

**STAMFORD PLANNING BOARD  
APPROVED MINUTES - TUESDAY, MARCH 23, 2021  
REGULAR MEETING  
VIA THE INTERNET & CONFERENCE CALL  
6:30 p.m.**

**JOIN ZOOM MEETING**  
**<https://us02web.zoom.us/j/86994280185>**

**Meeting ID: 869 9428 0185**  
**Passcode: 789667**

**Web & Phone Meeting Instructions**

- If your computer/smartphone has mic and speaker then:  
Type in, paste or click the following link: **<https://us02web.zoom.us/j/86994280185>**; **OR**
- If not, then **Call-in** using the **phone number, Meeting ID & password** provided above.
- Sign-up for Planning Board meeting updates by emailing **[lcapp@stamfordct.gov](mailto:lcapp@stamfordct.gov)**.

**Web Meeting Ground Rules:**

- The meeting shall be recorded and the video shall be posted on the City of Stamford website **[http://cityofstamford.granicus.com/ViewPublisher.php?view\\_id=8](http://cityofstamford.granicus.com/ViewPublisher.php?view_id=8)**
- The Planning Board shall moderate the audio for attendees.
- Attendees shall be on mute and will be unmuted when called to speak by the Planning Board members.
- Applicants will have 20 minutes to make their presentation.
- Any applicant wishing to submit written testimony can send it prior to the meeting to **[lcapp@stamfordct.gov](mailto:lcapp@stamfordct.gov)** or submit through a Chat message to the Planning Board Chair during the meeting.

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Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair and Jennifer Godzeno, Secretary. Alternates: William Levin and Claire Fishman. Absent: Michael Totilo, Voting Member and Michael Buccino, Voting Member. Present for staff: David W. Woods, PhD, FAICP, Deputy Director of Planning and Mark McGrath, Director of Operations.

Ms. Dell called the meeting to order at 6:35 p.m., introduced the members of the Board and staff present and introduced the first item on the agenda.

**PLANNING BOARD MEETING MINUTES:**

**March 1, 2021 - Special Meeting** (Tabled from March 9, 2021 Meeting): As there was not a quorum of those present at the March 1, 2021 meeting, this item was **TABLED** to the April 6, 2021 meeting.

**March 9, 2021 - Regular Meeting:** After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of March 9, 2021; Mr. Levin seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

Ms. Dell called for a motion to “Walk-on” the lease agreement for Zody’s 19th Hole.

Mr. Tepper made a motion to “Walk-on” the lease agreement for Zody’s 19th Hole; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

Ms. Dell explained she received an email from Mr. McGrath asking to add this item to the Planning Board agenda in order to present this to the Board of Finance and the Board of Representatives.

Ms. Dell introduced Mr. McGrath.

Dr. Woods stated for the record John Leydon, Esq. was also present to answer any questions.

**REQUEST FOR AUTHORIZATION:**

**ASSIGNMENT AND AMENDMENT OF LEASE AGREEMENT BY AND BETWEEN THE CITY OF STAMFORD AND MOHAMED & TERESA ZOHDY:** The City of Stamford and The Fore Seasons Restaurant, LLC entered into a Lease Agreement, dated October 10, 2004, whereby the City leased buildings and portions of the premises located at the E. Gaynor Brennan Golf Course in Stamford, Connecticut. At some point prior to December 30, 2008, The Fore Seasons Restaurant, LLC filed for bankruptcy protection and/or relief in the United States Bankruptcy Court, District of Connecticut and on December 30, 2008, said Court entered an order authorizing the assignment of the Original Lease by The Fore Seasons Restaurant, LLC to the Current Tenants, Michael and Teresa Zohdi. The Original Lease was assigned by The Fore Seasons Restaurant, LLC to Michael and Teresa Zohdi by way of a Quitclaim Bill of Sale and Assignment of Lease dated January 13, 2009. Michael and Teresa Zohdi now wish to assign the Lease Agreement to Zody’s 19th Hole, LLC, a Limited Liability Company organized and existing under the laws of the State of Connecticut. Zody’s intends to expand and make certain improvements to the demised premises by investing \$125,000.00 with work being done by Pimpinella Construction Company, Inc. and the City is mutually desirous of the intended improvements and willing to lease certain additional premises to Zody’s, on and subject to the terms set forth in the Lease Agreement. Zody’s will pay a rental fee of \$86,000.00 per month beginning July 1, 2021 through June 30, 2027 and at the time of expiration on June 30, 2027 the rent may be adjusted going forward. *(Lease Agreement, Plans & Supporting Documents Submitted)*

Mark McGrath, Director of Operations, made a presentation and answered questions from the Board.

