

**STAMFORD PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES - TUESDAY, APRIL 14, 2020
VIA THE INTERNET & CONFERENCE CALL
7:00 p.m.**

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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 a written statement 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; Michael Boccino and Michael Totilo. Alternates: Claire Fishman and William Levin. Present for staff: Ralph Blessing, Land Use Bureau Chief and David W. Woods, PhD, FAICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 7:00 p.m. and introduced the members of the Board and staff present.

Ms. Dell introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

March 31, 2020 (Regular Meeting): After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of March 31, 2020; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

April 8, 2020 (Special Meeting): After a brief discussion, Mr. Levin moved to recommend approval of the Planning Board Special Meeting Minutes of April 8, 2020; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

ZONING BOARD REFERRALS:

1. ZB APPLICATION #220-13 - CITY OF STAMFORD - ZONING BOARD - 888 WASHINGTON BOULEVARD - Omnibus Text Change: Applicant is proposing, as part of the Omnibus Text Change, the following changes to the Zoning Regulations of the City of Stamford:

- Amend Section 7.4 [Below Market Rate (BMR) Program] to modify definitions related to Affordable Housing - Section 3.
- Make changes to the BMR program to clarify requirements, premiums and update the fee-in-lieu formula, among other changes.
- The addition of BMR requirement for Senior Housing in Section 7.4.C.1.a(3).
- Addition of a definition for Downtown Retail Streets.
- Updates to Sections 4.AA, 7.S, 9 and 10.
- Update footnotes to Appendix B.

Ralph Blessing, Land Use Bureau Chief, made a presentation and answered questions.

The City of Stamford Zoning Board proposed to modify the City's Below Market Rate (BMR) Housing program as established by Section 7.4 of the Zoning Regulations. The proposed changes fall in three categories:

1. Addition of definitions related to Affordable Housing to Section 3 and the addition of a definition for Downtown Retail Streets.
2. Modifications to the BMR Housing Program proper.
3. Update of Sections 4.AA; 7.S; 9 and 10 as well as the footnotes to Appendix B of the Zoning Regulations to reflect the changes in Section 7.4.

The proposed Text Amendment is part of a three-pronged approach to improve the BMR program.

- a) Changes to BMR program Zoning Regulations in Section 7.4

The changes to the Zoning Regulations are described in Points 1 - 3 below.

- b) Affordable Housing Trust Fund

The Affordable Housing Trust Fund will allow the fee-in-lieu funds generated from the BMR Program to be used competitively and within the parameters of the City's Affordable Housing policy. The City Ordinance to create such a Trust Fund is currently being considered by the Board of Representatives.

- c) Centralized waiting list

Centralized waiting list for BMR unit applicants will allow applicants to be considered for available BMR units across the City rather than individual buildings. This will also streamline the application process for managers of BMR units.

1. Additional Definitions

This element of the proposed Text Changes adds definitions related to the City's BMR Housing Program to Section 3 of the Regulations. These definitions include Affordable Housing, Area Median Income, BMR Units, Eligible Household and Market Rate Housing.

2. Modifications to the Affordable Housing Program, Section 7.4

The proposed Text Changes maintain the general principles of the City's BMR Housing Program; i.e., that, generally, projects leading to the (re)development of 10 or more housing units must set aside 10% of the units as housing units affordable to households earning no more than 50% of the Area Median Income. The most important modifications include the following:

- a. In addition to new all residential development or redevelopment, A BMR requirement is also established for substantial renovations and upgrades to existing buildings and for Senior Housing, including Senior Housing and Nursing Home Facility Complexes.
- b. It is clarified that BMR residents must have equal access to and pay not more than market rate residents for amenities. The parking fee for the first vehicle of a BMR household is capped at 50% of that charged to a market rate household.
- c. It is clarified that floor area premiums can only be achieved if all required BMR units (except fractional units) are provided onsite.
- d. A rule is created that requires the replacement of affordable housing demolished as part of the redevelopment of housing within certain limits.
- e. Household assets will be considered for household eligibility.
- f. A preference for Stamford residents and people working in Stamford is established.
- g. Equivalencies are established for units at different affordability levels and unit sizes - larger, more affordable units count more than small and less affordable units.
- h. Land dedication as an alternative means of meeting the BMR requirement has been eliminated, as it has never been used and does not immediately provide affordable housing.
- i. The formula for fee-in-lieu payments has been changed from a per unit formula to a square foot formula. The current formula led to the buyout of (much needed) larger units and the production of many small onsite units.

