

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, DECEMBER 13, 2022
CAPITAL BUDGET & REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

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Web & Phone Meeting Instructions

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Web Meeting Ground Rules:

- *The meeting shall be recorded and the video shall be posted on the City of Stamford website http://cityofstamford.granicus.com/ViewPublisher.php?view_id=8*
- *The Planning Board shall moderate the audio for attendees.*
- *Attendees shall be on mute and will be unmuted when called to speak by the Planning Board members.*
- *Applicants will have 20 minutes to make their presentation.*
- *Any applicant wishing to submit written testimony can send it prior to the meeting to lcapp@stamfordct.gov or submit through a Chat message to the Planning Board Chair during the meeting.*

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary; Michael Buccino and Michael Totilo. Alternates: William Levin and Stephen Perry. Present for staff: Vineeta Mathur, Principal Planner and Anthony Romano, Management Analyst, Office of Policy & Management.

Ms. Dell called the meeting to order at 6:30 p.m.

Ms. Dell explained there were two items that had been pulled and a revised agenda was posted. One additional item was pulled today and was not noticed in a revised agenda. Ms. Dell stated if anyone was in attendance to hear the Zoning Board applications for Broad Street and Clinton Avenue, they could come back in January to hear those applications.

Ms. Dell introduced the members of the Board and staff present.

Ms. Dell introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

November 22, 2022 (Tabled from the December 6, 2022 Meeting): After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of November 22, 2022; Mr. Perry seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Levin, Perry, Tepper and Totilo). (Ms. Godzeno and Mr. Buccino were absent at the November 22, 2022 meeting and were ineligible to vote.)

December 6, 2022: After a brief discussion, Mr. Totilo moved to recommend approval of the Planning Board Regular Meeting Minutes of December 6, 2022; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo). (Mr. Levin and Mr. Perry were absent at the December 6, 2022 meeting and were ineligible to vote.)

CAPITAL BUDGET:

The Planning Board will make a final review of the Capital Budget at this meeting. The Planning Board will then finalize and adopt the Public Hearing Draft Capital Budget to be posted on the City's website no later than Thursday, December 15, 2022 for the Public Hearing scheduled for Tuesday, January 10, 2023.

Ms. Dell opened the discussion for the Capital Budget.

Ms. Dell introduced Anthony Romano, Management Analyst, Office of Policy & Management, who had been assisting the Board through the entire budget process.

Ms. Dell stated Mr. Romano had sent the Board an Excel spreadsheet covering all the changes made from the December 6, 2022 meeting.

Ms. Dell stated the City bond budget was reduced. The amount the Board would be approving for the Public Hearing is \$29,227,000.00 of which \$9,372,000.00 are grants; \$70,000.00 are private contributions; the WPCA Reserve fund is \$2,915,000.00 and \$320,000.00 in bonds and the category for the Mayor to approve, should she choose to use it, would be \$606,000.00. \$2,170,000.00 was put in Tier 3, which are the projects that cannot be done at this time, and the additional \$35M for the Board of Education is approved at \$34,542,000.00 and total grants of \$11,858,000.00.

Ms. Dell asked the Board if there were any further corrections or additions but suggested approving the budget as it stands to allow it to go to the Public Hearing. If there are any requested changes at the Public Hearing, those budget items would need to be looked at again to determine if any corrections need to be made or if it is felt enough was not given and further discussions could take place at the January 10, 2023 meeting.

Ms. Dell asked Mr. Levin and Mr. Perry if they had any questions on the budget discussed at the December 6, 2022 meeting and if they were in agreement in approving the budget tonight. Mr. Levin and Mr. Perry did not have any questions and were in agreement to approve the budget.

Ms. Dell called for a motion to accept the draft Capital Budget for the Public Hearing on January 10, 2023.

Mr. Buccino made a motion to accept the draft Capital Budget for the Public Hearing on January 10, 2023; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 7-0 (Dell, Buccino, Godzeno, Levin, Perry, Tepper and Totilo).

Ms. Dell again thanked Mr. Romano for all his assistance with the budget.

ZONING BOARD REFERRALS:

- ZB APPLICATION #218-18 (MOD) - ARROW ALTERNATIVE CARE #3, INC. - 806 EAST MAIN STREET - Special Permit:** Applicant is proposing to amend the Special Permit (ZB #218-18) application to convert the approved Medical Marijuana Dispensary into Hybrid Retail pursuant to CT Public Act 21-1.

The existing medical marijuana facility has been operated by Curaleaf, Inc. since 2019. The Applicant, Arrow Alternative Care #3, is a subsidiary of Curaleaf. The size of the dispensary is proposed to remain the same as current space. The current State regulations related to marijuana require such hybrid facilities to be allowed where similar uses are permitted. Based on advice from the Law Department it was determined the City would apply the medical marijuana regulations for any requests related to Hybrid Retail. This is the second request for a Hybrid Retail facility after the approval of the Fine Fettle Hybrid Retail facility at 12 Research Drive. The site is located in Master Plan Category #9 (Urban Mixed-Use) which allows for a wide variety of uses including retail uses.

Meaghan Miles, Carmody Torrance Sandak & Hennessey, LLC, made a presentation and answered questions from the Board along with the team from Curaleaf, Inc.:

- Luke Flood, Vice President, Real Estate
- Jacob Throneburg, Senior Real Estate Analyst
- Morgan Murphy, CT Director of Compliance
- Joe Federico, Security Team
- Derek Culver, CT Regional District Manager

After a brief discussion, Mr. Buccino recommended **approval** of **ZB Application #218-18 (MOD)** and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

Ms. Dell stated that ZB Application #222-37 - TR Broad II, LLC & 122-124 Broad Street, LLC (Broad Street) and ZB Application #222-32 - CP VIII 100 Clinton, LLC (Clinton Avenue) were both pulled from this agenda as they were large projects and would have been difficult for discussion at this meeting. ZB Application #222-37 will be heard on January 10, 2023 and ZB Application #222-32 will be heard on January 24, 2023.

