

MINUTES OF PLANNING BOARD PUBLIC
HEARING & REGULAR MEETING #3446
TUESDAY, FEBRUARY 14, 2006, 7TH FLOOR
CONFERENCE ROOM, 888 WASHINGTON BLVD.
STAMFORD, CT

Present for the Board were: Duane Hill, Chairman; John Garnjost; Theresa Dell; Claire Fishman; Rose Marie Grosso; Jeffrey Curtis; and Jay Tepper. Present for staff: Robert M. Stein, Jr., Land Use Bureau Chief.

The Chairman, Mr. Hill, opened the Public hearing at 7:30 PM. The Secretary, Mrs. Grosso, read the legal notice.

Master Plan Amendment MP-384, BBF, LLC to change from Category 4- Residential Medium Density Multifamily to Category 9- Downtown Collar, Mixed Use for properties fronting on portions of Henry Street, Atlantic Street and Rockland Place.

Attorney William Hennessey presented the application. He reviewed the project, the neighborhood and stated that the mixed use project was consistent with the Master Plan Category 9. Jonathan Rose stated that the housing portion would provide for diversity in housing and affordability. He added that the development would maximize sensitivity to environmental concerns. The Board members expressed concerns over the Henry Street frontage along the proposed parking garage frontage. Mr. Reyes, a local architect expressed concern over the design.

There being no further comments, the hearing was closed at 8:40 PM.

The Chairman opened the regular meeting at 8:45 PM.

Subdivision Appl. #3918 of First Island Cove LLC for subdivision of property into 9 parcels. Property is located on the east side of Island Heights Drive. Known as 22 Island Heights Drive and 26 Island Heights Drive.

Mr. Stein reviewed the comments received at the public hearing and the staff and Environmental Protection Board reports. He provided the Board with the modified plan of eight parcels prepared by the applicant as opposed to the previously presented nine lot subdivision. Mrs. Dell and Mrs. Grosso expressed concern over the impact of the proposed wall on the neighboring properties. The Chairman also expressed concern over the impact of the wall on the neighboring properties. Mrs. Dell moved to deny the modified eight lot subdivision for the following reason:

The Board's action to deny is based on its opinion that approval of the subdivision violates Section 4.1 of the Stamford Subdivision Regulations, which require that: "4.1 General – No land shall be subdivided for residential use which is held by the Board to be unsuitable for such use by reason of flooding, or bad drainage, adverse geologic formation, traffic safety or any other feature likely to be harmful to the health, safety or welfare of the adjacent residents or future residents of the proposed subdivision."

The combination of steep slopes along with the need to add fill, and construct a large retaining wall will have an adverse impact on both the existing adjacent residents and to the future residents of the proposed subdivision.

Furthermore, the applicant has failed to secure Zoning Board special exception approval of the proposed wall, which far exceeds the eight foot in height standard. Nor has the applicant shown that the Zoning Board is likely to determine that the proposed wall "will not adversely impact any adjacent property..." (Section 7-G of the Zoning Regulations).

Mrs. Grosso seconded the motion and it passed unanimously with Mr. Hill, Mr. Garnjost, Mrs. Grosso, Mrs. Dell and Mrs. Fishman voting.

Zoning Board Referral:

Appl. 206-01 First Island Cove LLC, Special Exception & Coastal site Plan Review, to construct a wall greater than 8' in height at 22 & 26 Island Heights Road. Mrs. Grosso moved to recommend denial. Mr. Garnjost seconded the motion and it passed unanimously with Mr. Hill, Mr. Garnjost, Mrs. Grosso, Mrs. Dell and Mrs. Fishman voting.

Capital Budget 2006/07-2013 The Board agreed to add \$200,000 for the Palace Theatre to the proposed capital budget. Mr. Garnjost moved to approve the budget as modified and transmit it to the mayor. Mrs. Fishman seconded the motion and it passed unanimously with Mr. Hill, Mr. Garnjost, Mrs. Grosso, Mrs. Dell and Mrs. Fishman voting.

Master Plan Amendment MP-384, BBSF, LLC to change from Category 4- Residential Medium Density Multifamily to Category 9- Downtown Collar, Mixed Use for properties fronting on portions of Henry Street, Atlantic Street and Rockland Place. Mrs. Grosso moved to approve the master Plan amendment. Mrs. Fishman seconded the motion and it passed unanimously with Mr. Hill, Mr. Garnjost, Mrs. Grosso, Mrs. Dell and Mrs. Fishman voting.

Planning Board representative to SWRPA As this item was not on the original agenda, Mrs. Dell moved to discuss this item. Mrs. Fishman seconded the motion and it passed unanimously with Mr. Hill, Mr. Garnjost, Mrs. Grosso, Mrs. Dell and Mrs. Fishman voting. Mr. Garnjost moved to appoint Jay Tepper to serve as the Planning Board's representative to SWRPA. Mrs. Grosso seconded

the motion and it passed unanimously with Mr. Hill, Mr. Garnjost, Mrs. Grosso, Mrs. Dell and Mrs. Fishman voting.

There being no further business the meeting was adjourned at 10:10 PM.

Respectfully Submitted
Rose Marie Grosso, Secretary

Note: These proceedings were recorded on tape and are available for review during regular business hours.