

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES
TUESDAY, MAY 7, 2013
7TH FLOOR LAND USE CONFERENCE AREA,
GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chairperson; Claire Fishman; Zbigniew Naumowicz; Roger Quick; Jay Tepper; and Michael Totilo. Present for staff was Erin McKenna, Associate Planner.

Mrs. Dell opened the Regular Meeting at 7:03 p.m. and announced that Alternates, Mr. Tepper and Mr. Naumowicz, would be seated as regular voting members for absent Regular Member Dudley Williams.

Supplemental Capital Appropriations:

1. **Short-term Capital Vehicle Replacement** to accept an award of \$83,467 from the Connecticut Department of Energy and Environmental Protection to replace a diesel engine in a new rear loading refuse truck with a hybrid hydraulic launch system.

Grants Officer, Karen Cammarota explained that the State is awarding the City these funds to replace a 2002 diesel refuse truck engine with a 2012 hybrid one. The Fleet Manager is trying to change over the entire fleet eventually. The entire truck costs about \$330,000.

Mrs. Fishman moved to recommend approval of the supplemental capital appropriation. Mr. Tepper seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper, and Totilo).

Zoning Board of Appeals Referrals:

2. **ZBA Appl. 033-13 – 37 Cherry St.** requesting a variance to permit a canine daycare and boarding facility on the C-N portion of the property to replace an existing, legal non-conforming automotive sales and service facility.

Attorney Jacqueline Kaufman, from the firm of Sandak Hennessey & Greco, explained that the definition for a canine daycare and boarding facility under the Zoning Regulations is “kennel.” The property consists of two parcels with different zoning. The parking lot (zoned M-G) supports the 1-story building formerly used for automotive use (zoned C-N). She argued that the canine daycare would actually be a less intensive use of the building than the automotive use, although it is not considered so according to the Zoning Regulations. Both uses are non-conforming in the C-N Zone. In the meanwhile, a kennel is allowed in the M-G Zone. The property, Attn. Kaufman explained, was a victim of the comprehensive re-zoning that took place in 1984. Prior, both parcels were within the M-G Zone. Then, a line was drawn through the property, splitting it into the different zones. Her research on the property did not reveal the reason for doing this. It seems apparent that the reason for including the C-N Zone along this section of Elm St. was to create a commercial corridor, but why there is this lone C-N parcel west of it remains a mystery. The rest of the parcels in this block, aside from those on Elm St. and the subject property, are zoned M-G. The parcel is within Category 7 of the Master Plan Map, Commercial-Arterial. Category 7 does not expressly forbid the proposed use, while it does encourage retail. The surrounding Categories are 14 & 15, which are industrial, and Attn. Kaufman therefore concludes that there is synergy of uses compatible with the Master Plan. In

fact, she showed the Planning Board members 7 letters of support from neighboring businesses.

After further discussion, Mr. Naumowicz moved to recommend approval of the variance. Mr. Totilo seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Totilo).

- 3. ZBA Appl. 034-13 – 69 Chatfield St.** requesting a variance to construct an accessory structure in the side yard requiring a front street line setback of 17.1' in lieu of 30.0', and front street center line setback of 47.1' in lieu of the 55.0' required.

This item was held over from the 4/30/13 meeting. Mrs. Dell visited the property and reported that there is no other place to move the garage to on this corner lot. The new garage will be farther from the setbacks than the existing garage.

After further discussion, Mr. Quick moved to recommend approval of the variance. Mrs. Fishman seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper, and Totilo).

Planning Board Meeting Minutes:

Meeting of 4/16/13 – Mr. Tepper moved to approve the minutes as submitted. Mr. Quick seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).

Meeting of 4/30/13 – Mrs. Fishman moved to approve the minutes as submitted. Mr. Naumowicz seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Totilo).

Old Business

On May 8th, Mrs. Dell will be meeting with staff and the Master Plan consultants to go over future meetings with the neighborhood associations and other community groups, and the plan for the kick-off meeting on May 14th and the role of the Planning Board members who are planning to be there. Mrs. Dell requested that staff write a letter to the Planning Board members describing what is expected of them.

Various City Representatives and City staff attended the Mill River fund-raising party on May 2nd and were given complimentary entrance. Mrs. Dell cautioned that while there are no regulations prohibiting the Planning Board from accepting such offers, she said that in general it is best not to attend such events at all if there is a charge. It creates a conflict because people holding such events may eventually come before the Board. If however, a member feels that he or she must attend, Mrs. Dell asks that they pay. And afterwards, announce it at the Planning Board meeting so it is part of the public record, that a Planning Board member attended a civic function and paid his or her own way. Also, if more than 3 Planning Board members attend a function, it constitutes a meeting because it is a quorum. If such a thing happens, state for the record that no Planning Board business was discussed.

New Business

Upcoming meetings:

- 5/14/13 – the Master Plan kick-off meeting at the Ferguson Library
- 5/21/13 – regular Planning Board meeting

- 5/28/13 – Planning Board meeting in the cafeteria, during which the first hour will be devoted to a presentation on the Master Plan 2013 by BFJ Consulting to the invited City land use group members.

Mrs. Dell requested that staff invite the members of all the land use groups and get an idea of who will be attending, and if people contact staff who cannot attend the 5/14 meeting, she suggests that they be invited to the 5/28 Planning Board meeting. And she would like to know where attendees are supposed to park.

As a member of the South Western Regional Planning Agency (SWRPA), Mr. Tepper reported that there is a Bill before the General Assembly in Hartford to mandate that the planning agencies (there are 2) become part of councils of government. The Bill seeks to create 5 or 6 councils of government in the State, which would combine the SWRPA region with a wider area, diluting the influence that it now enjoys. SWRPA opposes the bill.

Mrs. Dell expressed her concern about a recent article in the paper reporting that a portion of South State St. will be closed by the State. She requested a memo from Norman Cole to hear what he knows about the situation. She also read that the Land Use Committee of the Board of Representatives voted on it at their May 7th meeting. The other land use boards should be consulted about such projects. Mrs. Dell asked that staff report to the board on the vote and what portion of South State this project pertains to.

Mrs. Dell requested again that Jim Lunney appear before the Board to discuss:

- Trump Tower signage
- Signage in general
- How does for zoning enforcement follow up with violators?

Staff will request that Mr. Lunney attend the June 4th meeting.

There being no further business to come before the Board, Mrs. Dell adjourned the meeting at 7:46 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

Note: These proceedings were recorded 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.