

MEMORANDUM

TO: Stamford Zoning Board

CC: Ralph Blessing & Vineeta Mathur

FROM: Jason A. Klein DATE: March 15, 2024

RE: Appl. 223-39 & 223-40 - Response to Questions Raised/Comments Made at

Zoning Board Hearing on March 4, 2024

Introduction

This memorandum is prepared on behalf of KCI Summer LLC (the "Applicant") in response to questions and/or comments raised during the Zoning Board's March 4, 2024 public hearing regarding Zoning Board Applications 223-39 and 223-40.

As you know, the Applicant is seeking Zoning Board approval to preserve the existing historic home (the "Historic Building") located at 1911 Summer Street, Stamford, Connecticut (the "Property"). The Applicant further proposes an addition pursuant to Section 7.3 of the Stamford Zoning Regulations (the "Zoning Regulations"). A companion Text Change Application (Application 223-39) will strengthen Section 7.3 of the Zoning Regulations. Approval of the Applications will facilitate the preservation of the Historic Building, and allow for the provision of five (5) apartment homes on the Property.

Questions/Comments & Responses

A. Are the incentives permitted under Section 7.3 of the Zoning Regulations permitted as of right?

No. Section 7.3 of the Zoning Regulations is intended to "encourage the preservation, rehabilitation, enhancement and adaptive re-use of Historic

Structures and Historic Sites." 1 To achieve its goals, Section 7.3 provides property owners with incentives to encourage historic preservation, and discourage demolition. To be eligible for these incentives a proposal must undergo a comprehensive review by multiple City authorities.

Any incentive achievable under Section 7.3 requires Site Plan and Special Permit Review and Approval by the Stamford Zoning Board (the "Zoning Board"), and is not permitted as of right. It should also be noted that incentives achievable under Section 7.3 are not available to any property within the City of Stamford (the "City"). Instead, these incentives are only available to certain historic buildings or structures in the City listed on the Cultural Resources Inventory (the "CRI").2 The CRI is a "list established and maintained by the City of Stamford Land Use Bureau, in consultation with Historic Preservation Advisory Commission ("HPAC") that includes historically and architecturally significant districts, Buildings, Structures, artifacts, remains or other physical features affixed to the land within the City of Stamford that are at least 50 years old."3

The incentives permitted under Section 7.3 are not available to any property within the City. Instead, these incentives are only available to properties that are home to historically significant buildings, and only after a property owner completes the following steps:

1. Identify a historic building or structure: Section 7.3 is only applicable to Historic Structures and Historic Sites listed on the CRI. As a threshold matter, a building must be at least 50 years old to be listed on the CRI.4 Any incentives permitted under Section 7.3 and Application 223-39 are only available to buildings or structures 50 years or older that earn a place on the CRI as discussed in greater detail below.

2. Retain a Qualified Historic Preservation Expert to assess the significance of the historic building or structure: To successfully list a Historic Building on

¹ Zoning Regulations Sec. 7.3.A.1.

² See Sec. 7.3.C.1 of the Zoning Regulations, which provides that the "Zoning Board, at its sole discretion, may modify by Special Permit use, bulk, height, Lit and Air, setback, coverage, density and parking standards" only for Historic Structures and Historic Sites listed on the CRI.

³ See Zoning Regulations, Sec. 3.B ("Cultural Resources Inventory" definition).

⁴ See footnote 3 above.

the CRI, a property owner must typically retain a Qualified Historic Preservation Expert (a "Qualified Historic Expert").

A Qualified Historic Expert is typically tasked with confirming the historic significance of the building or structure. A Qualified Historic Expert can be and individual who either: (a) holds a graduate degree and two (2) years of professional experience relevant to historic preservation; or (b) holds an undergraduate degree and four (4) years of professional experience relevant to historic preservation.5

3. Prepare and obtain Land Use Approvals for the project: Upon determining a building may qualify for listing on the CRI, a property owner can begin preparing the necessary Land Use applications permitting the preservation/rehabilitation of the Historic Building and any associated additions/site improvements. The Zoning Regulations require all additions to the CRI to be reviewed by HPAC.6

Pursuant to the Zoning Regulations, any Special Permit Application (including all Special Permit Applications filed under Section 7.3) must be referred to various municipal authorities, including, but not limited to, the Transportation, Traffic and Parking Department ("TTP"), the Engineering Department, the Environmental Protection Board ("EPB") and the Stamford Planning Board.7

The Zoning Board is required to hold a public hearing on any Special Permit Applications, including those filed under Section 7.3. Notice of any such public hearing must be published in the Stamford Advocate,8 and sent to owners of neighboring property within at least 100 feet of the subject property.9 At least one notice sign stating the date and time of the public hearing must also be posted on the subject property.10

⁵ See Zoning Regulations, Sec. 3.B ("Qualified Historic Preservation Expert" definition).

⁶ See Zoning Regulations, Sec. 7.3.c(1)(f).

⁷ See Zoning Regulations Sec. 19.C.3.d.

⁸ See Zoning Regulations Sec. 19.C.3.a.

⁹ See Zoning Regulations, Sec. 1.F.2.

¹⁰ See Zoning Regulations, Sec. 1.F.3.

All Site Plan and Special Permit Applications (filed under Section 7.3 or not) must satisfy the standards contained in Sections 19.D.4 and 19.C.2 of the Zoning Regulations. Applicants seeking approval of an incentive under Section 7.3 must also show their proposal meets the criteria found in Section 7.3.C.1 of the Zoning Regulations, which requires:

- a. That "the proposed use and site plan are compatible with and implement the objectives and policies of Stamford's Master Plan."
- b. That the proposal is "superior to a plan conforming to the standard dimensional requirements and use standards of the underlying zoning district and will not impair the future development of the surrounding area."
- c. That the proposal will "rehabilitate, restore Critically Reconstruct or preserve Historic Structures or sites, and meet the HPAC guidelines for Historic Preservation (once they are recommended by HPAC and adopted by the Zoning Board), or the appropriate Standards and Guidelines of the Secretary of the Interior, as amended from time to time and published on the National Park Service website."
- d. That the "loss of the Historic Structure or Historic Site would be detrimental to the neighborhood character, Local Historic District or the cultural and historical heritage and identify of the City of Stamford." 11
- 4. Fulfill Post Approval Obligations: When the Zoning Board approves a project under Section 7.3, a property owner must record a Historic Preservation Easement on the Stamford Land Records before obtaining a Certificate of Occupancy for the approved project. 12 Said Historic Preservation Easement is a legal agreement between the property owner and the City requiring the property owner to maintain, protect and/or rehabilitate the historic building for the life of the approved development. 13

B. Will the proposed amendments to Section 7.3 permit any additional as of right development?

¹¹ See Zoning Regulations Sec. 7.3.C.1.a – 7.3.C.1.d.

