

**STAMFORD PLANNING BOARD  
APPROVED MINUTES - TUESDAY, AUGUST 7, 2018  
REGULAR MEETING  
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA  
888 WASHINGTON BLVD., STAMFORD, CT**

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

Ms. Dell called the meeting to order at 6:40 p.m., introduced the members of the Board and staff present and introduced the first item on the agenda.

**ZONING BOARD REFERRALS:**

**1. ZB APPLICATION #218-34 - CONGREGATION AGUDATH SHOLOM - 301 STRAWBERRY HILL AVENUE - Special Exception and Site & Architectural Plans and/or Requested Uses:**

Applicant is proposing renovations to the existing building consisting of an expanded lobby, a new coat room, classroom space and revised parking and drop-off design. Reconstruction as a result of the RMS joint development. Property is located within the RM-1 Zone.

Mr. Raymond Mazzeo, of Redniss & Mead, made a presentation and answered questions from the Board. The existing religious institution located on 2.8 acre site in Master Plan Category #3 in the RM-1 District is proposing minor improvements to the existing building. Such improvements include an expanded entry lobby, new dedicated classroom space, and a new coat room. The new lobby will create a more appropriate and welcoming entrance, with better visibility and security. The new classrooms will give young members of the congregation dedicated learning space that is separated from pre- and post-function gatherings taking place within the building. As part of the improvements the parking lot will be reconfigured to reduce the existing number of curb cuts, move existing driveways further from the intersection of Strawberry Hill and Colonial Road, and create a more efficient and logical interior drop-off loop. Together the site and building improvements will enhance the overall functionality of the facility to better serve its members and the surrounding neighborhood.

After a brief discussion, Mr. Quick recommended **approval** of **ZB Application #218-34** and that this request is compatible with the neighborhood and consistent with Master Plan Category #3 (Residential - Low Density Multifamily); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Quick, and Totilo).

**2. ZB APPLICATION #218-35 & #218-36 - 819 EAST MAIN STREET, LLC and PAUL & MARILYN BURRIESCI - 819, 821, 823, 825 & 827 EAST MAIN STREET and 27, 29 & 31 LAFAYETTE STREET - General Development Plan ("GDP") & Special Exception and Map Change:** Applicant is proposing to demolish a retail commercial building and three (3) residential dwellings to construct, in the same space, a residential building containing sixty-three (63) apartments, ground floor retail/flex amenity space and on-site parking. Applicant is also seeking a map change from present Zone C-I to proposed Zoning District MX-D.

Mr. Raymond Mazzeo, of Redniss & Mead, made a presentation on both applications and answered questions from the Board.

**Map Change (ZB #218-35):** Proposed Zone change from C-I to MX-D for property located in Master Plan Category #9 (Urban Mixed-Use). After a brief discussion, Mr. Totilo recommended **approval** of ***ZB Application #218-35*** and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Totilo).

**Special Exception (ZB #218-36):** The applicant proposes to redevelop existing commercial and multifamily properties to create a new residential building with 63 apartments consistent with the MXD-Infill Standards. The proposed building will include ground floor retail/flex amenity space with 5 levels of apartments above in a mix of 1- and 2-bedroom units. A total of 79 on-site parking spaces will be located below and behind the building with both structured and surface spaces. The proposal intends to provide 7 on-site BMR units and a fractional (0.05 units) fee-in-lieu payment. The proposed development is consistent with Master Plan Category #9, the MXD Infill Regulations, and the East Main Street Corridor Neighborhood Plan. The application also received a strong endorsement from the East Side Partnership. After a brief discussion, Ms. Godzeno recommended **approval** of ***ZB Application #218-36*** and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Totilo).

**ZB APPLICATION #218-39 & #218-40 - BDCM REAL ESTATE HOLDINGS, LLC - 2187 ATLANTIC STREET - Text Change and Special Exception:** Applicant is proposing to amend Article IV, Section 10-K (Non-Conforming Uses) and is also proposing to transform the existing penthouse into a collaborative work space and amenity area with several conference rooms and casual open meeting spaces. The renovation will extend the penthouse out to meet the building façade and enclose the dead space in between. The proposal will also create outdoor meeting and amenity space on either side of the penthouse.

