

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES #3540
TUESDAY, JANUARY 20th, 2009
7TH FLOOR CONFERENCE AREA
888 WASHINGTON BLVD., STAMFORD, CT

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

The Chairman, Mr. Duane Hill, called the Regular Meeting to order at 7:30 pm. Mr. Hill then asked for a motion to change the order of the agenda to discuss subdivision 3981 as the first item of business. Mr. Tepper moved to change the order of the agenda. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0.

Subdivision:

Application #3981 of Cytec Industries, Inc., 3 lots, Property is located at the northeast intersection of Alvord Lane and West Main Street having an address of 1937 West Main Street.

Mr. Dumais described the application to the Board. He explained that the Board held a public hearing on this subdivision last week and that at the meeting there was one neighbor on Progress Drive who spoke in support of the application. Mr. Dumais summarized the application as a three (3) lot subdivision of a 34.9 acre property located at 1937 West Main Street which would create Lot A (7.1 acres and home to Stop & Shop), Lot B-1 (8.8 acres and home to Cytec), and Lot B-2 (19 acres with no proposed development at this time). He then stated that a benefit of the subdivision process was the mandated open space, some 3.49 acres in the application. Mr. Hill then asked Mr. Dumais for a list of conditions of approval. Mr. Dumais distributed and read through the following list:

1. Delineation of "Open Space Preserve/Conservation Area" - to be maintained in a natural state except as may be authorized by the Environmental Protection Board; the area so designated is 152,123 square feet and is shown on a map dated revised December 10, 2008 on file in the Planning Board office.
2. Filing of a standard "Conservation Easement Agreement" to include the area designated as "Open Space Preserve/Conservation Area," filed concurrently with the final subdivision map. At the time of filing of the final subdivision map, this Area shall be field staked with iron pipes at all property boundaries and turning points of the easement boundary.
3. Driveway easement serving lots B-1 and B-2 shall be delineated on the final map and vehicular ingress and egress to be restricted to said easement.
4. Future site development shall seek to preserve existing specimen trees and other significant natural features of the site as consistent with the provisions of Sections 7.5 and 7.2 of the Stamford Zoning Regulations (note to appear on final map).
5. Submission of a standard Landscape Maintenance Agreement, subject to the review and approval by Environmental Protection Board staff, to be filed on the

Stamford Land Records concurrently with the final subdivision map. The proposed landscaping shall be completed within five years of the approval date of the subdivision, or prior to any property transfer of lot B-2, whichever occurs first.

6. Final streetscape shall be subject to the approval of the Tree Warden and the Executive Director of the Environmental Protection Board (note to appear on final map).
7. Any significant development of Lot B-2 in the future requires a primary access driveway to be constructed within the front portion of Lot B-2 to West Main Street directly across from Harvard Avenue. At such time, primary access to Lot B-1 shall be by this new driveway (note to appear on final map).
8. Prohibition of new in-ground fuel oil storage tanks unless specifically approved in conjunction with a Site Plan Review pursuant to Section 7.5 and 7.2 of the Zoning Regulations and providing that certification by a Licensed Environmental Professional (LEP) shall be provided to the EPB staff stating that any new in-ground fuel oil storage tanks comply with all governing requirements in effect at the time of their installation (note to appear on final map).
9. Site development shall not begin until a soil erosion and sedimentation control plan is approved by Environmental Protection Board staff and those control elements scheduled for installation are in place and functional (note to appear on final map).
10. In accordance with CGS 8-26c, approval shall expire on January 23, 2014, unless all "work" as said term is defined in CGS 8-26c(b), has been completed by said date (note to appear on final map).
11. Subdivision reference number to be placed on final map

Following a brief discussion, Mr. Tepper moved approval of subdivision 3981 subject to the eleven (11) conditions discussed. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0.

Master Plan Amendment:

MP-402 Richard Redniss to amend a portion of the Master Plan Map from Land Use Category 6 – Commercial – Neighborhood Business to Land Use Category 4 – Residential – Medium Density Multifamily.