¹² See Zoning Regulations, Section 7.3.C.6.a.

¹³ See Zoning Regulations Sec. 3.B ("Cultural Resources Inventory" definition).

No. Property owners seeking to utilize the incentives proposed under Application 223-239 will be required to undergo the same rigorous review process currently required by Section 7.3 of the Zoning Regulations as outlined in Section A of this memorandum. If enacted, the incentives permitted by Application 223-39 will only be available to owners of buildings of historic significance deemed worthy of being listed on the CRI, and only after Site Plan and Special Permit applications are reviewed by the Zoning Board. These applications will also be reviewed by HPAC, the Planning Board, TTP, the Engineering Department.

The Zoning Board will be required to hold a public hearing on any proposal seeking to utilize the relief achievable under Application 223-39, which must be noticed as described in Section A.3. of this memorandum. In determining whether or not an approval should be granted, the Zoning Board will be required to consider the standards of Sections 19.D, 19.C.2 and 7.3.C.1 of the Zoning Regulations. Finally, any historic building that is preserved thanks to the incentives permitted by Application 223-39 will be protected by a Historic Preservation Easement recorded on the Stamford Land Records, and importantly, not forever as a result of demolition.

Approval of Application 223-39 will strengthen Section 7.3 by providing additional incentives to the owners of historic buildings. The Zoning Board will retain the authority to review any application seeking the incentives proposed under Application 223-39, to ensure these proposals satisfy the standards contained in Sections 19.D.4, 19.C.2 and 7.3.C.1 of the Zoning Regulations after a duly noticed public hearing.

C. Revise the architectural plans of record to clarify materials to be utilized in the proposal.

Revised architectural plans by Elena Kalman (dated March 5, 2024) are enclosed herewith and clarify the proposed façade materials. The central portion of the proposed addition will be faced with James Hardie Boothbay Blue Shingles. These shingles will create a sense of cohesiveness with the shingles on the Historic Building, and are responsive with HPAC's desire to see shingle elements incorporated into the proposed addition. Shingles on the Historic Building will be replaced or repaired as required, and painted to match James Hardie Boothbay

Blue siding. A revised rendering depicting this treatment is enclosed for your reference.14

D. Was the Application modified in response to comments received from HPAC?

Yes. HPAC reviewed the proposal at its regular meetings on November 14, 2023 and December 15, 2023. During the November 14th meeting (during which HPAC lacked a quorum) HPAC expressed a desire to see a reduction of the overall bulk of the proposed addition. Specifically, members of HPAC believed proposed rooftop terraces made the scale of the Fifth Street façade too large. In response, the Applicant eliminated all rooftop terraces, reducing the overall bulk and height of the proposed addition. The Fifth Street façade of the proposed addition was further modified to reduce its apparent massing. These modifications are incorporated in the architectural plans currently before the Zoning Board, and were well received by HPAC on December 15th.

HPAC provided additional comments after its December 15, 2023 meeting, and the Applicant's response to each comment is as follows (HPAC comment in blue and Applicant response in red):

1. It is understood the structure is in good shape and the exterior is comprised of shingle siding. The Commission encourages the Owner to restore the shingles. Where patching occurs, the shingles will be matched to the original.

As previously stated, the Applicant agrees to restore and maintain shingles on the Historic Building whenever possible, and only replace shingles when absolutely necessary. Any replacement shingles will be matched to original shingles to remain.

2. The Owner has indicated the windows will be replaced. The Commission requires the Owner to match the original shape including the 9 over O mullion pattern of the original windows.

Replacement windows will match the shape of the original windows.

3. The Commission requests that the new addition construction use similar

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¹⁴ Additional renderings will be provided on or before March 25, 2024.

materials, including the use of similar shingles on special elements of the design and including the large bay window at the center, of the same color.

As previously stated, the Applicant will incorporate James Hardie Boothbay Blue shingles on the central portion of the proposed addition to match the shingles on the Historic Building. Horizontal panels are proposed on other portions of the proposed addition so as to adequately differentiate the addition from the Historic Building as is recommended by the Secretary of the Interior's Standards for the Treatment of Historic Properties. 15

4. A paint color for the shingles of the historic structure was approved in Phillipsburg Blue (Benjamin Moore color). The Owner noted they will use the same color on the central bay window of the addition. The addition is further defined by a darker blue on clapboard siding. The Commission also reviewed and approved the restoration of wood trims and columns on the historic structure and the white paint color. The Commission further encourages using similar details, trims, and colors in the new addition.

Similar details, trims and colors are incorporated into the proposed addition as recommended by HPAC. Boothbay Blue is similar to the Benjamin Moore color recommended by HPAC, and will allow the Applicant to match shingles on the proposed addition with shingles on the Historic Building.

We note that some members of HPAC questioned the setback of the proposed addition along Fifth Street. It should be noted that while the proposed addition will be 5 feet from the property line, it will also be set back 12.4 feet from the actual curb along Fifth Street. The proposed addition cannot be set back any further from Fifth Street without jeapordizing the Applicant's ability to preserve the Historic Building. The proposed addition is a significant enhancement to the Property when compared to the existing paved parking lot that currently fronts along Fifth Street. Views from Fifth Street will be further enhanced by the planting of seven street trees along the Fifth Street frontage.

E. Will the Applicant reconsider the treatment of the buffer between the Property and the adjacent parcel to the south (1887 Summer Street)?

¹⁵ These standards are available at https://www.nps.gov/articles/000/treatment-standards-rehabilitation.htm.

Yes. The Applicant has revised the proposed site landscaping and will replace the lawn originally proposed along the southerly lot line of the Property with Royal Purple Liriope, an evergreen ground cover that grows to 8-12" high. This plant does not require mowing, is easy to maintain, and grows in the shade. A 6' tall fence is now also proposed along the southerly lot line of the Property to further screen the proposed parking area from neighboring properties. The proposed plantings and fencing are depicted on the enclosed revised landscape plan prepared by ELS, dated March 13, 2024.

Conclusion

The Applicant looks forward to the continued review of the Applications at the Zoning Board's March 25th public hearing.



