

STAMFORD PLANNING BOARD  
REGULAR MEETING MINUTES #3579  
TUESDAY, APRIL 6, 2010  
7<sup>TH</sup> FLOOR LAND USE CONFERENCE AREA  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Duane Hill, Theresa Dell, Claire Fishman, Rose Marie Grosso and Jay Tepper. Present for staff were Robin Stein and Todd Dumais.

***Regular Meeting***

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

***Supplemental Capital Appropriations:***

**Energy Efficiency Conservation Block Grant \$1,186,300**

Mr. Robin Stein briefly introduced the first item on the agenda. Nancy Pepicilli, Engineering Bureau, described the grant in detail. She explained that the first project was for Green Street lighting for \$500,000 and that the second project was for energy retrofits at the schools. Mrs. Pepicilli added that the total costs for the Green Street lighting is almost \$3million project but that utilizing this first year with stimulus money it will bring \$94,000 of energy savings. She also explained that part of the first part of the energy retrofit in the schools would be upgrades to gym lighting.

Mrs. Pepicilli also discussed the fuel cell project at the Government Center is a power plant backup system and how this project is moving slower than expected and all approvals not yet in hand and noted that there is Hybrid Vehicle Station Project which Robin Stein is coordinating with CL&P on a pilot basis will create three to four hybrid charging stations.

Mr. Tepper asked what the potential yearly savings in operating costs were? Mrs. Pepicilli said approximately \$67,000 and the street lights \$416,000 if implemented on the full system.

Mr. Tepper moved to recommend approval of this supplemental capital appropriation. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

***Zoning Board Referrals:***

**Appl. 210-10 Wholesale Fuel Distributors**, requesting special exception to convert existing auto repair facility to a convenience store at 1033 Hope St.

Mr. Dumais briefly explained the application.

After a short discussion, Mrs. Grosso moved to recommend approval of Application 210-10. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

***Subdivisions:***

**Appl. 3990 Sharon Querro**, 2 lots at the north side of Dubois Street (54) across from Cantwell Avenue.

Mr. Stein described the application. He explained that it is a two lot subdivision on the corner of Cantwell and Dubois Streets with an existing house on parcel 2 and a proposed house on parcel 1. Mr. Stein noted that the property received a variance, has no wetlands, has full services and does not need to meet regulations for open space or a conservation area.

Mr. Tepper asked what is nonconforming about the subdivision? Mr. Stein said the lot area and rear yard setbacks.

Mrs. Dell asked if the driveway on the existing property isn't too excessive? Mr. Stein said that he didn't think so.

Mr. Tepper asked if the ZBA granted the variance in advance of the subdivision? Mr. Stein said yes, that was required to conform prior to coming to the Planning Board for the subdivision.

Mr. Stein distributed potential conditions of approval to each Board member and then explained each condition.

Mrs. Dell moved to recommend approval of Application 3990, subject to the conditions discussed. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

**Appl. 3991 White Socks LLC**, 2 lots at the northwest corner of High Ridge Road. (778) & Brandt Road.

Mr. Stein described the application as a two lot subdivision on the corner of Brandt and High Ridge Roads, with City sewer and City water. Mr. Stein then highlighted the report from EPB.

Mrs. Dell asked if the proposed driveway cut would have any ramifications? Mr. Stein replied no. Mrs. Dell said she did not see any other problems with the application.

Mr. Stein distributed potential conditions of approval to each Board member and explained each condition.

Mr. Tepper commented the application was standard and conformed to the regulations.

Mr. Tepper moved to recommend approval of Application 3991, subject to the conditions discussed. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

***Amendment to Subdivision Regulations: Section 5.2.5 Lot Lines***

Mr. Stein explained the background to this proposed amendment. He explained that it related to a subdivision which the Board granted and which was appealed. The three issues raised were: 1) tortured lot lines, 2) Parcel B-2 not having adequate frontage because of the accessory lot and 3) B-1 did not meet minimum frontage. Mr. Stein explained that the judge (to the surprise of Corporate Counsel) agreed on two of the three items with the plaintiffs on issues #2 and #3.

Mr. Stein said the City is in the process of appealing this and in the mean time has been in discussion with Corporate Counsel and the applicant. He stated that it is staffs suggestion is to modify the language on the accessways and propose deletion of "tortured lines" from the regulations.

Mr. Stein described the process and said there would be a Public Hearing scheduled with proper notice. He distributed language to further explain the rationale for common driveways.

Mr. Hill said this amendment codifies our historic practice.

Mr. Tepper asked what can be done in advance of a court appeal? Mr. Stein said amendments to the regulations and a re-filing of the application.

Mrs. Dell moved to recommend staff move forward in drafting an amendment of the subdivision regulations, Section 5.2.5. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

***Old Business:***

**ZBA 026-10-Hilton, LLC** (car wash establishment, 229-249 Greenwich Ave.)

Mr. Stein informed the Board that this item required a 2/3 majority vote to be discussed. Mr. Tepper moved to discuss the item. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

Mr. Dumais explained that the Board discussed this ZBA referral application at its previous meeting and recommend denial over concerns about traffic impacts. He then explained that subsequent to that meeting the City Traffic Engineer found the project to have no adverse traffic impacts and staff thought it appropriate to bring back to the Board for reconsideration. After a short discussion, Mrs. Dell moved to recommend approval of ZBA application 026-10 based on the new information. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0 (Hill, Dell, Fishman, Grosso and Tepper).

***New Business:***

Mr. Stein provided the Board with updates on several Land Use Bureau projects and announce that the next meeting date would be on Tuesday, April 20, 2010.

There being no further business to discuss, Mr. Hill adjourned the meeting at 8:35 pm.

Respectfully Submitted,

Duane Hill, Chairman  
Stamford Planning Board

**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.