

STAMFORD PLANNING BOARD  
REGULAR MEETING MINUTES  
TUESDAY, MAY 28, 2013  
4<sup>TH</sup> FLOOR CAFETERIA, GOVERNMENT CENTER  
888 WASHINGTON BLVD.,  
STAMFORD, CT

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Stamford Planning Board Members present were: Theresa Dell, Chairperson; Claire Fishman; Roger Quick; Jay Tepper; Michael Totilo; and Dudley Williams. Present for staff was Norman Cole, Land Use Bureau Chief; David Kileen, Associate Planner; and Erin McKenna, Associate Planner.

Mrs. Dell opened the Regular Meeting at 6:09 p.m.

***Zoning Board Referrals:***

1. **ZB Appl. 213-17 – Riverturn Condominium Association, Inc. Board of Directors, Special Exception** requesting approval of a Special Exception under Section 7G to allow a fence to be constructed on top of an existing retaining wall for a total fence height of 16 feet in a residential area zoned RM-1 at 180 Turn of River Road.

Mr. Peter Licopantis, President of the Condominium Board, explained that the need for the fence on top of the retaining wall is a matter of safety, as there is a 10-foot drop from the wall. Given that there are a lot of children living in the condominium complex, he requests permission to install a solid white, PVC fence (example provided) that will be a total of 6-feet tall from the top of the wall on the property owners' side.

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

2. **ZB Appl. 213-04 – City Realty, LLC – 336 Courtland Ave.,** requesting approval of a special exception to expand an existing recycling use by reconfiguring the site, adding 32,347 sf in a remodel of the existing building and a scale house (accessory structure) on 3.8 acres in an M-L Zone.

Mr. Kenneth Frattaroli explained how the single stream recycling system sorts and bales materials to be trucked off site. John Pugliesi discussed the small wetland at the south of the property, explaining that the Environmental Protection Board (EPB) staff has confirmed that the wetland setbacks are being met. Mr. Totilo asked whether any neighbors had complained about the project, and Mr. Frattaroli replied that they had not complained to date and that almost all of the future operations would take place indoors. Mr. Michael Ferro reported that operations were allowed to operate from 6 a.m. until 8 p.m., although they typically started later and ended earlier. Will this new system require additional hires, bringing more jobs to Stamford, asked Mr. Totilo? Yes, they will have to hire more people, replied Mr. Ferro. Mr. Quick asked if any residences abutted the property. No, replied Mr. Frattaroli. Mrs. Dell asked if there was a landscaping plan, and Mr. Pugliesi replied yes, and he is working out the details with EPB staff. Where will the materials come from, asked Mr. Tepper? From Stamford, Greenwich, and all the places

it comes from presently, replied Mr. Ferro. What about construction debris, asked Mr. Totilo? City Carting accepts it now, and will continue to do so, replied Mr. Ferro.

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

3. **ZB Appl. 213-13 – Richard W. Redniss – Edgehill Senior Housing, Text change**, to Amend Article II, Section 3-A, definition #92.1 regarding building height and floor area ratio for Senior Housing and a Nursing Home Facility Complex.
4. **ZB Appl. 213-14 – Edgehill Property Corp., 62 & 122 Palmers Hill Road, Special Exception and Site and Architectural Plans** requesting Special Exception Approval and Site & Architectural Plan Approval to facilitate the addition of approximately 33,000 square feet primarily for a new memory care unit and 50 additional parking spaces for their existing 333,000± square foot Senior Housing and Nursing Home Facility Complex on a 22.4± acre site in the R-10 zoning district.

Mrs. Dell said she would take the two applications together.

Attorney William Hennessey explained that the original text was written for the Edgehill project, and it now requires revision. The expansion will allow for the addition of a memory care facility and afford the opportunity to reconfigure the assisted living units, the addition for which will have a green roof. Mr. Richard Redniss explained that the facility was originally built at a height higher than allowed by regulations. He requested that the text allow three stories with no height limitation, as is so in the adjoining C-D Zone. He also requested that the FAR be increased from 0.35 to 0.40. The purchase of the former United Way property enables his client to remove the building and create an additional parking lot with valet service to be used for staff and long-term parking for residents. Mr. Redniss explained that the current parking lot encroaches into Dorr Oliver Drive, but after the reconstruction, the parking lot will be within the property lines and screened by landscaping.

Mrs. Dell, along with other member of the Board, was expressed concern about the remoteness of the new parking area. Because of the topography and landform, creating stairs with direct access to the facility is not feasible. Mrs. Dell was very concerned about the safety issues and the inconvenience of walking along Dorr Oliver Drive to access the facility.

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

Mr. Williams moved to recommend approval of the variance. Mrs. Fishman seconded the motion and it passed with the eligible members present voting, 4-1 (Fishman, Quick, Totilo, and Williams voting in favor, Dell voting to deny). The Planning Board voted unanimously to recommend approval of the text change. While the majority of the Board voted to approve the Special Exception and Site & Architectural Plan Approval, Mrs. Dell voted to deny it on the basis of her concerns about the proposed parking lot. The

Planning Board strongly encourages the Zoning Board to request a parking management plan from the applicant that addresses the issues of lighting, security, and safety and describes how staff and residents will access the lot and use the valet service. The Board also requests notification of, and the opportunity to review, such a plan if it is produced.

