

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, SEPTEMBER 27, 2022
REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

JOIN ZOOM MEETING
<https://us02web.zoom.us/j/82872562080>

Meeting ID: 828 7256 2080
Passcode: 592972

Web & Phone Meeting Instructions:

- If your computer/smartphone has mic and speaker then:
Type in, paste or click the following link: **<https://us02web.zoom.us/j/82872562080>**; **OR**
- If not, then **Call-in** using the **phone number & password** provided above.
- Sign-up for Planning Board meeting updates by emailing **lcapp@stamfordct.gov**.

Web Meeting Ground Rules:

- The meeting shall be recorded and the video shall be posted on the City of Stamford website **http://cityofstamford.granicus.com/ViewPublisher.php?view_id=8**
- The Planning Board shall moderate the audio for attendees.
- Attendees shall be on mute and will be unmuted when called to speak by the Planning Board members.
- Applicants will have 20 minutes to make their presentation.
- Any applicant wishing to submit written testimony can send it prior to the meeting to **lcapp@stamfordct.gov** or submit through a Chat message to the Planning Board Chair during the meeting.

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary (Arrived at 6:44 p.m.). Alternates: William Levin and Stephen Perry. Absent: Michael Buccino and Michael Totilo, Voting Members. Present for staff: Ralph Blessing, Land Use Bureau Chief; Sandy Dennis, Director of Administration and Lindsey Cohen, Associate Planner.

Ms. Dell called the meeting to order at 6:35 p.m. and introduced the members of the Board and staff present.

Ms. Dell introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

August 30, 2022: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of August 30, 2022; Mr. Perry seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Perry and, Tepper).

As Ms. Dell wanted Ms. Godzeno to participate in the discussion on the Sale & Purchase Agreements for 384 & 402 Elm Streets and had not joined the meeting yet, Ms. Dell called for a motion to bring forward the Supplemental Capital Project Appropriation Requests.

Mr. Tepper made a motion to bring forward the Supplemental Capital Project Appropriation Requests; Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Perry and, Tepper).

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUESTS:

1. **CAPITAL PROJECT CLOSEOUT RECOMMENDATION:** Pursuant to Stamford City Code Section 8-2, partial closeout of the following capital project is recommended:

| Project # | Project Name | Closeout Amount | Funding Source |
|-----------|-----------------------|-----------------|----------------|
| C16012 | Citywide Storm Drains | \$2,000,000.00 | ARP |

2. **CITYWIDE STORM DRAINS - PROJECT #C16012 - TOTAL REQUEST 2,000,000.00:** Re-appropriation of ARP Closeout funds for installation and replacement of storm drains, catch basins and curbs.

Anthony Romano, Management Analyst, Office of Policy & Management, made a brief presentation on both of the above items and answered questions from the Board.

After a brief discussion, Mr. Levin recommended approval of the Capital Project Closeout Recommendation and the Citywide Storm Drains - Project #C16012 each with a Total Request of \$2,000,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Perry and Tepper).

3. **GREENWICH AVENUE AT PULASKI STREET ROUNDABOUT - PROJECT #CP2755 - TOTAL REQUEST \$1,111,781.67:** The City received State funding through the LOTCIP Program to construct the long awaited roundabout project at Greenwich Avenue and Pulaski Street. The final plans were approved by the DOT and the City was authorized to advertise the project for construction. Four (4) bids were received for the construction work and the three (3) low bidders were within 4% of each other; however, the low bid of \$3.275M was still in excess of the approved funding. A bid analysis was performed, which was reviewed and approved by both WestCOG and the CTDOT. The additional \$1.1M is the balance of the funds required to award the low bid including the contingency required per the LOTCIP guidelines. CTDOT has committed to providing the additional funds with a revised Project Authorization Letter and Authorization to Award Letter. This request increases the project amount in order to accept the additional funds from the DOT; 100% of the \$1,111,781.67 is being funded by the State, 0% is City funding.

Frank Petise, Transportation Bureau Chief, made a brief presentation and answered questions from the Board.

After a brief discussion, Mr. Perry recommended approval of the Greenwich Avenue at Pulaski Street Roundabout - Project #CP2755 with a Total Request of \$1,111,781.67. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Perry and Tepper).

