

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES #3553
TUESDAY, JUNE 30th, 2009
7TH FLOOR CONFERENCE AREA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Duane Hill, Theresa Dell, Claire Fishman, Rose Marie Grosso, Jay Tepper and Michael Raduazzo. 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 Project Appropriation Requests:

Mr. Stein apologized for growing agenda over past several days, explaining that the first four items are all interrelated and are simply accounting. He added that the first two items the Board needs to vote on but the closeouts no action is required.

Stamford Urban Transitway - \$420,000.

Mrs. Dell moved to recommend approval of supplemental capital project request. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 4-0. (Hill, Dell, Fishman, Grosso and Tepper)

Stamford Urban Transitway - \$1,325,000

Mr. Raduazzo moved to recommend approval of supplemental capital project request. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 4-0. (Hill, Dell, Fishman, Grosso and Raduazzo)

Lease between City & Domus for Trailblazers School

Mr. Stein explained the lease agreement and stated it was also for the Child Learning Center. Director of Operations, Ben Barnes provided additional details on the agreements.

Ms. Dell asked how much of the building Domus is going to take over. Mr. Barnes replied that of the existing building 75-80% and that the lion's share will go to Domus with a small amount being reserved for future City use.

Ms. Dell asked if there were any problems having little ones with Domus children. Mr. Barnes replied it did not appear to be and that they believe it is an appropriate shared use of the building.

Barbara Garvin-Kester, Executive Director CLC, described that the way it's laid out the two areas are segregation and expect no issues.

Mr. Hill read the terms of the lease agreement, from July 2009 to June 30, 2014 and the lease term is \$1 dollar.

Mr. Barnes said the Domus lease will use extra space as a community center to help defray some of the operation costs of the building.

Ms. Dell asked if someone needed to be notified about having a community center. Mr. Barnes replied that he did not believe so.

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

Lease between City & Childcare Learning Centers Inc.

Mr. Hill read that terms of the lease agreement and Mr. Barnes explained that the reason for 30 year term reflects the City's requirements of CEFA financing.

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

License Agreement between City & Antares Yale & Towne SPE, LLC

Anne Browne, Project manager described license agreement. She explained that it was for use of a one acre of site used as a staging area for the contractors for the Stamford Urban Transitway. Adding, that the request is for a renewal of an existing lease.

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

Subdivision:

Application#3988 Mohammad S. Khan for subdivision of property into 2 parcels. The property is located on the south side of Peak Street and the north side of Derry Street, having an address of 30 Peak Street.

Mr. Stein described the request and highlighted the following aspects of the application:

- The parcel is in R-10 zone; and terminates at both streets;
- Classic tortured lot line but there is an existing dwelling on the property which will be maintained;
- Applicant did come before the board as a request for variance for sub area which was granted by ZBA;
- Only difference was width of common driveway; now 18';
- The area is sewered; increase in impervious surface is minimal, other zoning requirements well within zoning rights;
- Have negative recommendation from Executive Director of EPB, however there are no environmentally sensitive areas but nearly impossible to predicate a negative report.

Ms. Dell asked if this wouldn't be considered a building behind a building. Mr. Stein said no because each lot has technical zoning frontage.

Mr. Tepper asked what the ZBA approval was for and, what did EPB base their negative report on. Mr. Stein explained for lot area and that the EPB's report is nonbinding because there are no environmentally sensitive areas on the property. Mr. Stein then distributed potential conditions of approval and read through each one.

Ms. Dell questioned the driveway going straight back and if there could be any screening. Mr. Stein replied probably only type of screening that could fit would be a fence.

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

Zoning Board Referrals:

209-16 Parish of St. Andrews, Text amendment to permit Zoning Board to reduce parking requirements by Special Exception.

209-17 Parish of St. Andrews, Map amendment to rezone property to MX-D, located at 1231 Washington Blvd.

209-18 Parish of St. Andrews, Special Exception to reduce parking requirements to permit the construction of a 94 unit residential building located at 1231 Washington Blvd.

Mr. Stein briefly introduced the applications. He explained that this was the third time this development area has been before the Board, adding that it was approved many years ago as a P-D but nothing built. Mr. Stein noted that recently an additional project was approved for a high rise but also was not built.

William Hennessey, attorney for the applicants (Parish and Developer) introduced development team: Father Alton, Frank Baker, Randy Salvatore (RMS Construction); Jackie Olschun, Annie Hong, Peter Geniune (Historic Architect), Eric Reins Landscape Architect. He described the project as similar to what was done at Canterbury Green. Mr. Hennessey explained that the Parish is failing but has spectacular opportunity for development because of its location as a through lot. He provided background detail on the history of previous applications specifically; that the most recent St. Andrews application never rose to actual site plan submission – filed series of text changes and concept plans and that the Zoning Board approved most of the text amendments but was modified and because an unfeasible project. Mr. Hennessey noted that Mr. Salvatore has a building that can be built, it's less dense and financeable.

Mr. Hennessey showed how the site was going to be organized using poster board graphics and explained the following:

- The New building is a 4-story building;
- Why are we not moving rectory? Rectory - because financially unfeasible, but beautiful building in extremely bad condition, inside however is not the same.
- Rectory couldn't be picked up and moved because the budget would be too much; church doesn't need this building – it needs a Parish Hall.
- Holly House would use important pieces, church needs a usable 1-story facility.
- New building would meet fire code, and would compliment existing church.

Mr. Tepper asked if Holly House would face the street? Mr. Hennessey said yes, but also a stately appearance also facing Washington Blvd.