Mr. Dumais summarized the application for the Board. He explained that the Board held a public hearing on this master plan amendment last week and that at the meeting, three people spoke in favor of the application and none spoke in opposition to the application. Mr. Dumais stated that the applicant seeks to amend the Master Plan Map for an area on the north side of Stillwater Avenue from Land Use Category 6 (Commercial - Neighborhood) to Land Use Category 4 (Residential – Medium Density Multifamily). The area is approximately 1.35 acres. The area lies entirely within Master Plan Category 6 and the C-N (Neighborhood Business District) zone and consists of eight (8) parcels. He added that the applicant explained how this Master Plan amendment is the first step in the Vidal Court revitalization which will create a new mixed-income community along Merrell Avenue and Stillwater Avenue.

Following a brief discussion, Mrs. Dell Tepper moved approval of Master Plan Map amendment 402. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0.

Zoning Board Referrals:

ZB 208-44 Redniss Vidal Court map amendment to rezone 1.35 acres of property from C-N to R-MF located on the corner of Stillwater Ave. & Merrell Ave.

Mr. Dumais explained that this map change is now consistent with the Master Plan due to the Board previous motion. He stated that it was to rezone the exact same area of land just under discussion in the Master Plan Map amendment application from C-N to R-MF zoning.

Following a brief discussion, Mrs. Dell moved to recommend approval of the zoning map amendment. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0.

ZB 208-45, Richard Redniss, text change to amend Article III, Section 7-R (1) of the Zoning Regulations.

Mr. Dumais explained that the concerns that the Board and Staff had with the text amendment as presented last week were subsequently addressed by the applicant. He added that Mr. Cole worked with the applicant tightening up the language to add more control over its application. The Board agreed that their concerns had been addressed.

Following a brief discussion, Mr. Tepper moved to recommend approval of the zoning text amendment. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0.

Subdivision:

Subdivision #3980, 91 Barrett Avenue. For subdivision of property into 2 parcels. The property is located on the east side of Barrett Avenue having an address of 91 Barrett Avenue.

Mr. Dumais briefly described the application. He explained that this was a two (2) lot subdivision that would create to conforming lots in the R-10 zone. Mr. Dumais further explained that due to the moderate slope of the site, fairly extensive grading needed to occur for home construction. Mr. Hill asked Mr. Dumais for any conditions of approval. Mr. Dumais distributed and read the following conditions:

1. Significantly sized trees shall be preserved to the greatest extent feasible (note to appear on final map).
2. Submission of a "Standard Landscape Maintenance Agreement" for plantings as depicted on a planting plan dated December 22, 2008 (note to appear on final map).
3. Submission of a standard "Drainage Facilities Maintenance Agreement." The Agreement should be submitted to Environmental Protection Board staff for review and approval, and filed on the Stamford Land Records prior to the filing of the subdivision map (note to appear on final map).

4. All trees to be planted in the City Right of Way to be approved by the Stamford Tree Warden (note to appear on final map).
5. Approval by the City Engineer as to drainage.
6. In-ground fuel tanks shall be prohibited (note to appear on final map).
7. Site development shall not begin until a soil erosion and sedimentation control plan is approved by Environmental Protection Board staff and those control elements scheduled for installation are in place and functional (note to appear on final map).
8. All drainage improvements and landscaping to be completed under the supervision of qualified professionals with certifications of proper completion provided to Environmental Protection Board staff prior to the endorsement of the issuance of Certificates of Occupancy and release of the surety.
9. Filing of a performance bond or other form of surety acceptable to Corporation Counsel for installation of erosion controls, drainage improvements, landscaping, and certifications prior to the filing of the final map.
10. In accordance with CGS 8-26c, approval shall expire on January 23, 2014, unless all "work" as said term is defined in CGS 8-26c(b), has been completed by said date (note to appear on final map).
11. Subdivision reference number to be placed on final map.

Following a brief discussion, Mrs. Dell moved approval of the subdivision 3980 subject to the eleven (11) conditions discussed. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0.

Old Business:

None

New Business:

None.

There being no further business, the meeting was adjourned at 8:00 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 7th floor of Government Center, 888 Washington Boulevard, during regular business hours.