

**STAMFORD PLANNING BOARD  
APPROVED MINUTES - TUESDAY, MARCH 29, 2022  
REGULAR MEETING  
VIA THE INTERNET & CONFERENCE CALL  
6:30 p.m.**

**JOIN ZOOM MEETING**  
**<https://us02web.zoom.us/j/85016700889>**

**Meeting ID: 850 1670 0889**  
**Passcode: 279543**

**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/85016700889>**; **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](mailto: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](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](mailto:lcapp@stamfordct.gov)** or submit through a Chat message to the Planning Board Chair during the meeting.

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Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary and Michael Buccino (Left meeting at 8:00 p.m.). Alternates: William Levin and Stephen Perry. Absent: Michael Totilo, Voting Member. Present for staff: Vineeta Mathur, Principal Planner.

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

Ms. Dell asked to bring forward ZB Application #222-03 & #222-04.

Mr. Tepper made the motion to bring forward ZB Application #222-03 & #222-04; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper)

1. **ZB APPLICATION #222-03 - FIRST NATIONAL JOINT VENTURE, LLC & CANAL STREET FUND, LLC (Collectively the Applicants) - 0 (001-7722) CANAL STREET, 441 & 481 CANAL STREET and 50 JOHN STREET - Map Change:** Applicant is proposing a rezoning of the property from M-G (General Industrial District) Zone to R-HD (Residential-High Density Multifamily District) Zone.

2. **ZB APPLICATION #222-04 - FIRST NATIONAL JOINT VENTURE, LLC & CANAL STREET FUND, LLC (Collectively the Applicants) - 0 (001-7722) CANAL STREET, 441 & 481 CANAL STREET and 50 JOHN STREET - Site & Architectural Plans and/or Requested Uses, Special Permit and Coastal Site Plan Review:** Applicant is proposing the construction of a mixed-use building consisting of 401 apartments, ground floor retail space, amenity space, 429 parking spaces and associated landscaping and site improvements.

The related applications for Zoning Map Change (M-G to R-HD), Special Permit, Site & Architectural Plan and/or Requested Uses and Coastal Site Plan Review will together facilitate the redevelopment of the 2.23 acre parcel on Dock Street (between John Street and Canal Street) with a mixed-use building containing 401 dwelling units, residential amenities, 7,000 sq. ft. of retail space and parking and site improvements. The development lies within Master Plan Category #9 (Urban Mixed-Use) and is consistent with the goals and policies for this category and the recommendations of the South End Neighborhood study. The development will contain a mix of studio (31), one-bedroom (276), two-bedroom (61), three-bedroom (28) and duplex (5) apartments. The project generates a significant BMR requirement of 40.1 units. While the Applicant currently proposes on-site BMR units, they are working with the South End NRZ to come up with alternate means of the provision of BMRs. The project has been thoughtfully designed with special emphasis on ground level uses, wide public sidewalks, high quality building materials and use of landscaping and hardscape to create an inviting public space at the intersection of John Street and Dock Street.

Ms. Dell stated Ralph Blessing, Land Use Bureau Chief, has asked these two application be postponed to April 19, 2022, which will be added to the meeting schedule. Ms. Dell explained additional information was sent to the Board and there was not enough time to review for this meeting.

Ms. Dell noted William Hennessey, of Carmody Torrance Sandak & Hennessey, LLP, was in attendance and Ms. Dell asked Mr. Hennessey if he was in agreement to postpone the applications until April 19, 2022 and he responded, yes.

Ms. Dell called for a vote to postpone ZB Applications #222-03 & #222-04 to April 19, 2022 and all members unanimously agreed.

#### **PLANNING BOARD MEETING MINUTES:**

**March 8, 2022:** After a brief discussion, Ms. Godzeno moved to recommend approval of the Planning Board Regular Meeting Minutes of March 8, 2022; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Levin and Tepper).

