

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, NOVEMBER 16, 2021
REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

JOIN ZOOM MEETING
<https://us02web.zoom.us/j/86451091184>

Meeting ID: 864 5109 1184
Passcode: 301958

Web & Phone Meeting Instructions

- *If your computer/smartphone has mic and speaker then:
Type in, paste or click the following link: <https://us02web.zoom.us/j/86451091184>; **OR***
- *If not, then **Call-in** using the **phone number & password** provided above.*
- *Sign-up for Planning Board meeting updates by emailing lcapp@stamfordct.gov.*

Web Meeting Ground Rules:

- *The meeting shall be recorded and the video shall be posted on the City of Stamford website http://cityofstamford.granicus.com/ViewPublisher.php?view_id=8*
- *The Planning Board shall moderate the audio for attendees.*
- *Attendees shall be on mute and will be unmuted when called to speak by the Planning Board members.*
- *Applicants will have 20 minutes to make their presentation.*
- *Any applicant wishing to submit written testimony can send it prior to the meeting to lcapp@stamfordct.gov or submit through a Chat message to the Planning Board Chair during the meeting.*

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary (left the meeting at 7:57 p.m.); and Michael Totilo. Alternates: William Levin and Stephen Perry. Absent: Michael Buccino, Voting Member. Present for staff: Vineeta Mathur, Acting Principal Planner; Sandy Dennies, Director of Administration; Thomas Madden, Director, Economic Development and David Woods, Chair, HPAC.

Ms. Dell called the meeting to order at 6:30 p.m., introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

November 9, 2021: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Special Meeting Minutes of November 9, 2021; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Perry and Tepper). Mr. Totilo and Mr. Levin were not eligible to vote as they were absent at the November 9, 2021 meeting.

Ms. Dell called for a motion to bring forward ZB Application #221-30.

Mr. Tepper made a motion to bring forward ZB Application #221-30 - City of Stamford-Department of Economic Development - Text Change; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

Ms. Dell introduced Sandy Dennies, Director of Administration.

Ms. Mathur stated that Ms. Dennies would be speaking on the Triennial List and Thomas Madden, Director, Economic Development would be speaking about ZB Application #221-30.

After some discussion, it was determined that the Triennial List was inadvertently omitted from Ms. Mathur's Memo to the Board but was included on a revised agenda sent out and posted on Monday morning, November 15, 2021.

Ms. Mathur read the Triennial List into the record.

REQUEST FOR AUTHORIZATION:

TRIENNIAL LIST: In accordance with Section §9-4 of the City Code of Ordinances, the Director of Administration has submitted a list of real property owned and leased by the City (the Triennial List) to the Planning Board, the Board of Finance and the Board of Representatives for review with the objective of recommending future use or disposal of unused properties.

Ms. Dennies made a presentation and answered questions from the Board. Ms. Dennies explained that the Planning Board should focus on the properties that are for sale.

After some discussion, it was decided Ms. Dennies and Mr. Madden should have a discussion with Ralph Blessing, Land Use Bureau Chief, and Ms. Mathur to go over the properties for sale and bring these items back to the Planning Board for a Public Hearing.

Ms. Dell introduced Mr. Madden.

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #221-30 - CITY OF STAMFORD-DEPARTMENT OF ECONOMIC DEVELOPMENT - Text Change:** Applicant is proposing to add Section 9.U - University and Research Overlay District (UROD). The purpose of the new district is to foster Stamford's position as a center of higher education and research. The Text Change lays down the criteria for future designation of the Zoning District, establish special development standards for university and research related uses and add associated definitions.

Mr. Madden made a presentation and answered questions from the Board.

After some discussion, Mr. Totilo recommended **approval** of **ZB Application #221-30** with the recommendation that under Section 9.U.5 Bonus Development Standards, Item #d. Exemption from BMR Requirements be removed from the Text Change and that this request is compatible with the neighborhood and consistent with 2015 Master Plan Category; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0-1 (In Favor - Dell, Godzeno, Tepper and Totilo / Abstain - Levin).

