

STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, MAY 26, 2020
(REVISED JULY 13, 2020)
REGULAR MEETING &
PUBLIC HEARING *(CONTINUATION FROM MAY 12, 2020)*
VIA THE INTERNET & CONFERENCE CALL

Join Zoom Meeting
<https://us02web.zoom.us/j/87208518237>

Meeting ID: 872 0851 8237
Password: 395168

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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/87208518237>; **OR**
If not, **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=20*
- *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; Michael Boccino and Michael Totilo. Alternates: Claire Fishman and William Levin. Present for staff: David W. Woods, PhD, FAICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 7:10 p.m. and introduced the members of the Board and staff present.

PLANNING BOARD MEETING MINUTES:

April 28, 2020 (Tabled from May 12, 2020): After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Meeting Minutes of April 28, 2020; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

May 12, 2020: After a brief discussion, Mr. Buccino moved to recommend approval of the Planning Board Regular Meeting & Public Hearing Minutes of May 12, 2020; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

PUBLIC HEARING

MASTER PLAN AMENDMENT #MP-436 (PUBLIC HEARING CONTINUED FROM MAY 12, 2020):

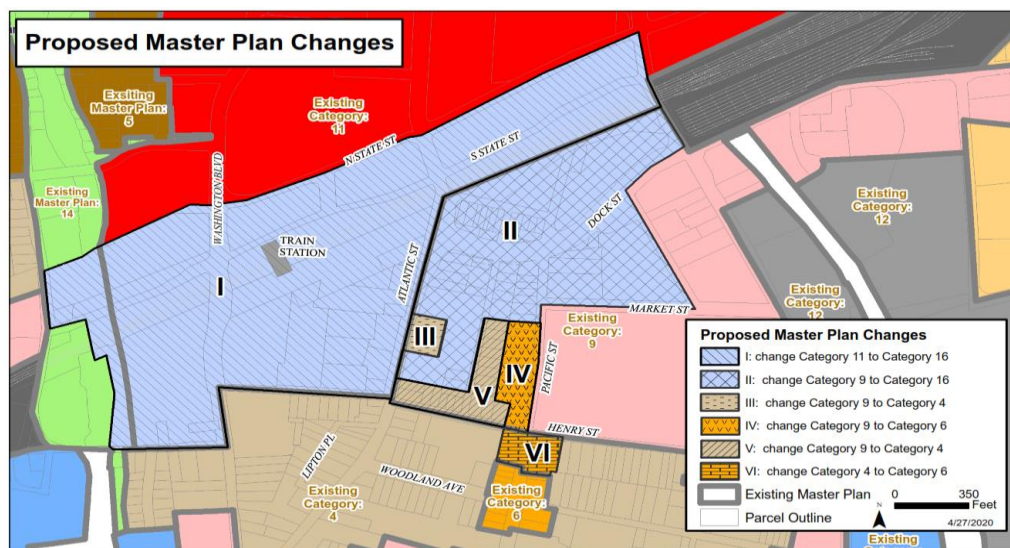
The Planning Board of the City of Stamford has submitted a Master Plan Amendment proposing the South End Transit-Oriented Development (TOD) District - Master Plan Category #16 and various Map Changes. The applicant is proposing the new Master Plan Category #16 - Transit-Oriented Development (TOD) District, below:

NEW - Master Plan Category #16 (Transit-Oriented Development District) [Revised]

This category is intended to support the development of high-density residential and corporate office development within walking distance of the Stamford Transportation Center and to create a bridge between and support Downtown with its retail, entertainment, residential, **hotels** and other uses, and the predominantly residential South End. Densities could equal those of Downtown, but uses shall be limited to primarily office and residential uses with **neighborhood** retail supporting these uses and commuters using the Stamford Transportation Center. The District shall be walkable but also accessible to the commuting public and maximize the potential of the Stamford Transportation Center. As the Gateway to Stamford, special attention must be given to: (1) excellence in architecture and urban design, (2) public amenities, (3) pedestrian enhancements, (4) adequate parking for all uses including commuter parking, (5) mixed-use development, and (6) the creation of transit supporting amenities.