#### **PRESENTATION TO THE PLANNING BOARD:**

**STAMFORD PUBLIC SCHOOLS PROPOSED LONG-TERM FACILITIES PLAN:** The Board of Education and representatives from SLAM will make a presentation and answer questions on the Long-Term Facilities Plan for Stamford public schools. In attendance were:

- Dr. Tamu Lucero, Superintendent of Schools
- Cindy Grafstein, City/BOE Joint Facilities Officer
- Janeene Freeman, Special Assistant to the Mayor, Director of Partnerships & Community Engagement
- Kevin McCarthy, Director of Facilities
- Kemp Morhardt, SLAM

Ms. Dell introduced Ms. Lucero, who made a brief presentation to the Board.

Kemp Morhardt, SLAM, provided an overview and answered questions on the proposed Long-Term Facilities Plan.

Mr. Buccino left the meeting and Mr. Levin and Mr. Perry became the Voting Members for the remaining agenda items.

### **ZONING BOARD REFERRALS:**

Ms. Mathur made some brief comments on ZB Application #221-08 (MOD) & #222-15.

Megan Miles, of Carmody Torrance Sandak & Hennessey, LLP along with Rachel Breslin, Carmody Torrance Sandak & Hennessey LLP; Richard Carbray, CEO, Fine Fettle; Benjamin Zachs, COO, Fine Fettle; Daniel Glissman, MacDermid Reynolds Glissman and Sheldon Crosby, L'Arc Architects, made a presentation and answered questions on ZB Application #221-08 (MOD) and #222-15.

3. **ZB APPLICATION #221-08 (MOD) - STAMFORD RESEARCH DRIVE, LLC and FFD WEST, LLC - 12 RESEARCH DRIVE - Special Permit:** Applicant is proposing to amend the Special Permit (ZB #221-08) application to convert the approved Medical Marijuana Dispensary into Hybrid Retail pursuant to CT Public Act 21-1.

The Applicant received a Special Permit approval for a Medical Marijuana Dispensary in 2021 and has since renovated the building and site at 12 Research Drive in conformance with the approval. The property is located in the M-G zoning district among various industrial and commercial uses. The current application is a request to modify the original approval to allow a Hybrid Retail use for medical and retail sale of marijuana. Connecticut State Law related to marijuana was recently amended through P.A. 21-1 to allow retail sale of marijuana in addition to already permitted medical marijuana. The State Law further stated that where specific standards or limitations for retail sale is not already in the zoning regulations, the municipalities must treat a request for this use as it would a similar use. This supports the amendment of the approved Special Permit for a medical marijuana dispensary at 12 Research Drive given that a 'medical marijuana dispensary' is the closest use to a retail marijuana facility. Below is the guidance from the City Law Department on this application. The change to the Hybrid retail will not require any internal changes to the layout or external changes to the parking area.

*As discussed, P.A. 21-1 authorized the Hybrid Retail sale of marijuana. Specifically, Section 148(c) provides that such establishments must be zoned "as if for any other similar use, other than a cannabis establishment would be zoned." Although there are provisions in the Act for a process that would allow the City to regulate or prohibit Hybrid Retail sales, the City currently has not enacted any regulations or prohibitions. However, our zoning regulations do regulate medical marijuana dispensaries and this particular application seeks to add adult-use retail sales to an existing and previously approved dispensary at 12 Research Drive. A Hybrid Retailer is defined as a "person that is licensed to purchase cannabis and sell cannabis and medical marijuana products."*

*The definition incorporates the purchase and sale of medical marijuana. It makes sense that in this case, the "similar use" envisioned by the Act would be a permitted dispensary. Accordingly, the application should be reviewed as a request for a use that is similar to a dispensary. Further, since the Hybrid Retailer application seeks to establish the use within an existing dispensary, the application is properly a request for modification of the dispensary special permit.*

