

STAMFORD PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
APPROVED MINUTES, TUESDAY, APRIL 28, 2015
4TH FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair, Claire Fishman, Jay Tepper and Michael Totilo. Alternate: William Levin (who arrived at 6:40 p.m.). Absent: Jennifer Godzeno Zbigniew Naumowicz, and Roger Quick. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner, and Norman F. Cole, AICP, Land Use Bureau Chief.

Ms. Dell, Chair called the meeting to order at 6:30 p.m., and introduced the members of the Board and announced Zbigniew Naumowicz and Roger Quick were going to be absent. Ms. Dell introduced the first item.

REQUEST FOR AUTHORIZATION:

RENEW LEASE AGREEMENT FOR HONARABLE JAMES A. HIMES, request to recommend authorizing the City to renew Congressman Himes' lease. Dr. Woods explained that this agreement is for two years (the maximum term allowed), and an increase of 2% over the previous agreement. After a brief discussion with the Board, Mr. Tepper moved to recommend authorizing the City to sign this agreement with Congressman James Himes; Ms. Fishman seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper, and Totilo).

ZONING BOARD REFERRALS:

ZB Application #215-09 WILLIAM J. HENNESSEY, JR., Text Change, to amend Article III, Section 4-AA-11 the Village Commercial District by 1) modifying the maximum building height to four (4) stories and 45 feet and establishing the 12 foot building façade setback above the third story instead of at 32 feet as currently required, 2) by defining a specific standard for parking space dimensions as well a provisions for tandem parking spaces, and 3) modifying the requirement that buildings be constructed at zero setback from the front property line.

Roger Quick, prior to the meeting, stated that he was unable to make the meeting; however, he provided some thoughts on the Glenbrook Village Commercial District modification request. As I mentioned at the last meeting, I actually owned a house at 50 Parker Avenue when they tore down two homes on the corner of Parker Avenue and Church Street to erect the Marx Toy Building. I was surprised at the time, which was approximately 1970, that a four-story building was allowed in what then was R5 multi-family zoning. The contrast in the landscape was dramatic - four story commercial in a two story residential zone. There are still numerous residential homes in the VCD that would concern me - 15 on both sides of Parker Avenue and nine on the west side of Arthur Place. In particular, Arthur Place is a development of one and a half story Cape Cod style homes. A four-story commercial building in their backyard does little to comply with the VCD zoning regulation which states "with design controls to insure a compatible relationship to adjacent residential neighborhoods." I think a possible workable

alternative would be to transition the height limits. On the VCD border limit height to three stories for the first 100 feet and then raise it to four stories for the balance of the District. This would open up sight-lines and soften the impact of a four story wall in the back yards. As to the issue of building height, are the new VCD buildings really three stories and 35 feet, which was brought up by Mr. Levin at our last meeting? Fourth story mechanical rooms have virtually become the size of a penthouse - and architectural ornamentation such as parapets further the illusion of four stories. I believe this area requires further study by staff. Based on my concerns above, I would have to deny the VCD modification as it is presently written.

Ms. Dell called upon David Woods, AICP, Principal Planner to discuss his memo relating to the Special Glenbrook Neighborhood Meeting on Wednesday, April 22nd at 7:30 p.m. at Union Memorial Church, 58 Church Street billed as an Open Forum re development in Glenbrook's Village Commercial District. Dr. Woods reported that the meeting was well attended and almost everybody spoke – the consensus was overwhelmingly in favor of this text change to allow redevelopment along Glenbrook Road.

Ms. Dell called upon Norman Cole, AICP, Land Use Bureau Chief to address the Board and asked him if he had read Mr. Quick's concerns. Mr. Cole started his presentation by stating that yes he did read Mr. Quick's concerns and while he understands the issues raised the main purpose of this text amendment language is to address issues that have been identified now that the City has received a number of applications. Specifically relating to the height in the back of the building, Mr. Cole pointed out that it's important note that with the setback of the building at least 25 feet from the street (in this case Parker), and an additional 12 foot setback from the parapet of the building – the fourth floor will not be visible from the street level. Mr. Cole then proceeded to present the Board with recommended revisions to the Text Amendment as previously presented.

After a considerable discussion with Mr. Cole, Mr. Hennessey and the Board, Mr. Tepper moved to recommend that Zoning Board approve these text amendments as amended by Mr. Cole and that these text amendments were consistent with the 2015 Master Plan; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper, and Totilo).