Ms. Dell asked Dr. Woods to provide the Staff's perspective on this application. Dr. Woods, in a broad outline, explained to the Board how the workforce amenities have changed and how this proposal is consistent with the Master Plan.

Ms. Lisa Feinberg, attorney with Carmody Torrance Sandak Hennessey, then made a presentation on both applications focusing on the purpose of the requests which is to re-engineer the existing building to appeal to the current workforce which requires the small addition to the existing Floor to Area Ratio. Ms. Feinberg spent a little time on how their proposal directly implements economic development elements of the Master Plan, further enhancing what Dr. Woods explained. Afterwards, Ms. Feinberg answered questions from the Board.

**Text Change (ZB #218-39):** The applicant is proposing to amend Article IV, Section 10-K of the regulations to apply to the C-WD zone and include "collaborative work space" in the allowable expansion criteria. After a brief discussion, Mr. Levin recommended **approval** of ***ZB Application #218-39*** and that this request is compatible with the neighborhood and consistent with Master Plan Category #10 (Shorefront Mixed-Use); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Totilo).

**Special Exception (ZB #218-40):** The applicant is proposing to transform an existing office penthouse into a collaborative work space and amenity area with several conference rooms and casual open meeting spaces. The renovation will extend the penthouse out to meet the existing building façade and incorporate architectural elements through to the 9th floor below. The new façade will marry the architecture of the top of the building to the recently constructed lobby at the base. The proposed changes are to facilitate the relocation of the building owner's offices from Greenwich to Stamford. The

plan achieves the Master Plan objectives to “encourage modernization of office space” and “encourage the reconfiguration of existing office and retail space to accommodate the market trends and potential new users.” After a brief discussion, Ms. Fishman recommended **approval** of **ZB Application #218-40** and that this request is compatible with the neighborhood and consistent with Master Plan Category #10 (Shorefront Mixed-Use); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Totilo).

### **REQUEST FOR AUTHORIZATION**

#### **SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:**

- 1. AFFORDABLE HOUSING/ZONING INITIATIVE - PROJECT #C46580:** Funding in the amount of \$805,648.00 for affordable housing sourced from payments from developers who have received Zoning Board approval to make a payment into this fund rather than satisfying some or all of their obligations to assist affordable housing with on-site units under Stamford’s Inclusionary Zoning Regulation. Accordingly, as per Zoning Board Certificate #217-30, RMS Colonial Road, LLC is providing a “fee-in-lieu” payment to complete satisfaction of Condition #4.

Of the \$805,648.00 to be placed in the Affordable Housing Fund, \$640,000.00 is derived from Phase 2 of the RMS Colonial Road project and the remaining \$165,648.00 is the payment of .8 BMR units from Element One (f.k.a. Morgan Lofts).

NOTE: The fee-in-lieu payment from the RMS Colonial Road project was in 2 phases. Phase 1 in the amount of \$850,000.00 was paid directly to Inspirica, which has been fulfilled; Phase 2 is to be placed in this fund.

After a brief discussion, Ms. Godzeno recommended approval of the Affordable Housing/Zoning Initiative - Project #C46580 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 Housing Policy; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Totilo).

- 2. VETERAN’S PARK - PROJECT #CP5602:** Full renovation of the park in the amount of \$2,000,000.00 includes rearrangement of the monuments along a timeline, placing them in historical order; tiered amphitheater seating, new pavers throughout, plaza/thoroughfare/event space featuring a center star, each point for one of the five branches of the military; new entrance that is open and welcoming with a gateway sign; new landscaping, lighting and site amenities (benches, etc.).

After a brief discussion, Mr. Quick recommended approval of the Veteran’s Park Renovation - Project #CP5602 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 compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Totilo).

