

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, AUGUST 31, 2021
REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 p.m.**

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/89945458871>

Meeting ID: 899 4545 8871

Passcode: 899708

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/89945458871>**; **OR**
- If not, then **Call-in** using the **phone number, Meeting ID & passcode** provided above.
- Sign-up for Planning Board meeting updates by emailing **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**
- 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** or submit through a Chat message to the Planning Board Chair during the meeting.

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary; Michael Buccino and Michael Totilo. Alternate: William Levin. Absent: Stephen Perry, Alternate. Present for staff: David W. Woods, PhD, FAICP, Deputy Director of Planning; Anthony Romano, Management Analyst, Office of Policy & Management; Burt Rosenberg, Assistant Corporation Counsel and Frank Petise, Acting Bureau Chief & Traffic Engineer.

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:

August 11, 2021 - Special Meeting: As there was not a quorum of members present who attend this meeting, the minutes have been **TABLED** to the September 14, 2021 meeting.

REQUEST FOR AUTHORIZATION:

- 1. LEASE AMENDMENT - BELLTOWN ELDERLY HOUSING:** New Neighborhoods has a long-term lease of the City's property known as Belltown Elderly Housing. The existing lease expires on December 30, 2058. New Neighborhoods seeks a second Refinance Loan from HUD, which requires that the term of the lease extend 50 years from the date of the Refinance Loan. The purpose of the amendment to the lease is to extend the term of the lease so as to achieve compliance with the conditions of the HUD Refinance Loan.

Burt Rosenberg, Assistant Corporation Counsel, City of Stamford and Jonathan Singsen, Development Manager, New Neighborhoods, made comments explaining the reason for the Lease Amendment and answered questions from the Board.

After a brief discussion, Mr. Totilo recommended approval of the Lease Amendment for Belltown Elderly Housing. 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. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Totilo and Tepper).

REQUEST FOR AUTHORIZATION
CAPITAL PROJECT APPROPRIATION REQUESTS:

Anthony Romano, Management Analyst, Office of Policy & Management, provided details on the following Capital Project Appropriation Requests.

- CAPITAL CLOSEOUT RECOMMENDATIONS:** Pursuant to Stamford City Code Section 8-2, partial closeout of the following capital projects is being recommended:

Project No.	Project Name	Closeout Amount	Funding Source
CP5203	Affordable Housing Linkage Program	\$1,209,096.00	WITHDRAWN
C46580	Affordable Housing/Zoning Initiative	\$1,091,158.37	WITHDRAWN
CP0056	Traffic Signals, Lighting & Safety Improvements	\$3,500,000.00	Federal Grant
	TOTAL:	\$3,500,000.00	

Mr. Romano explained the City Controller asked the Office of Policy & Management to delay the closeout of Project #CP5203 and Project #C46580 for a month in order to determine how to move the funds internally before actually closing out.

Mr. Romano stated that Project #CP0056 was an older grant authorization which was not awarded to the City and want to reduce the budget by the \$3,500,000.00. Mr. Romano explained that Agenda No. 2 is the same project and approximately \$760,000.00 was expended and will be asking for additional appropriations in bonds to offset the expenditures.

After a brief discussion, Mr. Tepper recommended closeout of the Traffic Signals, Lighting & Safety Improvements - Project #CP0056 for a Total Amount of \$3,500,000.00. 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; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Totilo and Tepper).

- TRAFFIC SIGNALS, LIGHTING & SAFETY IMPROVEMENTS - PROJECT #CP0056 - TOTAL REQUEST \$762,699.95:** The original appropriation was included in the FY 2010-2011 Capital Budget in anticipation of Federal grant funds being available for several traffic improvement projects. The grants did not materialize and/or were appropriated elsewhere. Funds were still required for normal City operations and we expended from this account.

Mr. Romano explained that not receiving the grant cited in the above Closeout would put this project into a negative balance and the \$762,699.95 request would put the project at a zero balance.

After a brief discussion, Mr. Totilo recommended approval of Traffic Signals, Lighting & Safety Improvements - Project #CP0056 for a Total Request of \$762,699.95. 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. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Totilo and Tepper).