EXISTING HISTORIC HOUSE — RESIDENTIAL DWELLING UNIT 5 — 2 BRM GROSS AREA PRIOR TO DEMOLITION OF NON—HISTORIC REAR ENTRY ADDITION: 3630 S.F. STATISTICS:

TOTAL GROSS LIVING AREA WITHOUT DEMOLISHED PORTION: 1930 S.F. BASEMENT AND ATTIC ARE NOT INCLUDED IN AREA ABOVE BASEMENT GROSS AREA IS: 998 S.F. ATTIC GROSS AREA IS 572 S.F. TOTAL GROSS AREA REMAINING AFTER DEMOLITION OF REAR ADDITION INCLUDING BASEMENT AND ATTIC AREAS:

NEW CONSTRICTION: 2 TWO-FAMILY DWELLINGS: DWELLING 4 DWELLING UNITS

FOURTH FLOOR:
TOTAL LIVING AREA FIRST FLOOR (GARAGE NOT INCLUDED): TOTAL GROSS AREA PER UNIT THIRD FLOOR: SECOND FLOOR: DEVELOPMENT GROSS AREA: BUILDING GROSS CTION 4 D.U.'S NG GARAGES: LIVING AREA: 1622 S.F. 568 S.F. 1944 S.F. 3500 S.F. 405 S.F. 568 S.F. 11,276 81 S.F. S.F. S.F 1752 S.F. 285 S.F. 1467 517 S.F. 366 S.F. 467 S.F. 517 S.F. 67 S.F.

APPLICABLE CODES:

Adopted and Referenced

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Publications

- 1 International Existing Building Code
 1 International Plumbing Code
 1 International Mechanical Code
 1 International Energy Conservation Code
 0 NFPA 70, National Electrical Code, of the
 National Fire Protection Association Inc.
 1 International Residential Code
- 2021
- HANGES ROM DATED /23:
- \sim SIMILAR TO THE ROOF OF THE EXISTING HISTORIC HOUSE.

 SIMILAR TO THE ROOF OF THE EXISTING HISTORIC HOUSE.

 THE BUILDING HEIGHT IS NOW 37'-10" TO THE MIDPOINT OF THE ROOF, VERSUS 45' TO THE TOP OF THE STAIRS' ROOFS IN THE 2/10/23 DESIGN.

 ROOFS IN THE 2/10/23 DESIGN.

 BUILDING FACADE IS NOW THREE STORY HIGH WITH HIP ROOF AND DORMERS AT THE FOURTH FLOOR. THIS IS ONE STORY LESS THAN ON THE PREVIOUS DESIGN.

 ROOF ACCESS IS ELIMINATED.

 BAYS ARE REDUCED.

 COLOR OF THE CENTRAL PROJECTING PORTION OF THE BUILDING. USING TWO COLOR SCHEME VISUALLY BREAKS THE MASS OF THE BUILDING.

 DRIVEWAY UNDER THE BUILDING BETWEEN THE GARAGE DOORS IS NOW 28' WIDE VERSUS 20' WIDE OF THE
- 9.00
- DOORS IS PREVIOUS NOW 28,

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0 /23:

- EXISTING BUILDING
- \mathcal{C} \sim N THE CENTRAL NOTES ADDED.
- <u>.</u> EXISTING SHINGLES ARE C..

 AND NOTES ADDED.