SUBDIVISION:

SUBDIVISION #4044 - KATIE WAGNER, QUESITED CONSULTANTS representing CHRISTOPHER & KAREN HARRIS - 60 BLUEBERRY DRIVE (2 LOTS): The applicant is proposing to subdivide the property located at 60 Blueberry Drive and construct an additional single-family dwelling with related site improvements. The property has an area of 1.329 acres, located along the north side of Blueberry Drive, approximately 460 feet east of Skyview Drive in the R-20 residential zoning district.

Ms. Mathur made brief comments stating she reviewed the application and that it was also reviewed by Engineering and EPB and there are no issues.

The subject application is for a subdivision of 60 Blueberry Drive into two lots. The property is in the R-20 Zoning District and is surrounded by single-family homes all of which are situated more than 100 feet away from the subject property. The R-20 zoning district requires a minimum lot size of 20,000 sq. ft., a minimum frontage of 100 ft., a circle diameter of 100 ft. to fit within the lot, a maximum building height of 2½ stories or 30 ft., a maximum building coverage of 15%, a front street line setback of 40 ft., a street centerline setback of 65 ft., a side yard setback of 15 ft. on one side and 35 ft. on both sides and a rear yard setback of 50 ft.

Proposed Parcel A-1 will encompass 29,058 sq. ft. of lot area and will contain the existing residence. This property will meet the zoning requirements of the R-20 zoning district. This lot will include 1,321 sq. ft. of Conservation Easement area along the western property line providing a buffer between Parcel A -1 and the adjacent properties as recommended by the Environmental Protection Board (EPB).

Proposed Parcel A-2, which will be a flag lot, will encompass 25,612 sq. ft. of lot area and will be developed with a new dwelling in the future. This lot will include 6,270 sq. ft. of Conservation Easement area along the western, northern and eastern portions of the property as recommended by EPB. This area encompasses wetlands and non-watershed setback areas. This will also facilitate the preservation of existing trees and serve as an extension of the Conservation Area on properties to the east. Parcel A-2 will comply with the zoning requirements of the R-20 Zoning District.

At the EPB meeting held on September 23, 2021, the Board voted unanimously in favor of the subdivision with the conditions stated in a letter from Richard Talamelli, Executive Director dated September 27, 2021.

Susan Kiskien, Coordinator of Site Plan Reviews and Inspections, Engineering Bureau, in a letter dated September 8, 2021 stated she did not object to the proposed subdivision. She also noted that the Applicant has addressed the majority of comments provided in previous letters dated July 23, 2021 and March 16, 2021.

Joshua Polur, Stamford Health Department Inspector II, in a letter dated March 19, 2021 stated that the Health Department had no objection to the subdivision and that the property is connected to City sewer and water.

Mani Poola, Traffic Engineer, in a letter dated April 20, 2021 stated that the subdivision did not impose any traffic impacts.

Joseph J. Capalbo II, Esq., representing the property owners, Christopher & Karen Harris; along with Katie Wagner, Quesited Consultants and Ken Frattaroli, Edward J. Frattaroli & Sons, Inc., made a presentation to the Board and answered questions from the Board.

After some discussion, Mr. Totilo recommended approval of Subdivision #4044 with the following conditions:

1. Revision of the subdivision proposal subject to include the following:
 - a) Separate driveway openings for each lot shall be retained.
 - b) Keep the total site imperviousness to a minimum along with the use of porous pavement/pavers or similar features in select areas, etc. Protect trees as much as feasibly possible.
 - c) Placement of a temporary driveway for access to the back lot during construction to be used by the heavy-duty vehicles necessary to construct the second dwelling.
 - d) Show the location of all necessary easements (i.e. drive, drainage, utility, etc.) on the final map.
 - e) Positive endorsement of the final drainage and water quality plans/reports by Stamford Engineering Bureau Staff.

