

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, OCTOBER 10, 2023
REGULAR MEETING & CAPITAL BUDGET
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

ZOOM WEBINAR
Webinar ID: 834 9853 0622
Passcode: 674756

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Pepper, Vice Chair; Jennifer Godzeno, Secretary; Michael Buccino and. Alternates: Stephen Perry. Absent: Michael Totilo, Regular Member and William Levin, Alternate. Present for staff: Matthew Quiñones, Director of Operations; Josie Carpanzano, Deputy Director of Operations; Ashley Scarano, Operations Program Specialist; Anthony Romano, Management Analyst, Office of Policy & Management and Lindsey Cohen, Associate Planner.

Also present as Capital Budget presenters (in order of appearance):

- Louis DeRubeis, Director, Office of Public Safety, Health & Welfare
- Scott Duckworth, Police Captain, Stamford Police Department
- Timothy Shaw, Police Chief, Stamford Police Department

Ms. Dell called the meeting to order at 6:33 p.m.

Ms. Dell introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

September 26, 2023: After a brief discussion, Mr. Perry moved to recommend *approval* of the Planning Board Regular Meeting Minutes of September 26, 2023; Mr. Buccino seconded the motion, and passed unanimously with eligible members present voting, 3-0 (Dell, Buccino and Perry). (Mr. Pepper and Ms. Godzeno were ineligible to vote as they were absent at the September 26, 2023 meeting.)

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUESTS:

- 1. CAPTIAL PROJECT CLOSEOUT RECOMMENDATION:** Pursuant to Stamford City Code Section 8-2, partial closeout of the following capital projects is being recommended:

Project No.	Project Name	Closeout Amount	Funding Source
CP6813	Stamford Urban Transitway Phase II - Off-Street Parking	\$279,062.62	Bond (City)
CP7660	Stamford Urban Transitway Phase II - Parking Area	\$888,399.68	Bond (City)

Matthew Quiñones, Director of Operations, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Pepper recommended approval of the partial closeout of the Stamford Urban Transitway Phase II - Off-Street Parking - Project #CP6813 and Parking Area - Project #CP7660 for a total amount of \$1,167,462.30. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Pepper).

2. **CITYWIDE EQUIPMENT REPLACEMENT & UPGRADE - PROJECT #C65202 - TOTAL REQUEST \$170,042.62:** Route optimization will allow the City to provide a data-driven transparent analysis of the efficiency and safety of our current sanitation routes. The project will allow us to access our current operations and identify methods to increase efficiency, safety, and appropriate staffing requirements per route. The ability to analyze route timing, identify safety concerns and develop predictive solutions to safety concerns immediately will only increase the ability to offer vital City services in the most cost-effective way as our City grows and changes over time.

Matthew Quiñones, Director of Operations and Josie Carpanzano, Deputy Director of Operations, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Perry recommended approval of the Citywide Equipment Replacement & Upgrade - Project #C65202 with a Total Request of \$170,042.62. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

3. **CITYWIDE VEHICLE REPLACEMENT & UPGRADE - PROJECT #C65200 - TOTAL REQUEST \$109,020.00:** The City seeks to install GPS monitors into 370 City fleet vehicles to reduce operating expenses via route optimization, reduced fuel consumption, traffic avoidance technology, increased preventive maintenance compliance, increase driver safety behaviors, reduce engine idling, and reduce insurance costs up to 35% per vehicle.

