

STAMFORD PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES - TUESDAY, SEPTEMBER 27, 2016
4TH FLOOR CAFETERIA - GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Teppner, Vice Chair; and Michael Totilo. Alternate: William Levin. Claire Fishman, Secretary arrived at 6:50 p.m. Absent: Jennifer Godzeno. Present for staff was David W. Woods, PhD, AICP, Principal Planner.

Ms. Dell, Chair, called the meeting to order at 6:30 p.m. and introduced the members of the Board, staff present and the first item on the agenda.

SUBDIVISION REGULATION 3.8 - RECONSIDERATION OF APPROVAL CONDITIONS:

1. **SUBDIVISION #3829 - CONDITION #7 - DOMINICK CAVALIERE - 37 RAPIDS ROAD:** On February 18, 2003 the Planning Board approved a 3-lot subdivision on 37 Rapids Road. As was the state law of the time, the Planning Board adopted Condition #7 which states: "In accordance with CGS 8-26c, approval shall expire on February 22, 2008, unless all "work" as said term is defined in CSG 8-26c(b), has been completed by said date (note to appear on final map)," which meant this subdivision expired on February 22, 2008. However, since then the definition of "work" has been clarified as "all physical improvements in the public areas of the subdivision such as construction of roads, storm drainage facilities and water and sewer lines, the setting aside of open space and recreation areas, installation of telephone and electrical services along the subdivision roads, and installation of retaining walls or other structures." Fuller, 9B Conn Prac Bk, Land Use Law & Prac Sec. 50.2 (4th Ed), "Subdivisions; failure to complete improvements." After a brief discussion, Mr. Teppner moved to delete the expiration date from Condition #7 since there is no "work" associated with this subdivision; and this is consistent with the 2015 Master Plan Category #2 (Residential - Low Density Single Family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Teppner and Totilo).
2. **SUBDIVISION #3981 - CONDITION #1 - CYTEC - 1937 WEST MAIN STREET:** The Applicant is requesting approval to modify the approved conservation easement area by relocating approximately 8,591 sq. ft. in the northwest corner of Lot B-2. There will be no net reduction in conservation area. William Hennessey, attorney with Carmody Torrance Sandak & Hennessey, made a presentation on the requested modification of Condition #1 of Subdivision #3981. As Mr. Hennessey explained in more detail, this modification was predicated on a recent court settlement. After a brief discussion, Mr. Levin recommended approval of the modification to Subdivision #3981; and this request is 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, Levin, Teppner and Totilo).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #216-34 - 191 SUMMER STREET, LLC - 191 SUMMER STREET - Special Exception:** Applicant is proposing to convert the professional office space located on the second floor to seven (7) residential studio apartments and the replacement and addition of windows on the second floor. Applicant is working with Renee Kahn, Director, Historic Neighborhood Preservation Program; to make sure this building façade stays in the historical character including window treatments. After a brief discussion, Mr. Teppner recommended approval of ***ZB Application #216-34***; and this request is compatible with the neighborhood and consistent with the 2015 Master Plan Category #11 (Downtown); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Teppner and Totilo).

Nicholas W. Vitti, Jr., of Cacace Tusch & Santagata, made a brief presentation on both ZB Application #216-35 and #216-36 to revise the text for the Manufacturing Design Industrial District, which was inadvertently revised with an earlier Text Change to the M-D Zone and on the Site & Architectural Plans. (NOTE: There are only two M-D zones in the City of Stamford - this location and Chelsea Piers.)

2. **ZB APPLICATION #216-35-STAMFORD PROJECT, LLC (WESTY SELF-STORAGE)-80 BROWN HOUSE ROAD - Site & Architectural Plans:** Applicant is requesting approval for the expansion of a self-storage facility that will include an additional twenty-four (24) parking spaces and two (2) additional loading spaces. Property is located in the M-D District. After a brief discussion, Mr. Levin recommended approval of ***ZB Application #216-35***; and this request is compatible with the neighborhood and consistent with the 2015 Master Plan Category #13 (Industrial - General); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).
3. **ZB APPLICATION #216-36-STAMFORD PROJECT, LLC (WESTY SELF-STORAGE)-80 BROWN HOUSE ROAD - Text Change:** Applicant is requesting to amend subsection of Article III, Section 9 (BBBB, M-D Designed Industrial District). After a brief discussion, Mr. Totilo recommended approval of ***ZB Application #216-36***; and this request is compatible with the neighborhood and consistent with the 2015 Master Plan Category #13 (Industrial - General); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).

