

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, APRIL 9, 2024
REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

ZOOM WEBINAR

<https://us02web.zoom.us/j/82971019769>

Passcode: 704461

Webinar ID: 829 7101 9769

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; and Jennifer Godzeno, Secretary and Michael Buccino (Arrived at 6:40 p.m.). Alternates: William Levin and Stephen Perry. Absent: Michael Totilo, Voting Member. Present for staff: Ralph Blessing, Land Use Bureau Chief and Lindsey Cohen, Associate Planner.

Ms. Dell called the meeting to order at 6:32 p.m.

Ms. Dell introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

March 26, 2024: After a brief discussion Ms. Godzeno moved to recommend *approval* of the Planning Board Regular Meeting Minutes of March 26, 2024; Mr. Perry seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper). (Mr. Buccino and Mr. Totilo were ineligible to vote as they were absent at the March 26, 2024 meeting.)

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUESTS:

1. STREET PATCH & RESURFACING - PROJECT #C56182 - TOTAL REQUEST \$2,500,000.00:

Patch and resurface Stamford's roadway infrastructure using accepted engineering standards. This includes milling, overlay, reconstruction, associated fixes to public streets and associated subsurface replacements for drainage systems.

After a brief discussion, Mr. Tepper recommended approval of the Street Patch & Resurfacing - Project #C56182 with a Total Request of \$2,500,000.00. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Perry and Tepper).

ZONING BOARD REFERRALS:

1. ZB APPLICATION #224-04 - JOSEPH J. CAPALBO II representing RRIT, LLC - 91 HOPE

STREET - Site & Architectural Plans and/or Requested Uses: Applicant is proposing to construct 27 townhouses along with on-site parking and associated landscaping.

At its Public Hearing on June 27, 2023, the Planning Board approved a change to the Master Plan Map for this site to be fully within Master Plan Category #3 (Residential - Low Density Multifamily) and a change to the RM-1 Multifamily Low Density Design Zoning District. A demonstration site plan showing 27 townhome units was provided at that time. The approval letter to the Applicant notes that the approval is conditioned on a reduction in the number of units from twenty-seven, decreasing the number of parking spaces, increasing green space, providing an outdoor amenity, propose traffic calming methods and address the BMR requirements.

The number of units was not reduced. The number of parking spaces was reduced from 139 spaces to 95 spaces. The amount of green space has been increased in addition to a playground being provided. There are no new traffic calming methods provided in addition to the removal of one driveway on Hope Street. Two BMR units will be provided on-site with the remainder of the requirement (0.7 BMR units) being met through Fee-in-Lieu payment.

The Applicant is proposing a Zoning-compliant site plan with significant landscaping and has recently met with the neighbors on Howes Avenue and Nash Place. The drainage system will result in a reduction in runoff compared to the existing condition. The proposal meets the density limit recommended for Master Plan Category #3 (Residential - Low Density Multifamily). The townhouse style development blends well with the single-family homes on Howes Avenue and to the east on Glenbrook Road while also pairing well with the condo and apartment developments to the south and across Hope Street. The Application is aligned with the following Master Plan policies and strategies:

- Strategy 6C.2: Promote the development of a variety of housing types.
- Policy 7H: Encourage Infill Development.

Ms. Cohen made some introductory comments and introduced Mr. Capalbo.

Joseph J. Capalbo II, Esq., along with Leonard D'Andrea, D'Andrea Surveying & Engineering P.C., representing the applicant, made a presentation and answered questions from the Board.

After some discussion, Mr. Tepper recommended *approval* of **ZB Application #224-04** with the recommendation the Zoning Board consider asking the developer to write all twenty-six (26) garages for possible installation of EV charging stations by the future owner. The Planning Board found this request to be in general harmony with Master Plan Category #3 (Residential - Low Density Multifamily); Ms. Godzeno seconded the motion and passed with eligible members present voting, 3-2-0 (Dell, Godzeno and Tepper - In Favor / Buccino and Levin - Against). Mr. Levin and Mr. Buccino felt there is not enough green space provided, and the number of parking spaces is excessive.

Ms. Dell made an announcement that ZB Application #224-09, the Zoning Board ADU Text Change, which had been scheduled for the March 26, 2024 meeting and was pulled to be presented at a Public Hearing, will not move forward at this time. There will be a meeting with the Planning Board, Zoning Board, Board of Representatives and Land Use Bureau staff to discuss any changes to the ADU regulations. There will not be a Planning Board Public Hearing on April 30, 2024 as stated at the March 26, 2024 meeting.

2. ZB APPLICATION #224-14 - STAMFORD ZONING BOARD - Text Change: The purpose of the proposed regulation is to more tightly regulate Cannabis Retailers and Smoke & Tobacco Stores in order to better protect the public health and welfare in particular of children and adolescents.