4. **JULIA STARK - MOLD TASK FORCE (MTF) - PROJECT #CPBM14 - TOTAL REQUEST \$165,000.00:** This resolution is before the Board in order to receive and allocate an additional appropriation of a utility funded rebate associated with a roof top unit (RTU) replacement project at Stark Elementary School. This project identified as CPBM14 Julia Stark - MTF will be reimbursed through a special one-time rebate program offered by Eversource. Thanks to the efforts of Eversource, several Board of Education personnel, including Cindy Grafstein, Kevin McCarthy and John Perna, and in cooperation with several personnel from City Engineering, Stamford Public Schools applied for and was ultimately selected to receive up to 50% of the estimated installed cost. In this case, the incentive amounted to \$165,000.00 or half of the qualified installed cost of \$330,000.00 for the installation of six (6) 142.5-ton high efficiency units (EER 15) with Demand Control Ventilation (DCV) to supply heating, ventilation and air conditioning (HVAC) to several areas of the building.

Kevin McCarthy, Director of Facility Operations, Stamford Public Schools, made a brief presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended approval of the Julia Stark - Mold Task Force (MTF) - Project #CPBM14 with a Total Request of \$165,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry and Tepper).

- 5. FIRE APPARATUS - PROJECT #C63005 - TOTAL REQUEST \$150,000.00:** Request needed to adjust for the market increase in the cost of apparatus.

Chief Michael Robles, Stamford Fire Department, made a brief presentation and answered questions from the Board.

After a brief discussion, Mr. Levin recommended approval of the Fire Apparatus - Project #C63005 with a Total Request of \$150,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

- 6. EAST SIDE FIRE STATION - PROJECT #CP2351 - TOTAL REQUEST \$100,000.00:** Costs of the remodeling of the co-ed bathroom has exceeded estimates.

Chief Michael Robles, Stamford Fire Department, made a brief presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended approval of East Side Fire Station - Project #CP2351 with a Total Request of \$100,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

REQUEST FOR AUTHORIZATION:

The sale of vacant lots located at 384 Elm Street and 402 Elm Street, by auction, was approved by the necessary Boards in June 2022. At this meeting, the Planning Board considered whether to approve the sale of said lots to the respective highest bidders. Bids are above the respective appraised values of the lots.

- 1. REAL ESTATE PURCHASE & SALE AGREEMENT - 384 ELM STREET, STAMFORD CONNECTICUT:** The City of Stamford ("Seller") agrees to sell and convey and 336-352 Elm Street, LLC ("Buyer") agrees to purchase property commonly known at 384 Elm Street, Stamford, Connecticut for a purchase price of \$1,275,000.00 (One Million Two Hundred Seventy-Five Thousand Dollars) to be paid as follows:

- Deposit of \$255,000.00 (Two Hundred Fifty-Five Thousand Dollars) to be paid before or upon signing of this agreement, receipt of which has been acknowledged, subject to collection; and
- Upon delivery of the deed, the balance of \$1,020,000.00 (One Million Twenty Thousand Dollars) is to be paid by wire transfer or by certified check or official cashier's check drawn by and upon a federally regulated or state chartered bank, the proceeds of which to be immediately available.

Sandy Dennies, Director of Administration, made a presentation providing details of the sale and answered questions from the Board.

After a brief discussion, Mr. Perry recommended approval of the Real Estate Purchase & Sale Agreement for 384 Elm Street with a purchase price of \$1,275,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

2. REAL ESTATE PURCHASE & SALE AGREEMENT - 402 ELM STREET, STAMFORD

CONNECTICUT: The City of Stamford (“Seller”) agrees to sell and convey and 402 Elm St Partners, LLC (“Buyer”) agrees to purchase property commonly known at 402 Elm Street, Stamford, Connecticut for a purchase price of \$151,000.00 (One Hundred Fifty-One Thousand Dollars) to be paid as follows:

- Deposit of \$30,200.00 (Thirty Thousand Two Hundred Dollars) to be paid before or upon signing of this agreement, receipt of which has been acknowledged, subject to collection; and
- Upon delivery of the deed, the balance of \$120,800.00 (One Hundred Twenty Thousand Eight Hundred Dollars) is to be paid by wire transfer or by certified check or official cashier’s check drawn by and upon a federally regulated or state chartered bank, the proceeds of which to be immediately available.

Sandy Dennies, Director of Administration, made a presentation providing details of the sale and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended approval of the Real Estate Purchase & Sale Agreement for 402 Elm Street with a purchase price of \$151,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request 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. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

ZONING BOARD REFERRALS:

1. ZB APPLICATION #222-29 - UCEDA INSTITUTE OF CONNECTICUT, INC. - Text Change:

Applicant is proposing to amend Section 5.E to add a definition for “Vocational, Secretarial or Language School,” amend Sections 12.D.5 to amend the parking standard for schools with less than 50 students and amend Appendix A, Table II to include “Language Schools” under Permitted Uses in Commercial and Industrial Districts only.