Raymond Mazzeo, of Redniss & Mead, made a brief presentation on both ZB Application #216-37 & #216-38 to add a new Paragraph 6 to approve the artistic features located in the CC-N, C-G and W-WD Zones and the Special Exception to construct artistic features to the existing office building at 2187 Atlantic Street.

4. **ZB APPLICATION #216-37 - RICHARD REDNISS - 22 FIRST STREET (BDCM REAL ESTATE HOLDINGS, LLC) - Text Change:** Applicant is proposing to amend Section 7-C by adding a new Paragraph #6 to create a standard and means of approval for artistic features located up to property line in CC-N, C-G and W-WD Zones. After a brief discussion, Mr. Tepper recommended approval of ***ZB Application #216-37***; and this request is compatible with the neighborhood and consistent with the 2015 Master Plan Category #9 (Urban Mixed Use); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).
5. **ZB APPLICATION #216-38 - BDCM REAL ESTATE HOLDINGS, LLC - 2187 ATLANTIC STREET - Special Exception & Coastal Site Plan Review:** Applicant is proposing to construct an artistic feature along the front of an existing office building and reconfigure the front entrance with a new stair, canopy layout and handicap ramp. After a brief discussion, Ms. Fishman recommended approval of ***ZB Application #216-38***; and this request is compatible with the neighborhood and consistent with the 2015 Master Plan Category #9 (Urban Mixed Use); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #063-16 - SHELTER FOR THE HOMELESS, INC. - 23 SPRUCE STREET - Variance of Appendix B, Table III: Residential Density:** Applicant has constructed a three-story five unit apartment building. During the permit process the proposed project plans needed to be approved by various City departments. After each department review, the plans were altered to bring the project into code compliance. The Applicant is requesting minor amendments to the previously approved variances for the Shelter for the Homeless for a 5 unit building at 23 Spruce Street. The requested variances would enhance the final look including a 4 ft. fence vs. a 6 ft. fence. Dr. Woods explained to the Board what the variance requests were, including his staff recommendation. After a brief discussion, Mr. Totilo recommended approval of ***ZBA Application #063-16***; and this request is compatible with the neighborhood and consistent with the 2015 Master Plan Category #3 (Residential - Low Density Multifamily); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).

2. **ZBA APPLICATION #064-16 - KIURSTAN THOMPSON - 11 RIDGECREST ROAD - Variance of Section 6A (Accessory Buildings):** Applicant would like to install a 20 ft. x 40 ft. in-ground pool. This is a large corner lot of over two acres and by zoning definition has two front yards which means that the applicant is requesting to build an in-ground pool in the front yard closest to Riverbank Road. It is notable that the neighbor directly to the south has built a tennis court in their front yard which is only brought up to point out that this accessory use would be compatible with the neighborhood. Dr. Woods explained to the Board what the variance requests were, including his staff recommendation. After a brief discussion, Ms. Fishman recommended approval of ***ZBA Application #064-16*** and is consistent with the 2015 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, Levin, Tepper and Totilo).
3. **ZBA APPLICATION #065-16 - STEPHANIE BILENKER - 57 URBAN STREET - Variance of Appendix B, Table III:** Applicant is requesting to build a 10 ft. 1 in. x 3 ft. porch over the front steps. From a planning perspective, this request is minimal. Dr. Woods explained to the Board what the variance requests were, including his staff recommendation. After a brief discussion, Mr. Levin recommended approval of ***ZBA Application #065-16*** and is consistent with the 2015 Master Plan Category #2 (Residential - Low Density Single Family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

Meeting of 9/6/16: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of September 6, 2016; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Tepper and Totilo) (Ms. Fishman was not in attendance so ineligible to vote)

OLD BUSINESS:

NEW BUSINESS:

Next regularly scheduled Planning Board meeting are:

10/4/16 - CANCELLED

10/11/16 - CANCELLED - Ms. Fishman pointed out that October 11th is the second day of Yom Kippur. The Board decided to combine both Administrative & Public Safety on October 18th starting at 6:00 p.m.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:45 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video tape only as there were technical difficulties with the audio recording equipment. The video tape is available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.