

STAMFORD PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES, TUESDAY, NOVEMBER 19, 2013
4th FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chair, Claire Fishman, Roger Quick, Jay Tepper, Michael Totilo, and Dudley Williams (came in at 6:45 p.m.). Zbigniew Naumowicz was representing the Board at the Metro North Rail Road/Atlantic Avenue Bridge public meeting at the time of the Planning Board meeting. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner. Other City officials present: Frank Cerasoli, District 15 of the Board of Representatives, James Hricay, Director of OPM and Anthony Romano of OPM.

Ms. Dell called the regular meeting to order at 6:35 p.m. with Mr. Williams absent (until 6:45 p.m., he did not participated in the vote of the first item; Jay Tepper acted in his place for that item, Mr. Williams voted on the remaining items on the agenda), and announced that the regular public meeting would be followed by the Joint Public Meeting on the 2014/15 Capital Budget.

Regular Meeting (6:30 PM & Followed immediately by the Joint Public Meeting)

Request for Authorization:

1. **Amend Lease Agreement between City of Stamford and Soundwaters regarding The Holly Mansion at Cove Island Park in support of CT Historic Preservation Office Hurricane Sandy Disaster Relief Assistance Grant (SHPO).** The applicant is seeking a SHPO grant to raise the structures up to fifteen (15) feet, which represents raising the structures an additional six (6) feet as per coastal zone area regulations and other improvements. As a condition of the grant, a preservation restriction needs to be imposed for twenty (20) years. Mr. Woods presented that key facts that the Planning Board took into consideration including: (1) SoundWaters already has a lease with restrictions on what they are able to do with the property for another fifteen (15) years, this would add an additional five more years; (2) The Holly Mansion is on the National Registrar of Historic Places; and (3) with this grant the buildings on the City's Cove Island Park will meet FEMA requirements. After a brief discussion, Mr. Totilo moved to recommend approval of amending the lease agreement between the City of Stamford and SoundWaters to place a twenty year preservation restriction on the property known as The Holly Mansion at Cove Island Park in support of CT Historic Preservation Office Hurricane Sandy Disaster Relief Assistance Grant (SHPO); Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper and Totilo).

Subdivision Reconsideration of Existing Condition:

1. **166 Hubbard Avenue**, the applicant is requesting amending condition number four "Driveway easement as shown on map dated 3/10/05 serving lots 1 and 2 shall be delineated on the final map and vehicular ingress and egress to be restricted to said easement." Section 3.8 of the Subdivision Regulations outlines the requirements for reconsideration of approval, which require three quarters majority of the Board to approve. Richard Redness, AICP, principal of Redness & Mead made a brief presentation to add a second easement on the north side of the property for access to the back lot; all other conditions will remain as adopted in 2005. After a brief discussion, Mr. Williams moved to

recommend approval of changing Subdivision Condition Number Four from requiring a shared easement to the back lot to adding an easement along the north lot line for access to the back lot; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

Zoning Board Referral:

213-33 Map Change from R-20 (20,000 minimum lot size) to RA-1 (One acre minimum lot size) for seven properties on Saddle Rock Road along the Long Island Sound.

After a brief discussion, Ms. Fishman moved that the Zoning Board approve this map change from R-20 to RA-1 on the seven properties on Saddle Rock Road along the Long Island Sound based on good planning principles to lessen density in a flood prone area; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

Zoning Board Appeals Referrals:

1. **ZBA Appl. 073-13 103 Westover Avenue**, a variance due to the determination that the municipal boundary, which overlaps with the Town of Greenwich leaves their west side yard at zero (0) feet. After a brief discussion, Mr. Totilo moved to recommend approval of **ZBA Appl. 073-13**; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).
2. **ZBA Appl. 078-13 11 Sherman Street**, a variance to the side yard setback requirements allow the applicant an existing two-family dwelling to expand without exceeding the 30 feet height limit. After identifying a number of issues, such as this addition is not in character of the neighborhood, and the street is already overbuilt, Mr. Williams moved to recommend denial of **ZBA Appl. 078-13**; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).
3. **ZBA Appl. 080-13 20 Ocean Drive, North**, a variance to side yard setback requirements of six feet in lieu of ten feet required to "square off" the back portion of the house, as well as asking for relief of the side yard setback of 6.7 feet for a total of 8.9 feet in order to mount their A/C units on the roof. After a brief discussion, Mr. Totilo moved to recommend approval of **ZBA Appl. 080-13**; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).
4. **ZBA Appl. 081-13 143 Mulberry Street**, a variance to lower the parking requirements from four spaces to three spaces in order to apply for a Special Exception to expand a child daycare center. After identifying a number of issues, such as that this is not in character of the neighborhood, parking is already difficult and the turn-around radius is almost non-existent, Mr. Williams moved to recommend denial of **ZBA Appl. 81-13**; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).
5. **ZBA Appl. 071-13 264 Mill Road (Revisited)**, a variance to provide relief from side yard setback requirements of 10.5 feet instead of the required 15.0 feet. After considerable discussion regarding the reasoning given in support of their hardship claims, which the Board found to be woefully inadequate for both Section A. "The existing structure was built too close to the property line to allow expansion," given that many properties in the City were built too close to the property line; nor was the explanation given on Section B.

“additional bedrooms are needed to accommodate a growing family” are adequate to explain “the minimum necessary to afford relief.” The Board was also concerned that the property owner still does not have a C.O. for the pool addition, which the Board suggests that the ZBA should require regardless of their decision. Mr. Williams moved to recommend approval of ZBA Appl. 71-13; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

6. **ZBA Appl. 079-13 40 Woodbine Way (Revisited)**, a variance of Section 6A Accessory Buildings to allow an accessory structures (AC unit and generator) to be allowed in the front yard. Mr. Quick moved to recommend approval of ZBA Appl. 79-13; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

Planning Board Meeting Minutes:

Meeting of 10/29/13: Mr. Quick moved to approve the minutes of 10/29/13; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

Meeting of 11/12/13: Mr. Williams moved to approve the minutes of 11/12/13; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

New Business

Mr. Woods briefly discussed the MNR/Atlantic Avenue Bridge project, pointing out the concern that the sidewalks must be safe for pedestrians, which Mr. Poola, City Traffic Engineer showed where they are on the new plan.

Ms. Dell suggested that we send a letter to Mayor-elect David Martin, the Board requested that staff write a letter requesting a meeting with Mr. Martin to meet with either the full Board or the Chair to discuss the Master Plan update process and the Capital Budget that the Board is currently dealing with.

Mr. Quick requested that the current quarterly report be printed and given to the Board.

Old Business

Ms. Dell reported that going on-line regarding the terms of the members, and she pointed out the terms for both Ms. Fishman and Mr. Tepper were up on December 1, 2013 and they had six months for re-appointment. Ms. Fishman and Mr. Tepper had reported that they both had contacted the Mayor’s Transition Team requesting reappointment to the Planning Board.

Joint Public Meeting

Capital Budget Presentations FY 2014/15-2021:

1. **Ferguson Library**
2. **Board of Education**

When the presentations were completed, Ms. Dell thanked Mr. Cerasoli of the Board of Representatives, Mr. Hricay and Mr. Romano of OPM, then the Board engaged in a discussion on what role they saw was for recommending the Capital Budget to the Board of Finance, Board of Finance, and the Mayor. In sum, this means that the Planning Board's Capital Budget will most likely be larger than the \$30 million.

After a brief discussion, the Board agreed to start the next meeting at 6:30 p.m. instead of 7:00 p.m. to give more time to discuss in detail the Capital Budget requests.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 10:00 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

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.