After considerable discussion, Mr. Tepper recommended **approval** of **ZB Application #221-08 (MOD)** with the recommendation the Zoning Board check with Legal that there does not need to be any further discussion on persona/hybrid vs. medical marijuana distribution sites as when this originally came before the Planning Board only the use for medical marijuana was approved. The Chair feels the State mandate should not automatically approve the sale of personal/hybrid marijuana from medical marijuana sites in the City of Stamford as this aspect of marijuana sales was never discussed and voted on. This request is compatible with the neighborhood and consistent with Master Plan Category #13 (Industrial - General); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

4. **ZB APPLICATION #222-15 - STAMFORD RESEARCH DRIVE LLC - 12 RESEARCH DRIVE - Text Change:** Applicant is proposing to amend Section 5.E of the Stamford Zoning Regulations to allow for the installation of an additional sign at facilities regulated as *Medical Marijuana Dispensaries*.

The current allowable signage for medical marijuana dispensaries is fairly limited (one 16" x 18" wall sign on the building). This standard was consistent with the standard prescribed by the State at the time of adoption of the Text Change. The State has since updated their guidelines to allow an additional ground/pole sign to allow directional signage consistent with other uses on the property. The proposed Text Change intends to update the signage regulations to match the State standards.

After a brief discussion, Mr. Perry recommended **approval** of **ZB Application #222-15** and that this request is compatible with the neighborhood and consistent with Master Plan Category #13 (Industrial - General); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

Mr. Tepper requested a 3-minute recess, which all Board members agreed. Ms. Dell suspended the meeting.

Ms. Dell called the meeting back to order and introduced the next item on the agenda.

**ZONING BOARD OF APPEALS REFERRALS:**

1. **ZBA APPLICATION #008-22 - JOSEPH J. CAPALBO II representing 80 MAGEE AVE, LLC (CT QUALITY TRANSMISSION, INC. / BORIS QUIROZ) - 78 MAGEE AVENUE a/k/a 80 MAGEE AVENUE - Motor Vehicle Approval:** Currently located on the site is a one-story commercial building used in the operation of an approved automobile repair shop. The applicant is proposing to assume ownership and operation of the existing automobile repair facility. The existing building is approximately 3,500 sq. ft. and the site measures approximately 4,400 sq. ft.

The applicant requests a Motor Vehicle approval for an existing automobile repair shop located at 78 Magee Avenue in the M-G (General Industrial) Zoning District. No change to the building or the operation is proposed and the approval is necessitated by the change in ownership. Approval of the application has been recommended to allow the continuation of an existing commercial use in an industrial zoning district.

Ms. Mathur made brief comments on the application.

After a brief discussion, Mr. Tepper recommended **approval** of **ZBA Application #008-22** and that this request is compatible with the neighborhood and consistent with Master Plan Category #13 (Industrial - General); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

2. **ZBA APPLICATION #009-22 - JOSEPH J. CAPALBO II representing 108 PROSPECT STREET, LLC - 108 PROSPECT STREET - Variance of Table IV, Appendix B & Section 10A:** Currently located on the site is a one-story commercial building housing a 3,407 sq. ft. restaurant. The applicant is proposing to construct an addition to the rear of the restaurant of approximately 12 ft. x 24 ft. (297 sq. ft.) intending to provide refrigeration and storage capacity to the existing facility. Applicant is requesting: **[a]** a side yard at the proposed addition of 1.3 ft. in lieu of the 8 ft. required; and **[b]** to expand a non-conforming use to allow for the new refrigerator and freezer.

The request pertains to a minor addition to a restaurant, which is a non-conforming use in an RM-F Zoning District and is non-compliant with the side yard setback. The property is located on Prospect Street, which has several other commercial businesses including several offices, a bank, convenience stores and services. Further, the property is within Master Plan Category #9 (Urban Mixed-Use), which encourages uses such as restaurants that provide a connection between Downtown and the neighborhoods in its periphery. Approval of the necessary variances is recommended, which will allow the continued operation of a local business.

Ms. Mathur made some brief comments and answered questions from the Board.

A question was raised about the location of the backside of the new refrigerator and freezer in relation to the neighboring properties. The Planning Board recommends the Zoning Board of Appeals verify the setbacks.

