

STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, AUGUST 6, 2019
REGULAR MEETING
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

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

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

Mr. Tepper introduced the first item on the agenda.

REQUEST FOR AUTHORIZATION:

- 1. OPTIMUS HEALTH CARE, INC. LEASE AGREEMENT:** Optimus Health Care, Inc. is requesting office space at the Government Center on the 8th Floor of approximately 1,375 sq. ft. with a rental fee of \$28,800.00 per year for the first five (5) years of the Term. The Lease shall commence, retroactively, on December 29, 2018 and terminate one (1) year thereafter. This Lease Agreement shall automatically renew for one (1) additional year every year thereafter. Rent for the subsequent years shall be renegotiated for each extension period provided for by the Terms of this agreement.

This is a lease agreement for Optimus Health Care for space in the Government Center on the 8th floor for a monthly rent of \$28,000.00 for the first five (5) years of the term. As per the city Charter, approval of lease agreements for City property requires approval by the Planning, Board of Finance and Board of Representatives, in that order. Staff recommends approval.

After a brief discussion, Mr. Buccino recommended approval of the Optimus Health Care, Inc. Lease Agreement 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. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Godzeno, Levin, Tepper and Totilo).

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:

- 1. TRAFFIC CALMING IMPLEMENTATION - PROJECT #CP8219 (\$13,480.00):** To install a rectangular rapid flashing beacon on Atlantic Street @ Bell Street as part of the conditions from Zoning Board Application #218-19 for the approval of 885 Washington Boulevard.

In May 2018 the Zoning Board approved the Lennar ZB Application #218-19 with modifications (St. John's Tower #1). Condition No. 7 of the approval required the developer to install a rectangular rapid flashing beacon on Atlantic Street @ Bell Street. This payment goes in part to meeting this condition. Staff recommends approval of accepting the payment of \$13,480.00 and is consistent with Master Plan Category #11 (Downtown).

After a brief discussion, Mr. Totilo recommended approval of the Traffic Calming Implementation - Project #CP8219 in the amount of \$13,480.00 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. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Godzeno, Levin, Tepper and Totilo).

2. **CITYWIDE SIGNALS - PROJECT #C56174 (\$40,000.00):** As part of the Zoning Board Application #218-55 approval for 201 High Ridge Road, the applicant was required to provide \$40,000.00 to be used towards the installation of a pedestrian signal across High Ridge Road at Terrace Avenue including the installation of a crosswalk and ADA curb ramp at Terrace Avenue.

Similar to the application above, in January 2019 the Zoning Board unanimously approved, as modified, ZB Application #218-55 - the Senior Housing & Nursing Home Complex located at 201 High Ridge Road. Condition No. 4 of the Zoning Board Certificate of approval calls for the applicant to pay \$40,000.00 to TTPB to be used for installation of a pedestrian signal across High Ridge Road at Terrace Avenue including the installation of a crosswalk and ADA curb ramp at Terrace Avenue. Staff recommends approval of accepting the payment of \$13,480.00 and is consistent with Master Plan Category #11 (Downtown).

After a brief discussion, Ms. Godzeno recommended approval of the Citywide Signals - Project #C56174 in the amount of \$40,000.00 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. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Godzeno, Levin, Tepper and Totilo).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #219-18 - RXR ATLANTIC STATION OWNER II, LLC - 421 ATLANTIC STREET - Text Change:** Applicant is requesting an amendment to Article II, Section 2.A (Definition) by adding a new Definition 74.35 “Pet Daycare.” Applicant is also requesting an amendment to Appendix A by adding “Pet Daycare” as 145.2 (maintains all same zones as kennel plus CC-N).

Amy Souchuns, attorney with Hurwitz Sagarin Slossberg & Knuff representing the applicant, was available to answer questions.