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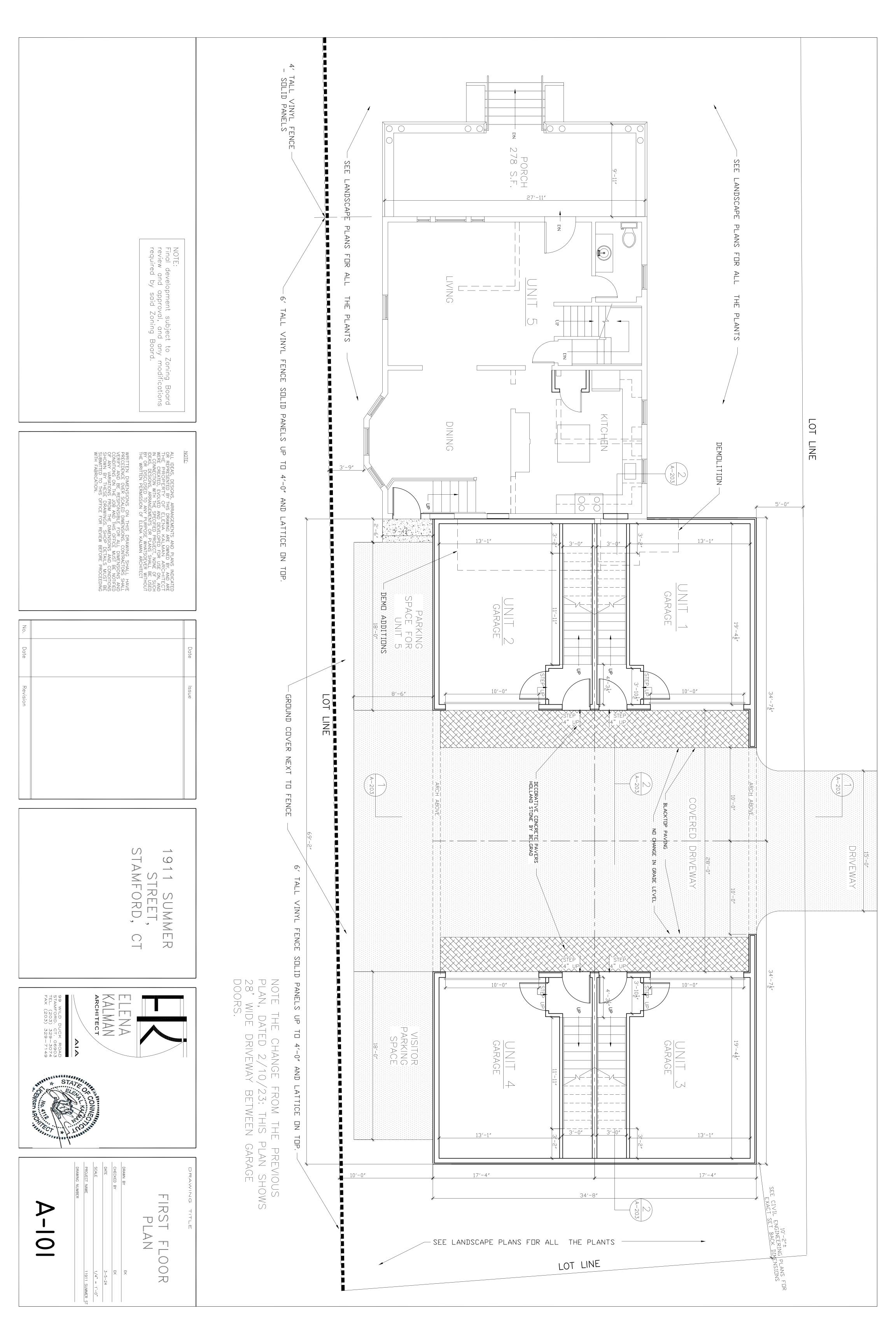
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