In addition, the Planning Board has proposed Master Plan Map Changes for the following six areas:

- Area I:** Change from MP Category #11 (Downtown) to MP Category #16 (Transit-Oriented Development District)
- Area II:** Change from MP Category #9 (Urban Mixed-Use) to MP Category #16 (Transit-Oriented Development District)
- Area III:** Change from MP Category #9 (Urban Mixed-Use) to MP Category #4 (Residential-Medium Density Multifamily)
- Area IV:** Change from MP Category #9 (Urban Mixed-Use) to MP Category #4 (Residential-Medium Density Multifamily)
- Area V:** Change from MP Category #9 (Urban Mixed-Use) to MP Category #6 (Commercial - Neighborhood Business)
- Area VI:** Change from MP Category #4 (Residential-Medium Density Multifamily) to MP Category #6 (Commercial - Neighborhood Business)



Ms. Dell announced the continuation of the Public Hearing from May 12, 2020 and introduced Master Plan Amendment #MP-436 submitted by the Stamford Planning Board to add the new Master Plan Category #16 - Transit-Oriented Development District and various map changes.

Ms. Dell stated for the record the members of the Board and staff in attendance and explained this is a continuation of the Public Hearing from May 12, 2020 and will allow those from the public to speak who did not have the opportunity to address the Board at the May 12 meeting. Ms. Dell stated if you did speak on May 12 and had sent in additional comments, those comments were distributed to all the Board members and will be made part of the public record for this meeting. After initial discussions about the proposal, those who would like to speak will be called to address the Board, after that there will be a discussion with the Board and Dr. Woods and answer questions posed from May 12 after which the public portion of the Hearing will be closed. The Board will continue the discussion including Mr. Levin and Ms. Fishman. Once those discussions are finished, the meeting will then be closed to Mr. Levin and Ms. Fishman and the five members of the Planning Board will have final discussions and make their decision.

Ms. Dell asked Ms. Godzeno to read the Legal Notice for the Continuation of the Public Hearing into the record as follows:

APPL. MP-436 - Notice is hereby given that the Planning Board of the City of Stamford, CT held a Public Hearing on **Tuesday, May 12, 2020** via the Internet on Zoom to hear testimony on Master Plan Application #MP-436. There was no decision made and it was unanimously decided to continue the Public Hearing to **Tuesday, May 26, 2020 at 7:00 p.m.** All materials can be found on the Planning Board website at www.stamfordct.gov/planning-board-0. Should there be questions, please contact David W. Woods, PhD, FAICP, Deputy Director of Planning at either (203) 977-4718 or dwoods@stamfordct.gov.

ATTEST: THERESA DELL, CHAIR
 PLANNING BOARD

Dated at the City of Stamford, CT this 15th day of May 2020.

Ms. Dell wanted to address an issue asked to the Planning Board that was important to answer. The Planning Board had been asked why the Board of Representatives was not involved in the discussion. The Board of Representatives does not have anything to do with Master Plan revisions. The Board of Representatives is only involved when an application comes forward that an applicant has an issue with something that has been approved. It then goes to the Board of Representatives Land Use Committee and if they feel the Board of Representatives should be involved, it will then go before the Board of Representatives for a decision. The Board of Representatives does not have any input for Master Plan changes nor any input for Zoning Regulations changes. These changes are made specifically by the Planning Board and Zoning Board. The Board did want to make this clear as the question was asked by several members of the public.

Ms. Dell explained she would have Dr. Woods present an overview of the Master Plan Amendment from the May 12 meeting. After Dr. Woods is finished, those who would like to speak "In Favor" will be called; then those "Opposed" and finally anyone who would like to make any general comments.

Ms. Dell turned the meeting over to Dr. Woods.

Dr. Woods made a presentation providing a recap of Master Plan Amendment #MP-436. (Refer to PowerPoint presentation posted on the Planning Board website.)

Ms. Dell asked the Board if the public could speak first before the Board has their discussion. All agreed.

Ms. Dell called for those “In Favor” to address the Board as follows:

- Jeffrey Kravet - Resident
- Bill Janocha - South End Property Owner
- Caroline Vary, Partner/Managing Director of Asset Management - Jonathan Rose Companies (Metro Green Apartments)
- Kevin Byrd

Ms. Dell called for those “Opposed” to address the Board as follows:

- Maureen Boylan - Resident
- Mark Diamond - Member of Historic Neighborhood Preservation Program
- Paula Waldman - Resident

Ms. Dell called for anyone wanting to make “General Comments” as follows:

- Richard Redniss - Redniss & Mead

NOTE: For complete comments, please refer to the video at:
http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20

Ms. Dell made a final call for anyone who would like to speak before closing the public portion of the Hearing. There was no response.

Ms. Dell called for a motion to close the public portion of the Public Hearing.

Mr. Tepper made a motion to close the public portion of the Public Hearing; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

Ms. Dell then opened the meeting for discussion and questions among all the Board members.

