

STAMFORD PLANNING BOARD  
REGULAR MEETING MINUTES #3572  
TUESDAY, JANUARY 19, 2010  
7<sup>TH</sup> FLOOR CONFERENCE AREA  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Duane Hill, Theresa Dell, and Rose Marie Grosso. Present for staff were Robin Stein and Josh Lecar.

***Regular Meeting***

The chairman, Mr. Duane Hill, called the meeting to order at 7:30 pm.

***Supplemental Capital Request:***

**K.T. Murphy School, Safe Routes to School Program** Traffic Engineering, \$370,000  
Robin Stein noted that this request is based on final design of sidewalk construction and reconstruction along the north side of Cove Road, as well as Willowbrook Road in the vicinity of K.T. Murphy School. It provides additional matching funds for a federal grant under the SRTS program.

Theresa Dell moved for approval; Rose Marie Grosso seconded. Motion approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

***Zoning Board Referral:***

**ZB #209-32 APC Development LLC**, requesting a special exception to construct 3 new units under Section 7.3, Historic Bonuses at 48 Pleasant Street.

Mr. Stein noted that this application is a revised site plan submitted in response to Board and staff comments on the November 24, 2009 application. Joseph Richichi briefly introduced the application. He explained that the applicant had worked with their architect to redesign the project in response to Board comments. Renee Kahn, Executive Director of Historic Preservation, supported the application. She noted that it will be a good restoration in the Forest Street neighborhood that has already lost many other historic structures.

Mrs. Grosso moved to recommend approval of Appl. 209-32. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

***Zoning Board of Appeals Referrals:***

**ZB #012-10 Church of Jesus Christ of Latter Day Saints**, requesting variances of Section 13 – Sign Regulations and modification of a previous Special Exception approval in order to permit placement of new and existing signage on an existing church building located at 834 Stillwater Road in an R-20 district.

Mr. Stein stated that the ZBA referral was based on a recommendation of denial due to the gross area of the sign. In response, the applicant has better defined the actual sign area vs. the brick support structure; and also has compared the proposed size and type of signage with other nearby houses of worship.

James Murphy representing the applicant distributed a packet of exhibits, including photographs of the site from different viewpoints and of the various neighboring churches. He indicated that three variances have been requested: to legalize the existing sign size and also to permit the installation of a new 13.6 square foot sign at a setback of 10 feet from the sidewalk in place of the 12 square foot sign permitted with a 48-foot setback from the edge of pavement. Mr. Murphy identified how the sign would not be visible if constructed with a greater setback due to the vegetation on surrounding properties and the contour of the road. He highlighted the specific factors which make a variance necessary and noted that the sign is consistent in size and style with numerous other adjacent church signs.

In response to a question from Mrs. Dell, Mr. Murphy noted that the sign will be lighted during the evening hours when many church activities take place, with a timer to turn off the lighting at 8 p.m. He mentioned that a meeting was held with the residential property owners across the street and that they had not objected to the proposed lighting of the sign. Mr. Murphy reiterated that the requested 10-foot setback provides much better visibility and a longer viewing time for drivers.

Mrs. Dell moved for approval; Mrs. Grosso seconded. Motion approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

***Zoning Board Referrals:***

**ZB #209-09 Richard Redniss**, requesting a text change to amend Article III, Subsection 7.4, Section 9-J and Section 9-K, Below Market Rate units.

Mr. Stein introduced the amendment relating to the off-site construction of Below Market Rate (BMR) units. He indicated that this change responds to federal standards requiring varying ratios of affordability to be provided, including units affordable at 25% of median income.

Mrs. Dell moved for approval; Mrs. Grosso seconded. Motion approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

**ZB #209-34 Richard Redniss**, requesting a text change to amend Article III, Section 4-AA-9, CB District Regulations.

Mr. Stein noted that the most significant element of this change is that it would shift non-residential development in the CB District from as-of-right to special exception providing greater opportunity for Zoning Board review and public comment.

Rick Redniss, the applicant, noted that a relatively small number of properties were located in the CB district within the boundaries of the downtown area. He identified a specific application pending for a property on Summer Street between 2<sup>nd</sup> and 3<sup>rd</sup> streets. The text change has been proposed to clarify the zoning requirements of the project and to gain neighborhood support.