After a brief discussion, Mr. Totilo moved to take ZB Application #215-11 out of order so that Mr. Cole could make a presentation given its history; Ms. Fishman seconded the motion , and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper, and Totilo).

ZB Application #215-11 – STAMFORD ZOING BOARD, Text Change, to amend Article III, Section 7-U and Appendix A, Table II, to establish a local regulatory framework for the palliative use of marijuana pursuant to Chapter 42-f of the Connecticut General Statutes. To establish the appropriate location and operation of medical marijuana dispensaries and production facilities in the City of Stamford to minimize the impact on neighbors while recognizing the essential services these dispensaries and facilities provide.

Mr. Cole made a brief presentation regarding the background of this text amendment brought about by the Zoning Board. After some discussion and questions answered by Mr. Cole, the Board decided to table this item until its May 26th meeting.

Ms. Dell called upon Mr. William Hennessey, Carmody Torrance Sandak & Hennessey LLP to make a presentation on the following items together, after Dr. Woods stated that this request has gone before the HPAC and they don't have any problem with this. Ms. Dell reminded the Board that although two ZB applications were presented together that they need a separate motion and vote for both.

ZB Application #215-12 – 72 CUMMINGS POINT ROAD, LLC., Text Change, to Amend Article III, Section 9-C IP-D Design District Industrial Park District by correcting Paragraph 3 to read Subsection M and amending Paragraph 7 to allow Zoning Board Special Exception approval for reduced 10' street setback requirements for any single story building with a maximum Floor Area Ratio of 0.1. After a brief discussion following Mr. Hennessey's presentation, Ms. Fishman moved to recommend that the Zoning Board approve this text amendment, and that this text amendment was consistent with the 2015 Master Plan; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper, and Totilo).

ZB Application #215-13 – 72 CUMMINGS POINT ROAD, LLC., Special Exception, Site & Architectural Plans and/or Requested Uses and Coastal Site Plan Review, to demolish an existing 1,200 square foot building and construct a new 3,726 square foot single story structure for not-profit use as well as associated site improvements on 5.3 acres in a CAM boundary. Applicant is seeking reduced street setbacks, low density occupancy, and a reduction in parking. After a brief discussion following Mr. Hennessey's presentation, Mr. Tepper moved to recommend that the Zoning Board approve the Special Exception, Site and Architectural Plan, and that this was consistent with the 2015 Master Plan; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper, and Totilo).

ZB Application #215-10 – SHELTER FOR THE HOMELESS, Special Exception and Coastal Site Plan Review, requesting approval under Section 7.3 Special Exception uses for historical buildings for an increase in permitted residential density for a fractional unit (0.30) and reduction of parking to 1.00 spaces/unit to convert the building from a two-family to a three-family house in an R-MF district at 104 Richmond Hill Avenue. Dr. Woods made a brief presentation on this request to tweak a historic two family house to allow for a 3-family unit on 104 Richmond Hill Avenue utilizing the historic bonus program. After a brief discussion with the Board, Mr. Levin moved that the Zoning Board approve this Special Exception, and that this was consistent with the 2015 Master Plan; Ms. Fishman seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper, and Totilo).

ZB Application #214-40 – STRAZZA, Text Change, to Amend Article III, Section 5D by adding a condition 5) that would permit placement of accessory structures used for farm purposes on parcels of 50 acres or more, used as farm land, to be located within the front yard, when meeting certain setback and height standards. Ms. Dell called upon Mr. Anthony Strazza, former Zoning Enforcement Officer for the City and consultant for the applicant, Mr. Lee Rizzuto to make a presentation regarding this proposed text amendment. After some discussion and questions to Mr. Strazza and Mr. Rizzuto especially regarding why this text amendment is necessary when the City's Zoning Board of Appeals is already set up for addressing these issues, as well as questions regarding the 100 feet from the property line, the Board decided to table this item until its May 26th meeting.

PLANNING BOARD MEETING MINUTES:

Meeting of 4/21/15: After a brief discussion with the Board, Mr. Tepper moved to approve the minutes of April 21, 2015; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper, and Totilo).

Old Business

New Business

Dr. Woods stated that there was a Planning Board meeting on May 5th and that most of the items were ten ZBA application referrals.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:00 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

Note: These proceedings were recorded on tape and are available for review in the Land Use Bureau located on the 7th floor of Government Center, 888 Washington Boulevard, during regular business hours.