3. CITYWIDE SIGNALS - PROJECT #C56174 - TOTAL REQUEST \$12,000.00: The Transportation, Traffic & Parking Department recommends the Applicant; LGS, LLC; contribute \$12,000.00 to pedestrian signal upgrades at the intersection of West Avenue and Grenhart Road in order to increase pedestrian safety at the intersection.

After a brief discussion, Ms. Godzeno recommended approval of the Citywide Signals - Project #C56174 for a Total Request of \$12,000.00. 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. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Totilo and Tepper).

4. KOSCIUSZKO PARK - PROJECT #C56802 - TOTAL REQUEST \$75,000.00: The Transportation, Traffic & Parking Department recommends the Applicants; HPP Three, LLC & HPP Six, LLC; contribute \$75,000.00 for improvements to Kosciuszko Park which would include regarding and replenishing the gravel parking area, improved pedestrian access and pathways through the park and improved park signage.

Ms. Dell mentioned that she received an email from Sue Halpern, President, NRZ, stating that back in 2019 the Connecticut Department of Energy & Environmental Protection (DEEP) performed a study on the park, which contained findings of issues with contaminants and other park features. Ms. Dell sent the report to Mr. Romano and asked him to make comments.

Mr. Romano stated he spoke with Frank Petise, Acting Traffic Bureau Chief and he told Mr. Romano he was not aware of any contaminants in the park. Mr. Romano stated he did try to do some research before the meeting and also tried to speak with Lou Casolo, Engineering Bureau Chief, but was unsuccessful. Mr. Romano explained he did find out that in 2006, a layer of soil was put in with a barrier in the active areas of the park. After the barrier was installed at least an additional eight (8) inches of clean top soil was added to the active areas of the park, which include baseball fields, softball fields, soccer fields, picnic areas, playgrounds and the perimeter.

Ms. Dell stated she just wanted to mention the receipt of the email for the record and as it was received late today the Board did not have time to review.

Mr. Romano further stated he spoke with Kevin Murray, Operations Manager - Parks & Facilities, and he said the Engineering Department is looking into this but does not know the status but could possibly schedule a meeting for an update on the park related to this report.

Ms. Dell brought the discussion back to Project #C56802 and asked Mr. Petise to provide details.

Mr. Petise made a brief presentation and answered questions from the Board.

After a brief discussion, Mr. Buccino recommended approval of Kosciuszko Park - Project #C56802 for a Total Request of \$75,000.00. 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. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Totilo and Tepper).

OLD BUSINESS:

1. **SUBDIVISION #3291 - 44 CHESTNUT HILL ROAD - LESTER & LEE FRAM ROSSIN:** The current property owners Patrick Sweeney and Mary Dunn, are requesting the removal of Condition No. 5 from the Superseded Planning Board Certificate filed with the City of Stamford Town Clerk on March 28, 1985 (Book 2532, Pg. 70) , which reads as follows: “*No building permit shall be issued for Lot 4 until the drainage and driveway have been constructed in accordance with the plans approved by the City Engineer.*” Mr. Sweeney feels this condition is not necessary and a completed driveway would suffer damage by the heavy equipment required for the excavation, foundation and site work for Lot Nos. 3 & 4.

Dr. Woods stated he had been working with the previous owners on this subdivision since 2015. As such, the previous owner, the Law Department and William Hennessey, of Carmody Torrance Sandak & Hennessey, LLP, combed through the records in order to find justification for Condition #5 in the Superseded Planning Board Certificate and deleting the provision for a bond. The current owner is stuck with a condition where there is no record of validation. Dr. Woods recommended the Planning Board delete this Condition because final approval of the drainage and the road by the City Engineer is covered under Condition #3.

The Planning Board also felt that driveway easements serving Lots 1, 2, 3 and 4 are to be delineated on the final map.