After a brief discussion, Ms. Fishman recommended approval of the Assignment and Amendment of Lease Agreement By and Between The City of Stamford and Mohamed & Teresa Zohdy and this request has been reviewed pursuant to Connecticut General Statute Section 8-24 and Section C6-30-13 of the City Charter 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. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

**ZONING BOARD REFERRALS:**

- ZB APPLICATION #221-09 - GARDEN HOMES FUND - 1114 HOPE STREET - Site & Architectural Plans and/or Requested Uses, Special Permit and Approval of Additions to the Stamford Cultural Resources Inventory (CRI):** Applicant is proposing the redevelopment of 1114 Hope Street (formerly the First United Methodist Church) by converting the existing structure and constructing an addition to create a total of 17 deeply affordable residential apartments. The existing first floor daycare would be retained. Property is located within the RM-1 District.

In late 2019-early 2020 the applicant, Richard Freedman, was part of a group of affordable housing developers looking to create an affordable housing fund. At that time, Mr. Freedman presented a preliminary plan to the Planning Board to redevelop this parcel at 1114 Hope Street, formerly the United Methodist Church, into 17 deeply affordable residential apartments.

Mr. Freedman made a presentation and answered questions from the Board. Mr. Freedman confirmed the daycare center and the church presently in the building will remain on the premises.

After a brief discussion, Mr. Levin recommended **approval** of **ZB Application #221-09** with the recommendation the Zoning Board take a strong look at parking and the number of cars given the heavy traffic in this area. Since this development is on Hope Street, which is in close proximity to the ice rink, a shopping center and Springdale School, congestion in this area should be addressed, especially considering traffic from Mulberry Street and Camp Avenue. This request is compatible with the neighborhood and consistent with Master Plan Category #3 (Residential - Low Density Multifamily); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

2. **ZB APPLICATION #221-10 - 237-241 HENRY STREET, LLC - 237-241 HENRY STREET - Site & Architectural Plans and/or Requested Use, Special Permit, Coastal Site Plan Review and Application for Approval of an Addition to the Stamford Cultural Resources Inventory (CRI):** Applicant is requesting the approval for Critical Reconstruction of 237 Henry Street pursuant to Section 7.3.C.5 and construct seven (7) attached condominium units in the rear of the property under the standards of Section 7.3.C. Property is located in the R-MF zoning district and within the CAM boundary.

The applicant, Piotr Laskowski, represented by Elena Kalman, Architect, specializing in historic restoration, is requesting a Special Permit to develop a total of seven (7) rental units [five (5) townhouses at the rear and two (2) apartments in the existing historic structure] as well as renovate the existing historic structure at 237 Henry Street pursuant to Section 7.3.C.5. (**NOTE:** The Planning Board questioned Mr. Laskowski about whether the seven (7) units were rentals or units for sale. Mr. Laskowski stated that all seven (7) units would be rentals and that calling the units “condominiums” on the application was incorrect.)

Elena Kalman and Piotr Laskowski made a presentation to the Board explaining that the existing structure is not up to current building codes and is damaged beyond repair and/or renovation. Ms. Kalman provided detailed plans on tearing down the existing historic structure and rebuilding a structure that will meet current building codes and be an exact replica of the current historic dwelling.

After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #221-10** with the recommendation the Zoning Board confirms that all seven (7) dwellings will be rental units and will not be for sale as condominiums. The Planning Board also had concerns about the driveway where the five (5) rear units will be located. The Planning Board wants to make sure the Zoning Board looks at the driveway to make sure there is some kind of privacy fencing and landscaping on that side of the building to the backyard. This request is compatible with the neighborhood and consistent with Master Plan Category #4 (Residential - Medium Density Multifamily); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

3. **ZB APPLICATION #221-05 - JASON KLEIN, CARMODY TORRANCE SANDAK HENNESSEY, LLP representing 226-228 WEST MAIN STREET, LLC; POST ROAD IV, LLC; 188 WEST MAIN STREET, LLC; NANCY J. STEINEGGER & ESTATE OF JOHN F. STEINEGGER - Text Change:** The proposed Text Amendment, if approved, will require the filing of a General Development Plan application with certain Zoning Map Change applications (ZB #220-35 & ZB #220-36), which if approved, would rezone a ±39,964 sq. ft. assemblage owned by the applicants to the V-C (Village Commercial) District.

