

STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, NOVEMBER 13, 2018
CAPITAL BUDGET & PUBLIC HEARING
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT
6:00 p.m. - Capital Budget / 7:00 p.m. - Public Hearing

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary; Michael Buccino and Michael Totilo. Alternates: Claire Fishman, William Levin (arrived at 6:50 p.m.) and Roger Quick. Present for staff: David W. Woods, PhD, AICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 6:00 p.m. and introduced the members of the Board and staff present. Ms. Dell opened the discussion on the Capital Budget.

CAPITAL BUDGET:

1. Capital Budget Deliberations
2. Potential Capital Budget Requests

Ms. Dell closed the discussion on the Capital Budget and suspended the meeting to take a 5 minute break at 6:55 p.m.

Ms. Dell called the meeting back to order at 7:00 p.m. and began the Public Hearing.

PUBLIC HEARING STARTS AT 7:00 P.M.

Ms. Dell introduced the item to be heard for the Public Hearing.

MASTER PLAN AMENDMENT:

1. **MASTER PLAN AMENDMENT #430 - GAS SUMMER STREET, LLC - 2770 SUMMER STREET - Map Change:** Applicant is proposing to change the Master Plan designation to the rear portions of the properties commonly known as 2768 Summer Street; 2900 Summer Street and 2950 Summer Street from Master Plan Category #3 (Residential - Low Density Multifamily) to Master Plan Category #7 (Commercial - Arterial). The proposed change will result in the Master Plan designation being consistent throughout the entire properties currently being used for commercial purposes.

Ms. Dell then asked Ms. Godzeno to read the Legal Notice into the record as follows:

Legal Notice
Planning Board - City of Stamford

MP 430 -- Notice is hereby given that the Planning Board of the City of Stamford, CT will conduct a Public Hearing on Tuesday, November 13, 2018 at 7:00 p.m., in the Cafeteria, 4th Floor, Government Center Building, 888 Washington Boulevard, Stamford, CT, upon application of Gas Summer Street, LLC for approval of an Application for an Amendment to the Stamford Master Plan Map as follows:

Proposed change to the Master Plan designation to the rear portions of the properties commonly known as 2768 Summer Street; 2900 Summer Street and 2950 Summer Street from Master Plan Category #3 (Residential - Low Density Multifamily) to Master Plan Category #7 (Commercial - Arterial). The proposed change will result in the Master Plan designation being consistent throughout the entire properties currently being used for commercial purposes.

Ms. Dell then introduced Mr. Joseph Capalbo, Attorney representing the applicant, to make his presentation to the Board.

Mr. Capalbo notified the Planning Board that the applicant is requesting to postpone the Public Hearing until the December 11, 2018 meeting. Ms. Dell stated that, at this time, it is uncertain if there was room on the agenda to hold a Public Hearing. Ms. Dell told Mr. Capalbo she would have an answer for him by the November 27, 2018 meeting.

Ms. Dell then called for a motion to accept the applicant's postponement to the December 11, 2018 meeting (TBD). Mr. Totilo recommended approval of the postponement request for Master Plan Application #MP-430 and the two (2) accompanying ZB Application Nos. 218-41 & 218-42 to the December 11, 2018 meeting (TBD); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

ZONING BOARD REFERRALS (COMPANION APPLICATIONS TO MP-430):

The following two (2) Zoning Board Applications will be heard only if the Planning Board approves Master Plan Amendment #MP-430.

1. **ZB APPLICATION #218-41 - GAS SUMMER STREET, LLC - 2770 SUMMER STREET - Map Change:** Applicant is seeking a Map Change from Zoning District R-5 to C-L Zoning District.
2. **ZB APPLICATION #218-42 - GAS SUMMER STREET, LLC - 2770 SUMMER STREET - Site & Architectural Plans and/or Requested Uses:** Applicant is proposing to construct a 115 ft. x 40 ft. warehouse.

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #218-51 - SUMMER STREET PROPERTY, LLC AND CARRIE ANN BERMAN - 733 & 777 SUMMER STREET; 0 NORTH STREET & 612 BEDFORD STREET - Site & Architectural Plans and/or Requested Uses; General Development Plan and Special Exception:** Applicant is proposing to redevelop the existing office buildings to a 376-unit residential building with ground floor retail and associated amenities. The combined parcels, excluding a portion of 612 Bedford Street to remain on a separate lot, are approximately 2.45 acres of land. The remaining ±13,000 sq. ft. of the Bedford Street property, including the existing bank building, will remain.

