

STAMFORD PLANNING BOARD
SPECIAL MEETING
APPROVED MINUTES, WEDNESDAY, OCTOBER 22, 2014
4TH FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chair, William Levin (entered at 6:20 p.m.), Zbigniew Naumowicz, Roger Quick, Jay Tepper and Michael Totilo (entered at 6:20 p.m.). Absent: Claire Fishman. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner. Also present was: Jim Hricay, Director OPM and Anthony Romano, OPM

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

Zoning Board Referral:

ZB Application 214-26 Zoning Board, City of Stamford, TEXT CHANGE, Barry Michelson presented for the Zoning Board outlining his reasoning for the text change to ADD Section 7.7 entitled: Special Transportation Center Platform and Commuter Parking which would apply to all properties zoned C-L or M-G and located within an established boundary of the Transportation Center to require any future development, redevelopment, and/or alterations of buildings to apply for a special exception of the Zoning Regulations and establish special parking standards in order to promote parking, traffic flow and commuter access near the Stamford Transportation Center.

Ms. Dell called upon Edward O’Hanlan, Esq., Attorney with Robinson & Cole for John McClutchy who presented a list of the legal issues surrounding the proposal:

1. There are issues of the law of sovereignty and law of immunity about which the Planning Board should consult counsel.
2. The 2013 legal memorandum the Board received is not accurate and may be biased.
3. The City is currently in discussion with the State about the roles of the City, the Land Use Boards, and the Land Use Bureau in the Transit-Oriented Development project. There is no need for a regulation such as this.
4. The Planning Board and Zoning Board have not been included in these discussions directly because at some point, they will have to consider applications relating to the TOD project. We want to avoid the appearance of impropriety and the risk of pre-determination.
5. The Proposed Regulation does not offer any new standards that are not already in the Site Plan requirements or elsewhere in the Regulations.

6. The Proposed Regulation could constitute Spot Zoning because: (i) it is directed at designated properties and (ii) it is proposed in anticipation of a plan that has not been presented.

After Mr. O'Hanlan spoke Ms. Dell asked John McClutchy, the developer to speak on his behalf, and he discussed the process that was under way with all parties involved.

After a considerable discussion, Mr. Totilo moved to request that the Zoning Board to TABLE DISCUSSION until Tuesday, November 25 in order to receive a legal opinion from the Office of Legal Affairs; in addition, since the Planning Board is in the process of revising the Master Plan and it needs to understand how the Master Plan may influence and guide decisions on redevelopment of State owned properties at the Stamford Transportation Center, including understanding whether redevelopment of State owned property is governed by the Stamford Zoning Regulations; furthermore, the Planning Board requested that the Land Use Bureau staff provide its analyses on the potential impacts to the City that this text change prior to the November 25th meeting; Mr. Naumowicz seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Naumowicz, Quick, Tepper, and Totilo).

DISCUSSION: Master Plan 2015 – 2025

Ms. Dell opened the discussion with a statement that the Board start by talking about the following major areas of concern that were expressed by from the public comment and you, which are as follows:

1. Downtown boundaries
2. Waterfront - boatyard, Harbor Commission, DEEP's letter related to the water
3. Long Ridge and High Ridge – Category 8 Mixed-Use Campus
4. Vision and Implementation of Master Plan

Mr. Tepper started the discussion by proposing that the Board introduce a separate category relating only to the fourteen acre site of the former Boatyard. After considerable discussion with the Board it was tabled to a later meeting (November 5th see below).

Ms. Dell requested a motion to add a Special Meeting for November 5th to bring back issues that requires staff or legal opinion. After a brief discussion, Mr. Totilo made that motion; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Naumowicz, Quick, Tepper, and Totilo).

The Board then discussed Long Ridge and High Ridge Category 8 Mixed-Use Campus. After considerable discussion, the Board directed the consultant and staff to work on proposed language changes and present them to the Board at its October 29th Special Meeting.

Old Business

None

New Business

None

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 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.