Richard Rylander, Vice President, UCEDA Institute, made a brief presentation providing details on UCEDA Institute and reasons for the Text Change and answered questions from the Board.

Ms. Cohen made additional comments regarding the parking amendment.

The purpose of the interrelated Text Changes is to allow for the location of a new language training business and immigrant resource center within Downtown Stamford in an office setting. The new business would benefit the adult immigrant community by offering English language tutoring, test preparation for college entry exams, civic lessons, citizenship preparation, and other support opportunities for adult immigrants. UCEDA has runs similar institutions in CT, NY, NJ, MD, and VA. Most of UCEDA’s clients rely on public transportation and do not drive or have cars.

The proposed Text Change would define “Vocational, Secretarial or Language School” that is currently not defined within the Zoning Regulations and would permit “Language Schools” in C-L, C-G, CC, and C-I Districts where “Schools, Vocational and Secretarial” are already permitted. The proposed Text Change would also waive the parking standard for schools with less than 50 students, located within 1,000 feet of a municipal parking garage within the CC District similar to the exemption offered to theaters and auditoriums (Section 12.D.8).

This application is aligned with Master Plan Policies 3C and 5A and Master Plan Implementation Strategies 3B.3 and 4D.3. The application's parking waiver is further aligned with Master Plan Category #11 (Downtown) that encompasses the CC District in which the waiver would apply, since the Category encourages shared parking.

After a brief discussion, Mr. Levin recommended **approval** of **ZB Application #222-29** and that this request is compatible with the affected neighborhoods and consistent with the 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

2. **ZB APPLICATION #222-30 - CITY OF STAMFORD ZONING BOARD - Text Change:** Applicant is proposing a Text Change to amend Section 9.F. TCD-D - Transportation Center Design District. The amendments to the TCD-D are intended to implement the goals of the new Master Plan Category #16 (Transit-Oriented Development District) and various planning study efforts for the train station area.

Ralph Blessing, Land Use Bureau Chief, made a presentation and answered questions from the Board.

The proposed text would:

1. Specify that only properties located in Master Plan Categories #11 (Downtown) and #16 (Transit-Oriented Development District) may be designated TCD-D;
2. Define specific uses permitted within the TCD-D as opposed to referencing uses permitted in a different district;
3. Aligns densities in the TCD-D with densities permitted in Downtown and introduces different development standards for lots smaller than one acre and lots one acre and larger, as well as for Transit Center Access Streets and other streets within the district;
4. Strengthen currently existing Urban Design Standards in the TCD-D including activation of ground floors, wrapping parking, and bonuses for additional public amenity space;
5. Define non-occupant parking requirements for commercial buildings as 15% rather than permitting a range and would allow for small uses/parcels to seek parking reductions by Special Permit due to close proximity to the Stamford Transportation Center; and
6. Require that all buildings, regardless of whether they receive bonuses or not, achieve at least a rating of 65 points on the Stamford Sustainability Scorecard.

The Application Narrative outlines justifications for each of the proposed text amendments. This Application is aligned with Master Plan Policies 4E, 7G, and 7J, the South End Neighborhood Study and the intent of Master Plan Category #16 approved by the Planning Board on May 26, 2020 (MP-436).

After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #222-30** and that this request is compatible with the neighborhood and consistent with Master Plan Category #16 (Transit-Oriented Development District); Ms. Godzeno seconded the motion and passed with eligible members present voting, 4-0-1 (In Favor - Dell, Godzeno, Perry and Tepper / Abstain - Levin). Mr. Levin abstained as he feels the TCD-D is too restrictive by not allowing larger hotels, movie theaters etc. in this district outside of the Downtown.

3. **ZB APPLICATION #222-31 - CITY OF STAMFORD ZONING BOARD - Text Change:** Applicant is proposing a Text Change intended to rationalize certain uses permitted by Zoning as well as make a technical correction to Section 12.K. Street Tree Planting Requirement.

Ralph Blessing, Land Use Bureau Chief, made a presentation and answered questions from the Board.

