

MINUTES OF PLANNING BOARD
REGULAR MEETING #3268 - SEPTEMBER 5, 2000
7th FLOOR CONFERENCE ROOM, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Present for the Board were: Duane Hill, Chairman; Marggie Laurie; Tim Abbazia; Helane Rheingold, and Claire Fishman. Present for staff were: Robin Stein, Land Use Bureau Chief; and Carol Davis, Senior Planner.

Mr. Hill opened the meeting at 7:35 PM.

Correspondence:

Correspondence from Mayor Malloy regarding New Neighborhoods, Inc. Sales Agreement. Mr. Hill said that this matter has been deferred at the request of the Law Department

Pending Subdivisions:

Subdivision Appl. #3770 of Richard Palkimas for the subdivision of property into three parcels on the north side of Soundview Avenue (#321). (Coastal site plan review of this application was conducted in accordance with the provisions of the Connecticut Coastal Management Act.)

Mr. Stein reviewed the application and comments at the public hearing. He explained that variances have been granted by the Zoning Board of Appeals and that the applicants request waivers for the accessway. He said the historic house on the property is to be preserved.

There was discussion about the use of the accessory structure and Mr. Stein said the draft conditions address this. Mr. Abbazia suggested that appropriate screening be required between this structure and the adjacent property. Mr. Stein said there is a problem with naming the private road Hannah's Way since it would be easily confused with Hannah's Road which already exists.

On a motion by Mrs. Laurie, seconded by Mrs. Fishman, the Board voted unanimously to approve the subdivision with the following conditions: (Mrs. Rheingold did not vote.)

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 4,254 square feet and is shown in color on a map dated April 19, 2000 on file in the Planning Board office.
2. Filing of a conservation easement to include the area designated as Open Space Preserve/ Conservation Area. 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. Significantly sized trees shown to be preserved to be protected from adverse impacts during site development with tree protection measures to be depicted on all plans submitted for building and zoning permits. (Note to appear on final map.)
4. Standard Landscape Maintenance Agreement for all plantings.

5. All drainage improvements should be constructed under the supervision of a professional engineer with as-built certifications provided.
6. Streetscape improvements to require the planting of trees along the street right-of-way under the direction of the tree warden.
7. In-ground fuel tanks shall be prohibited. (Note to appear on final map.)
8. Site development shall not begin until a soil erosion and sedimentation control plan is approved by the Environmental Protection Board and those control elements scheduled for installation are in place and functional. (Note to appear on final map.)
9. Bond or other acceptable surety for common road, drainage and landscaping improvements.
10. Conditions set forth in a letter from the Assistant City Engineer to the Director of the Environmental Protection Board dated July 24, 2000. (Note to appear on final map.)
11. Use of the existing accessory structure on Lot 3 shall specifically exclude the maintenance of living quarters. The existing living quarters shall be discontinued prior to granting of a Certificate of Occupancy for a new dwelling on Lot 3.
12. A fence or other appropriate screening shall be maintained at the rear of Lot 3.
13. Access to Lot 1 is to be limited to Soundview Avenue. (Note to appear on final map.)
14. Driveway easements serving lots 2 and 3 shall be delineated on the final map and vehicular ingress and egress to be restricted to said easement.
15. The Planning Board has granted a waiver of the pavement width of the private road to 18 feet and the diameter of the turnaround to 68+/- feet as depicted on the preliminary subdivision map dated April 19, 2000. The Board took this action due to the fact that only two lots will be served.
16. In accordance with CGS 8-26c, approval shall expire on September 8, 2005 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.)
17. Subdivision reference number to be placed on final map.
18. The Planning Board finds this subdivision consistent with all applicable goals and policies of the Connecticut Coastal Management Act, and has been shown that the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent activities are acceptable, thereby fulfilling the requirements of the Act, C.G.S. Sections 22a-108, inclusive.

Subdivision Appl. #3775 of Simon Vayneris, Livgenia Vayneris and Albert Lerman for subdivision of property into three parcels on the northwest corner of Weed Hill Avenue and Bouton Street West (#287).

Mr. Stein reviewed the subdivision and said there was no opposition at the public hearing. On a motion by Mr. Abbazia, seconded by Mrs. Fishman, the Board voted unanimously to approve the subdivision with the following conditions: (Mrs. Rheingold did not vote.)

1. Driveway easement serving lot 2-R shall be delineated on the final map.
2. Significantly sized trees shall be preserved to the greatest extent feasible. (Note to appear on final map.)
3. In-ground fuel tanks shall be prohibited.
4. Site development shall not begin until a soil erosion and sedimentation control plan is approved by the Environmental Protection Board and those control elements scheduled for installation are in place and functional. (Note to appear on final map.)
5. In accordance with CGS 8-26c, approval shall expire on September 8, 2005 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.)
6. Subdivision reference number to be placed on final map.

On a motion by Mr. Abbazia, seconded by Mrs. Fishman, the Board voted unanimously to approve the following consent agenda items.

ZB - APPL 20-016 - ADA LLC requesting Map change from RA-1 to R-20 for 4.594 acres on Newfield Avenue.

On August 8, 2000 the Planning Board unanimously approved MP 371 changing the Master Plan Category at this location from Category 1 Residential Single Family Very Low Density to Category 2, Residential Single-Family Low Density. At that time the applicants explained that they intended to ask the Zoning Board to rezone the property to R-20. The Planning Board noted that the area now has sewers and that R-20 zoning would provide a buffer between the R-10 zone on the south and the RA-1 district to the north.

Since this application implements the changes initiated by MP371, staff recommends approval.