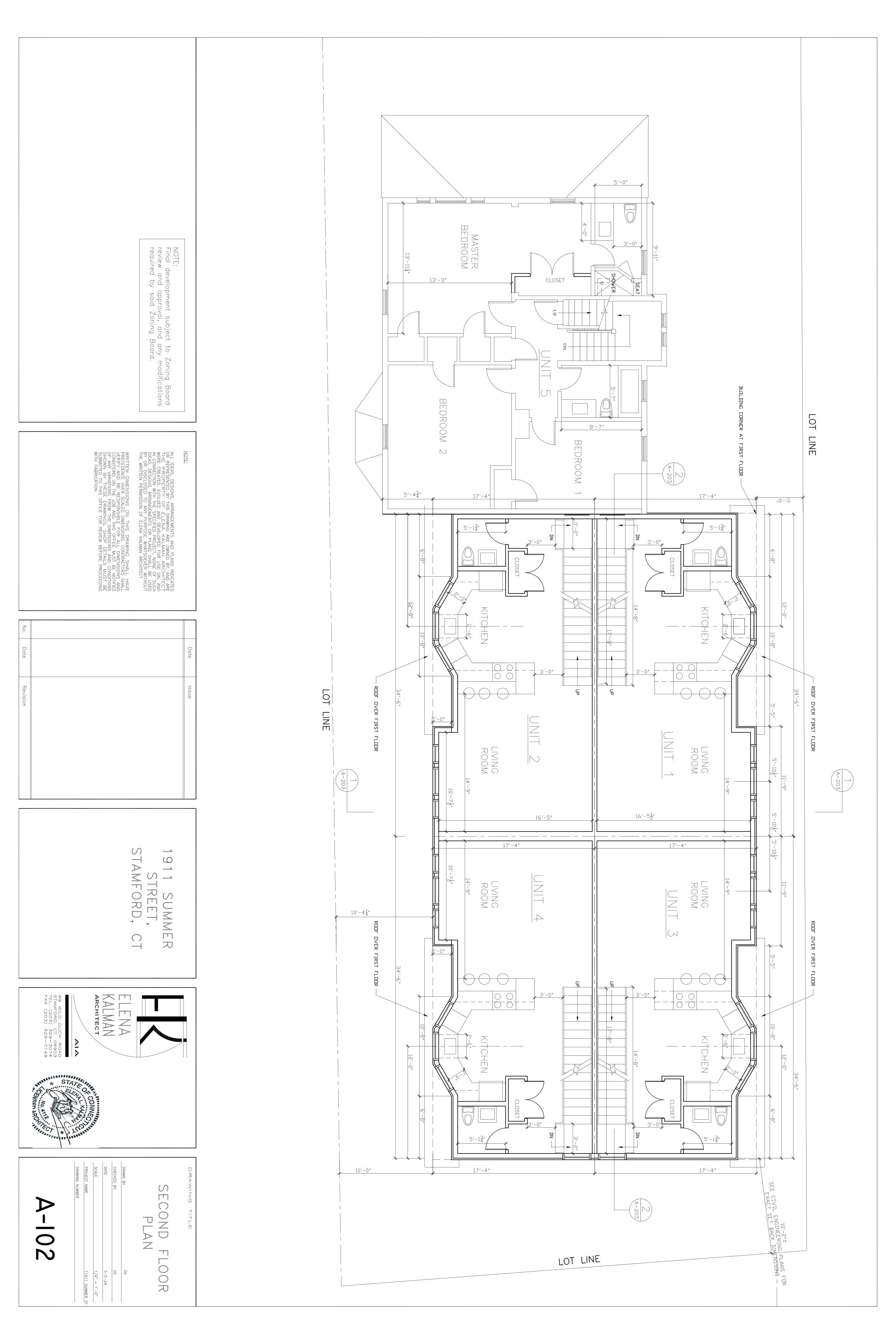
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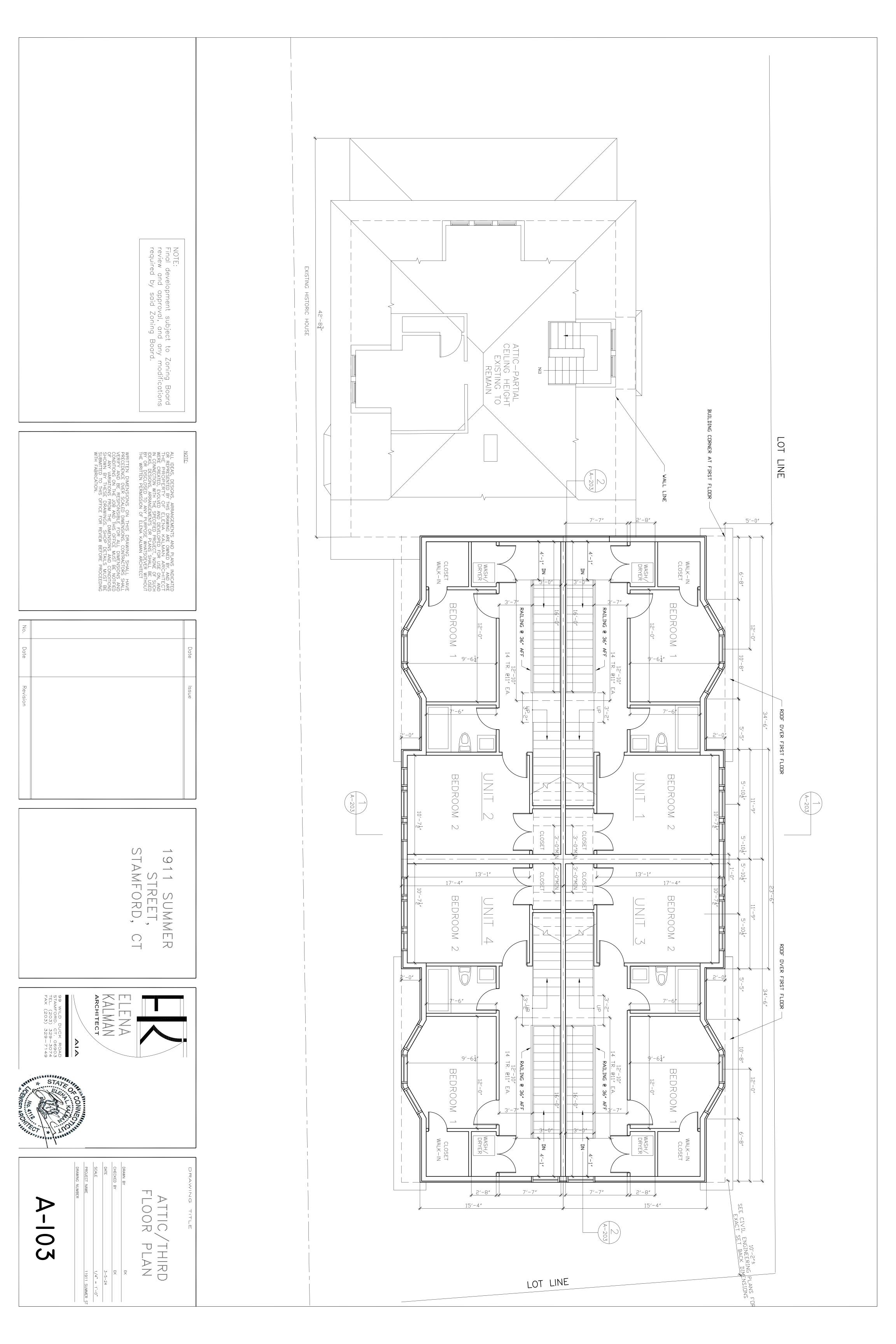


