

STAMFORD PLANNING BOARD
REGULAR MEETING & CAPITAL BUDGET DELIBERATIONS
APPROVED MINUTES - TUESDAY, DECEMBER 6, 2016
4TH FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT
CAPITAL BUDGET DELIBERATIONS STARTED AT APPROXIMATELY 7:00 P.M.

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Claire Fishman, Secretary; Jennifer Godzeno, and Michael Totilo. Alternate: William Levin (Left at 8:00 p.m.). Excused Absence: Roger Quick. Present for staff: David W. Woods, PhD, AICP, Principal Planner; Anthony Romano, Management Analyst.

Ms. Dell called the meeting to order at 6:00 p.m. and introduced the members of the Board and staff present. Ms. Dell introduced the first item on the agenda.

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION AMENDED REQUEST:

1. ENERGY IMPROVEMENT PROJECTS - AMENDED REQUEST: The Department of Economic Development, on behalf of the Mayor's Office and the Energy Improvement District (EID) Board submitted for approval to the Board of Representatives, Board of Finance and the Planning board for a capital appropriation in the gross amount of \$11,246,852.00 to complete the energy efficiency capital projects outlined in the August 31, 2016 memo to these Boards. At the Board of Finance meeting on September 27, 2016, the total requested gross project amount was amended from \$11,246,852.00 to \$9,186,717.00, as to not include the Phase II Street Lighting proposal. Page 2 of the attached memo dated November 22, 2016 outlines the changes to the EID program which, through earlier errors, created an accurate picture of the actual cost and rebates to be derived from this project. This project (without street lights) will cost \$9,186,717.00 which is a decrease of \$78,286.00. However, it is important to point out to the Boards that the net project cost has increased by \$51,595.00 from the original amount of \$7,527,514.00 to \$7,579,109.00 due to the reduction in Eversource rebates for the lighting fixtures in this project. The purpose of this requested motion is to ensure that all the Boards are fully aware of these minor amendments to what the Planning Board originally approved on September 6, 2016. After a brief discussion, Mr. Tepper recommended approval of amended Energy Improvement Projects and that 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 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 (Dell, Fishman, Godzeno, Totilo, and Tepper).

REQUEST FOR AUTHORIZATION:

2. USE OF CITY PROPERTY - STATE PROJECT NOS. 135-301 & 301-163 - ATLANTIC STREET METRO-NORTH RAILROAD BRIDGE REPLACEMENT - PHASE II: This agreement will allow the State of Connecticut to use City property, located at the corner of John and Dock Streets during project construction of the Metro-North Bridge, Phase II, which includes replacement of the bridge and the lowering of Atlantic Street. In order to finish the Atlantic Street Metro-North Railroad Bridge Replacement, Phase II the State needs to utilize City-owned property at the corner of John and Dock Streets. This is a temporary use for 2 years. There is no cost from the State to the City; however, the State agrees to maintain the parcel and to return it after they are finished with trees and other upgrades. After a brief discussion, Ms. Godzeno recommended approval of the Use of City Property for State Project Nos. 135-301 & 301-163 and that 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 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. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo, and Tepper).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #216-43 - 45 CHURCH STREET PROPERTIES, LLC c/o CARMODY TORRANCE SANDAK & HENNESSEY, LLP - 707 SUMMER STREET - Text Change:** Applicant is proposing a Text Change to amend Subsection of Article III, Section 4-AA-11.4(g) V-C Village Commercial District regulations by adding “within any 5-year period, which in the aggregate, comprises 5,000 sq. ft. or less of floor area of a building or structure to a permitted V-C District use,” and deleting “requiring no change to the building exterior or site not otherwise exempt.”

William Hennessey, of Carmody Torrance Sandak & Hennessey, made a brief presentation explaining this Text Change. Also in attendance was Mr. Steven Garst, of Proforma Promotion Consultants; members of the Stamford Neighborhoods Coalition and other City residents who made brief comments on this application. One of the unintended consequences of the original wording for Village Commercial District regulations was almost all applications for repurposing existing buildings were exempt from Special Exception site plan review. To rectify this inconsistency an application for a Text Change to amend Village Commercial District regulations was filed that adds “within any 5-year period, which in the aggregate, comprises 5,000 sq. ft. or less of floor area of a building or structure to a permitted Village Commercial District use,” and deleting “requiring no change to the building exterior or site not otherwise exempt.” After a brief discussion, Mr. Tepper recommended approval of ***ZB Application #216-43*** and this request is compatible with the neighborhood and consistent with Master Plan Category #6 (Commercial-Neighborhood). Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo and Tepper).

