

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES #3544
TUESDAY, FEBRUARY 24th, 2009
4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

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

The Chairman, Mr. Duane Hill, called the meeting to order at 7:30 pm. He then explained that Master Plan application 403, Procurement LLC, was noticed one time in the paper for tonight's meeting, however, the applicant withdrew the application and it was not on tonight's agenda. Mr. Hill then stated that prior to the start of the Public Hearing portion of the meeting the Board would discuss one item of from the Regular Meeting agenda.

Acquisition of Rights of Way & Easements for the Cold Spring Rd. Bridge Project

Mr. Stein briefly described the acquisition. Mrs. Rachael Goldberg, from the Urban Redevelopment Commission, described the property and ownership issues. She stated that the City did not own the land beneath the road and was trying to acquire fee ownership of the land; the area to be acquired for the proposed sidewalk and a temporary construction access easement area. Mr. Tepper asked the width of the various portions of the rights of way, easement areas and the condition of the front of the property. Mr. Edward Gentile, Assistant City Engineer, explained that it is currently lawn area and that there was a 5' wide sidewalk and guard rail proposed. Mrs. Goldberg explained that this was a two-step process under the City Charter and still had to go before the Board of Reps.

After a short discussion, Mrs. Dell moved to recommend approval acquisition of rights of way and easements. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper, and Raduazzo)

Public Hearing

Mr. Hill called to order the Public Hearing. He introduced the members of the Board and staff and explained the process by which the Public Hearing was to be conducted.

MP-401 969 Associates, LLC to amend a portion of the Master Plan Map from Land Use Category 7 – Commercial Arterial to Land Use Category 2 – Residential – Low Density Single-Family. The affected property is located between High Ridge Road and Turn of River Road having addresses of 955 and 969 High Ridge Road.

Mrs. Grosso read the legal notice into the record. Mr. Dumais read the following staff report into the record:

"The above-referenced application, submitted by 969 Associates, LLC to the City of Stamford Planning Board seeks to amend the Master Plan Map for an area in-between High Ridge Road and Turn of River Road from Land Use Category 7 (Commercial – Arterial) to Land Use Category 2 (Residential – Low Density Single-Family).

The area lies entirely within Master Plan Category 7 and the C-N (Neighborhood Business District) having addresses of 955 and 969 High Ridge Road and is approximately .25 acres.

The stated purpose of the Master Plan Map Change is to place an irregularly shaped piece of the properties into Master Plan Category 2 (Residential – Low Density Single-Family). In 2007, the applicant was granted a Master Plan Map Change to change the rear portion of the properties from Category 2 to Category 7. The applicant subsequently filed for Zoning Map Change, Special Exception and Site & Architectural Plan approvals to construct a new commercial building on the site. During the hearing, several neighbors requested additional landscaping along the Turn-of-River and the applicant offered to bring separate applications back to the Planning Board and Zoning Board to take additional lands from Category 7, C-N and place them back into Category 2, R-10, which would help ensure a proper landscaped and land use buffer for the neighborhood.

This application along with the pending Zoning Map change and the previous Zoning Board approval for the new commercial building on the site promotes one of the main goals of the 2002 Stamford Master Plan: “Protect and enhance the quality of life of Stamford’s neighborhoods, addressing land use transitions, community resources, traffic and environmental conditions.” The requested changes will help facilitate the creation of an appropriate land use transitional area, complete with significant landscaping, between the busy High Ridge Road commercial district and the Turn-of-River residential district. The Board may conclude that this application will likely have a positive impact on the neighborhood and warrants a favorable review.”

Mrs. Jackie Olschan, attorney for the applicant, submitted the certificate of mailing into the record. She further described the properties and explained the history of past applications before both the Planning Board and the Zoning Board.

Mr. Hill asked if there were any members of the public wishing to speak in favor of the application. There were no members present wishing to speak. Mr. Hill then asked if there were any members of the public wishing to speak in opposition to the application. There were no members present wishing to speak. Next, Mr. Hill asked if there were any members of the public wishing to speak neither in favor of nor in opposition to the application. There were no members present wishing to speak.

Mr. Hill closed the Public Hearing on application MP 401at 7:51pm.

Subdivision Application #3982 of Brass Ring Properties Venture. For subdivision of property into 4 parcels. The property is located at the northern terminus of Pakenmer Road having an address of 51 Pakenmer Road.

Mrs. Grosso read the legal notice into the record.

Mr. Ted O’Hanlan, attorney for the applicant, presented the application. He explained that the application was a four-lot subdivision which will have public water and sewer.

Mr. Len D’Andrea, civil engineer for the applicant explained the technical details of the application. He began by describing the existing conditions of the site. He stated that the lot was roughly rectangular in shape, was in the RA-1 zone and received its zoning frontage off of Pakenmer Road. Mr. D’Andrea further explained that improvements would be made to Pakenmer Road by extending the roadway into a cul-de-sac and by bringing water service to Pakenmer Road from McArthur Lane. He added that the site is

relatively flat and drains from west to east and the proposed drainage calculations have been reviewed and approved by the City's Engineering Bureau. Mr. D'Andrea explained that the existing house on the property would be demolished and that all four lots conform to zoning. He added that a conservation easement area was proposed around the perimeter of the property and that a planting plan was developed for the easterly portion of the property. Mr. D'Andrea then explained that the four homes would be serviced with sanitary sewer from McArthur Lane by way of four individual lift lines.