- f) Modification of the conservation easement boundary to “straighten” the easement boundary and include the “triangle” of unencumbered space the north and east proximate to the footing drain outfall. The location of the boundary markers and demarcation features shall be adjusted accordingly. A combination of deeply embedded boulders and split rail fencing had been proposed as the demarcation feature. Note that the members favored the use of fencing in critical spaces, particularly along the limits of the conservation easement bordering wetland areas.
 - g) Submission of a landscape plan by a qualified landscaping professional to mitigate for the loss of vegetation, stabilize the soil, and to screen along the entire length of the property line for the dwelling to the east (N/F Tamburro) with mature plantings at least 4 foot in height and dense enough to buffer noise. Plan shall note the location, type, size, number and root type of the native landscape features proposed.
2. Execution of a standard “Conservation Agreement” to include to include the Open Space Preserve/Conservation Easement consisting of wetlands, non-watershed buffers and other related spaces as depicted on the subdivision plans revised in accordance with Condition 1d above, and as approved by EPB Staff.
 3. Open Space/Conservation Areas shall be field delineated with standard conservation signage, posts, pins and permanent demarcation features, such as large boulders and/or a split rail fence, in accordance with Conditions 1d above and approved by EPB Staff.
 4. Submission of a City of Stamford approved performance surety to secure the full and proper completion of sediment and erosion controls, tree protection, drainage, demarcation features and professional supervision/certifications. The surety, based on an EPB Staff approved estimate, shall be filed prior to the building permit.
 5. Site development shall not begin until final soil erosion and sedimentation control and tree protection plans are reviewed by Environmental Protection Board Staff and those approved elements are properly installed and are functional.
 6. Submission of standard, City of Stamford, Drainage Facilities Maintenance and Landscape Maintenance Agreements to ensure the full and proper function of drainage facilities and the success of the functional landscape features installed on the parcels.
 7. Prohibition of new, in-ground fuel oil storage tanks. Limitation shall be noted on the final record plan.
 8. In accordance with CGS 8-26c, approval shall expire on November 15, 2026 unless all "work" as said term is defined in CGS 8-26c (b), has been completed by said date (note to appear on Final Map).
 9. Subdivision reference number to be placed on Final Map.

The Planning Board ***approved*** Subdivision #4044 and found this request to be compatible with the neighborhood and consistent with Master Plan #2 (Residential - Low Density Single Family); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Perry, Tepper and Totilo).

ZONING BOARD REFERRALS (Con’t):

2. **ZB APPLICATION #221-29 - SOUTH END PACIFIC, LLC (Contract Purchaser) - 648, 670, 686 & 690 PACIFIC STREET and 171 HENRY STREET - Site & Architectural Plans and/or Requested Uses and Special Permit:** The applicant is proposing a redevelopment that will include: (a) preserving and repurposing the historic firehouse with a mix of retail, commercial and/or residential uses; (b) preserving and maintaining the existing two-family home at 171 Henry Street; (c) preserving and maintaining the existing Tabernacle of Grace Church and (d) creating a new six-story residential building with retail, covered parking and 61 new apartments.

The subject applications were preceded by a recently approved Text Amendment and Zoning Map Amendment. The Site & Architectural Plan and Special Permit applications will allow for the construction of a new six-story mixed-use building and restoration and preservation of the three historic structures on the property, which include the house located at 171 Henry Street, the Tabernacle of Grace Church and the South End Firehouse. The Applicant proposes a Zoning Lot that will include 648, 670, 686 & 690 Pacific Street and 171 Henry Street facilitating a cohesive development across these properties. The Applicant also requests bonuses pursuant to Section 7.3 Historic Preservation. The development will include seven (7) BMR units on-site.

Ms. Dell stated Raymond Mazzeo, Redniss & Mead, would make a presentation on this application.

Before Mr. Mazzeo's presentation, Ms. Dell stated for the record that the Planning Board received several emails and letters from residents in opposition to many aspects to this project.