Special Exception and Site & Architectural Plan applications to facilitate the construction of a 376-unit residential building with ground floor retail and associated site improvements on a ±2.45 acre site located in Master Plan Category 11 (Downtown) and the MX-D (Mixed-Use Development) Zoning District. The redevelopment will remove approximately ±90,000 sq. ft. of existing office space. Special Exception requests include a 6% BMR requirement and 1:1 parking ratio for residential units. The proposed Site & Architectural Plans remain consistent with the Demonstration Plans submitted in support of the recently approved Text Amendment to the MX-D zone which received a recommendation for approval from the Planning Board (ZB #218-06). The applicants have also responded positively to questions raised by the Planning and Zoning Boards by proposing that all BMR units be onsite and by instituting specific relocation/retention efforts for existing office tenants. Lisa Feinberg, attorney with Carmody Sandak Torrence Hennessey and Raymond Mazzeo, AICP, Redniss & Mead, made a presentation and answered questions from the Board. After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #218-51** and that this request is 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, Buccino, Godzeno, Tepper and Totilo).

2. ZB APPLICATION #218-55 - HRC 201 II, LLC (OWNER) & NATIONAL DEVELOPMENT (CONTRACT PURCHASER) - 201 HIGH RIDGE ROAD - Site & Architectural Plans and/or

Requested Uses and Special Exception: ND Acquisitions, LLC (Contractor purchaser of the northerly 10 acres of the site) and HRC 201 II (Owner) (collectively, the “Applicants”) are planning to demolish and redevelop existing office space to create new senior living opportunities in Stamford at 201 High Ridge Road (the “Property”). The overall site consists of ±16.5 acres located on the easterly side of High Ridge Road. The Property lies in the Master Plan Category #8 (Mixed-Use - Campus) and the C-D (Designated Commercial) Zoning District. It is currently improved with a ±200,000 sq. ft. office building originally and partially constructed in 1978 to serve as the Waldenbooks corporate headquarters. Additions were later made in 1988 to create the total building area that exists today.

Special Exception and Site & Architectural Plan applications to facilitate the construction of a 131-unit “Senior Housing and Nursing Home Facility Complex” and associated site improvements on a ±16.5 acre site in Master Plan Category 8 (Mixed Use - Campus) and the C-D (Designed Commercial) Zoning District. The redevelopment contemplates a subdivision of the existing parcel and will remove approximately ±117,000 sq. ft. of existing office space. The proposed site and architectural plans remain consistent with the Demonstration Plans submitted in support of the recently approved Text Amendment to the C-D zone which received a unanimous recommendation for approval from the Planning Board (ZB #218-45). Lisa Feinberg, attorney with Carmody Sandak Torrence Hennessey and Raymond Mazzeo, AICP, Redniss & Mead, made a presentation and answered questions from the Board. After a brief discussion, Mr. Totilo recommended **approval** of **ZB Application #218-55** and that this request is compatible with the neighborhood and consistent with Master Plan Category #8 (Mixed-Use - Campus); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

3. ZB APPLICATION #218-50 - LOUIS R. CAPPELLI FAMILY LIMITED PARTNERSHIP II - 421 ATLANTIC STREET - Special Exception: Applicant is seeking a Special Exception for the exclusion of the Post Office Building from FAR calculations per Section 7.3 and Shared Parking per Section 12.D.9.f to allow a day care, fitness center and shared office space.

Special Exception application to exempt the existing Post Office floor area per Section 7.3 for Historic Preservation and to permit shared parking per Section 12-D-9-f of the Zoning Regulations. Pursuant to prior approvals, the Post Office was considered exempt as retail space. The proposed requests allow the space to continue to be exempt but be used for a mix of other complementary commercial uses. Specifically proposed are child daycare, health/fitness, and office/co-working uses. Amy Souchuns, attorney with Hurwitz, Sagarin, Slossberg & Knuff, LLC and Raymond Mazzeo, AICP, Redniss & Mead, made a presentation and answered questions from the Board. After a brief discussion, Mr. Totilo recommended **approval** of **ZB Application #218-50** and that this request is compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

4. ZB APPLICATION #218-56 - STAMFORD ZONING BOARD - 888 WASHINGTON BLVD. - Map Change: The Stamford Zoning Board has filed an application to amend the City of Stamford Zoning Map. The proposal would change three properties on Victory Street, including 63 Victory Street and two (2) properties listed at 0 Victory Street currently located in the R-6 Zone, to the NX-D Zoning District.

After considerable discussion, Ms. Godzeno recommended to **TABLE** **ZB Application #218-56** until a more comprehensive study on why only three (3) lots; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

5. ZB APPLICATION #218-57 - STAMFORD ZONING BOARD - 888 WASHINGTON BLVD. -

Map Change: The Stamford Zoning Board has filed an application to amend the City of Stamford Zoning Map. The proposal would change the zoning for the properties currently located in the CC-S Zoning District to the CC-N Zoning District. The rezoning will consolidate the two (2) Downtown Districts into a single Zoning District. The subject properties include 201 Tresser Boulevard, 0 Tresser Boulevard, 243 Tresser Boulevard, 263/283 Tresser Boulevard and 0 North State Street.

