

**MINUTES OF THE ZONING BOARD PUBLIC  
HEARING AND A REGULAR MEETING ON  
MONDAY, MARCH 25, 2024, AT 6:30  
PM ET THROUGH A WEB AND PHONE MEETING**

Present for the Zoning Board: David Stein (Chair), William Morris (Secretary), Rosanne McManus, Gerald Bosak & Racquel Smith-Anderson.

Present for staff: Ralph Blessing, Land Use Bureau Chief and Vineeta Mathur, Principal Planner.

Chair Stein called the meeting to order at 6:30pm.

Chair Stein stated that this meeting is being conducted through “Zoom” video conference. He then gave detailed instructions on how the meeting will be run including how to send in messages and when to speak. Attendees were instructed to use either the raise hand, question box, text message, email or phone call option to let the board know they would like to speak.

Chair Stein stated that tonight’s meeting will be recorded, and that the agenda and all the meeting materials can be found on the city web site [www.stamfordct.gov/zoning](http://www.stamfordct.gov/zoning).

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Chairman Stein stated that Ms. Smith-Anderson (Alternate) will be seated as a voting member.

A motion was made by Ms. McManus to take the agenda out of order to start with application **223-45**, seconded by Ms. Smith-Anderson and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

**PUBLIC HEARING**

1. **Application 223-45 – AYR Wellness Inc, 417 Shippan Avenue, -Special Permit**, Applicant is seeking approval to operate a hybrid cannabis retail facility servicing both medical patients and adult-use consumers. Property is located within the C-N and M-G Zones.

**NOTE:** The Certificate of Mailing for application **223-45** was submitted to staff on **March 21, 2024**.

**NOTE:** The Affidavit for Posting the Public Hearing signage for application **223-45** was submitted to staff on **March 11, 2024**.

Chairman Stein read application **223-45** into the record.

Ms. McManus read the Planning Board's referral letters for application **223-45** dated **February 2, 2024**, into the record.

Attorney Joseph Capalbo representing the applicant requested that this application be continued to the **April 8, 2024** meeting.

Chairman Stein stated that the public hearing for application **223-45** will be continued to the **April 8, 2024**, Zoning Board meeting at 6:30pm via Zoom video conference.

A motion was by Ms. McManus to go back to agenda order, seconded by Mr. Bosak and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

### **PENDING LITIGATION**

1. Discussion regarding pending litigation in the matter of Bucaj v. City of Stamford (Application 220-22 - NGUYEN REALTY LLC, 302-312 Shippan Avenue, Stamford, CT – Site and Architectural Plans and/or Requested Uses and a Special Permit). Possible action to approve settlement.

Chairman Stein read the pending litigation (application **220-22**) item into the record and stated that while the Board did vote to approve the settlement agreement at the last meeting, they (the Board) were not specific enough on the conditions and therefore must re-vote.

Mr. Bosak made a motion to approve the settlement agreement, such motion listing certain terms of the settlement, seconded by Mr. Morris and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

Attorney John Leydon representing the applicant made a comment on the terms and asked for the word "new" before "units" to be added to item #1, the Board agreed and with that.

Mr. Bosak made a motion to approve the proposed Stipulation of Settlement in the matter of Bucaj v. Zoning Board, Application 220-22 – Nguyen Realty LLC, 302-312 Shippan Avenue, Stamford, CT – Site and Architectural Plans and/or Requested Uses and a Special Permit seconded by Mr. Morris and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson) for the following reasons:

1. The number of new units on the site will be reduced from five to four.
2. Three new on-site parking spaces have been added, which increases from nine to twelve spaces and eliminates the need for off-site parking.
3. On-site safety mechanisms to regulate vehicular traffic will be installed.
4. The location of screening fence, bollards, a dumpster, and garbage receptacles have been identified on the site plan.

## **PUBLIC HEARING CONTINUED FROM MARCH 4, 2024**

1. **Application 223-39 -KCI Summer, LLC, 1911 Summer Street, Stamford, CT - Text Change** – Applicant is proposing amendments to Section 7.3 of the Zoning Regulations to facilitate the construction of residential uses located on corner lots, to grant the Zoning Board the authority to reduce setbacks applicable to on-site parking areas and to reduce the Usable Open Space standard.
2. **Application 223-40 -KCI Summer, LLC, 1911 Summer Street, Stamford, CT – Site and Architectural Plans and/or Requested Uses, Special Permit and an application for approval for addition to the Stamford Cultural Resources Inventory (CRI)** – Applicant is proposing the renovation of a historic house and constructing 4 new townhouses attached to the rear along with landscaping an on-site parking.

Chairman Stein read applications **223-39 & 223-40** into the record.

Jason Klein with Carmody Torrance Sandak Hennessey representing the applicant, introduced his team, continued his presentation, and answered questions from the Board.

### **PUBLIC COMMENTS**

- Monika Twal – 37 Hanrahan Street -Opposed
- Paul Arvoy – 59 Lancer Lane – Opposed
- Judy Norinsky - President Historic Neighborhood Presentation – In Favor

Chairman Stein asked if there any other public speakers through chat/text message/ email/raised hands – there were none.

Mr. Klein replied to the public speakers comments and gave his closing comments.

Chairman Stein stated that applications **223-39 & 223-40** have been closed.

Chairman Stein called for a recess at 8:34pm - meeting resumed at 8:43pm.

