

**STAMFORD PLANNING BOARD  
REGULAR MEETING  
APPROVED MINUTES - TUESDAY, JUNE 21, 2016  
4TH FLOOR CAFETERIA, GOVERNMENT CENTER  
888 WASHINGTON BLVD., STAMFORD, CT**

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Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jennifer Godzeno; and Michael Totilo. Alternate: William Levin. Absent: Claire Fishman, Secretary and Jay Tepper, Vice Chair. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner.

Ms. Dell, Chair, called the meeting to order at 6:30 p.m. and introduced the members of the Board.

Mr. Totilo made a motion to add ZB APPLICATION #216-29 (1430 Washington Blvd.) to the agenda after ZBA Application #052-16. Ms. Godzeno seconded the motion and passed unanimously with eligible members voting, 4-0 (Dell, Godzeno, Levin, and Totilo)

**REQUEST FOR AUTHORIZATION:**

**ATLANTIC GARDEN TRANSIT GROUP - SALE OF CITY OWNED PROPERTIES - 578 & 590 ATLANTIC STREET AND 18 & 19 GARDEN STREET:** Approval of the Residential Real Estate Sales Agreement for the sale of surplus city-owned properties. A portion of the proceeds of this sale will be used toward the next phase of the SUT, pursuant to the agreement with the Federal Transit Administration which states that when federal funds are used to purchase real estate, a nominal portion of the proceeds of any sale is turned to them.

Dr. Woods stated that at the June 14, 2016 meeting William Hennessey, of Carmody Sandak Torrance & Hennessey, discussed the Text Change request for Atlantic Gardens which included his client's purchase of City-owned properties. This Request for Authorization is the final agreement of this sale to this group of property owners. After a brief discussion, Mr. Totilo recommended approval of the sale of City-owned properties to the Atlantic Garden Transit Group; 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 them both 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; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

**ZONING BOARD OF APPEALS REFERRALS - SPECIAL EXCEPTION:**

1. **ZBA APPLICATION #050-16 - KING LOW HAYWOOD THOMAS SCHOOL, INC. - 1450 NEWFIELD AVENUE - Special Exception:** This school for Pre-Kindergarten through Grade 12 has been improved with lower, middle and upper school buildings, a performing arts center building, administrative buildings, athletic fields, tennis courts, playgrounds and associated recreational equipment, staff housing and associated driveways and parking areas. The applicant proposes a modification of existing Special Exception approvals to permit an increased enrollment of 30 students, for a maximum student enrollment of 750 students.

Jacqueline Kaufman, attorney with Carmody Sandak Torrance & Hennessey, made a presentation to the Board on this Special Exception request to the ZBA to modify the existing Special Exception approvals to permit an increased enrollment of 30 students for a maximum student enrollment of 750. This is the final enrollment increase request permitted under the 2003 stipulated settlement. After a brief discussion, Ms. Godzeno recommended approval of ZBA Application #050-16; and this request is consistent with the 2015 Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

2. **ZBA APPLICATION #052-16 - CAROL ANN FEDELE - 678 ERSKINE ROAD - Variance of Article IV, §10(A):** The applicant owns two (2) single family dwellings and is requesting the variance to allow an existing single family second dwelling on the premises to be extended an/or expanded. The extension and/or expansion would include adding a loft to the second floor of a portion of the dwelling and raising the roofline of that portion of the dwelling to match the other portion of the dwelling. The second dwelling exists pursuant to a variance granted in 1961.

John Leydon, attorney representing Carol Ann Fedele, made a presentation on this application. The applicant is requesting to allow an existing single family second dwelling on the premises to be extended and/or expanded. The extension and/or expansion would include adding a loft to the second floor of a portion of the dwelling and raising the roofline of that portion of the dwelling to match the other portion of the dwelling. The second dwelling exists pursuant to a variance granted in 1961. Staff recommends approval. After a brief discussion, Mr. Levin recommended approval of ZBA Application #052-16; and this request is consistent with the 2015 Master Plan Category #1 (Residential - Very Low Density Single-Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

**ZONING BOARD REFERRALS:**

1. **ZB APPLICATION #216-29 - 1430 WASHINGTON BLVD.:** The Applicant, T-C Newbury Common, LLC (Owner) and Amore Montessori (Lessee), seeks to establish a Child Day Care Center at 1430 Washington Boulevard, Stamford, CT (the "Property"). The Property is located on the west side of Washington Boulevard, between the intersections of North Street to the south and Linden Place to the north. A portion of the site also extends to the west and fronts along West Washington Avenue. It contains 3.17 acres, is located primarily within the P-D zone, with lesser portions located in the R-H and R-5 Zones. The Property is also located within a flood zone.