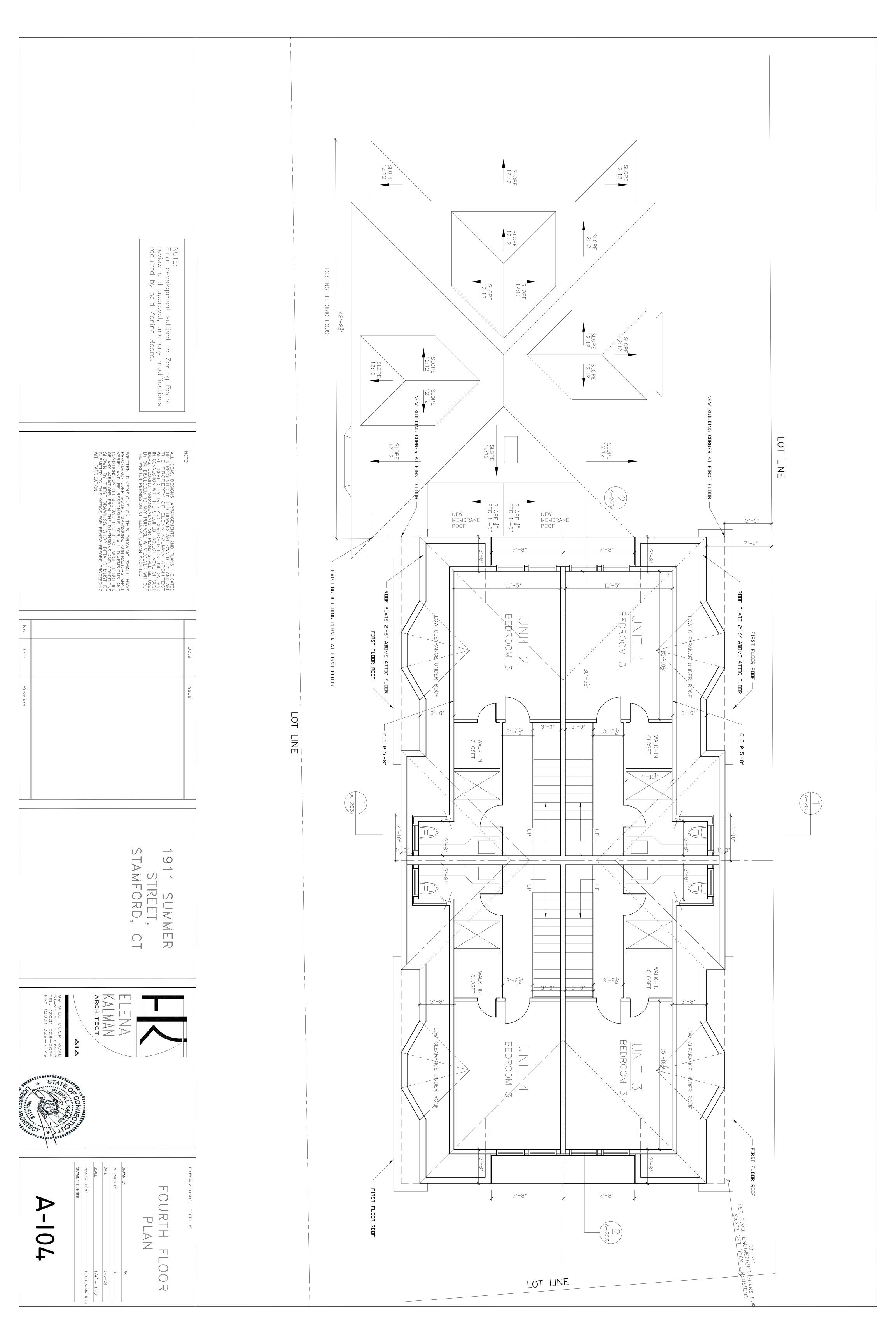
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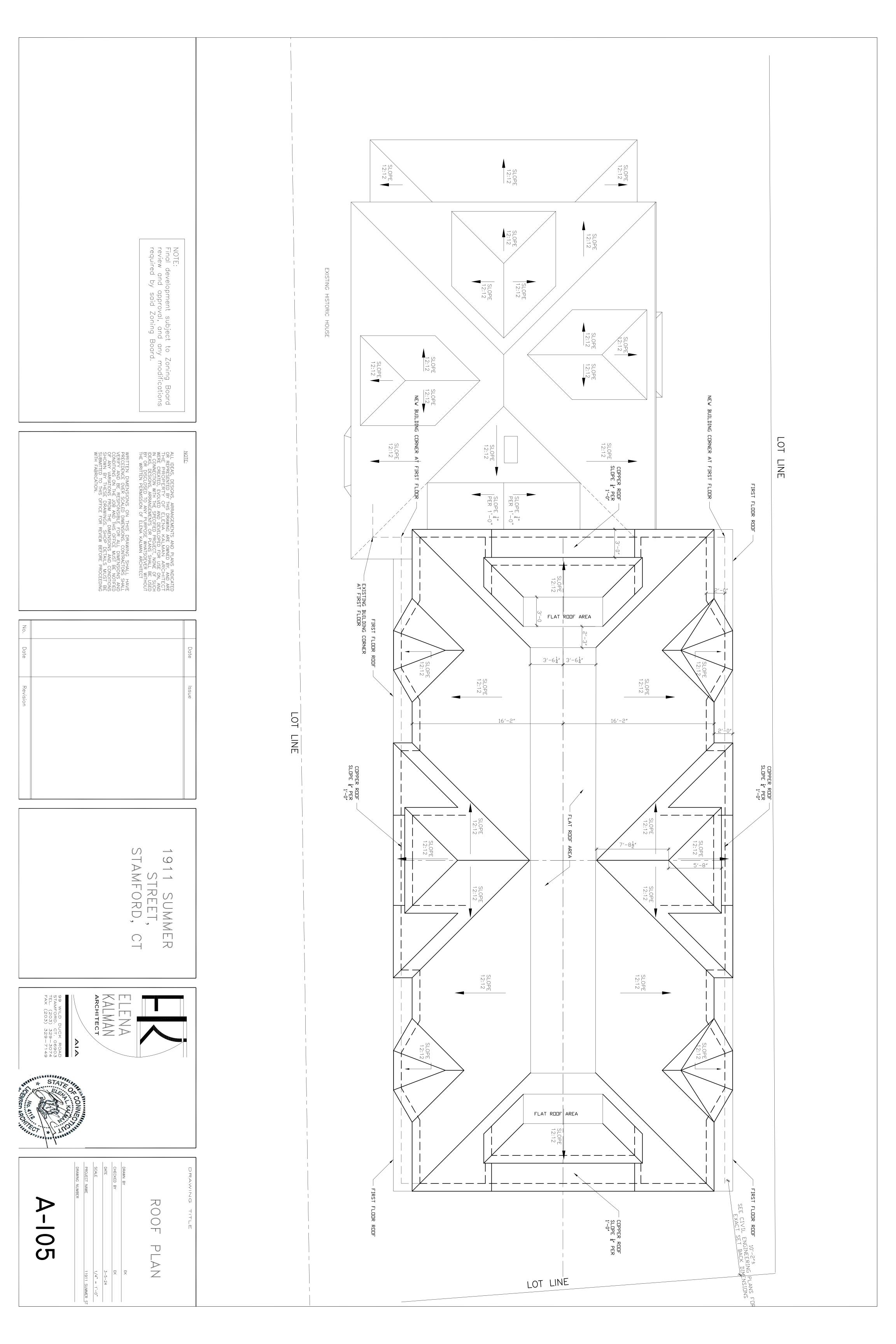
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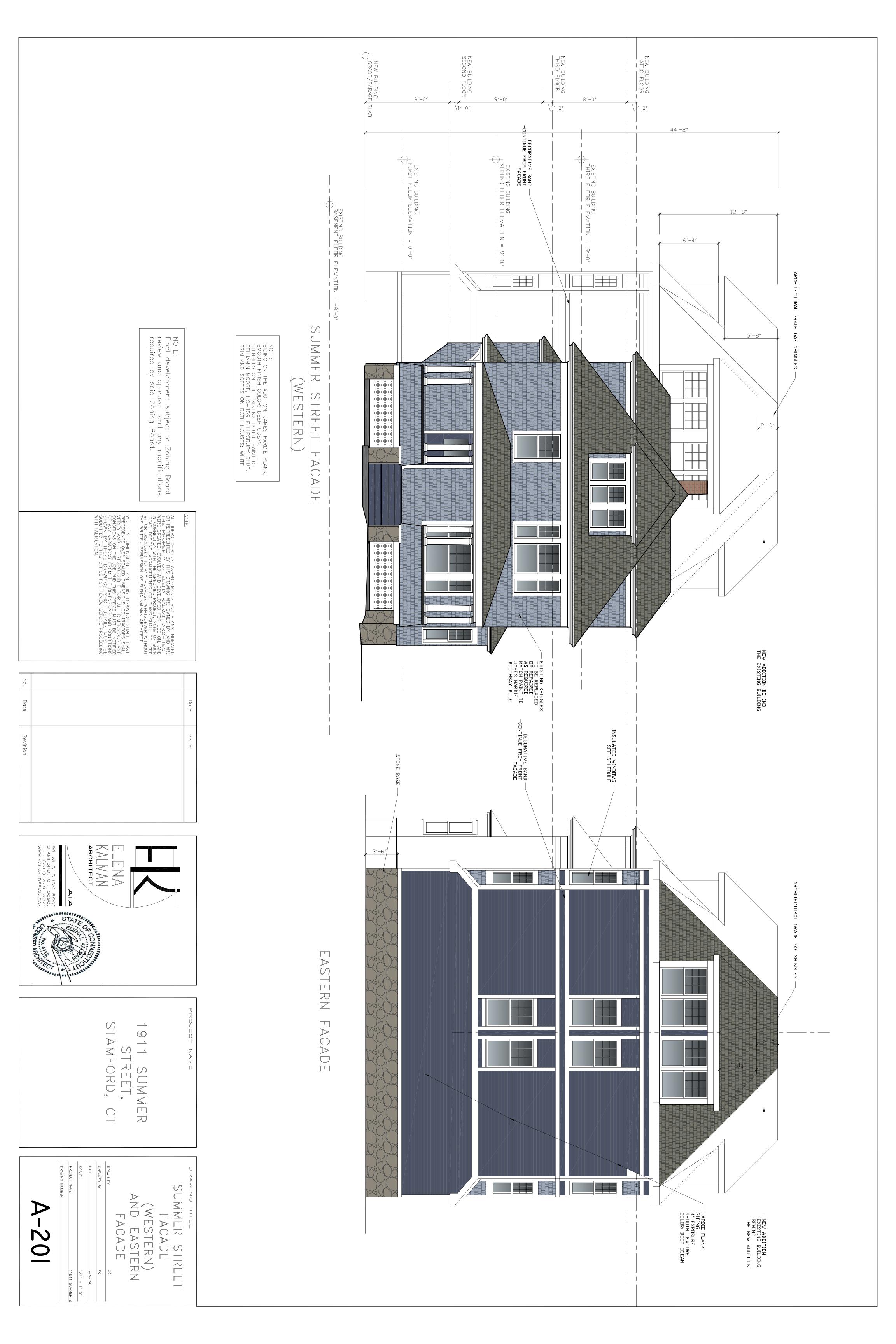