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #001-23 - JASON A. KLEIN, CARMODY TORRANCE SANDAK & HENNESSEY, LLP representing STAMFORD REALTY PARTNERS, LLC - LOT A-MYRTLE AVENUE (a.k.a. 909 EAST MAIN STREET f.k.a. 20 MYRTLE AVENUE) - Variance of Appendix B, Table IV & Article IV, Section 10-A:** For the past 50 years the Property has operated as a Toyota car dealership and is improved with a ±8,254 sq. ft. building containing a showroom, office and automobile repair uses. In 2019, the Zoning Board of Appeals (ZBA) permitted the construction of a one (1) story addition on the existing dealership building to be used as office and storage space. Additional showroom space and replacement repair bays were also approved. The applicant is seeking ZBA approval to modify the variance granted in 2019 to allow a total building height of 29 ft. 2½ in. in lieu of the previously approved 27 ft. 6 in. No other changes to the previously approved addition are proposed. During the course of pursuing a Building Permit for the addition, it was determined the existing first floor structure was inadequate to carry the load of the second story addition. The modest increase in building height is needed to allow for support systems required to maintain the load of the previously approved second story addition. Applicant is requesting: **[a]** allowance of a building height of 29 ft. 2½ in. in lieu of the 25 ft. permitted. (Note: 2019 variance approval permitted a building height of 27 ft. 6 in. in lieu of the 25 ft. permitted); **[b]** to allow the proposed second story addition be located 0 ft. from the southerly side yard lot line in lieu of the 6 ft. required; and **[c]** to allow for the reasonable modernization of the automobile dealership use on the Property.

The Applicant requests a modification of the previous ZBA approval which allowed a second story to be added to the existing dealership building. The current Variance request to allow additional height is required to address a structural issue with adding a story onto the existing building. The side yard Variance is required due to an existing non-conforming. The third request is the modification of the overall plan from the previous approval. The site is located in Master Plan Category #5 (Residential - High Density Multifamily). Approval of the request is recommended which will allow the renovation of the dealership and therefore, improve its appearance and thus improve its compatibility with the existing neighborhood.

Jason Klein, Carmody Torrance Sandak & Hennessey, LLC, representing the applicant, made a brief presentation and answered questions from the Board.

After a brief discussion, Ms. Godzeno recommended **approval** of **ZBA Application #001-23** and that this request is compatible with the neighborhood and consistent with Master Plan Category #5 (Residential - High Density Multifamily); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

***THE FOLLOWING APPLICATION WAS PULLED ON THE AFTERNOON OF
DECEMBER 13, 2022 AT THE APPLICANT'S REQUEST TO BE HEARD
AT THE JANUARY 24, 2023 MEETING***

2. **ZBA APPLICATION #002-23 - CHRIS RUSSO, ESQ., RUSSO & RIZIO, LLC representing McDONALDS REAL ESTATE COMPANY - 1103 EAST MAIN STREET - Variance of Section 13-F & Section 12.D.10.b:** The site contains an existing two-story masonry building for a McDonald's fast food restaurant with a drive-through facility. Applicant is proposing the addition of a second drive-through lane with associated signage and site improvements. Applicant is requesting: [a] allowance of a springboard canopy, a digital pre-browse menu board of approximately 10 sq. ft. and an outdoor digital menu board of approximately 21 sq. ft. along the second drive-through lane; [b] allowance to reduce the off-street parking requirement for a drive-through fast food restaurant from the existing 61 spaces to 37 spaces in lieu of the 65 spaces required; and [c] a modification of a previous Zoning approval, which was conditioned as being approved per plans, to modify the Site Plan to install a second drive-through lane, a springboard canopy, a digital pre-browse menu board and an outdoor digital menu board.

The site is located at the corner of East Main Street and Blachley Road. The proposed change would add a second drive-through lane and remove 24 parking spaces. The second drive-through lane is expected to expedite order taking and processing and thus reduce the wait times for customers. The existing drive-through queue is insufficient to accommodate the current peak queue of 15 vehicles. The double lane operation will alleviate the issue by increasing the queuing capacity to 23 vehicles. After the orders are taken in the two parallel lanes, they will merge into a single lane going to the pickup window. The changes to the site circulation will be accompanied by a renovation of the building exterior. Staff recommends the Applicant work with the Traffic, Transportation and Parking Bureau to ensure that adequate signage to facilitate the new drive-through circulation. The Variance requests related to the signage and modification of the site plan are appropriate and staff recommends approval of the three related requests.

OLD BUSINESS:

Ms. Dell announced that the joint holiday dinner planned for Thursday, December 15, 2022 has been cancelled due to concerns about COVID, the flu and RSV virus. It is hoped to reschedule sometime in January or possibly the spring.

Mr. Levin suggested maybe looking into holding the event at an outdoor venue instead of at a restaurant. Ms. Dell stated they would consider that possibility and could talk more about it at a future meeting.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- January 10, 2023 (Regular Meeting & Public Hearing-Capital Budget)
- January 24, 2023 (Regular Meeting)

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:20 p.m.

Respectfully Submitted
December 15, 2022

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20