NOTE: For complete comments, please refer to the video at:
http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20

After the Board had their discussion, Ms. Dell addressed questions posed at the May 12 meeting as follows:

- Provided further details on why the Board of Representatives is not involved in the Master Plan.
- Explained what was going on at the Stamford Transportation Center. This issue was regarding parking and the size of the development. (A question asked by Mr. Barry Michelson, former Zoning Board member).
- Explanation why this is being brought forward now with meetings via the Internet on Zoom and not waiting until a time when there can be face-to-face meetings.
- Why letters were not sent out to the public about this Master Plan Amendment.
- Language in the Master Plan regarding historical preservation and neighborhoods in the South End. Ms. Dell explained nothing was changed in this application with regard to historical preservation.
- Eminent Domain. Ms. Dell explained this was not part of this application and the Planning Board had already advised all Boards in its previous decision that Eminent Domain was to only be used after all discussions with the owners of said properties had been exhausted.
- B&S Carting site. Ms. Dell stated this parcel is not part of this Map Change.

NOTE: All correspondence received on this application was made part of the Public Record and distributed to all Board members.

Ms. Dell asked Ms. Fishman and Mr. Levin if they had any further comments before beginning discussions with the five regular Board members. With no further comments from Ms. Fishman or Mr. Levin, Ms. Dell continued the discussion with the five Board members.

Ms. Dell began deliberations to vote with the five regular Board members.

After some discussion, Ms. Dell called for a motion to approve the definition and addition of the new Master Plan Category #16 - Transit-Oriented Development District (TOD) and a motion for each Map Change for Area I through Area VI as follows:

1. Mr. Totilo made a motion to approve the definition and addition of the ***new Master Plan Category #16 - Transit-Oriented Development District (TOD)***; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).
2. Mr. Buccino made a motion to approve the Map Change identified as ***Area I: Change from MP Category #11 (Downtown) to MP Category #16 (Transit-Oriented Development District)*** of Master Plan Amendment #MP-436; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).
3. Ms. Godzeno made a motion to approve the Map Change identified as ***Area II: Change from MP Category #9 (Urban Mixed-Use) to MP Category #16 (Transit-Oriented Development District)*** of Master Plan Amendment #MP-436; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).
4. Mr. Tepper made a motion to approve the Map Change identified as ***Area III: Change from MP Category #9 (Urban Mixed-Use) to MP Category #4 (Residential-Medium Density Multifamily)*** of Master Plan Amendment #MP-436; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

NOTE: AS OF THIS DATE, JULY 13, 2020, IT WAS DISCOVERED THE DESCRIPTIONS FOR AREA IV AND AREA V WERE PRESENTED AND VOTED ON INCORRECTLY AND ARE HEREBY CORRECTED AS FOLLOWS:

5. Mr. Totilo made a motion to approve the Map Change identified as ***Area IV: Change from MP Category #9 (Urban Mixed-Use) to ~~MP Category #4 (Residential-Medium Density Multifamily)~~ MP Category #6 (Commercial - Neighborhood Business)*** of Master Plan Amendment #MP-436; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).
6. Mr. Buccino made a motion to approve the Map Change identified as ***Area V: Change from MP Category #9 (Urban Mixed-Use) to ~~MP Category #6 (Commercial - Neighborhood Business)~~ MP Category #4 (Residential - Medium Density Multifamily)*** of Master Plan Amendment #MP-436; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).
7. Mr. Totilo made a motion to approve the Map Change identified as ***Area VI: Change from MP Category #4 (Residential-Medium Density Multifamily) to MP Category #6 (Commercial - Neighborhood Business)*** of Master Plan Amendment #MP-436; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

Ms. Dell announced Master Plan Amendment #MP-436 has passed and closed the Public Hearing.

Ms. Dell called for a short break.

Ms. Dell resumed the Regular Meeting and introduced the next item on the agenda.

REQUEST FOR AUTHORIZATION:

ETHEL KWESKIN THEATER OPERATION AGREEMENT BETWEEN THE CITY OF STAMFORD

AND CURTAIN CALL, INC.: The City of Stamford (the “City”) is the owner of a certain premises known as the “Sterling Farm Golf Course” and a portion of said premises contains a theater known as the “Kewskin Theater” to be operated by Curtain Call, Inc. (“Operator”). The current Operation Agreement expires on June 30, 2020 and the City of Stamford hereby exercises its option to extend the Agreement for the Renewal Term of July 1, 2020 through June 30, 2030. The City shall provide the Operator with an annual stipend, which shall be used exclusively to defray the cost of utilities, maintenance and security bills servicing the Premises. The Operator must provide the City with an annual audit of said expenditures no later than December 31st of each calendar year. The annual stipend, in accordance with the schedule set forth below, shall be paid by October 1st of every year beginning on the first year of this Agreement and on each anniversary thereafter as follows:

1. July 1, 2020 through June 30, 2021:	\$80,000.00
2. July 1, 2021 through June 30, 2022:	\$80,000.00
3. July 1, 2022 through June 30, 2023:	\$85,000.00
4. July 1, 2023 through June 30, 2024:	\$85,000.00
5. July 1, 2024 through June 30, 2025:	\$90,000.00
6. July 1, 2025 through June 30, 2026:	\$90,000.00
7. July 1, 2026 through June 30, 2027:	\$95,000.00
8. July 1, 2027 through June 30, 2028:	\$95,000.00
9. July 1, 2028 through June 30, 2029:	\$100,000.00
10. July 1, 2029 through June 30, 2030:	\$100,000.00

Ms. Dell stated upon review of the contract it was felt by the Board that an increase in the stipend was not appropriate at this time due to the current COVID-19 situation and required further due diligence with staff and all parties involved.

Ms. Dell called for a motion to **Table** the Theater Operation Agreement for the Ethel Kewskin Theater to the June 9, 2020 meeting.

Mr. Buccino made a motion to **Table** the Theater Operation Agreement for the Ethel Kewskin Theater to the June 9, 2020 meeting; seconded by Mr. Totilo and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #022-20 - ZACHARY PHILLIPSON & ALISON FITZSIMMONS - 21 KENILWORTH DRIVE WEST - Variance of Table III, Appendix B:** Applicant owns an existing one-story dwelling with a shed and is proposing to add a 20 ft. 6 in. x 11 ft. 2 in. one-story addition to the existing dwelling and a 25 ft. x 30 ft. garage accessory building. Applicant is requesting 22.5% building coverage for the existing dwelling, the proposed dwelling addition and proposed accessory garage in lieu of the 20% maximum.

The issue here is how the current building is consistent with the neighborhood. The question for the Planning Board is to decide if putting the driveway at the edge of the property would encroach on the neighboring house to the north too much and if it is really necessary to build what seems to be an oversized garage in the backyard. If they made the accessory building smaller by 2.5%, they would not need a variance for the proposed one-story garage accessory building.

After a brief discussion, Mr. Tepper recommended **denial** of **ZBA Application #022-20** with the recommendation the applicant construct the garage in conformance with the zoning ordinance (2.5% smaller) so as not to need a variance for an accessory structure and that this request is incompatible with the neighborhood and inconsistent with Master Plan Category #2 (Residential - Low Density Single-Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

2. **ZBA APPLICATION #023-20 - ANTHONY STRAZZA, of STRAZZA CONSULTING, representing JANA STRUKOVA - 26 REMINGTON STREET - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling with a detached garage and is proposing a 750 sq. ft. second floor addition over the existing first floor footprint for a second dwelling unit. Applicant is requesting: (a) allowance to construct the second floor addition over the existing first floor footprint; (b) a side yard setback of 4 ft. in lieu of the 8 ft. required; (c) a streetline setback of 6 ft. in lieu of the 15 ft. required; and (d) a street center line setback of 28.5 ft. in lieu of the 40 ft. required.

After a brief discussion, Mr. Tepper recommended **approval** of *ZBA Application #023-20* and that this request is compatible with the neighborhood and consistent with Master Plan Category #4 (Residential - Medium Density Multifamily); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

3. **ZBA APPLICATION #025-20 - ROMMEL & FRANCES NOBAY - 80 PALMER STREET - Variance of Section 10A & Section 6:** Applicant owns a single-family dwelling with a garage built in the 1920s. Applicant is proposing to add a dormer to the existing garage and will not change the location, footprint or ridge height of the roof. Applicant is requesting: (a) a variance of Section 10A to expand a non-conforming garage and add a second floor and (b) a variance of Section 6 to have an accessory structure in the front yard expanded to add a new second floor with no change in footprint.

Applicant is gravely expanding this non-conforming use and should just update the structure and bring it to current Zoning Code.

After a brief discussion, Mr. Tepper recommended **denial** of *ZBA Application #025-20* due to excess coverage and that they began construction without prior approval and that this request is incompatible with the neighborhood and inconsistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

OLD BUSINESS:

None.

NEW BUSINESS:

Ms. Dell stated everyone should have received an updated Planning Board meeting schedule and announced that due to the current situation, there may be a meeting scheduled in July. Dr. Woods will keep everyone posted.

Next regularly scheduled Planning Board meetings are:

June 9, 2020

June 30, 2020

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:15 p.m.

Respectfully Submitted,

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: *These proceedings were recorded on video and are available for review on the Planning Board website at <https://www.stamfordct.gov/planning-board-0>*