Mrs. Grosso moved for approval; Mrs. Dell seconded. Motion approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

**ZB #209-41 Charter Oak Communities**, requesting a special exception to construct a fence on a wall greater than six feet high at Stillwater Ave. and Palmer's Hill Rd.

Mr. Stein indicated that the application provides greater screening for the development, in response to a legal action from adjacent properties. Mr. Redniss, representing

Charter Oak Communities noted the Memorandum of Understanding with the appellants. According to the MOU the planned development has been reduced from 85 units to 76 units, with building heights of no more than two stories. In addition the applicant will repair and fill in the existing stone wall facing Palmer's Hill Road. The application is to allow a vinyl fence to be placed above the stone wall to provide additional screening of the site.

Mr. Hill asked whether any landscaping will screen the fence. Mr. Redniss responded that the applicant would not place new landscaping within the City right of way but will protect the existing line of sycamore trees. He also noted that a textured, tan-color vinyl fence had been chosen to provide lower long-term maintenance costs. Mr. Redniss indicated that an existing sidewalk segment along Palmer's Hill would be replaced by a dedicated easement through the proposed development providing a safer pedestrian access to Stillwater Ave. Mrs. Grosso questioned the elevation of the fence. Mr. Redniss explained that the fence would be stepped up along the slope of the hill to reduce its visual impact.

Mr. Hill mentioned that there is a sign at the childcare center which blocks visibility to the south of the proposed development and that it should be removed as a safety hazard. Mr. Redniss agreed that the sign should be relocated, but indicated that this property is not under the control of the applicant.

Mrs. Dell moved for approval; Mrs. Grosso seconded. Motion approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso). Mrs. Dell requested that the approval also contain a note indicating the Board's desire for landscaping and screening to the greatest extent feasible.

***Zoning Board of Appeals Referrals:***

**ZBA 009-10, Elliot Tuckel**, requesting variances of side yard and building coverage to allow a pre-existing deck to remain in place on a property located at 339 Stamford Avenue in an R-20 district.

Mr. Stein noted that this situation is typical of many applications in the Shippan area due to the shift from R-10 to R-20 zoning. A photograph of the property was distributed. Mr. Stein observed that the application is for the enlargement of an existing deck located in the rear of the property.

Mrs. Dell moved for approval; Mrs. Grosso seconded. Motion approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

**Capital Budget FY 2010/11-2017** Discussion and vote on the FY 2010/11-2017 Budget and Budget Message

Mr. Stein stated that the initial hearing for the Capital Budget has been set for February 4, 2010. He indicated that the draft recommended budget and budget message had been prepared in response to comments from Board members. He also noted that the Board of Finance had set the Safe Debt Limit for 2010/2011 at \$35 million. He shared with Board members a letter from the Director of Legal Affairs clarifying the noticing of the Capital Budget meetings. Mr. Hill observed that the Board had reviewed the budget extensively and that once the draft budget goes to public hearing it will be revised accordingly.

Mrs. Grosso moved for approval; Mrs. Dell seconded. The draft budget and budget message were approved unanimously with the members present voting, 3-0 (Hill, Dell and Grosso).

Following the vote, Joseph Tarzia, Chairman of the Board of Finance requested the opportunity to speak. He suggested that departments need to do a better job of documenting existing and proposed capital expenditures. He noted that the Mayor is currently reviewing approximately \$58 million in unspent funds already authorized in prior capital budgets. In response, Mr. Hill noted the Planning Board's desire for coordination with the Board of Finance and appreciated input during the capital budget development process.

**Planning Board Meeting Minutes for Approval:**

Members present unanimously approved the minutes for Planning Board meetings held on:

November 10, 2009

November 24, 2009

December 1, 2009

December 8, 2009

**New Business:**

Mr. Stein announced that there would be a meeting next week at the regular time and place. The meeting will focus on a presentation of the Stillwater Corridor Plan final report and the Stamford Museum draft Master Plan. He also indicated that the proposed Planning Department operational budget had been submitted in the preceding week.

There being no further business to discuss, Mr. Hill adjourned the meeting at 8:50 pm.

Respectfully Submitted,  
Duane Hill, Chairman

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