

STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, MAY 21, 2019
REGULAR MEETING
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary (Arrived at 6:40 p.m.). Alternates: Claire Fishman (Arrived at 6:40 p.m.), William Levin and Roger Quick. Absent: Michael Buccino and Michael Totilo, Voting Members. Present for staff: David W. Woods, PhD, AICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 6:30 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 19, 2019 (Tabled from April 9, April 23 & May 7, 2019): Tabled until June 4, 2019.

May 7, 2019: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of May 7, 2019; Mr. Quick seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Quick, Tepper, and Totilo).

REQUEST FOR AUTHORIZATION:

1. **LATHON WILDER CENTER REPURPOSING (\$150,000.00):** This is a Resolution authorizing the Mayor to enter into an agreement with the Connecticut State Department of Economic and Community Development for funding assistance for Lathon Wilder Center repurposing. One of the recommendations from the recently adopted South End Neighborhood Study (“SENS”) developed by the consultant team Collective for Community, Culture and Environment (CCCE) was the proposal to create a civic campus centered on and around the historic Lathon Wider building, which includes the symmetrical façade on Henry Street and the main character-defining elements of the building. The focus area is specifically the block in the South End neighborhood where the Lathon Wider Civic Campus is located, in the middle of the South End with the borders of Henry Street along the north, Woodland Avenue along the south, Atlantic Street to the east, and Pacific Street to the west.

In order to implement the findings and recommendations of the South End Neighborhood Study (SENS), especially focusing on the recommendation for the Civic Campus (SENS: 38), the City applied for an Urban Action Grant with the Connecticut State Department of Economic and Community Development for \$150,000.00. The purpose of this Resolution is for the City to accept these funds from the State. Staff recommends approval as this study is consistent with both the Master Plan and South End Neighborhood Study.

After a brief discussion, Mr. Quick recommended approval of the Resolution to Repurpose the Lathon Wilder Center in the amount of \$150,000.00 and this request has been reviewed pursuant to Connecticut General Statute Section 8-24 and Section C6-30-13 of the City Charter and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Quick, Levin and Tepper).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #219-07 - 1719, LLC - 17 & 19 DIAZ STREET - Site & Architectural Plans and/or Requested Uses and Special Exception:** Applicant is seeking to construct a two (2) story, 18,042.6 sq. ft. building along with associated site improvements. The new building will be part of Accurate Lock & Hardware Company, Inc.’s Light Industrial campus and will be located within the NX-D Zoning District.

Accurate Lock & Hardware is requesting the first Special Exception under the recently approved NX-D Zoning District on the West Side. This is the model example of developmental proposal that was envisioned by the Planning Board and Zoning Board when this new NX-D Zoning district was adopted.

Debra Brancato, of Carmody Torrence Sandak Hennessey, made a presentation on this Special Exception application and answered questions from the Board. After a brief discussion, Mr. Levin recommended **approval** of **ZB Application #219-07** and that 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, Fishman, Godzeno, Levin and Tepper).

2. **ZB APPLICATION #219-08 - RICHARD REDNISS (22 1ST CORP.) REPRESENTING THOMAS GALLAGHER - 53 LARKIN STREET - Text Change:** Applicant is proposing to add “Funeral Parlor” (#107) to the permitted as-of-right uses in the M-G (General-Industrial) Zoning District in Table II-Appendix A.

Richard Redniss, of Redniss & Mead, is proposing a Text Change to add “Funeral Parlor” (#107) to the permitted as-of-right uses in the M-G (General-Industrial) Zoning District in Table II-Appendix A. Staff concurs that funeral parlors are an appropriate use in the M-G Zone (General - Industrial); however, Staff recommends the M-L Zone also be included as an appropriate use in the M-L (Light Industrial) Zoning District. If the Zoning Board approves this Text Change, it is requested to be amended to include the M-L zone as well. After a brief discussion, Mr. Levin recommended **approval** of **ZB Application #219-08** and that this request is compatible with the neighborhood and consistent with Master Plan Category Master Plan #13 (Industrial - General); Mr. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Tepper).

3. **ZB APPLICATION #219-05 - FEE FD STAMFORD, LLC - 507/523 CANAL STREET & 46 JOHN STREET - Map Change:** Applicant is seeking a map change from the M-G Zoning District to the MX-D Zoning District.
4. **ZB APPLICATION #219-06 - FEE FD STAMFORD, LLC - 507/523 CANAL STREET & 46 JOHN STREET - Site & Architectural Plan and/or Requested Uses, General Development Plan (“GDP”), Coastal Site Plan Review and Special Exception (2):** Applicant is proposing to construct an apartment building with 173 units, indoor and outdoor amenities and onsite parking along with associated landscaping and site improvements.

The two Zoning Board applications above were heard together and Staff recommended the Planning Board make three (3) separate motions as follows: (1) ZB Application #219-05 - Map Change; and ZB Application #219-06 - Staff recommends two separate recommendations: (2) collectively the Site & Architectural Plan and/or Requested Uses, General Development Plan (“GDP”) and one Special Exception request for parking and (3) the second Special Exception for alternative methods of meeting BMR requirements.

MOTIONS AS FOLLOWS:

ZB #219-05 - Map Change: After some discussion, Mr. Tepper recommended **approval** of **ZB Application #219-05** and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Tepper).

ZB #219-06 - Site & Architectural Plan and/or Requested Uses, GDP and Special Exception request for Parking: After some discussion, Mr. Quick recommend **approval** of **ZB Application #219-06 for the Site & Architectural Plans and/or Requested Uses, GDP and the Special Exception pursuant to Sections 9-AAA-4-b-v and 12-D-1-c** with the recommendation that (1) parking be provided for each unit and is bundled into the rental cost per unit and (2) all parking should be inside with no consideration of street parking; this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Quick and Tepper).