Matthew Quiñones, Director of Operations and Josie Carpanzano, Deputy Director of Operations, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended approval of the Citywide Vehicle Replacement & Upgrade - Project #C65200 with a Total Request of \$109,020.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

4. **GOVERNMENT CENTER RENOVATIONS - PROJECT #CP3808 - TOTAL REQUEST \$888,399.68:**

This project consists of:

- **\$435,543.57:** Replacement and repair of the exterior concrete and masonry of the Government Center Terrace and approaching sidewalks. The deterioration of the concrete and masonry has long resulted in injuries from tripping hazards and cavities that foster varmint infestations. Sidewalk and concrete improvements to the entrance of the Government Center with an emphasis on ADA compliance and increase in planting spaces will reduce the need for future concrete improvements along with increasing the green space within the downtown area.
- **\$302,424.02:** To complete necessary improvements within the Government Center parking structure. A recent assessment determined that extensive concrete work is required to reduce the need to repair the crumbling concrete within the garage. Water intrusion has resulted in increased concrete decay on the ceilings causing increased hazards for pedestrians and vehicles in the structure. The facilities assessment for the parking structure estimates totaled over \$13M for complete restoration. We believe these repairs will be the most important public safety repairs.

- **\$150,432.09:** Walk-in Permitting Center operations have resulted in an increase in customer services for constituents, exceptional cross discipline, and department collaboration, coupled with dedicated and allocated time and resources will only further result in the improvements of responsiveness and transparency across City construction services which collected approximately \$8M dollars last fiscal year and is currently trending towards \$10M this fiscal year. These funds will help us remodel the Building Department lobby thus creating a dedicated space for all departments involved in construction permitting to continue to offer dedicated time and space that will be equipped with the necessary technology to provide constituents and commercial developers the opportunity to meet in a safe and appropriate space and to allow continued weekly dedicated walk-in service.

Matthew Quiñones, Director of Operations and Josie Carpanzano, Deputy Director of Operations, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Buccino recommended approval of the Government Center Renovations - Project #CP3808 with a Total Request of \$888,399.68. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

5. **STORM WATER PUMP STATIONS - PROJECT #CP5241 - TOTAL REQUEST \$3,642,938.00:** The project will provide emergency power generators to power the pumps at the Cummings and Wampanaw Pump Stations should the utility electrical supply fail during a storm. Also, at the Cummings, Wampanaw and Dyke Lane Pump Stations, the pumps and electrical equipment, which are mainly original to the pump stations constructed over 50 years ago, will be replaced and upgraded to meet current building codes. Proposed improvements also include replacement of existing swing check valves with duckbill check valves, demolition of existing sluice gate, separating the wet well and operating level, demolishing the existing sump pump and discharge piping, installing exterior access to the wet well, installing air release valves on discharge piping, replacing the existing rain gutter, and installing a permanent outdoor ladder at each station. Electrical improvements include removal and replacement of existing ceiling lights with LED low bay luminaires. In addition, the replacement of sensors and measuring devices and update the communications system.

After some discussion, the Board unanimously agreed to ***TABLE*** this item to the October 17, 2023 meeting to allow a representative from the WPCA to attend and provide details on this request. Mr. Perry made a motion to ***TABLE*** the Storm Water Pump Stations - Project #CP5241 with a Total Request of \$3,642,938.00 (\$2.7M-Federal Grant/\$910,000.00-City Bond); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

6. **GROWING TOGETHER STAMFORD - PROJECT #001355 - TOTAL REQUEST \$1,000,000.00:** This project will establish trees in public right-of-way planting locations in disadvantaged downtown Stamford neighborhoods. Youth will receive training to facilitate the stewardship of these trees. The project will help Stamford reduce carbon emissions, mitigate heat islands, enhance public safety, improve mental health, and create other significant benefits.

After a brief discussion, Mr. Tepper recommended approval of Growing Together Stamford - Project #001355 with a Total Request of \$1,000,000.00, which is a Federal Grant. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

Ms. Dell opened the Capital Budget presentations and introduced Anthony Romano, Management Analyst, Office of Policy & Management.

Mr. Romano introduced Mr. DeRubeis to begin the presentations.

CAPITAL BUDGET PRESENTATIONS:

1. Office of Public Safety, Health & Welfare - Louis DeRubeis, Director, Public Safety, Health & Welfare
2. Emergency Communications Center - Louis DeRubeis

Ms. Dell apologized for interrupting the presentations but needed to make a statement for the record.