5. ***Special Presentation of the Master Plan work plan by BFJ Planning to the Environmental Protection Board, Planning Board, Zoning Board, Zoning Board of Appeals, and Land Use Committee of the Board of Representatives.***

Mrs. Dell thanked those in attendance from the City land use boards for coming to the presentation. David Kileen introduced the planning consultants from BFJ Planning, Frank Fish, Melissa Kaplan-Macey, and Michael Keene. He reported that the May 14<sup>th</sup> kick-off community workshop was very successful and well attended. The goal of this meeting is to give the land use boards a chance to raise issues for the consultants to consider. The consultant team made a PowerPoint presentation, a copy of which was provided to each person in attendance, as was a timeline for the project. Following are some of the comments made after the BFJ presentation;

- Mrs. Fishman wanted to know why BFJ is considering the South End and Downtown together, and Melissa replied that two key issues are connections from each to the transit center and to each other.
- Bill Morris asked whether any neighborhoods were of a particular focus, and Frank replied that they will refer to the emphasis given in the 2002 Master Plan. He anticipates, however, that some neighborhoods will not require as much planning as others. For instance, the issues in North Stamford have likely remained much the same since 2002, while those in the South End have changed significantly.
- Mrs. Dell reiterated that the consultants will post current issues on the project website, and on the Facebook page as well.
- Audrey Cosentini pointed out that the Vita Health & Wellness District plan under way by Charter Oak and the Stamford Hospital for the Stillwater corridor should be studied by the consultants. What are the implications for the neighborhood of this plan? For instance, the purchase of homes around the hospital was an antagonistic and ambitious project. Melissa commented that with the upcoming health care reforms, the point is to keep people out of the hospital, which should benefit the community. Frank added that the projections for growth in the health care industry and the associated employment opportunities should grow properly and fit into the community.
- Barry Michelson pointed out that Stamford is distinct from the other municipalities in Fairfield County. Young people are leaving, there is a 26% vacancy rate for office space, the growth in downtown is primarily new restaurants, corporate headquarters come and go. We need to promote a robust and diverse economy. The consultants should define what really make the City work from underneath.
- Mr. Quick asked if illegal apartments would be addressed, along with other things we have not looked at before in our master plans. Frank replied that while a master plan addresses planning, zoning is what brings about solutions to such things.

- Mr. Quick mentioned the Main St. Bridge as a possible example of planning versus the desires of the people living in the neighborhood. Frank replied that BFJ can make recommendations, but the boards will adjudicate.
- Tom Mills said that BFJ should consider UCONN and Sacred Heart, which is opening a branch in Land Mark Square – and the associated new dorms for both that will create resident students. Also, consider Bull's Head and the corridors to the Merritt and I-95. Mr. Mills reminded the group about the High Ridge/Long Ridge Corridor study currently being done.
- Harry Parson pointed out that 25-30% of the population is Hispanic, and about 15% is African American. Many of them may not use the internet, and may not be able to follow the progress of the project that way. Police with neighborhood beats and churches are inroads to communicating with the neighborhoods. BFJ should consult with local developers as well.
- Audrey Cosentini reminded the assembled that the plan for the downtown that the Downtown Special Services District commissioned is a good and intelligent work. Also, the Master Plan should determine how big Stamford should get. What is the limit? How much growth can downtown withstand? Frank agreed and commented that offices should be concentrated downtown and not be all spread out, as they currently are.
- With the Master Plan address the boatyard issue? Mrs. Dell responded that the Planning Board will respond to the issue on the basis of water values and uses generally, and not where the boat yard should be located.
- John Sedlak said that there is not enough parking in downtown. The requirements keep getting smaller along with the parking spaces themselves. While promoting growth in concentrated areas, sufficient parking should be considered.

### **Zoning Board of Appeals Referrals:**

6. **ZBA Appl. 037-13 – 119 Carter Dr.**, requesting a variance to install a generator with a 0.7' setback in lieu of the 10.0' required, and a variance of Section 6, Paragraph A to install propane tanks in the front yard with vegetation and lattice screening.

The Board concluded that the location of the generator needs to be reconsidered, because it is too close to the property line where the noise may bother the neighbor. They concluded that there are other, preferable options for locating it.

Mr. Williams moved to recommend denial of the variance. Mrs. Fishman seconded the motion and it was denied unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo, and Williams).

7. **ZBA Appl. 038-13 – 60 Ocean Drive East**, requesting a variance to install a generator with a 2.0' side yard setback in lieu of the 10.0' required.

Determining that there was genuine hardship, Mr. Williams moved to recommend approval of the variance. Mr. Quick seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo, and Williams).

8. **ZBA Appl. 039-13 – 121 Old Mill Lane**, requesting a variance of Section 7, Area and Supplemental Regulations, Paragraph O to install a shed with a side yard setback of 15.5' in lieu of the 30.0' required.

Mrs. Fishman 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, Quick, Totilo, and Williams).

***Planning Board Meeting Minutes:***

9. Meeting of 5/7/13

Mr. Tepper moved to recommend approval of the 5/7/13 minutes. Mrs. Fishman seconded the motion, and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper, and Totilo).

***Old Business***

Mr. Quick referred to the Planning Board's denial of **ZBA Appl. 020-13 – Gary Brown** requesting Special Exception Approval for a new Child Day Care Center of up to 120 children to be located at 925 Long Ridge Road in an R-10 District. He recently noted the heavy traffic at the intersection near the site, and told that Board that they had indeed made the correct decision by denying the application

***New Business***

There being no further business to come before the Board, Mrs. Dell adjourned the meeting at 9:30 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 7<sup>th</sup> floor of Government Center, 888 Washington Boulevard, during regular business hours.