## **REGULAR MEETING**

1. Approval of Minutes: **March 4, 2024:** Following a brief discussion, a motion was made by Ms. McManus for approval of the minutes as presented tonight, seconded by Mr. Bosak and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

**PENDING APPLICATIONS**

1. **CSPR-1187 – Howard Novick, 190 Davenport Drive, Stamford, CT -**  
Applicant is proposing repairs to the seawall. Property is located within the CAM boundary.

Chairman Stein read application **CSPR 1187** into the record.

Ms. Mathur gave a brief presentation and answered questions from the Board.

Following a brief discussion, a motion was made by Mr. Bosak for approval of application **CSPR 1187** with conditions prepared by EPB Staff dated March 5, 2024, conditions prepared by Engineering Staff dated January 9, 2024 and January 18, 2024 and conditions prepared by DEEP dated January 19, 2024, seconded by Ms. McManus and carried on a vote of 4 - 0 -1 as follows:

Mr. Stein – Yes

Ms. McManus – Yes

Mr. Bosak – Yes

Ms. Smith-Anderson – Yes

Mr. Morris – Abstained

2. **Application 223-39 -KCI Summer, LLC, 1911 Summer Street, Stamford, CT -**  
**Text Change.**

Following a lengthy discussion, a motion was made by Mr. Bosak for approval of application **223-39** as discussed and amended tonight, seconded by Mr. Morris and carried on a vote of 3 to 2 as follows:

Mr. Morris – Yes

Mr. Bosak – Yes

Ms. McManus -Yes

Mr. Stein -Opposed

Ms. Smith-Anderson -Opposed

3. **Application 223-40 -KCI Summer, LLC, 1911 Summer Street, Stamford,**  
**CT – Site and Architectural Plans and/or Requested Uses, Special Permit and an**  
**application for approval for addition to the Stamford Cultural Resources Inventory**  
**(CRI).**

Following a brief discussion, a motion was made by Mr. Morris for approval of application **223-40** with conditions as discussed and amended tonight, seconded by Ms. McManus and carried on a vote of 4 to 0 to 1 as follows:

Mr. Stein – Yes

Mr. Morris – Yes

Ms. McManus – Yes

Mr. Bosak – Yes

Ms. Smith-Anderson – Abstained

4. Application 223-45 – AYR Wellness Inc, 417 Shippan Avenue, -Special Permit.

**NOTE:** *Application 223-45 is being continued to the April 8, 2024 Zoning Board meeting.*

### **ADMINISTRATIVE REVIEW**

1. **Application 222-24 - Seaview House LLC, 68 Seaview Avenue, Stamford, CT - Site & Architectural Plans and/or Requested Uses, Special Permit and Coastal Site Plan Review:** Applicant is proposing to convert the main building, a mostly vacant office building into a predominantly residential multifamily development containing (52) residential units, office space on the second floor and on-site parking. The Marina will be unchanged and continue operations and the boardwalk located on the east of the property will continue to be open for public access (***Requesting Extension of Time***).

Chair Stein read the request into the record.

Following a brief discussion, a motion for extension of time was made by Mr. Bosak, seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

**NOTE:** The new expiration date will be **May 24, 2025**.

2. **Application 218-19 – FDAP 873 Lennar Multifamily Communities, LLC, 885 Washington Boulevard (currently known as 873 Washington Boulevard), Site and Architectural Plans and/or Requested Uses, Special Exception and Coastal Site Plan Review** The Applicants propose demolishing the existing building and redeveloping the property with a mixed-use building containing 414 apartments and 19,333 sf of ground floor retail space as well as site and infrastructure (***Requesting an extension of time pertaining to condition #6 fee-in-lieu***).

Chairman Stein read the request into the record.

Ms. Mathur gave the Board a brief update on the funds in the accounts.

Attorney Nicholas Vitti representing the applicant and Noel Cooke (owner's representative) gave a brief overview and answered questions.

Following a lengthy discussion, a motion was made by Mr. Bosak for approval of an extension of time pertaining to condition #6 fee-in-lieu, seconded by Mr. Morris and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

**NOTE:** The new expiration date will be **March 26, 2025**.

3. **Application 213-44 – Rich Cappelli Associates, LLC & Louis R. Cappelli Family LTD. Partnership II, Special Exception, Site & Architectural Review and Coastal Site Plan Review**, large scale development for 650 residential units and associated site improvements in two towers at the corner of Tresser and Atlantic Streets, acquisition and historic preservation of the Post Office at 421 Atlantic Street, over 41,000 sf of ground floor retail space and two parking garages in a CC-N district. Special Exceptions requested include large scale development, increased density, conversion of commercial FAR into dwelling units, historic preservation premium, parking at 1:1 ratio, reduced rear yard, partial waiver of open space and fee-in-lieu for BMR. Simultaneous application with St. John’s Parcel to authorize transfer of 240 residential units and parking (***Requesting an extension of time pertaining to condition #5 fee-in-lieu***).

Chairman Stein read the request into the record.

Attorney Nicholas Vitti representing the applicant and Noel Cooke (owner’s representative) gave a brief overview and answered questions.

Following a lengthy discussion, a motion was made by Ms. McManus for approval of an extension of time pertaining to condition #5 fee-in-lieu, seconded by Mr. Morris and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

**NOTE:** The new expiration date will be **March 26, 2025**.

**ADJOURNMENT**

Ms. Smith-Anderson made a motion to adjourn the meeting at 10:37pm, seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, Morris, McManus, Bosak & Smith-Anderson).

Respectfully submitted,

William Morris (Secretary)  
Stamford Zoning Board

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