Ms. Dell also noted that it was understood Mr. Mazzeo made a preliminary presentation to HPAC and HPAC did not provide any information from that meeting to the Planning Board since there was no formal discussion or vote. The Planning Board takes into consideration HPAC's comments and advice on project that include historical landmarks are being used and allowances are being given under Section 7.3. In light of this, the Board has asked David Woods, Chair, HPAC, to attend tonight's meeting and provide comments on this application.

Ms. Dell also expressed disappointment that this was not presented to HPAC in time for our meeting tonight so the Board could consider HPAC's recommendations. Ms. Dell did allow Mr. Mazzeo to make his presentation but asked the Planning Board not to make any recommendations tonight. We will wait until HPAC has formerly heard the application and the Planning Board has received HPAC's comments and recommendations. It will then come back to the Planning Board at a future meeting.

Mr. Mazzeo made a presentation and answered questions from the Board.

Mr. Woods made a presentation providing details and comments from the informal presentation made by Mr. Mazzeo on this application held at the October 5, 2021 meeting. Mr. Woods also did agree to have HPAC's recommendations from their December 7, 2021 meeting to the Planning Board by December 9, 2021 for the Planning Board's meeting scheduled for December 14, 2021.

After some further discussion with Mr. Mazzeo, Ms. Dell **TABLED** ZB Application #221-19 until the December 14, 2021 meeting.

Ms. Dell asked for a motion to close the discussion on ZB Application #221-29.

Mr. Levin made a motion to **TABLE ZB Application #221-29** until the December 14, 2021 meeting; Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS:

- 1. ZBA APPLICATION #034-21 - LEIGH DEMARCO, QUESITED CONSULTING, LLC representing VGC, LLC & CT QUALITY TRANSMISSIONS, INC. - 78 MAGEE AVENUE - Motor Vehicle:** Applicant owns a one-story building of approximately 3,500 sq. ft. presently used as an automobile repair shop and garage and is seeking certification of location approval to conduct business as an automobile repair shop.

This is a request pursuant to Section 11 of the Zoning Regulations and required per State License requirements.

After a brief discussion, Mr. Totilo recommended **approval** of **ZBA Application #034-21** with the following recommendations: (1) the applicant keep regular business hours; (2) prohibit the operation of a car wash and (3) prohibit the operation of an auto body painting shop and that this request is compatible with the neighborhood and consistent with Master Plan Category #13 (Industrial - General); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

2. **ZBA APPLICATION #035-21 - DAVID J. PASARD - 42 NICHOLS AVENUE - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling and is proposing a second-story addition with an enlarged front porch and a rear deck, which does not require a variance. Applicant is requesting a front yard setback of 19 ft. 16 in. in lieu of the 40 ft. required from the front street line and a street centerline setback of 44 ft. 6 in. in lieu of the 65 ft. required.

The requested Variance will facilitate a second story addition on the existing footprint and enlargement of the front porch. The proposed second story addition and new deck comply with the zoning requirements. The proposal will result in an overall improvement to the appearance of the structure.

After a brief discussion, Mr. Tepper recommended **approval** of **ZBA Application #035-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

3. **ZBA APPLICATION #036-21 - ANTHONY STRAZZA, STRAZZA CONSULTING representing PAUL MEMDEZ, PRESIDENT, 329 GLENBROOK ROAD, LLC - 329 GLENBROOK ROAD - Variance of Section 10 (Non-Conforming Uses):** Applicant owns a two-family dwelling with a two-car detached garage and is legal non-conforming. Applicant is proposing a two-story addition to the rear of the existing two-family dwelling of 116 sq. ft. per floor and to raise the existing roofline to meet the roofline of the addition. Applicant is requesting an allowance of a legal non-conforming use for a two-family structure.

The Variance will allow a minor 116 sq. ft. expansion of a legally non-conforming two family home in the R-7½ single-family Zoning district. The Variance will allow the owners to expand the living space on both the first and second floor. The expansion will be accompanied by exterior renovations including siding and the roof of the residence.