Jason Klein, of Carmody Torrance Sandak Hennessey, LLP, made a brief presentation. The proposed Text Change will require applicants to obtain General Development Plan (GDP) Approval with certain Zoning Map Change Applications. Requiring a GDP to accompany certain Zone Map Changes will allow the Zoning Board to impose site-specific conditions concerning the eventual development of a site to be rezoned. Materials required in a GDP Application will provide neighbors with a clearer picture of the proposed uses and buildings that will result from a Zone Map Change. Staff recommends approval and this is consistent with the 2015 Master Plan, which encourages high quality architectural design, landscaping and appropriate review of utility and traffic impacts of a proposed development. This proposal will further these Citywide goals. The GDP is a valuable planning tool, and the Zoning Board should consider broadening the applicability of the GDP process.

After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #221-05**, and that this request is compatible with the neighborhood and consistent with the 2015 Master Plan; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

### **ZONING BOARD OF APPEALS REFERRALS:**

1. **ZBA APPLICATION #007-21 - KATIE WAGNER, QUESITED CONSULTING, LLC representing JOSE FREDY VELIZ & HILDA VERONICA VELIZ - 26 RAYMOND STREET - Variance of Table III, Appendix B:** Applicant owns a two-family dwelling with a shed and is proposing a 624 sq. ft. (24 ft. x 26 ft.) addition to the existing two-family structure providing two (2) additional bedrooms per floor with related incidental spaces. Applicant is requesting a continuation of the existing 2.7 ft. setback in lieu of the 6 ft. required.

The applicant is requesting to legalize the existing 2.7 ft. setback of their two-family dwelling that was built in 1900 before zoning which would permit the applicant to build a structure that is consistent with the existing building.

Katie Wagner, of Quesited Consulting, LLC, was available to answer question from the Board.

After a brief discussion, Mr. Levin recommended **approval** of **ZBA Application #007-21**, and that this request is compatible with the neighborhood and consistent with Master Plan Category #3 (Residential - Low Density Multifamily); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

2. **ZBA APPLICATION #004-21 - PETER MEDOIT representing GERALDINE (TOUSSAINT) SIMPLICIO - 63 HICKORY WAY - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling with a wood deck, brick patio and shed. Applicant is proposing various renovations to existing residence and to add 9 ft. to the existing undersized garage to create a usable standard one (1) car garage (expand to 9 ft. x 12 ft.) and is requesting the following for the proposed garage addition: **(a)** a side yard setback of 6.9 ft. in lieu of the 10 ft. minimum allowed; **(b)** a street line setback of 35.7 ft. in lieu of the 40 ft. minimum allowed; and **(c)** a street center setback of 60.7 ft. in lieu of the 65 ft. minimum allowed.

The applicant claims they have an undersized garage and is proposing to expand the garage and build above in the same footprint, which requires minimum intrusion into the side yard.

After a brief discussion, Mr. Tepper recommended approval of **ZBA Application #004-21**, and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

3. **ZBA APPLICATION #005-21 - MARK & RONA KATZ - 43 ROLLING WOOD DRIVE - Variance of Table III, Appendix B:** Applicant owns an existing single-family dwelling with a deck, patio and shed and is proposing a 12 ft. x 22 ft. addition to the existing deck. Applicant is requesting a side yard setback of 6 ft. in lieu of the 10 ft. minimum allowed.

After a brief discussion, Ms. Fishman recommended approval of *ZBA Application #005-21*, and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

4. **ZBA APPLICATION #006-21 - DEAN A. SMITH - 121 DOWNS AVENUE (a.k.a. 123 DOWNS AVENUE) - Variance of Table III, Appendix B:** Applicant owns an existing single-family dwelling with an open concrete patio at the rear and is proposing a 9 ft. 11 in. x 16 ft. roof addition over the existing patio footprint. Applicant is requesting a 21.4 ft. rear yard setback in lieu of the 30 ft. minimum allowed.

The applicant wants to build above the existing footprint but is restricted based on the configuration of the lot.

After a brief discussion, Mr. Tepper recommended approval of *ZBA Application #006-21*, and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

5. **ZBA APPLICATION #008-21 - MORGAN LISTER representing CALUM & SIRINEE DEWAR - 150 DAVENPORT DRIVE - Variance of Table III, Appendix B:** Applicant owns a single-family residence with a swimming pool. Applicant is proposing construction of a new roof deck (21 ft. x 41 ft. 8 in.) over the existing patio surface and outdoor kitchen, which will be accessed from the existing bedroom deck and a new exterior spiral staircase. Applicant is requesting: (a) a front yard setback of 33.5 ft. in lieu of the 40 ft. required and (b) a rear yard setback of 36.5 ft. in lieu of the 50 ft. required. This is a minimal request to make the proposed improvements.