Ms. Dell explained that the Safe Debt Limit could be \$70M. At the present time, it has not been definitely determined. The Board of Education will receive \$35M which will leave \$35M for all other projects. Ms. Dell stated there may not be \$35M as she has not been able to meet with Benjamin Barnes, Director of Administration, yet to confirm the amount allotted.

Ms. Dell also stated that due to the auditing system not being completed, items approved for bonding were not bonded in July and are being held over until the Spring.

Mr. Romano provided further details on the funds that were to be bonded in July and other outstanding bond issues.

Mr. Dell resumed the Capital Budget presentations.

3. Office of Public Safety, Health & Welfare - Short Term Financing: Capital: Louis DeRubeis
4. Stamford Police - Department Wide: Timothy Shaw, Police Chief

All departments presented their submissions and answered questions from the Board.

Ms. Dell closed the Capital Budget portion of the meeting and thanked everyone for coming and making their presentations.

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #223-37 - STAMFORD ZONING BOARD - Text Change:** Applicant is proposing Text Changes to Section 10 (Non-Conforming Uses). Currently, Section 10 does not clearly differentiate between non-conforming uses and non-complying buildings. The proposed Text Change would clarify that Conformance means that a use meets all the use regulations established under Zoning and that Compliance means that a building or structure meets all the bulk regulations (e.g., height, setback, density) established under Zoning. Grandfathering, therefore, would apply to both uses and buildings and means that a use or a building that was legal at some point may remain unless the use is discontinued or abandoned and/or the building is demolished.

As Zoning Regulations and designations are changed, existing uses may become non-conforming and existing buildings non-compliant. While State Statute generally requires these existing uses and buildings to remain (they become “grandfathered”), the statute provides only a very general framework for grandfathering and does not address if and how non-conforming uses and non-complying buildings can be modified. Section 10 of the Stamford Zoning Regulations currently provides regulations addressing some of the aspects of grandfathering. However, definitions and rules around grandfathering remain unclear as does the scope of how non-conforming uses and non-complying buildings can be modified. The purpose of this Text Change, proposed by the Land Use Bureau, is to clarify regulations and to eliminate numerous Special Permits and exceptions that have evolved over the course of time. Approval of this application is recommended as it will clarify and formalize the City’s rules and regulations and, since the Zoning Districts and respective rules typically are reflective of the Master Plan Category, it will clarify not only compliance with the Zoning Regulations but with the Master Plan.

Vineeta Mathur, Principal Planner, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #223-37** and finds this request consistent with the adopted 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #034-23 - STEPHANIE MARK, RESIDENTIAL DESIGN SERVICES representing JAMES & NELLY SLOCUM - 2324 WASHINGTON BOULEVARD - Variance of Table III, Appendix B:** Applicant owns a multifamily dwelling and is proposing to construct a second story addition that encroaches into the front and side yards, a doorway overhang that encroaches into a front yard, and to reconstruct an existing deck that encroaches into a side yard. Applicant is requesting the following variances:
- Front yard street line setback of 11.2 ft. in lieu of the 25 ft. required. (Second story addition).
 - Front yard street center setback of 41 ft. in lieu of the 50 ft. required (Second story addition).
 - Front yard street line setback of 9.3 ft. in lieu of the 25 ft. required (Overhang).
 - Front yard street center setback of 39.1 ft. in lieu of the 50 ft. required (Overhang).
 - Side yard setback of 7.5 ft. in lieu of the 10 ft. required (Second story addition).
 - Side yard setback of 0.0 ft. in lieu of the 10 ft. required (Reconstruction of existing second story deck).
 - Total building coverage of 49.66% in lieu of the 32% allowed (48.51% existing).
 - Total side yards of 11.2 ft. in lieu of the 20 ft. allowed (House).
 - Total side yards of 9.3 ft. in lieu of the 20 ft. allowed (Roof).