CAPITAL BUDGET DELIBERATIONS

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #070-16 - ITALIAN CENTER OF STAMFORD - 1620 NEWFIELD AVENUE - Variance of Article III, Section 6-D (Districts & District Regulations Requirements) and Table II, Appendix B (Schedule of Requirements for Area, Height & Bulk of Buildings) & Special Exception:** Applicant would like to construct an accessory building which will be used as a tennis facility. Applicant is requesting a building height of 45 ft. in an RA-1 Zone. The Planning Board previously granted this variance request under ZBA Application #002-16 on March 10, 2016 but the applicant has modified the site plan and has renewed its variance request in connection with the modifications. The applicant is requesting a revision of their previously approved variance by the ZBA for the out-building and tennis facilities. This variance is requesting an allowance to build the tennis facility at a height of 45 ft. in lieu of 35 ft. as well as amending the building materials which prompted the return to the ZBA. After a brief discussion, Mr. Totilo recommended approval of ***ZBA Application #070-16*** and this request is compatible with the neighborhood and consistent with Master Plan Category #14 (Open Space - Public Parks). Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo and Tepper).
2. **ZBA APPLICATION #071-16 - ANTHONY CHANG - 88 SEA BEACH DRIVE - Variance of Section 6, Paragraph D (Accessory Building Height) & Table III, Appendix B (Minimum Side Yard, Minimum Combined Side Yard & Maximum Building Coverage):** Applicant owns an existing 2½ story dwelling and existing one (1) story accessory building located in the front yard. Applicant would like to raise the accessory building 8 ft. to bring into FEMA conformance and add 50 sq. ft. to the ground floor to create a functional garage area. Applicant is requesting: (1) a building height of 19.2 ft. in lieu of the 15 ft. maximum; (2) a side yard of 8.8 ft. in lieu of 15 ft.; (3) a combined side yard of 28.1 ft. in lieu of 35 ft.; and (4) existing and proposed buildings to cover 16.3% of lot area in lieu of the 15% minimum allowed. The applicant needs a variance to raise the existing accessory dwelling unit to meet current FEMA guidelines and to put a garage underneath which meets Building Code. After a brief discussion, Mr. Totilo recommended approval of ***ZBA Application #071-16*** and this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family). Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo and Tepper).

3. **ZBA APPLICATION #072-16 - DARIO PALLIDINO - 107 WEST AVENUE - Variance of Table I,**

Appendix A & Table II: Applicant owns an existing 2½ story commercial building in the R-5 Zone. Applicant is seeking allowance for the second story of this building to have the uses of the C-N Zone as defined under Table I, Appendix A and also the option of those specific items of the C-N Zone as defined under Table II as follows:

44 - Agencies - Real Estate, Insurance, Employment	149 - Photographic Studio
88 - Custom Tailor, Dressmaker, Milliner	167 - Shoe Repair Shop
99 - Floor Covering Shop, Retail (40)	175 - Tailor Shop
100 - Florist Shop	
136 - Music Store	
145 - Pawn Shop, Second-Hand Store, Auction Store	

Zoning Ordinance Section 19.1.4(2) reads: “No use shall be permitted by variance in a residential district which is not otherwise allowed on that district.” After a brief discussion, Ms. Godzeno recommended ***DENIAL*** of ***ZBA Application #072-16*** since as stated in Zoning Ordinance Section 19.1.4(2) reads: “No use shall be permitted by variance in a residential district which is not otherwise allowed on that district” and this request is not compatible with the neighborhood and is inconsistent with Master Plan Category #3 (Residential - Low Density Multifamily); Mr. Levin seconded the motion and passed with eligible members present voting, 4-0 (Dell, Fishman, Godzeno, Levin and Tepper). Mr. Totilo abstained as he has a past relationship with the applicant.

4. **ZBA APPLICATION #073-16 - LINDA & JOSEPH KIPP - 740 WESTOVER ROAD - Variance of**

Table III, Appendix B: Applicant would like to build a 26 ft. x 24 ft. addition to an existing single family residence. Applicant is requesting a side yard of 8 ft. in lieu of the 15 ft. minimum allowed. The applicant wishes to expand a single family residence by adding a proposed 26 ft. x 24 ft. building addition along the south side of their existing house. The applicant requires relief on the side yard of 8 ft. in lieu of 15 ft. The applicant is correct that due to topography and rock outcroppings they are limited to where they can build. After a brief discussion, Ms. Fishman recommended approval of ***ZBA Application #073-16*** and 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, Totilo and Tepper).