- 3. MILL RIVER IMPROVEMENTS - PROJECT #CP0050:** Funding in the amount of \$370,000.00 for the transport and disposal of impacted soil generated by the construction of the ice rink at Mill River Park.

This is for removal and disposal of contaminated soil from the construction of the Mill River Park Ice Rink. After a brief discussion, Mr. Quick recommended approval of the Veteran's Park Renovation - Project #CP5602 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 compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Quick and Totilo).

### **ZONING BOARD OF APPEALS REFERRALS:**

- 1. ZBA APPLICATION #026-18 - FRANKLIN J. RUDD REVOCABLE TRUST - 111 & 113 WEST HILL ROAD - Variance of Section 4-AA-1.2a and Table III, Appendix A:** Applicant owns two (2) single-family homes with a pool and pavilion. Applicant is requesting to consolidate the two (2) lots and allow both existing single-family detached homes to remain and construct a garage addition with living space above.

This application previously came before the Planning Board on March 20, 2018 and was approved. It is coming back a second time because the Zoning Board of Appeals requested the lot be consolidated.

After a brief discussion, Mr. Totilo recommended *approval* of *ZBA Application #026-18* and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno Levin, Quick and Totilo).

- 2. ZBA APPLICATION #027-18 - KECE PROPERTIES - 148 TOMS ROAD - Variance of Section 2A and Section 7I of the Stamford Zoning Regulations:** Applicant owns a presently vacant parcel measuring 6,314.94 sq. ft. and is proposing to construct a single-family dwelling. Under Sections 2A and 7I, applicant is requesting a merger of parcels with an area or width less than prescribed for a lot in a district which was under single ownership.

After two separate conferences with the Zoning Enforcement Officer of the City of Stamford, James Lunney, the applicant filed an application with the Zoning Board of Appeals seeking variances of Section 2A and 7I of the Stamford Zoning Regulations. Should the Zoning Board of Appeals approve the request, the applicant may develop the vacant parcel of land at 148 Toms Road in accordance with the R-7½ Zoning Regulations, the current designation.

Both Section 2A and 7I mandate the merging of parcels when, as a result of a change in zone, the area or width becomes less than prescribed for a lot in that district which was under single ownership. The subject parcel is over 6,000 sq. ft. in area and is completely consistent in size and character with all other parcels in the neighboring area. All other parcels are developed with single family residences. A change in the zoning designations to R-7½ resulted in this parcel becoming non-conforming. At the time of the change, this parcel was in common ownership with the abutting parcel directly to the west. As a result, under the current zoning definitions this parcel merged with the adjoining parcel. It is also important to note that at no time was this parcel used together with or in conjunction with the abutting parcel nor was there ever any actual notice of the merger provided to the homeowners either directly or indirectly, nor was notice thereof ever recorded on the Land Records. It is the position of Mr. Lunney that if the Zoning Board of Appeals determines that sufficient hardship exists and the Board grants the variances, then in such event he will sign off on a building permit for the construction of a single family residence on the subject premises so long as it is constructed in accordance with the standards of the current R-7½ zone.

After some discussion, Mr. Quick recommended **DENIAL** of ***ZBA Application #027-18*** for the following reasons: (1) the Planning Board agrees with the Zoning Enforcement Officer that this lot has been consolidated; and (2) the undersized lots require the applicant to return to the Zoning Board of Appeals for a variance allowing construction on an undersized lot; and (3) if the Zoning Board of Appeals grants the variance, then the applicant needs to come back to the Planning Board for a 2-lot subdivision. It is the opinion of the Board that the proposed application does not keep with the character of the neighborhood and finds this request inconsistent with Master Plan Category #2 (Residential - Low Density Single Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Totilo).