The proposed Text Change:

1. Eliminates the “tavern” use because the State has eliminated the Tavern License and thus eliminated the need to distinguish between Taverns and other uses permitted to serve alcohol;
2. Would allow Child Day Care Centers for more than 12 children as-of-right in all multifamily and commercial districts, by Special Permit, in single family residential districts, and prohibit said use from M-L and M-G manufacturing districts with the intent to make it easier for providers to provide day care and for families to access day care;
3. Would allow for Veterinary Offices as-of-right in SRD-S and SRD-N where many pet owners live and neighborhood service uses are permitted; and
4. Clarifies that street trees can be warranted through their first three growing seasons not only by a cash deposit but also by bonds.

The proposed Text Change permits Child Day Care Centers in a greater number of districts and is aligned with the 2015 Master Plan. While retaining the districts where the Child Day Care Centers are currently permitted (except for industrial districts), the proposal will simplify the process for approval thus improving the quality of life of residents who will benefit from greater access to child care facilities.

The proposed Text Change to the SRD-S and SRD-N Districts are aligned with the South End Neighborhood Plan and the districts themselves that seek to promote mixed-use buildings and neighborhood-serving commercial uses. Approval of this Application is recommended because it will eliminate out-of-date regulations (#1), would allow for uses that are in high demand and aligned with plans for the respective neighborhoods (#2 and #3) and would provide greater clarity to residents and Applicants (#4).

After a brief discussion, Mr. Levin recommended **approval** of **ZB Application #222-31** and that this request is compatible with the affected neighborhoods and consistent with the 2015 Master Plan; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

OLD BUSINESS:

- Acceptance of 2023 Meeting Calendar. (Adjusted dates for November.)

Ms. Godzeno noted that February 21, 2023 is the day after the President’s Day holiday.

Ms. Dell stated that the February 21st meeting could be noted as an “If Needed” meeting and cancelled if there are no items to come before the Board.

Ms. Dell called for a motion to accept the 2023 Meeting Schedule.

Mr. Tepper made a motion to accept the 2023 Meeting Schedule with the change to the February 21, 2023 meeting; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

Ms. Dell announced that Capital Budget will begin on October 11th and there are two new members from the Board of Representatives who will be attending the meetings, Ameil Goldberg and Mary Fedeli, who have been appointed by Board of Representatives Resolution No. 4147.

Ms. Dell explained the pre-Planning meetings will begin October 6th with Elda Sinani, the new Director of OPM and Anthony Romano, Management Analyst, to begin going over all the submitted Capital Projects.

Ms. Dell also stated that two letters were received from the Connecticut Department of Energy & Environmental Protection (CTDEEP) regarding the applications for 68 Seaview Avenue, which were forwarded to the Board. Ms. Dell explained one letter provided comments for ZB Application #222-23 (Map Change) and they recommended approval and the other letter provided comments on ZB Application #222-24 (Coastal Site Plan) where they recommended denial citing numerous issues. Ms. Dell stated she had asked Vineeta Mathur, Principal Planner, if anything has been received from CTDEEP before the August 9, 2022 meeting and Ms. Mathur stated she had not but the Planning Board could go ahead and hear the applications, even though the Board usually does not go ahead without CTDEEP comments. Ms. Dell stated she felt if these letters have been received and the Board were able to consider their comments, the Planning Board may not have recommended approval of Application #222-24. In light of the letter from CTDEEP, the applicant has withdrawn their applications and they have been pulled from the agendas for the Zoning Board and the Harbor Commission. As there will most likely be significant changes, the application may come back to all the Boards at a later date.

Ms. Dell mentioned that on Wednesday, January 28, 2022 the Zoning Board is having their Public Hearing on the Accessory Dwelling Units (ADU). If anyone would like to attend, let myself or Ms. Capp know and we will get you the sign-in details for the Zoom meeting.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- October 11, 2022 - Capital Budget
- October 18, 2022 - Capital Budget
- October 25, 2022 - Capital Budget

Ms. Dell asked if anyone had anything else.

Ms. Cohen provided clarification on Seaview Avenue. Ms. Cohen stated that, as per Mr. Blessing, the application is still active and may go to the Zoning Board at one of their October meetings. The applicant is currently working with CTDEEP to address their concerns and working on amending the application.

Ms. Dell asked if the application will come back to the Planning Board and Ms. Cohen stated she would check and get back to the Board.

NOTE: After the meeting ended, Ms. Cohen was able to check with Mr. Blessing and the Seaview Avenue applications will not come back to the Planning Board unless they are refiled or substantive changes are made to the application, but the Zoning Board will provide the Planning Board with any decisions on this application.

Ms. Dell reiterated that this application does need to go back to the Harbor Commission before it goes to any of the other Boards and Ms. Cohen agreed.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:40 p.m.

Respectfully Submitted
September 30, 2022

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20