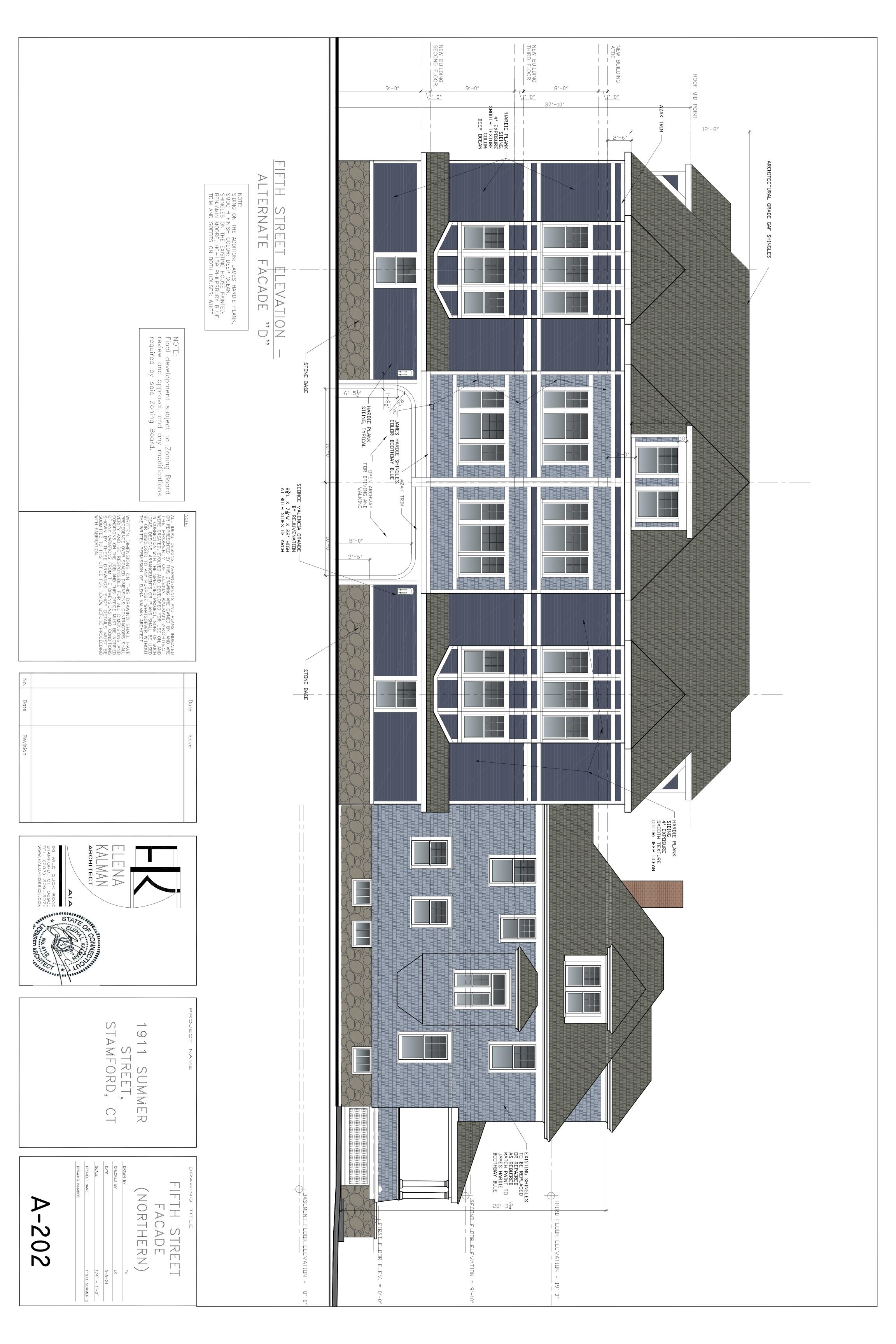




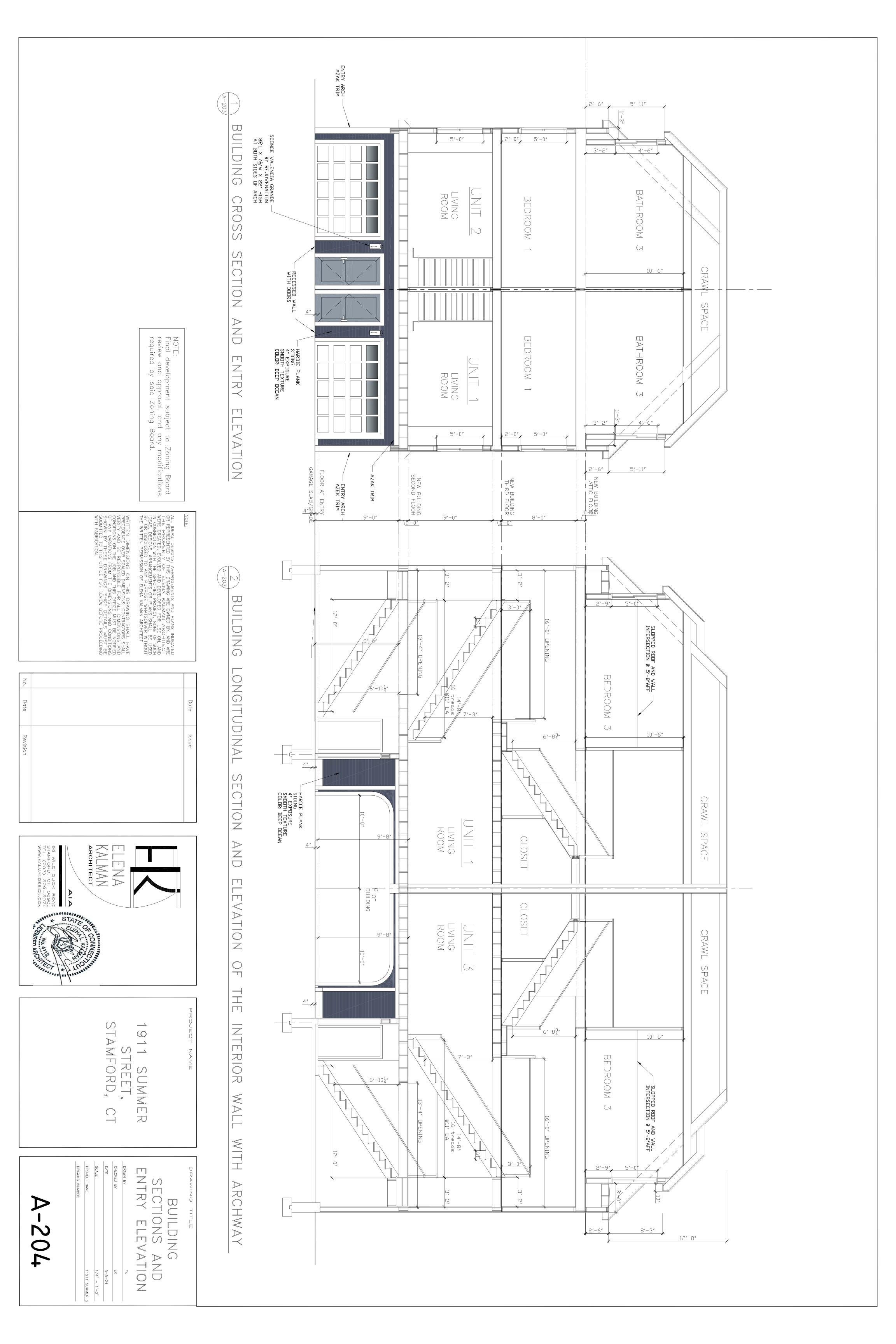










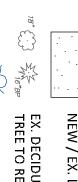






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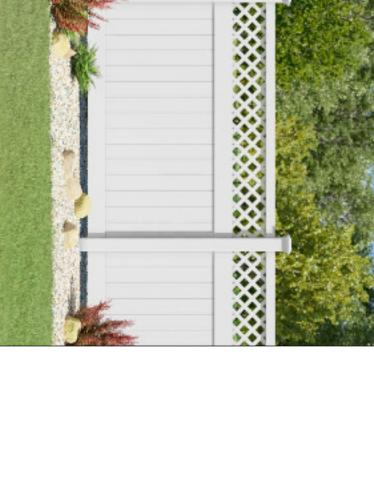
NEW SHRUB