After a brief discussion, Mr. Levin recommended approval of *ZBA Application #008-21*, and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

6. **ZBA APPLICATION #009-21 - JONATHAN MARTIN, ESQ. representing VITALY TROPP - 33 HAVEMEYER LANE - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling with a deck and attached garage and is proposing a 200 sq. ft. (10 ft. x 20 ft.) 2nd floor addition over the existing deck. Property is in Greenwich and Stamford and the proposed addition is on the eastern side of the lot, entirely in Stamford. Applicant is requesting a rear yard setback of 9 ft. in lieu of the 30 ft. required.

This is one of the unique houses in the City of Stamford in which a portion of the house is in the town of Greenwich and a portion in the City of Stamford. The applicant requires a variance because what they are proposing does not meet existing Zoning requirements for the parcel in Stamford. Please note if the whole lot were in Stamford, the applicant would just need to get a building permit.

After a brief discussion, Mr. Tepper recommended approval of *ZBA Application #009-21*, and that this request is compatible with the neighborhood and consistent with Master Plan Category #3 (Residential - Low Density Multifamily); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

**7. ZBA APPLICATION #010-21 - STEVE AIVALIS & NICK AIVALIS, AIVALIS STUDIO, LLC representing NEW STAR GREENWICH, LLC - 281 GREENWICH AVENUE - Variance of Table III, Appendix B:** Applicant owns an existing two-story three family dwelling along with a detached one-story structure. Applicant is proposing to construct a 2½-story structure consisting of five (5) individual townhouses. Each townhouse will have three (3) bedrooms, three (3) full bathrooms, living room and kitchen. The dimensions of the footprint are 89 ft. x 31 ft. 6 in. (Total area of 2,803 sq. ft.) Applicant is requesting a residential density square footage variance of 1,960 sq. ft. per family in lieu of the 2,000 sq. ft. required, which would allow for a full five (5) units or five (5) families.

The applicant, New Star Greenwich, LLC, is requesting a variance in order to demolish the existing building and replace it with five (5) townhouses. Each townhouse will have 3 bedrooms and 3 full bathrooms. The applicant needs a variance for relief of the Zoning requirements in the RM-F residential density of 2,000 sq. ft. per family (allowance of 4.9 units). The applicant is proposing a slight decrease in the maximum area per family to 1,960 sq. ft., which would allow the full five (5) units to be constructed.

After a brief discussion, Ms. Fishman recommended approval of *ZBA Application #010-21*, and that this request is compatible with the neighborhood and consistent with Master Plan Category #4 (Residential - Medium Density Multifamily); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Levin and Tepper).

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Next regularly scheduled Planning Board meetings are:

- April 6, 2021 - Regular Meeting
- April 27, 2021 - Regular Meeting & Public Hearing - Master Plan Amendment #MP-441 (40 Signal Road)

Dr. Woods stated there are no items right now for the April 6, 2021 agenda except for a couple Capital Project Supplementals from the Mayor. Dr. Woods suggested to hold a Special Meeting on April 6th during the day. Ms. Capp will email everyone to set a time.

Dr. Woods reminded the Board that the April 27, 2021 meeting is a Public Hearing for the Master Plan Amendment for Signal Road.

Ms. Dell mentioned articles in the papers about affordable housing being suggested by the State and the mansion tax also being suggested by the State with various applications being put forth. Ms. Dell asked the Board to go to the State calendar and look at the affordable housing bills and mansion tax bills being presented to the Senate and our Representatives. Stamford has a very good affordability market in place; we address this with any building that is built of substantial size, we have funds put aside in our fee-in-lieu and have the 10% affordable on new construction. Ms. Dell asked the Board to please read these bills and understand what is being presented in Hartford.

Mr. Tepper asked if this applies to the entire state or just those jurisdictions that do not make the 10% affordability? Ms. Dell said as of right now it is the entire state.

Dr. Woods stated a packet will be sent out with information on these bills within the next few days.

Ms. Dell said we could plan a quick discussion at the meeting on April 6, 2021.

Ms. Dell also said she will contact the Mayor to discuss and asking where he stands on this issue.

Ms. Dell said she did not think this would be voted on during the current legislative session but feels the Board should read these bills.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:59 p.m.

Respectfully Submitted

March 29, 2021

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](http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20)