5. **ZBA APPLICATION #074-16 - ANGEL ACHUPAILLE - 8 OAK HILL STREET - Variance of**

Article III, Section 9F5c: Applicant is seeking a rear yard setback of 15.4 ft. on the east side in lieu of 30 ft. required and building coverage of 37.7% in lieu of 30% required. This applicant needs a variance to expand an existing house to the rear which would allow them to build a staircase to existing Building Code thereby enhancing the public safety of their building in an R-5 Zone. After a brief discussion, Ms. Godzeno recommended approval of ***ZBA Application #074-16*** and this is compatible with the neighborhood and is consistent with Master Plan Category #4 (Residential - Medium Density Multifamily); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo and Tepper).

6. **ZBA APPLICATION #075-16 - DAVID VIERA - 159 HIGH RIDGE ROAD - Variance of Table III,**

Appendix B: Applicant would like to add an additional bedroom to an existing two bedroom, single occupancy, Colonial dwelling. Applicant is asking for a side yard setback of 2.1 ft. in lieu of 6 ft. required and a rear yard setback of 20.7 ft. in lieu of 30 ft. required. After a brief discussion, Mr. Tepper recommended ***DENIAL*** of ***ZBA Application #075-16*** given the fact that the applicant has the alternative to tear down this house and rebuild it on a new foundation that meets existing setback requirements without a variance and this is not compatible with the neighborhood nor is it 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, Totilo and Tepper).

PLANNING BOARD MEETING MINUTES:

Meeting of 11/15/16: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of November 15, 2016; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo, and Tepper).

OLD BUSINESS:

NEW BUSINESS:

The Board decided to move to a bi-monthly meeting schedule starting January 1, 2017, which was unanimously approved. The 2017 Meeting Schedule is attached herewith.

Next regularly scheduled Planning Board meetings are:

12/13/16 - Regular Meeting - 4th Floor Cafeteria
12/14/14 - Special Meeting - 6th Floor Safety Training Room (If Needed)
12/20/16 - Cancelled - Holiday Party @ Villa Italia
12/27/16 - Cancelled
01/03/17 - Cancelled
01/10/17

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:30 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.

STAMFORD PLANNING BOARD
2017 SCHEDULE OF PUBLIC AND REGULAR MEETINGS
BOARD APPROVED - December 6, 2016

Regular Meetings are normally scheduled for 6:30PM at the Government Center Building, 4th Floor Cafeteria.

Public Hearings are normally scheduled for 7:00 PM at the Government Center Building, 4th Floor Cafeteria.

TUESDAYS

JANUARY:

JANUARY 10, 2017	Regular Meeting
JANUARY 24, 2017	PUBLIC HEARING - CAPITAL BUDGET

FEBRUARY:

FEBRUARY 7, 2017	Regular Meeting & PUBLIC HEARING-CAPITAL BUDGET (SNOW DATE)
FEBRUARY 21, 2017	Regular Meeting

MARCH:

MARCH 7, 2017	Regular Meeting
MARCH 21, 2017	Regular Meeting

APRIL:

APRIL 4, 2017	Regular Meeting
APRIL 25, 2017	Regular Meeting

MAY:

MAY 9, 2017	Regular Meeting
MAY 23, 2017	Regular Meeting

JUNE:

JUNE 13, 2017	Regular Meeting
JUNE 27, 2017	Regular Meeting

JULY:

NO MEETINGS SCHEDULED - SUMMER HIATUS

AUGUST (Meetings will be held only if needed):

AUGUST 1, 2017	Regular Meeting
AUGUST 15, 2017	Regular Meeting
AUGUST 29, 2017	Regular Meeting

SEPTEMBER:

SEPTEMBER 12, 2017	Regular Meeting
SEPTEMBER 26, 2017	Regular Meeting

OCTOBER:

OCTOBER 10, 2017	Regular Meeting
OCTOBER 17, 2017	Regular Meeting
OCTOBER 24, 2017	Regular Meeting
OCTOBER 31, 2017	Regular Meeting

NOVEMBER:

NOVEMBER 7, 2017	Regular Meeting
NOVEMBER 14, 2017	Regular Meeting
NOVEMBER 28, 2017	Regular Meeting

DECEMBER:

DECEMBER 5, 2017	Regular Meeting
DECEMBER 12, 2017	Regular Meeting