ZB #219-06 - Special Exception request pursuant to Section 9-AAA-4-b-vi to provide 14 (8%) BMR units on-site; in lieu of providing 17.3 (10%) BMR units. In 2017, the Planning Board amended the definition of Master Plan Category #9 (Urban Mixed-Use) to allow 162 units per acre as opposed to the 108 units for Master Plan Category #5 (Residential - High Density Multifamily), which represents a 50%

increase in units per acre. The Planning Board contends the applicant should be required to provide 17 BMR units (with the .3 being fee-in-lieu) instead of the 14 units requested.

After considerable discussion, Mr. Levin recommended **DENIAL** of ***ZB Application #219-06 for the Special Exception request pursuant to Section 9-AAA-4-b-vi*** for the following reasons:

- a. The Planning Board recommends the Zoning Board **deny** all proposals that do not consist of providing at least 10% BMR requirement.
- b. The Planning Board is concerned that approval of developments less than 10% will exacerbate precedents for reduction in other BMR requirements for other development proposals.
- c. The Planning Board recommends **denial** of all Community Benefits Agreements made prior to approval since it is clear only a small segment of stakeholder representatives (in this case the South End NRZ) were invited to the table; thus, representing their interests and not the interests of the entire South End.

The Board found this request to be incompatible with the neighborhood and inconsistent 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, Quick and Tepper).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #032-19 - JOSEPH, CARLA & DIANE BONACCI - 2005 HIGH RIDGE ROAD - Variance of Table III, Appendix B:** Applicant owns an existing single family residence and is proposing to construct a 12 ft. x 15 ft. deck at the rear of the dwelling and will be naturally screened by existing vegetation. Applicant is requesting a rear yard setback of 36 ft. in lieu of the 60 ft. minimum allowed.

This is a very odd shaped lot and the house was built before zoning. The applicant is proposing to build a deck in the rear lot which is really the only place they can place it given the wetlands to the north on the property. After a brief discussion, Mr. Tepper recommended **approval** of ***ZBA Application #032-19*** and that this request is compatible with the neighborhood and consistent with Master Plan Category Master Plan #1 (Residential - Very Low Density); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Quick and Tepper).

2. **ZBA APPLICATION #033-19 - ANUJ GUPTA - 38 WEST WASHINGTON AVENUE - Variance of Table III, Appendix B (Schedule of Requirements for Area, Height and Bulk of Buildings):** Applicant owns an existing two (2) story two (2) family dwelling with one (1) residence on the first floor and one (1) residence on the second floor and includes a two (2) car garage at the rear of the lot. The existing building is structurally unsound and does not comply with Zoning and flood regulations. Applicant is proposing to add an additional story while still keeping with a two (2) family dwelling. Each unit will consist of three (3) bathrooms, three (3) bedrooms, a garage, a kitchen and a living room. The envelope complies with all Zoning and flood regulations. The total footprint is 1,447 sq. ft. Applicant is requesting to retain the existing two (2) family use for the new proposed structure and is seeking an allowance of residential density square footage of 2,420 sq. ft. per family in lieu of 3,000 sq. ft. per family.

Given the age of this existing two-story, two-family home, the applicant needs to totally demolish and rebuild. However, in order to maintain a two-family structure in an R-5 (Multifamily Medium Density) Design District, the applicant needs variances for the following:

- A minimum of 3,000 sq. ft. per family; proposing 2,420 sq. ft. per family.
- Height for two-family dwelling is 2½ stories; applicant is proposing three-stories. Note: the difference most likely is raising the house to meet FEMA requirements].
- An overall lot size of 6,000 sq. ft. required; Existing - 4,840 sq. ft.

From Staff perspective in supporting this application, if approved, the applicant would have met all the requirements for FEMA. In addition, a new two-family dwelling will clearly be an improvement over the existing two-family house and they are not exacerbating what is the existing non-conforming use.

On the other hand, the applicant is able to tear down this house and build a new single-family dwelling with only a variance for lot size for a single-family dwelling in an R-5 zone on 5,000 sq. ft. (As stated above the lot is 4,840 sq. ft.)

The Planning Board had considerable discussion on the proposed demolition and rebuilding of the two units, which currently is a legal non-conforming use, since it was built on a considerably smaller lot (4,840 sq. ft.) than the current regulations for the R-5 Zone (6,000 sq. ft. for a two-family dwelling) and the proposed minimum square foot per family needed are considerable variances (Required - 3,000 sq. ft. / Proposed - 2,420 sq. ft.). If the applicant built a single-family house, the minimum lot size would be 5,000 sq. ft. The existing lot size is 4,840 sq. ft. which is much closer in keeping with the current zoning. Mr. Quick recommended **approval** of **ZBA #033-19** accepting the variances required to rebuild a new two-family dwelling and that this request is compatible with the neighborhood and consistent with Master Plan Category #3 (Residential - Low Density Multifamily); Mr. Levin seconded the motion and passed with eligible members voting, 4-1 (Tepper-Godzeno-Quick-Levin - In Favor / Dell - Against). The Board's reasons are the two-family residence are in keeping with the neighborhood, which consists mostly of rental units and this proposal is one of the few proposals to build housing for families (3-bedrooms & 1-bedroom studios). Ms. Dell was uneasy about the intensity of the variances needed to tear down and construct a new building. Ms. Dell feels if the building were to be renovated, it would fall under the old Zoning regulations but if the building is torn down and a new dwelling constructed, it should comply with the new Zoning codes. If a new single-family house were built, there would be only a minor variance for overall lot size.

OLD BUSINESS:

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

June 4, 2019 - Regular Meeting & Public Hearing

June 25, 2019

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

Respectfully Submitted,

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: *These proceedings were recorded on video and audio and are available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.*