Cannabis retailers, smoke shops and tobacco stores would no longer be permitted uses in the C-B or C-N Districts, which tend to be close to residential areas, would no longer be permitted on parcels directly abutting certain residential districts, and would no longer be permitted to locate within 1,000 feet of a Community Center serving children and adolescents. Definitions for "Community Center" and "Tobacco Sales" would be added. Permitted signage in windows would be reduced.

Ralph Blessing, Land Use Bureau Chief, made a presentation and answered questions from the Board.

After some discussion, Mr. Buccino recommended *approval* of **ZB Application #224-14** with the recommendation that the Zoning Board add language to include City parks and beaches where these facilities will not be permitted to establish and found this request to be in general harmony with Master Plan Category #3 (Residential - Low Density Multifamily); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Levin and Tepper).

3. **ZB APPLICATION #224-16 - NAUTILUS BOTANICALS EJVI, LLC & 1308 EAST MAIN STREET, LLC - 1308 EAST MAIN STREET - Special Permit & Coastal Site Plan Review:**

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 Zone.

The property is located in Master Plan Category #7 (Commercial - Arterial). The use is permitted by Special Permit in the C-N Zoning District. The location of the site meets the distance requirements from other dispensaries, smoke shops and schools defined in the Zoning Regulations. The site meets and exceeds the minimum number of off-street parking spaces. This is important here because the last location the Applicant identified during the Special Permit process was denied in part due to insufficient parking. Unlike smoke shops and liquor stores, the Applicant has strict signage and operational controls and inventory management procedures to control the distribution of their products. There would be robust physical security measures (cameras, locks, restricted entry, security guards) and electronic security measures (State tracking of purchases). In addition to the Special Permit, the Applicant is seeking Coastal Site Plan Review due to the site's location next to the Noroton River/Holly Pond, a waiver from the Parking Management Plan due to the large number of off-street parking spaces provided and an exemption from the sidewalk requirement due to existing sidewalk being in good repair. If this Application is approved, it is Staff's understanding that the appeal of the Zoning Board's decision to deny the other Special Permit application will be dropped.

Master Plan Category #7 is intended to provide for and protect business-oriented development. MP #7 is intended to encourage retail and Special Permit compatible uses distinct from the Commercial-Neighborhood category (less 'intense' MP #6) and Downtown categories (more 'intense' MP #9, #10 and #11). These two characteristics define this Category as a transition zone between the less intense commercial areas abutting residential neighborhoods and more intense commercial areas of Downtown. Hybrid dispensaries have been controversial when across the street from residential neighborhoods and this Category provides space for those uses that should not be located in residential areas but want to locate outside of Downtown.

To the east is the river and Darien, south is Gerli Park and office buildings, to the west are office buildings and to the north is a small residential pocket between I-95 and Route 1. The residential neighborhood is topographically elevated from the Subject site such that there would not be direct views onto the site from abutting residences.

This Application is aligned with Master Plan Strategy 3B.4: Encourage the reconfiguration of...retail space to accommodate market trends and potential new users.

Ms. Cohen made some brief introductory comments and introduced Mr. Braman.

Leonard Braman, Wofsey Rosen Kveskin & Kuriansky LLC, along with Christopher McLean, Langan Engineering; Sheldon Crosby, Project Architect and Connie DeBoever, Nautilus Botanicals EJVI LLC, representing the applicant, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended *approval* of **ZB Application #224-16** with the recommendation that the only signage permitted to be on the front of the building and found this request to be in general harmony with Master Plan Category #7 (Commercial - Arterial); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Levin and Tepper).

Next regularly scheduled Planning Board meetings are:

- April 30, 2024 (Regular Meeting)
- May 14, 2024 (Regular Meeting)
- May 21, 2024 (Regular Meeting)

Ms. Dell stated again that the ADU Text Change will not be heard at Public Hearing on April 30, 2024 and has been Tabled. This item will be part of the discussion on the 2025-2035 Comprehensive Plan. Ms. Dell asked Ms. Cohen if there was an update on the Comprehensive Plan.

Ms. Cohen explained that approval of the contract by the Board of Finance has been requested. The contract will then go to the Board of Representatives, Land Use Subcommittee on April 17, 2024 and to the full Board of Representatives on May 6, 2024. If all goes well, expect to begin the Comprehensive Plan process at the end of May. Ms. Cohen stated she would keep the Board updated on the progress.

Mr. Buccino announced that he would be stepping down from the Board at the end of the month.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:52 p.m.

Respectfully Submitted
April 10, 2024

Jennifer Godzeno, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20