After some discussion, Mr. Levin recommended **approval** of ***ZB Application #218-57*** and that this request is compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Tepper and Totilo).

6. ZB APPLICATION #218-58 - STAMFORD ZONING BOARD - 888 WASHINGTON BLVD. -

Text Change: Applicant is proposing to amend Article II - Section 3 (Definitions) of the Zoning Regulations of the City of Stamford by adding Definition #29.8 - Drive-through, Drive-thru and removing Definition #85.2 - Restaurant, Drive-in. The proposal will also remove Use #159.2 - Restaurant, Drive-in from Table II, Appendix A.

After some discussion, Mr. Quick recommended **approval** of ***ZB Application #218-58*** and that this request is compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Quick, Tepper and Totilo).

MEDICAL MARIJUANA:

1. ZB APPLICATION #218-54 - CHI, LLC - 458 WEST MAIN STREET - Special Exception:

Applicant is seeking a Special Exception to operate a Medical Marijuana Dispensary at 458 West Main Street. Property is located within the C-L Zone.

CHI, LLC made a brief presentation on how this site is appropriate for a Medical Marijuana Dispensary. After some discussion, Ms. Fishman recommended **DENIAL** of ***ZB Application #218-54*** as it was felt this site is unsuitable and there have already been numerous applications filed where the location is a better fit with the neighborhood and that this request is incompatible with the neighborhood and inconsistent with Master Plan Category #6 (Commercial - Neighborhood Business); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Fishman, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS:

1. ZBA APPLICATION #046-18 - SAVINGS BANK OF DANBURY - 2586 SUMMER STREET -

Various Variance Requests: Applicant occupies a 2,546 sq. ft. building on the premises which serves as the only Stamford branch of the Savings Bank of Danbury and its affiliate Stamford Mortgage Company. The applicant is proposing to add a second story on the same footprint for employer and storage uses and is seeking the following variances:

- a. Table IV, Appendix B: to allow a front yard setback of 8.5 ft. in lieu of the 10 ft. required.
- b. Section 7(c)(i): to allow an eave to extend 7.7 ft. into the front yard setback in lieu of the 8.5 ft. required.
- c. Section 12C: to allow a parking setback of 3.3 ft. in lieu of the 10 ft. required from a street line.
- d. Section 12D(9): to allow twelve (12) parking spaces in lieu of the 16 parking spaces required.
- e. Section 2A: to allow the applicant the ability to located two (2) vehicle parking spaces in that portion of the parcel located in the R-6 Zone.
- f. Section 13D(i): to allow the erection of a sign 2.3 ft. (2' 4") from the intersection of two (2) streets in lieu of the 15 ft. required from an intersection of two (2) street lines.

Mario Muselli, Esq.; attorney representing the applicant, made a brief presentation and answered questions from the Board. After considerable discussion, Mr. Buccino recommended the Zoning Board of Appeals **APPROVE** the following five of the six variances ***for ZBA Application #046-18***:

1. **Table IV, Appendix B**: To allow a front yard setback of 8.5 ft. in lieu of the 10 ft. required.
2. **Section 7(c)(i)**: To allow an eave to extend 7.7 ft. into the front yard setback in lieu of the 8.5 ft. required.
3. **Section 12C**: To allow a parking setback of 3.3 ft. in lieu of the 10 ft. required from a street line.
4. **Section 12D(9)**: To allow twelve (12) parking spaces in lieu of the 16 parking spaces required.
5. **Section 2A**: To allow the applicant the ability to locate two (2) vehicle parking spaces in that portion of the parcel located in the R-6 Zone; and

Mr. Buccino recommended the Zoning Board of Appeals **DENY** ***the following variance for ZBA Application #046-18*** due to the size and location:

6. **Section 13D(i)**: To allow the erection of a sign 2.3 ft. (2 ft. 4 in.) from the intersection of two (2) streets in lieu of the 15 ft. required from an intersection of two (2) street lines.

It is the opinion of the Board that this request is partially compatible with the neighborhood and partially consistent with Master Plan Category #7 (Commercial - Arterial); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

10/30/18: After a brief discussion, Mr. Quick moved to recommend approval of the Planning Board Minutes of October 30, 2018; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Quick, Tepper and Totilo).

OLD BUSINESS:

NEW BUSINESS:

Next regularly scheduled Planning Board meeting is:
November 27, 2018 - Public Hearing

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 10:50 p.m.

Respectfully Submitted,

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded audio tape only as there were technical difficulties with the video equipment 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.