The applicant, RXR Atlantic Station Owner II, LLC; is proposing to add a new definition “Pet Daycare” to Article II, Section 2.A to allow the daily care of pets and to add “Pet Daycare” as 145.2 in Appendix A which would allow pet daycare as-of-right in the CC-N, M-L & M-G Districts and by variance from the ZBA in the Commercial Industrial (C-I) District. As the applicant describes, pet daycare centers are “a burgeoning industry” as more apartment dwellers have pets which need care. As such, allowing this use, which by its nature does not create major impacts on the neighborhood, makes good planning sense. Staff concurs with the applicant’s assessment that this new use would be consistent with Master Plan Policies 3B.4 (“Encourage the reconfiguration of existing office and retail space to accommodate market trends and potential new users”) & 3B.1 (encouraging higher density housing downtown to “support an active live/work Downtown, promote transit use and enhance the vitality of Downtown as an attractive, walkable city center for living, working and entertainment”). Pet daycare facilities often fill traditional retail space in close proximity to dense residential developments because residents seek out this type of use, just as they would dining and personal services. Stamford should be no different.

Staff recommends approval with the following recommendation to the Zoning Board:

- a. The uses identified under 145.2 in Appendix A (CC-N, C-L, M-L & M-G) should all be as-of-right.

This is consistent with the Master Plan Categories in which the CC-N, C-I, M-L and M-G zones are allowed.

After a brief discussion, Mr. Buccino recommended **approval** of **ZB Application #219-18** with the following recommendations: (a) all zoning districts to be made as-of-right and (b) conditions spelled out regarding noise and design protections for the public and/or adjacent/adjoining offices; and that this request is compatible with the neighborhood and consistent with the Master Plan Categories in which the CC-N, C-I, M-L and M-G zones are allowed.; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Godzeno, Levin, Tepper and Totilo).

SUBDIVISIONS (Scheduled for the August 27, 2019 Meeting):

1. **SUBDIVISION #4037 - D'ANDREA SURVEYING & ENGINEERING, PC representing CARL & MARY ANN SHANAHAN - 280 OCEAN DRIVE EAST - 3 LOTS [PUBLIC HEARING]:** The property is approximately 2.17 acres and is located on the eastern side of Ocean Drive East approximately 550 feet south of the intersection with Fairview Avenue.
2. **SUBDIVISION #4039 - VIADUCT LANDHOLDINGS, MANAGEMENT & DEVELOPMENT, LLC - 57 VIADUCT ROAD - 2 LOTS:** The property is approximately 1.854 acres and is located on the eastern side of Viaduct Road and west of the Town of Darien and the Noroton River. The site is currently fully developed with two (2) existing buildings, parking and associated infrastructure. The proposed subdivision will create two (2) building lots, each containing an existing building.
3. **SUBDIVISION #4041 - D'ANDREA SURVEYING & ENGINEERING, PC representing 16 JAMROGA, LLC - 16 JAMROGA LANE - 2 LOTS:** The property is an existing residential property with a lot area of approximately 0.43 acres located on the westerly side of Jamroga Lane approximately 200 feet north of the intersection of Oaklawn Avenue and Jamroga Lane in the R-7½ residential zoning district.

Dr. Woods explained that as part of revising the Subdivision Regulations it was found that applications received should be announced at the meeting prior to coming before the Planning Board. Dr. Woods gave a brief review of each Subdivision Application scheduled for the August 27, 2019 meeting.

PLANNING BOARD MEETING MINUTES:

June 25, 2019: After a brief discussion, Mr. Buccino moved to recommend approval of the Planning Board Minutes of June 25, 2019; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 3-0 (Buccino, Tepper and Totilo). (Ms. Fishman, Ms. Godzeno and Mr. Levin were ineligible to vote as they were absent at the June 25, 2019 meeting.)

OLD BUSINESS:

Dr. Woods had two items. First, to welcome Ms. Fishman back as she had been absent from meetings for the past couple of months and to present Ms. Fishman with a Proclamation from the Mayor acknowledging and offering congratulations on her 85th birthday. Second, requested by Ms. Dell, was to officially announce that Roger Quick has left as Alternate on the Planning Board and has accepted the position as a Voting Member on the Zoning Board.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:
August 27, 2019 - Regular Meeting & Public Hearing
September 10, 2019 - Regular Meeting

There being no further business to come before the Board, Mr. Tepper adjourned the meeting at 6:50 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.