the resilient corridor concept of *Resilient Connecticut*.

Downtown Green Infrastructure Plan

The downtown Fairfield neighborhood has suffered frequent shallow flooding related to stormwater generated during severe precipitation events. While flooding is not typically damaging, it causes road and business

closures that disrupt the entire community. Using CDBG-DR funds, the Town commissioned a study and plan for incorporating green infrastructure in the downtown. The plan included concept designs for a variety of green infrastructure projects on public and private properties and roads.

Rooster River Flood Mitigation Study and Plan

The Rooster River floodplain has suffered flood damage numerous times, including during the severe flood on September 25, 2018, which affected only parts of the State of Connecticut. In an effort to reduce the frequency and severity of flooding (but not eliminate flood risk), the Town commissioned a hydrologic and hydraulic study of the river corridor to determine locations for retaining or detaining water during severe precipitation events. Several locations were identified in the Rooster River watershed, and design is underway to advance projects in these locations.

Community Resilience Building (CRB)

Workshops in Fairfield were conducted in 2013 and 2018. Top hazards of concern were coastal flooding, inland flooding, severe precipitation and high wind events, sea level rise, and extreme hot or cold temperature events.
Priority vulnerabilities included residential neighborhoods (including dead-end roads), commercial areas, tidal wetlands, brooks and streams, beaches and dunes, major roads, rail lines, cultural and religious buildings, low-income housing, essential service facilities, critical facilities, and bridges, culverts, and tide gates.
Top recommended actions included:

- Strengthen disaster planning, response, and recovery capabilities (including EOC communications, neighborhood response teams, and shelters).
- Address risks to access/egress and utility-services (through tree and limb maintenance and identification of egress chokepoints).
- Improve resilience of infrastructure (including the wastewater treatment facility and flood control structures).
- Improve stormwater retention and infiltration through green infrastructure, pervious pavement, and building and site design.
- Facilitate retreat of development and inland migration of marshes and natural habitats.
- Improve energy efficiency town wide.

Discussion

The prior planning and ongoing efforts described above suggest that the Town of Fairfield should designate five tiers of supporting future public and private investments in infrastructure, community facilities, housing, and development. These five tiers have corresponding spatial characteristics and can be delineated on a map without using sharp boundaries.

Resilient Hubs: These are key areas that have varying degrees of risk now and in the future, but should be prioritized to maintain or improve resilience to natural hazards and climate change. Resilient hubs may include downtown Fairfield, the Fairfield Metro TOD area, Southport, and the area along Black Rock Turnpike where the Tunxis Hill, Holland Hill/Grasmere, and Samp Mortar/Black Rock Turnpike planning areas meet. Community services, critical facilities, essential facilities, important services (grocery stores, retail, gasoline service stations), and some housing for vulnerable populations should be located in resilient hubs.

Resilient Corridors: These are corridors that move people and services between resilient hubs and areas of risk. They serve important functions before, during, and after natural disasters such as floods. They all help the community function during frequent sunny- day flooding that can occur in coastal areas. Evacuation routes are often coincident with

resilient corridors. Resilient corridors from coastal areas may include South Pine Creek Road, Reef Road, Beach Road, South Benson Road, and Turney Road. Resilient corridors for the greater Fairfield community may include Mill Plain Road/Burr Street, Black Rock Turnpike, and Stratfield Road. A key consideration in the resilience corridor concept is making underpasses more resilient, as they connect the coastal and inland corridors.

Areas to Support Coordinated Risk Reduction (i.e., Hazard Mitigation and Climate Adaptation) Efforts: These are areas where coordinated, comprehensive efforts are needed to enhance community resilience, because individual actions by property owners (such as elevating individual homes) may not be sufficient. Two sub-categories are possible:

- Areas where the long-term goal may be to undertake projects to reduce risk; however, increased densities of development should not be encouraged. An example is the Rooster River corridor. The Town plans to develop detention/retention areas in the Rooster River watershed to reduce flood risks along the river. While this will allow people to live along the river in the long term, additional development would not be encouraged along the Rooster River.
- Areas where the long-term goal may be to eliminate risks through retreat from hazards. An example is the small Camden Street/Rutland Avenue neighborhood. While this approach will allow people to live along the lower Rooster River, the long-term goal will be to move residents to areas with lower risk. Town efforts in this category (b) should be coordinated with goals relating to making contiguous open space.

Areas to Support Individual Risk Reduction (i.e., Hazard Mitigation and Climate Adaptation) Efforts: These are areas where the Town may support individual efforts to make properties more resilient by issuing building and land use approvals for options such as home elevations and non-residential floodproofing.
In these areas, the Town will occasionally use public resources to make infrastructure more resilient (i.e., the wastewater treatment plant) and will plan for future resilience projects such as the South Benson Road pumping station. The Town will avoid promoting increased densities of housing in these areas.

Figure 38 cross-references the Town's prior and ongoing efforts with the five tiers of support for future public and private investments in infrastructure, community facilities, housing, and development.

Figure 38. Plans and Resilience Framework

Supporting Plan or Study	Resilient Hubs	Resilient Corridors	Support Coordinated Risk Reduction Efforts	Support Individual Risk Reduction Efforts
Multi-Jurisdiction Hazard Mitigation Plan	X	X	X	X
Regional Framework for Coastal Resilience in Southern Connecticut			X	
Historic Resources Resiliency Planning			X	X
Resilient Connecticut Phase II	X	X		
Resilient Connecticut Phase III	X	X		
The FECB's Flood Mitigation Plan	X	X	X	X
Downtown Green Infrastructure Plan	X	X	X	
Rooster River Flood Mitigation Study and Plan		X	X	
Riverside Drive/Ash Creek Flood Mitigation Study and Plan		X	X	
Community Resilience Building (CRB) events	X	X	X	X

POCD Action Items

Implementation Summary

Overview

The Town of Fairfield Plan of Conservation (POCD) and development has direct strategies to pursue in order to enact the vision identified in the POCD. The following table provides an opportunity to identify partners in fulfilling both additional planning and physical projects. Although the POCD is a 10-year plan, the revision to this document is likely to begin in approximately 7-7.5 years and understanding progress with the goals and strategies will be an integral part of the next 10-year planning cycle.

Reading the Table

Responsible Agencies and Departments

The POCD Action Table summarizes the strategies and actions in the POCD and assigns appropriate departments for the ongoing management and prioritization of these items. The table .

Action	Responsible Agencies	Time Frame	Potential Cost	Funding