After a brief discussion, Mr. Levin recommended **approval** of **ZBA Application #009-22** and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

3. **ZBA APPLICATION #010-22 - JACQUELINE KAUFMAN, CARMODY TORRANCE SANDAK HENNESSEY, LLP representing FRONTIER GLENVILLE, LLC - 64 HIGH RIDGE ROAD (f/k/a LOT B - LONG RIDGE ROAD) - Variance of Section 13.F.2:** The property is currently improved with a ±1,393 sq. ft. commercial building (previously occupied by a bank), covered drive through lanes and surface parking. The property is both a through lot and a corner lot with frontage on High Ridge Road, Long Ridge Road and Cold Spring Road. The applicant has obtained Zoning Enforcement approval to remove and replace the existing building with a ±7,898 sq. ft. commercial building, site landscaping and on-site parking. The new building will be occupied by three (3) commercial tenants (all as-of-right uses). The applicant is requesting an allowance of up to 174.18 sq. ft. of wall signage on the northerly side of the new building in lieu of the 30 sq. ft. permitted for a rear façade.

The applicant requests a variance of the allowed signage standard for the rear façade. The site is unique in its configuration because the primary entrance to the building will be from the northerly side, which is the rear façade. While typically rear façades require minimal signage, the rear frontage is important for this building given the vehicular access to the site from Long Ridge and High Ridge Road. The requested variance is the minimum necessary for the three proposed businesses in the building.

Jason Klein, of Carmody Torrance Sandak & Hennessey, LLP, made a presentation and answered questions from the Board.

After a brief discussion, Ms. Godzeno recommended **approval** of **ZBA Application #010-22** with the recommendations below from Frank Petise, Acting Bureau Chief, Transportation, Traffic & Parking Department. The Planning Board also raised questions about the entrances and exits on High Ridge and Long Ridge Roads and recommends the Zoning Board of Appeals look at these more closely. This request is compatible with the neighborhood and consistent with Master Plan Category #7 (Commercial - Arterial); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

*The Transportation, Traffic & Parking Department has reviewed the following documents:*

- *Zoning Board of Appeals Application received March 3, 2022; and,*
- *Layout and Materials Plan prepared by VHB dated December 4, 2019*

*The applicant in their application speaks to the desire to improve "pedestrian way finding," and the department is supportive of this desire as improved pedestrian way finding and connectivity will reduce the overall parking and traffic demand on this site. The Bulls Head area is a high traffic location in Stamford and the Department works to reduce traffic congestion and improve safety on Stamford's roads. In an effort to reduce the increase in traffic to and from the site in an already congested area, and support the Applicant's goals of improving way finding and complement the signage plan, the Applicant at their cost shall implement the following measures prior to an issuance of a Certificate of Occupancy:*

1. *Install a 6 ft. sidewalk with a 4 ft. amenity strip along the southern property frontage along Cold Spring Road. The sidewalk should connect to the on-site walkway.*
2. *Construct ADA compliant curb ramps at the northeast and southeast corners of the intersection of Long Ridge and Cold Spring and at the northwest and southwest corners of the intersection of High Ridge and Cold Spring Roads.*
3. *Install State/City standard crosswalks at both ends of Cold Spring Road at the intersections of High Ridge Road and Long Ridge Road.*
4. *Applicant shall update the traffic signal plans showing the required traffic signal upgrades to allow pedestrians to safely cross Cold Spring Road at both new crosswalks. The applicant shall be responsible for implementing the traffic signal upgrades, which will include pedestrian signal heads, AGPS push buttons, and any other required accessories and facilities.*
5. *The applicant shall obtain all necessary DOT and City permits to undertake all work at their cost.*

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Next regularly scheduled Planning Board meetings are:

- April 12, 2022
- April 19, 2022 (ZB Applications #222-03 & #222-04 - 441 Canal Street)
- April 26, 2022

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:46 p.m.

Respectfully Submitted  
March 31, 2022

Jennifer Godzeno, Secretary  
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](http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20)