ZBA - Appl. #118-00 Rockrimmon Country Club requesting modification of Special Exception to add a second story and adjoining open breezeway to the existing pool house building at 2949 Long Ridge Road in the RA-2 Single Family Residence District.

The addition will provide an additional seven bedrooms to house the staff primarily on a seasonal basis. Also, the Club proposes to replace an existing deteriorated terrace immediately north of the main swimming pool. The new terrace will be modestly larger than the existing terrace, including new drainage and a small outdoor "wait station/service bar".

This application is very similar to ZBA - Appl. #104-00 which was withdrawn due to procedural irregularities. On August 8, 2000 the Planning Board unanimously recommended approval of Appl. #104-00. The Board determined that the proposed modification will have no impact on the neighborhood and conforms with the Master Plan. Since there is no appreciable change in this application staff recommends approval.

Zoning Board Referrals:

ZB - APPL 20-013 - Richard W. Redniss requesting Text Change to amend Section 3A-92.1 Definitions, Senior Housing and Nursing Home Facility Complex and to amend Section 9-BBB, C-D Designed Commercial District.

Mr. Stein said that Richard Redniss and Robert Kahn have asked to address the Board on this application. He gave the history of the C-D zone and Master Plan changes related to this zone. He explained that this change does not change the zone but only affects uses within the zone and would be applicable to other C-D zones. He said housing may help traffic reduction and the text contains an affordable housing component.

Mr. Redniss explained that this text change does not preclude use of the site on Havemeyer Lane for a school although contacts with the City for this have broken off. He said the applicants have not considered a zone change since they do not wish to give up commercial property rights. He displayed a map of C-D properties throughout the City and said that there is 600,000 sq. ft. to 1 million sq. ft. potential office development in the C-D zone with the most development rights on property of GE Capital. He explained that the Planning Board has amended the Master Plan to allow this zoning change and that at the moment there are no plans for senior housing at the Dorr Oliver site. He said the special C-D standards added to definition 92.1 will allow a donation of land to the day care center. He said the 250 housing units proposed for the site will generate half the traffic of a commercial use.

Robert Kahn, Chairman of the DSSD, spoke in favor of the application stating that commercial uses belong downtown. He recommended 100% buyout of the affordable component because non profit developers can create more housing. He said he supports 10% affordable at 50% of median if feasible. He said there is a window of opportunity for housing now.

Diane Fox, Director of Planning and Zoning in Greenwich, said she has concern about traffic. She commended the affordable component but wondered if it meets the new State standards. She said Dorr Oliver's traffic impact was not great and suggested that there should be a traffic impact analysis. She also expressed concern about the turning radius for trucks.

Mr. Abbazia said this application is too big to consider in one night.

Mrs. Laurie said that more housing will create the need for more schools. She also expressed concern about adequate parking and suggested that the parking requirements in the zoning regulations should be revised.

Mr. Hill said there is a need for housing and this represents an opportunity to pursue a use that is needed. He said traffic and parking are issues to be considered at the site review level. He said traffic and housing are related regional problems. He said requiring Special Exception approval gives additional checks and balances so that issues can be resolved at the zoning level.

In answer to a question Mr. Stein explained the differences between the standards for the Mill River District and the proposed C-D housing standards.

On a motion by Mrs. Rheingold, seconded by Mr. Abbazia, the Board voted 4 to 1 to recommend approval. Mrs. Laurie voted against the motion due to her concern over parking.

Zoning Board of Appeals Referrals:

ZBA - Appl. #116-00 Daniel & Myriam Simi requesting Variance of building coverage, 44.6% in lieu of 30.0%, to permit deck additions at 47 Euclid Avenue in an R-5 Multiple Family Residence District.

Mr. Stein explained that this is a minor addition to a very large house. He said a small shed at the rear will be removed making the coverage only slightly more than at present. It was noted that there is a commercial use on the ground floor with an apartment above.

Mr. Abbazia said site is overbuilt already and asked why more should be allowed. He said there is no advantage to the neighborhood.

Mrs. Laurie said removal of the shed may be an advantage to the neighbors.

Mr. Hill said he has no strong objection as this addition may not impact the neighbors.

Mr. Rheingold made a motion to recommend denial of the application. Mr. Abbazia seconded the motion and it was defeated by a vote of 2 to 3 with Mr. Hill, Mrs. Fishman and Mrs. Laurie opposed.

Mrs. Fishman then made a motion to recommend approval, seconded by Mrs. Laurie. The motion was approved by a vote of 3 to 2 with Mrs. Rheingold and Mr. Abbazia voting against the motion.

Old Business:

Capital Budget - Except for Mrs. Fishman all members said they would be available for the preplanning meetings. Mr. Stein said these meetings do not preclude separate liaison meeting with the departments.

Housing Needs Study - Mr. Hill announced that funds have been allocated and recommended that members read the proposal. He asked whether regional housing needs and all housing should be considered. Mrs. Laurie questioned whether Stamford's Master Plan can reference plans outside the city. Mr. Stein said the Plan may indicate that more effort is needed at the state and national level. Jackie Heftman, Chairman of the Zoning Board, said new affordable regulations are being proposed by that Board and asked members to review them carefully. Mr. Hill wondered if in view of the study the regulations should be changed now. Mrs. Heftman explained that it would not be wise to wait since there are development proposals which will not wait. She said the regulations can be changed later if necessary.

New Business:

Mrs. Heftman announced a workshop being conducted by the State CAM office on September 21 in the Senior Center.

There being no other business the meeting was adjourned at 10:20 PM.

Respectfully submitted,
Timothy Abbazia, Secretary
Stamford Planning Board

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