Mrs. Dell asked why the trucks had to come in off McArthur Lane until the Road is built on Pakenmer Road. Mr. D'Andrea stated that the existing house must be removed first and once the road extension is built all access will be from Paknemer.

Mr. Stein asked if the applicant was prepared to meet all of the Engineering and Environmental Protection board conditions as outlined in their respective reports. Mr. O'Hanalan indicated that the applicant was prepared to meet them but requested slight modifications to two of the conditions: that "significantly sized trees be preserved but reference the arborists report" and that EPB conditions 15 & 16 not reference "before the transfer of any property."

Mr. Hill asked if there were any members of the public wishing to speak in favor of the application. There were no members present wishing to speak.

Mr. Hill then asked if there were any members of the public wishing to speak in opposition to the application. There were no members present wishing to speak.

Next, Mr. Hill asked if there were any members of the public wishing to speak neither in favor of nor in opposition to the application.

Shane Keenihan, resident of Pakenmer Road, requested the ability to connect to the proposed sewer line. He stated that he did not object to construction vehicle accessing the site from Pakenmer. Mr. Keenihan also stated his support for being able to connect to public water.

Anil Gota, resident of 2 Pakenmer Road, echoed Mr. Keenihan's comments and also stated his concern about potential drainage impacts to his property.

Linda Hogan of 65 McArthur Lane, house #1 McArthur Park, requested a detailed timeline for the project including construction sequencing documents. She asked why access to the site can't be confined to Pakenmer Road.

Joe Kopilak, of 49 McArthur Lane, asked for additional clarity on the access into the proerty via the existing accessway and asked why access to the site can't be confined to Pakenmer Road.

Mr. D'Andrea answered the neighbor's questions. He stated that the sewer rights for this project are based on utility rights from McArthur Park and his client does not have the legal authority to extend them to additional properties. Mr. D'Andrea then stated that the construction staging for the site would likely be driven by market conditions and it could be 0-180 days to file the final map and 5 years after that date before improvements are made.

Mr. Stein clarified that up to two 90 day extensions may be grated up to 270 days to file the final map. He also noted that when McArthur Park was developed the residents on McArthur Lane had to suffer the construction traffic.

Mr. Hill again asked if there were any members of the public wishing to speak in favor of the application. There were no members present wishing to speak.

Mr. Hill then again asked if there were any members of the public wishing to speak in opposition to the application. There were no members present wishing to speak.

Finally, Mr. Hill asked if there were any members of the public wishing to speak neither in favor of nor in opposition to the application.

Linda Hogan of 65 McArthur Lane, house #1 McArthur Park, again about the timeline and asked what the demolished home would look like prior to other site work commencing.

Shane Keenihan, resident of Pakenmer Road, again requested the ability to connect to the proposed sewer line.

Mr. O'Hanalan stated that his client's property rights do not give the ability to connect into the sewer line.

There being no further question or comments Mr. Hill closed the Public Hearing on application # 3982

Regular Meeting

Zoning Board of Appeals

ZBA 011, Tracy Sachs-Lavery requesting variances of Table III, Appendix B, for front yard setbacks, side yard setbacks and building coverage to construct a one-story garage addition to an existing single-family home located at 20 Maryanne Lane.

Mr. Dumais described the application to the Board. He stated that the proposed request is consistent with existing conditions on other properties in the neighborhood and a previous variance granted for the property across the street.

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

ZBA 013-09, Steve Prisco requesting a variance of Table IV, Appendix B, for Floor Area Ratio (F.A.R.) to construct a 693 s.f. infill addition to an existing commercial building located at 900 High Ridge Road.

Mr. Dumais described the application to the Board. He stated that all of the work was internal to the existing building.

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

ZBA 015-09, Villa Maria Education Center requesting Special Exceptions for an enrollment increase at an existing private school and for interior modifications to existing structures for a property located at 161 Skymeadow Drive.

Mr. Dumais described the application. He stated that it was to modify previous Special Exception approvals to expand the enrollment at the school and make interior alterations to existing buildings.

Mrs. Grosso moved to recommend approval of the variance. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper and Raduazzo)

ZBA 017-09, James & Elissa Hyman requesting a variance of Article III, Section 6, to permit the reconfiguration of an existing accessory structure which will exceed the allowed building height and number of stories for a property located at 755 Westover Road.

Mr. Dumais described the application and stated that it was only for a partial second story and that the existing structure exceeds the allowed building height.

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

Approval of Meeting Minutes

February 10, 2009 Mr. Tepper moved approval of the meeting minutes. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper, and Raduazzo)

February 17, 2009 Mr. Tepper moved approval of the meeting minutes. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper and Raduazzo)

Old Business

None

New Business

Mr. Stein informed the Board that they would need to meet next week, March 3rd, but would not need to meet the week after.

There being no further business, the meeting was adjourned at 8:40 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.