3. **ZBA APPLICATION #028-18 - RAMON MARTINS - 33 MOHEGAN AVENUE - Variance of Table III, Appendix B:** Applicant owns a one (1) story single-family residence where an existing shed and finished basement have been removed. Applicant is seeking to construct a second story addition over the existing footprint (23 ft. 8 in. x 33 ft. 8 in.); extend the chimney above the second story as per the Building Code and extend the front porch across the entire front of the house into the side yard and construct the second story porch over the first story. Applicant is requesting: (1) rear yard setback of 17.9 ft. in lieu of the 30 ft. required; (2) side yard setback of 3.8 ft. in lieu of the 6 ft. required to allow the second story addition and first & second story front porch additions; and (3) side yard setback of 1.7 ft. in lieu of 6 ft. to the chimney (Section 7d of Zoning Code to allow chimney).

This house was built prior to the 1987 re-zoning which created a legal non-conforming lot and means the applicant cannot do anything without a variance. The applicant would like to construct a new 2nd floor over the same floor covering the existing footprint.

After a brief discussion, the Board decided to **TABLE** ***ZBA Application #028-18*** until its August 28, 2018 meeting in order to determine if the requested improvements meet the Zoning regulations, to ensure the residence will be used as a single-family dwelling not a multiple family dwelling and to gather additional information from the applicant.

4. **ZBA APPLICATION #029-18 - ARTUR WAWRZONKIEWICZ - 38 CRANE ROAD - Variance of Table III, Appendix B:** Applicant owns a two (2) story, three (3) bedroom, two and a half (2½ ) bath single-family residence with a one (1) story addition. Applicant is seeking to construct a 7 ft. x 3 ft. 9 in. entry way to be constructed around the existing landing at front of the house. Applicant is requesting: [1] a front streetline setback of 36.8 ft. in lieu of the 40 ft. required; and [2] a street centerline setback of 61.8 ft. in lieu of the 65 ft. required.

Applicant requires minimal variances to make a minor expansion to the entry way and front of the house. After a brief discussion, Mr. Quick recommended ***approval*** of ***ZBA Application #029-18*** and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single Family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Quick and Totilo).

5. **ZBA APPLICATION #030-18 - WSD US, LLC - 299 LONG RIDGE ROAD (a.k.a. 295 LONG RIDGE ROAD) - Variance of Article IV, Section 10A and Appendix B, Table III:** Applicant owns an existing non-conforming restaurant and shed in an R-7½ zone. Applicant would like to expand by adding a coat closet and storage area with a total area of 293 sq. ft. Applicant is also seeking a front yard setback of 18 ft. in lieu of the 40 ft. required.

Like the application directly above, the applicant requires minimal variances to make a minor expansion by adding a coat closet and storage area. After a brief discussion, Mr. Levin recommended ***approval*** of ***ZBA Application #030-18*** and that this request is compatible with the neighborhood and consistent 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, Fishman, Godzeno Levin, and Totilo).

**PLANNING BOARD MEETING MINUTES:**

**Meeting of 06/19/18:** After a brief discussion, Mr. Totilo moved to recommend approval of the Planning Board Minutes of June 19, 2018; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno Levin, Quick and Totilo).

**OLD BUSINESS:**

**SUBDIVISION #4007 - BORIS & HELEN MILOSLAVSKY - 35 & 41 BERRIAN ROAD - EXTENSION OF TIME:** Applicant is requesting a two (2) year Extension of Time to perform the work due to issues with the original architect hired. That architect has been released and the applicant has contracted a new architect and they are ready to begin. The current expiration date is September 3, 2018.

After a brief discussion, Mr. Totilo recommended approval of the two (2) year Extension of Time to perform the work with a start date of September 4, 2018 and an end date of September 3, 2020 and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Ms. Fishman seconded the motion and passed unanimously with eligible members voting, 5-0 (Dell, Fishman, Godzeno, Quick and Totilo).

**NEW BUSINESS:**

Next regularly scheduled Planning Board meetings are:

August 28, 2018

September 17, 2018 (Monday) - SPECIAL MEETING IF NEEDED - Board of Finance Conference Room

September 25, 2018

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:35 p.m.

Respectfully Submitted,

Theresa Dell, Chair  
Stamford Planning Board

**NOTE:** These proceedings were recorded on video and audio tape 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.