3. Updates to other Sections

The update of Zoning District Regulations in Sections 4.AA; 7.S; 9 and 10, as well as the footnotes to Appendix B of the Zoning Regulations are necessary to reflect the changes in Section 7.4. As the BMR regulations have evolved over time, different sections of the Regulations reflect slightly different rules. The goal is to refer to Section 7.4 for more uniformity.

After considerable discussion, Mr. Tepper recommended *approval* of **ZB Application #220-13**. The amended regulation states that "a developer may make a Fee-in-Lieu payment pursuant to Section 7.4.D.3 without having to receive Special Permit approval by the Zoning Board." As such, the Planning Board recommends that any Fee-In-Lieu payment under this provision be placed in a dedicated line item that would only be used for Affordable Senior Housing and Nursing Home facility complexes. This request is consistent with the 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

The following two applications (ZB #220-10 & ZBA #018-20) will be heard together but voted on separately.

William Hennessey and Deborah Brancato, of Carmody Torrance Sandak & Hennessey, made a presentation on both applications and answered questions.

2. **ZB APPLICATION #220-10 - LGS, LLC & TPS ASSOCIATES, LLC - 244 & 248 WEST AVENUE and 50 GRENHART ROAD - Site & Architectural Plans and/or Requested Uses and Special Exception:** Applicant is proposing to construct a car dealership “Acura of Stamford” along with associated site work and landscaping. Property is located within the NX-D District.

Over the last ten years, the Land Use Bureau has been working diligently to make substantial improvements to the West Side neighborhood, especially the area between West Avenue and Diaz Street. This parcel is located at the southern end of West Avenue and Grenhart Road just north of I-95. As such, the placement of a high-end car dealership would be an improvement to the existing property. This use would further the Master Plan Policy and Implementation Strategies for the West Side neighborhood specifically WS1.4 and other West Side Neighborhood Policies and Implementation Strategies. Staff recommends approval of the ZBA application as well as the Zoning Board application and is compatible with neighborhood and consistent Master Plan Category #13 (Industrial - General).

After some discussion, Mr. Totilo recommended *approval* of **ZB Application #220-10** and 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, Buccino, Godzeno, Tepper and Totilo).

ZONING BOARD REFERRALS:

1. **ZBA APPLICATION #018-20 - DEBORAH BRANCATO, OF CARMODY TORRANCE SANDAK & HENNESSEY, representing TPS ASSOCIATES, LLC - 244 & 248 WEST AVENUE & 50 GRENHART ROAD - Motor Vehicle:** 244 West Avenue is currently vacant and 248 West Avenue is improved with a one-story 7,898 sq. ft. building and 50 Grenhart Road is improved with a one-story 6,045 sq. ft. building. The two (2) buildings were recently used by FleetPride for truck parts, storage and distribution and are currently vacant. Applicant is proposing to operate an Acura dealership on the property. All three (3) parcels will be consolidated into one (1) lot. The existing buildings at 248 West Avenue & 50 Grenhart Road will be repurposed for this use. A new 2,783 sq. ft. addition for service reception/parts is proposed.

After some discussion, Mr. Totilo recommended *approval* of **ZBA Application #018-20** and this request is compatible with the neighborhood and consistent with Master Plan Category #13 (Industrial - General); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

2. **ZBA APPLICATION #019-20 - RICHARD REDNISS, OF REDNISS & MEAD, representing TEMPLE BETH EL, INC. - 352 ROXBURY ROAD a.k.a. 350 ROXBURY ROAD - Special Exception:** The site is currently used as a religious institution including the main Synagogue, a two-story house, parking and playground. The applicant is proposing to modify the existing playground, which is approximately 6,300 sq. ft. and expand to approximately 8,100 sq. ft.

The applicant is required to apply for a Special Exception by the ZBA in order to modify the exiting playground of approximately 6,300 sq. ft. expanding the area to approximately 8,100 sq. ft., which is being funded through a private donation. The consultants for the applicant have reached out to the neighboring residents and all have been supportive. Staff recommends approval and this is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single Family).

After some discussion, Ms. Fishman recommended *approval* of *ZBA Application #019-20*. The Planning Board felt this is a wonderful in-kind use of the private donation to the Temple honoring their son. This request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Income Single Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Fishman, Tepper and Totilo).

OLD BUSINESS:

None.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

April 28, 2020

May 12, 2020

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:30 p.m.

Respectfully Submitted,

Theresa Dell, Chair
Stamford Planning Board

NOTE: *These proceedings were recorded on video and are available for review on the City of Stamford website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20 and in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.*