After a brief discussion, Mr. Totilo recommended **approval** of **ZBA Application #036-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

4. **ZBA APPLICATION #037-21 - KATIE WAGNER, QUESITED CONSULTING, LLC representing GARY BLOOM - CAMP PLAYLAND - 800 PONUS RIDGE ROAD, NEW CANAAN, CT - Special Permit:** Applicant owns and operates a day camp, nursery school and residence with three swimming pools, an open air changing house and an open air cinder block building and is proposing an expansion of an in-ground pool.

The Applicant requests the addition of an in-ground pool adjacent to an existing in-ground pool in the rear of the primary structure for a Day Camp, nursery school and residence. The property is approximately 5 acres and is partly located in New Canaan off Ponus Ridge Road. The Day Camp use is permitted by a ZBA Special Permit.

After a brief discussion, Mr. Perry recommended **approval** of **ZBA Application #037-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

5. **ZBA APPLICATION #038-21 - JOHN F. X. LEYDON, JR.; LAW OFFICE OF JOHN F. X. LEYDON, JR., LLC representing MOLLY ADAMS & ALEX MAUTONE - 84 FAIRVIEW AVENUE - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling with a shed and is proposing to construct an addition for extra living space, which will include a bathroom. Applicant is requesting a side yard setback of 8.4 ft. in lieu of the 20 ft. required and a total side yard setback of 15.6 ft. in lieu of the 35 ft. required.

The property is irregularly shape and is legally non-conforming as to lot area (built in 1931). The proposed alteration will enclose and minimally expand the existing deck area to create living space and a bathroom.

Mr. Leydon made brief comments on the application. Also in attendance was Mr. Mautone and Christian Frye, Architect.

After a brief discussion, Mr. Totilo recommended **approval** of **ZBA Application #038-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

6. **ZBA APPLICATION #039-21 - JOHN F. X. LEYDON, JR.; LAW OFFICE OF JOHN F. X. LEYDON, JR., LLC representing RAHWA SENAY & SENAI AHDEROM - 39 RALSEY ROAD SOUTH - Variance of Table III, Appendix B and Section 3.B (Accessory Structures):** Applicant owns a single-family dwelling and is proposing an addition to the existing structure and raising the generator to comply with flood regulations. Applicant is requesting the following:

Table III, Appendix B:

- Side setback of 8.1 ft. on the north side in lieu of the 10 ft. required.
- Combined side yard setback of 11.1 ft. in lieu of the 20 ft. required.
- Side yard setback of 4.4 ft. on the south side in lieu of the 10 ft. required.
- Combined side yard setback of 12.5 ft. in lieu of the 20 ft. required.

Section 3.B (Accessory Structures):

- Allowance for the generator to remain 2.6 ft. from the north side property line in lieu of the 5 ft. required.
- Allowance for the generator to be raised 3.3 ft. to comply with flood regulations.

The requested Variances will facilitate various alterations to allow additions (enclosing existing decks/patios) to the existing structure as well as raise portions of the structure to comply with FEMA regulations. Some of the reconstruction work was in progress when the zoning compliance issues related to the proposal were identified, which prompted the applicant to file a ZBA application.

Mr. Leydon made brief comments on this application. Also in attendance were Ms. Senay, Mr. Ahderom, Leonard D'Andrea, D'Andrea Surveying & Engineering, PC and Lyle Fishell, Architect.

After a brief discussion, Mr. Perry recommended **approval** of **ZBA Application #039-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo).

OLD BUSINESS:

Ms. Dell reminded everyone that the Capital Budget review will be in December.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- November 30, 2021 - Regular Meeting & Public Hearing - Master Plan #441 - Signal Road
- December 7, 2021 - Capital Budget Review
- December 14, 2021 - Regular Meeting

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:37 p.m.

Respectfully Submitted

November 19, 2021

Theresa Dell, Chair
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20