NOTES:

- CONTACT "CALL BEFORE YOU DIG" AT 1-800-922-4455 TO HAVE UNDERGROUND UTILITY LINES MARKED BY THEM PRIOR TO START OF ANY EXCAVATION WORK.
- EXACT LOCATION OF PROPOSED PLANTINGS AND SPECIES TYPES MAY VARY FROM THIS PLAN BASED ON SITE PLAN REVISIONS AND/OR ACTUAL FIELD CONDITIONS.
- SEED LAWN AREAS WITH A HIGH QUALITY FESCUE AND BLUEGRASS SEED MIXTURE. APPLY SOIL AMENDMENTS AND SEED AREAS AT THE METHODS AND RATE RECOMMENDED BY THE MANUFACTURER. LIGHTLY MULCH SEEDED AREA WITH WEED-FREE CLEAN HAY. A NURSE CROP SHALL BE ADDED TO THE SEED MIX ON SLOPES OF EXCESS OF 10% AND AS SPECIFIED. LIGHTLY RAKE OR ROLL GROUND SURFACE AFTER SOWING. MAINTAIN LAWN AREAS PER THE MANUFACTURER'S RECOMMENDATIONS.
- PLANT SPECIES SUBSTITUTIONS MAY BE MADE WITH THE APPROVAL OF THE PROJECT LANDSCAPE ARCHITECT PRIOR TO PLANTING. SUBSTITUTED PLANTS SHALL BE AT AN EQUAL OR GREATER SIZE AS NOTED USING A SIMILAR TYPE PLANT.
- PLANTING METHODS SHALL BE IN ACCORDANCE WITH THE "AMERICAN STANDARDS FOR NURSERY STOCK", LATEST EDITION, AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
- THE CONTRACTOR SHALL VERIFY WITH THE PROJECT ENGINEER THAT THE NEW PLANTINGS DO NOT INTERFERE WITH EXISTING AND/OR PROPOSED UTILITIES, SIGHT LINES, AND/OR STRUCTURES.
- THIS PLAN FOR PLANTING PURPOSES ONLY. SEE PLANS BY OTHERS FOR ADDITIONAL INFORMATION.

STREET TREE CHART

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SUBTOTAL:	5TH STREET	SUMMER STREET	STREETSCAPE AREA
	139.81'	51.50'	TOTAL STREET FRONTAGE (LF)
	5.59	2.06	REQUIRED STREET TREES (FRONTAGE/25)
	51	2	STREET TREES PROPOSED
	1	רב	NUMBER OF STREET CORNERS
	0 (5.59 - 5 - 1 = -0.41)	0 (2.06 - 2 - 1 = -0.94)	TREES SUBJECT TO FEE PAYMENT (STREET TREES REQUIRED - STREET TREES PROPOSED - CORNERS)
\$0	\$0	\$0	FEE IN LIEU REQUIRED (\$2500 PER TREE SUBJECT TO FEE PAYMENT)





3.13.24 9.29.23 8.29.23 10.27.22

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BOTANICAL NAME
ACER RUBRUM 'ARMSTONG'
BETULA NIGRA 'DURA HEAT'
QUERCUS RUBRA
CRATAEGUS 'WINTER KING'
PRUNUS X YEDOENSIS
THUJA 'GREEN GIANT'
AZALEA 'PLEASANT WHITE'
HYDRANGEA 'THE ORIGINAL'
HYDRANGEA 'LIME LIGHT'
HYDRANGEA 'LIME LIGHT'
ILEX 'SHAMROCK'
JUNIPERUS CHINENSIS VAR. 'SARGENTII'
RHODODENDRON 'CHIONOIDES'
ROSA 'PINK KNOWOUT'
SPRIAEA 'SHIROBANA'
HEMEROCALLIS 'HYPERION'
LIRIOPE MUSCARI 'ROYAL PURPLE'

COMMON NAME
ARMSTRONG RED MAPLE
DURA HEAT BIRCH
RED OAK
WINTER KING HAWTHORN
YOSHINO CHERRY
GREEN GIANT ARBORVITAE
PLEASANT WHITE AZALEA
THE ORIGINAL HYDRANGEA
LIME LIGHT HYDRAGEA
VANILLA STRAWBERRY
SHAMROCK INKBERRY
SARGENT JUNIPER
CHIONOIDES RHODODENDRON
PINK KNOCKOUT ROSE
SHIROBANA SPIREA
HYPERION DAYLILY
ROYAL PURPLE LIRIOPE

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COLUMNAR, RED FALL FOLIAGE
MULTISTEM, EXFOLIATING BARK
DECIDUOUS
WHITE FLOWER, RED BERRIES
LIGHT PINK FLOWER
EVERGREEN
WHITE FLOWER
BLUE FLOWER
PINK FLOWER
PINK FLOWER
PINK FLOWER
EVERGREEN
EVERGREEN
EVERGREEN, WHITE FLOWER
PINE FLOWERS
WHITE AND PINK FLOWERS
YELLOW FLOWER, PERENNIAL
EVERGREEN GROUNDCOVER

PLANTING HEIGHT
14-15' HT.
9-10' HT.
13-14' HT.
13-14' HT.
10-12' HT.
5-6' HT.
5-6' HT.
2' HT.
2' HT.
2.5' HT.
3.5' HT.
3.5' HT.

MATURE HEIGHT
45-50' HT.
35' HT.
50-60' HT.
18-20' HT.
20-24' HT.
30-35' HT.
3' HT.
4' HT.
6-7' HT.
2' HT.
2' HT.
5' HT.
2' HT.
3' HT.
1' HT.

STREET TREE / TYPE
NO
NO
YES / LARGE
YES / SMALL
YES / SMALL

ANT

LIST



8 KNIGHT STREET, SUITE 203 NORWALK, CONNECTICUT 06851 Tel: (203) 855-7879 Fax: (203) 855-7836	Landscape Architecture and Environmental Planning	ENVIRONMENTAL LAND SOLUTIONS, LLC
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	2	1.3/c. Variable	OF CONNEC TO	
DRAWING NO:	1"=10'	SCALE:	12.20.21	DATE:



PROJECT NORTH