The property is in Master Plan Category #3 (Residential - Low Density Multifamily). The variance requests are supported by two factors: the property area was reduced to widen Washington Boulevard in the 1970s and it is a corner lot with two front yard requirements. The homeowners at the time of the Washington Boulevard roadway widening were compensated for the taking. Both factors impacted the property in 2003 when the Applicant was approved for 14 variances similar to those being requested today with respect to setbacks and lot coverage. At its meeting on May 12, 2003, the Planning Board voted unanimously to recommend denial of the application on the grounds that the proposal was too intense for the subject property and out of concern for space available for parking.

Already the existing home appears large and bulky in relation to the lot it is located on in comparison to other homes around it on West Forest Lawn Avenue and Washington Boulevard. While this ZBA Application #034-23 would not increase the lot coverage, it would increase the bulk of the building by adding a second story onto a one-story portion of the home, by raising the deck, and by installing further encroachments into the front yard. In the plans and in person, the home appears as if it is a three-story building when only two and a half stories are permitted as-of-right. The plans are unclear as to the total height of the building.

The variance related to the deck would allow for the reconstruction of an existing deck in the same location at 0.0 ft. from the side lot line but raised approximately 8 ft. in height. The existing 0.0 ft. setback does not align with a neighborhood categorized as Low Density. Maintaining the deck in its existing location is reasonable, however, raising the deck to above a fence line with 0.0 ft. setback is antithetical to the Master Plan Category in which this project is located which supports a single-family character. In this case, the single-family character refers to a homeowner's sense of privacy and space between homes. The proposed deck is contrary to that characteristic.

The variance related to the overhang seems reasonable on first glance, however, when looking at the property in person, there are only several feet between the front lot line on Washington Boulevard and the front of the building. Any further encroachment into the front yard would feel similar to a Downtown aesthetic where building fronts meet the street. While there is nothing wrong with that aesthetic, it does not align with the Master Plan category for this location.

Denial of this application is recommended. This Master Plan Category #3 "is intended to allow for the amenities of multifamily living in a single-family neighborhood setting... and the least intensive multifamily development." The bulk that would result from this proposal does not align with the intent of this Master Plan Category because it would result in a more intensive development than what was envisioned.

As Stephanie Mark, Residential Design Services, representing the applicant, was having an issue joining the meeting, Ms. Cohen made a presentation and answered questions from the Board.

Ms. Mark was finally able to join the meeting and made a brief presentation and answered questions from the Board.

After some discussion Mr. Tepper recommended ***DENIAL*** of ***ZBA Application #034-23*** as it does not align with the intent of the Master Plan. Master Plan Category #3 “is intended to allow for the amenities of multifamily living in a single-family neighborhood setting.” The single-family neighborhood setting allows for space between neighboring buildings and space between the building and the sidewalk. This application proposes to worsen an existing zero lot line setback on a deck by raising the deck 8 feet, which is above a fence line and would tower over the neighbor's backyard. Further, Master Plan Category #3 “is intended to allow for the least intensive multifamily development.” While the lot coverage would not be increased as a result of this application, the bulk of the building would be increased. The building is already larger than the homes around it and additional bulk would increase the intensity of the building. Of note, at its meeting on May 12, 2003, when this same Applicant was in front of the Planning Board for 14 variances covering setbacks, coverage and parking, the Planning Board voted unanimously to recommend denial of the application on the grounds that the proposal was too intense for the subject property. The Board found that this request is not compatible with the neighborhood and is inconsistent with Master Plan Category #3 (Residential - Low Density Multifamily); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Perry and Tepper).

OLD BUSINESS:

Ms. Dell asked Ms. Cohen if she would like to speak about the name change of the Master Plan to the Comprehensive Plan.

Ms. Cohen made brief comments providing details on the reasons behind the name change.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- October 17, 2023 (Capital Budget)
- October 24, 2023 (Capital Budget)
- November 14, 2023 (Capital Budget)
- November 21, 2023 (Regular Meeting & Capital Budget Potential Call-Back)

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:15 p.m.

Respectfully Submitted
October 12, 2023

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