Jacqueline Kaufman, attorney with Carmody Sandak Torrance & Hennessey, made a presentation to the Board on this application to clarify the shared parking requirements at the Newman Commons development that is primarily located in the P-D Zone. This parcel is the only property in the City that has this zoning designation. Her client is seeking to operate a Montessori daycare center which is an as-of-right use in the P-D Zone. However, to do so requires a better traffic management plan which she presented. The Board concurs. After a brief discussion, Mr. Totilo recommended approval of ZB Application #216-29; and this request is consistent with the 2015 Master Plan Category #5 (Residential - High Density Multifamily); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

2. **ZB APPLICATION #215-28 - BUILDING & LAND TECHNOLOGY (BLT) - PARCELS P4 & P5 - 0 WASHINGTON BLVD. - Approval of Site & Architectural Plans and/or Requested Uses:** Applicant is requesting to redevelop the P Blocks within Harbor Point (west of Dyke Lane) and is proposing modifications to the General Development Plan (GDP) to improve the plan. John Freeman, Attorney for BLT, made a presentation of the proposed changes on this request amending the existing GDP for the "P Blocks." (Dr. Woods will send out.) After some discussion, Mr. Totilo recommended approval of ZB Application #215-28; and this request is consistent with the 2015 Master Plan; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

Ms. Dell made a motion to move Item No. 4 out of order to Item No. 3. Mr. Totilo seconded the motion and passed unanimously with eligible members voting, 4-0 (Dell, Godzeno, Levin and Totilo).

Ms. Dell noted the time at 7:35 p.m. and announced that the Board would take a 10 minute recess and reconvene at 7:45 p.m.

Ms. Dell resumed the meeting continuing with ZB Application #216-05.

3. **ZB APPLICATION #216-05 - 95 WEST BROAD STREET, LLC - 91-95 WEST BROAD STREET - Approval of Site & Architectural Plans and/or Requested Uses:** The applicant is requesting approval to construct three (3) residential condominium buildings with three (3) residential units in each along with associated parking and site improvements for property located at 91-95 West Broad Street. Property is located in the C-L District.

Joseph Capalbo, II, Esq., attorney for the applicant, made a presentation on this application requesting approval to construct three (3) residential condominium buildings with three (3) residential units in each along with associated parking and site improvements for property located at 91-95 West Broad Street. Property is located in the R-5 District. After a brief discussion, Mr. Totilo recommended approval of ZB Application #216-05; and this request is consistent with the 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

4. **ZB APPLICATION #216-10 (RE-REFERRAL) - EMPIRE WEST AVENUE, LLC - 220 WEST AVENUE, 18 PIAVE STREET & 143 LEON PLACE - Special Exception & Approval of Site & Architectural Plans and/or Requested Uses:** Applicant is requesting approval to construct 33 residential units of which 3 units will be BMR Bonus Density with a combined lot area totaling 45,899 sq. ft., located in the RM-F zoning district. Also requesting Special Exception under 7G of the Zoning Regulations to allow the height of the perimeter walls and frame to exceed the 6 ft. height requirement for front and side.

On May 23, 2016, the ZB held a Public Hearing on this application at which the applicant agreed to revise their submission to request a second Special Exception to include BMR bonus density, which required the applicant to re-appear before the Planning Board for a revised referral to the Zoning Board. The applicant took the opportunity to also revise the proposed development in light of public comment. Mr. John Pugliesi, PE with Edward J. Frattaroli, Inc., made a presentation outlining the proposed changes. After a brief discussion, Ms. Godzeno recommended approval of ZB Application #216-10; and this request is consistent with the 2015 Master Plan; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

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

1. **ZBA APPLICATION #046-16 - 122-124 BROAD STREET, LLC - 122 BROAD STREET - Variance of Table III, Appendix B:** The applicant would like to add a 632 sq. ft. addition to the rear of an existing one (1) story building, over an existing outdoor dining area. Applicant is requesting a rear yard setback of 14.5 ft. for the proposed addition in lieu of the 20 ft. minimum allowed. After a brief discussion, Ms. Godzeno recommended approval of ZBA Application #046-16; and this request is consistent with the 2015 Master Plan Category #11 (Downtown); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).
2. **ZBA APPLICATION #048-16 - NICOLE MALCOLM-MANYARA - 322 WEED AVENUE - Variance of Section 10A:** Applicant owns an existing two-family legally non-conforming residence and would like to add a 6 ft. addition to the rear on the first floor and a 16 ft. addition to the second floor. Applicant is requesting the allowance so the second unit of this legally non-conforming two-family residence be extended and expanded in conjunction with the legally conforming unit. Dr. Woods presented what was being requested. After a brief discussion, Mr. Totilo recommended approval of ZB Application #048-16; and this request is consistent with the 2015 Master Plan Category #2 (Residential - Low Density Single-Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