Ms. Fishman asked if they were allowed to destroy something on the National Registry. Attorney Hennessey replied yes.

Ms. Dell asked would someone other than the Parish want to buy and preserve the building. Mr. Richard Alton, Pastor of Parish, said that they have contacted the CT Trust for Historic Preservation to see if anyone was out there to purchase and remove building.

Mr. Hennessey said the other piece of the project is the residential portion which consists of 94 units of 1 and 2 bedroom rental units with the potential to convert to condos. MX-D proposed and would be 10% BMR units on site. He explained that this is a 4-story building so they went for a more modern with lots of glass, metal sun-shading and lots of articulation.

J. Peter (Architects) Genoni: described plans for Holly House:

- He Described existing church addition that was poorly done, so new building will hide this;
- Reuse of existing materials; realistic views would include over \$400K just for outside, from functional view - spaces in building weren't functional;
- The to move the Parish Hall would cost in excess of million dollars, if building stands for more years it could be deemed a hazard by building department;
- We can save good granite stone veneer.

Do Chung explained architecture of new building and explained previous Avalon style of buildings. Would rather stay with modernistic architecture style, style is matter of taste which cannot argue with.

Randy Salvatore gave the background on the thought process for the site. He began talking with the Parish to determine what could be built and what would fit on the site and explained that you have to build to marketplace demands and if don't provide that, they won't succeed.

Mr. Tepper said it's not possible to have something look old – that fizzles.

Annie Whang said the architecture for this building must understand scale especially if you did something as heavy as church will be overwhelming and will swallow the church. Need to juxtaposition.

Mr. Tepper asked about Traffic impact and Mr. Hennessey answered that there was no diminution in any level of service.

Mr. Hill stated that if you put the text, map and special exception in context with the Master Plan it is consistent with many key points. Don't want to loose sight of what the Planning Board is here to do.

Eric Riens, Landscape Architect for project described planting plan.

Mr. Hill said now would be a good time to talk about the text and map changes and explain how MX-D should catch up to 1.25 parking reduction ration.

Mr. Hill called a five minute break.

Renee Kahn, Director of Historic Neighborhood Preservation Program spoke. She provided the Board with her credentials and said that naming the new structure the Holly House after the architect Henry Hudson Holly is aggrieving. Mrs. Kahn said that this is the most important preservation issue the Board will face and that certain things need to be protected which have almost a national interest such as this house. She explained that she has overseen the renovation of many buildings and that moving them are problematic but can be done.

Mrs. Kahn explained that the purpose of the Planning Board is to protect community interests and if it approves the zone change, the Board should require the existing building be preserved.

Attorney Hennessey asked that the discussion focus on what can be agreed on. There are two options of which both involve disappearance of the rectory. If the real estate deal falls apart, the rectory will continue to fall apart and the parish will fail.

Frank Baker, attorney Robinson & Cole, for St. Andrews, said that the diocese has been on diocese welfare for 15 years. Issue is survival of the Parish; can't afford to keep it open.

Father Alton said it's difficult and painful set of circumstances. Church itself vulnerable and in terrible condition.

Mr. Stein added that it presents the Board with a difficult decision.

Mr. Tepper thinks project stands on its own based on the Master Plan.

Mr. Hill said the Master Plan maintains the diversity of the City and keeping the City beautiful, quality of life, vibrant downtown. These four values are the guideposts we have to review. Look to Zoning Board referrals in context of the Master Plan.

Ms. Dell said part of the Planning Board is the preservation of neighborhoods and beautiful buildings are part of that neighborhood. Taking away a beautiful old stone building – it's a shame to tear the building down.

Mr. Stein said the historic preservation is also an objective of the Master Plan. Issue of preservation/moving requires individual review or state review. It is too important to ask for it as part of PB decision. In referral comments to ZB, require an independent third party review. Master Plan change and Text Change are as close to no brainers as possible.

Mr. Hill said one way to proceed is to strongly recommend zoning board consider a level of independent review on historical aspect. From technical and regulatory position it's okay for historical preservation.

Zoning Board of Appeals Referrals:

ZBA 037-09, Mark Senerchia, requesting variances of front yard setback; front street center line setback; and rear yard to allow for the future subdivision of an existing property into two parcels and the construction of two new single family homes located at 24 Rutz Street.

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

ZBA 038-09, Madonia Restaurant, requesting variances of section 10A, Nonconforming Uses, to permit entertainment at an existing restaurant located at 1297 Long Ridge Road.

Mr. Tepper moved to recommend denial of the requested variance stating that it would set a precedent for expanding this use throughout the City. Mrs. Dell seconded the

motion and carried with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso and Tepper)

ZBA 039-09, Vineyard Builders, LLC, requesting variances of side yard setbacks; rear yard setback and building coverage to permit a patio to stay “as is” at a home located at 23 Vineyard Lane.

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

ZBA 040-09, Stanhope Condominiums, requesting variances of building coverage to construct a wireless communications equipment shelter at an existing condominium building located 970 Hope Street.

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

ZBA 041-09, Charles Wintrub & Tammy Davis, requesting variances of front yard setbacks and building coverage to construct two story building addition to an existing single-family home located at 35 Verplank Avenue.

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

ZBA 042-09, Carly Realty, LLC, requesting a variance to allow an existing building to be used as a car wash facility and permit the continued use of two non-conforming residential lots to support the commercial activities for a property known as 170 Selleck Street.

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

Old Business

Subdivision #3986, Request for extension of time to file final map.

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

New Business

None

There being no further business to discuss, Mr. Hill adjourned the meeting at 10:04 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.