3. **ZBA APPLIATION #051-16 - HIGH RIDGE GULF, LLC - 1484 HIGH RIDGE ROAD - Variance of Section 11.C.2A and Table II, Appendix A:** Applicants owns a gasoline filling station and general automobile repair service and is proposing the use of such station for the sale of used vehicles in a C-N Zone. After a brief discussion, Mr. Levin recommended the Zoning Board *deny* **ZB Application #051-16**. It is the opinion of the Board that once an applicant is granted a used-car license, even though the applicant states that this will be a limited accessory use in their auto repair business, the used-car sales license allows numerous other uses by right including car wash and automobile painting which are more intensive than would be consistent with this residential neighborhood. In addition, this use would not be consistent with the definition of the purpose of the 2015 Master Plan Category #6 (Commercial - Neighborhood), which calls for “*compatibility with adjacent residential neighborhoods, superior design and improvement of traffic safety,*” which the Planning Board found granting limited used-car sites is not in keeping with the character of the neighborhood and would not be consistent with the 2015 Master Plan Category #6 (Commercial - Neighborhood Business); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).
4. **ZBA APPLICATION #053-16 - MOHAMMED S. SHARIF - 284 SELLECK STREET - Variance of Table I - Permitted Uses in Residential, Commercial or Industrial Districts:** The applicant owns this single family residence, built approximately in 1925, with an unfinished attic, siding and roofing, and would like to construct a dormer and demolish the rear porch to construct an addition to create additional living space in attic and first floor. Applicant is requesting variance to allow the expansion of Residential Non-conforming space in an M-G Zone where such use is not permitted. After a brief discussion, Ms. Godzeno recommended the Zoning Board *deny* **ZB Application #053-16** due to their stated reason for the variance request (which is not a hardship) that the family is growing and needs more space is a contradiction to putting two (2) offices in the attic. The Board also found that this residential/office use is not consistent with the definition of the Master Plan Category #13 (Industrial - General) which is to provide for and protect existing industrial developments and preserve opportunities for new industrial uses; and this request is not consistent with the 2015 Master Plan Category #13 (Industrial - General); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).
5. **ZBA APPLICATION #054-16 - GINA K. DODGE - 103 WESTOVER AVENUE, STAMFORD, CT (a.k.a. 700 RIVER ROAD, COS, COB, CT) - Variance of Table III, Appendix B:** The applicant owns a single-family dwelling on subject parcel with an in-ground pool and shed. Applicant is proposing an addition which will cross the municipal boundary line resulting in a side yard setback issue to the municipal boundary (not the property boundary) to allow the existing storage area and generator to remain. Applicant is requesting the following: (1) to permit a side yard to the west of 0 ft. in lieu of the required 15 ft.; (2) a side yard to the east of 9.8 ft. in lieu of the required 15 ft. to allow the existing attached storage to remain; (3) a side yard to the east of 12.2 ft. in lieu of the required 15 ft. to allow the existing generator to remain and (4) both side yards of 9.8 ft. in lieu of the required 35 ft. at the closest point. Dr. Woods stated that since this home is located on a lot that straddles Stamford and Greenwich, all requested variances are needed because the requested changes can only utilize the Stamford portion of this lot which would not be required if the lot was totally within Stamford city limits. After a brief discussion, Mr. Totilo recommended approval of **ZB Application #054-16**; and this request is consistent with the 2015 Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin, and Totilo).

**PLANNING BOARD MEETING MINUTES:**

**Meeting of 6/14/16:** After a brief discussion, Mr. Totilo moved to recommend approval of the Planning Board Minutes of June 14, 2016; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Godzeno, Levin and Totilo)

**OLD BUSINESS:**

**NEW BUSINESS:**

Ms. Dell announced that there will be no meeting next week nor in July or August unless there is an urgent matter that would require the Planning Board's attention.

Next regularly scheduled Planning Board meeting is:

6/28/16 - Cancelled

9/6/16

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:45 p.m.

Respectfully Submitted,

Claire Fishman, Secretary  
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.