After considerable discussion, Mr. Buccino made a motion to remove Condition #5 from the Superseded Planning Board Certificate filed with the City of Stamford Town Clerk on March 28, 1985; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Totilo and Tepper).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #027-21 - ANTHONY STRAZZA, STRAZZA CONSULTING representing ROMANIELLO INDUSTRIES, LLC - 20B LAFAYETTE STREET - Variance of Table III, Appendix B (Schedule of Requirements for Area, Height & Bulk of Buildings) and Section 10A:** Applicant owns four (4) garages for East Coast Service & Towing and is proposing to raise a 27.5 ft. x 25 ft. (687.5 sq. ft.) area of the roof to accommodate a higher garage door to allow a large tow truck to enter. There will be no change in the footprint. Applicant is requesting an allowance for the 687.5 sq. ft. portion of the roof to be raised 4.9 ft. in line with the existing walls. The raised roof area will be 9.4 ft. from North State Street and 35.4 ft. from the center of the street in lieu of the 15 ft. from the street lot line and 40 ft. from the center of the street. Applicant is also requesting expansion of a non-conforming use.

This is a legal nonconforming structure and the applicant is correct that for the R-MF zone, the height is below the allowance and this improvement would enhance the functionality of the garage.

After a brief discussion, Mr. Totilo recommended **approval** of **ZBA Application #027-21**, with the recommendation the applicant clean up the side yard portion of the property and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Totilo, Tepper and Totilo).

2. **ZBA APPLICATION #028-21 - BENEDEK & TICEHURST representing BRUCE FRIEDMAN and LAURA HEALY - 175 SOUTH LAKE DRIVE - Variances of Section 3.B (Defined Terms-Accessory Structures); Section 4.B (Minimum Front Yard Setback); Section 7C (Permitted Front Yard Encroachments) and Table III, Appendix B:** Applicant owns a single-family residence and is proposing to install an 18 ft. x 42 ft. swimming pool (19 ft. from front property line) along with pool equipment (28 ft. from front property line) and a 21 ft. x 11 ft. pavilion (26 ft. 6 in. from front property line).

Applicant is requesting the following:

- The proposed pool to have a street line setback of 19 ft. in lieu of the 60 ft. minimum allowed.
- The proposed pool to have a street center setback of 44 ft. in lieu of the 85 ft. minimum allowed.
- The proposed pool equipment to have a street line setback of 28 ft. in lieu of the 60 ft. minimum allowed.
- The proposed pool equipment to have a street center setback of 51 ft. in lieu of the 85 ft. minimum allowed.
- The proposed pavilion to have a street line setback of 26 ft. 6 in. in lieu of the 60 ft. minimum allowed.
- The proposed pavilion to have a street center setback of 53 ft. 6 in. in lieu of the 85 ft. minimum allowed.

Due to the wetlands and other hardships Staff agrees with the applicant.

Ms. Dell read into the record that three (3) letters of support from neighbors were received which were sent in by the applicant's representative Seth Ticehurst of Benedek & Ticehurst.

After a brief discussion, Mr. Tepper recommended **approval** of **ZBA Application #028-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Totilo, Tepper and Totilo).

3. **ZBA APPLICATION #029-21 - KATIE WAGNER, QUESITED CONSULTING, LLC representing BERNARD and ELIZABETH LUNNY - 10 ROGERS ROAD - Variance of Table III, Appendix B:** Applicant owns a single-family residence with a garage. Applicant is proposing the addition of a second story and to enclose an existing covered patio. Applicant is requesting a rear yard setback of 30.1 ft. in lieu of the 50 ft. required.

This is a legal nonconforming structure and as such, in order to build anything they need a variance. Since all the work will be in the rear of the property, it will not have any impact on the neighborhood.

After a brief discussion, Mr. Totilo recommended **approval** of **ZBA Application #029-21** 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, Godzeno, Totilo, Tepper and Totilo).

4. **ZBA APPLICATION #030-21 - JUAN P. PAREDES, PE representing ANDY ROBLES, LLC - 297 OAKLAWN AVENUE - Variances:** Applicant owns an existing exempt commercial MDL-94 religious assembly facility and is seeking to change from religious assembly to a single-family residential dwelling. The existing 1,160 sq. ft. one-story building will be reconstructed as a single-family, two-story dwelling with a total of 2,663, sq. ft. livable space (1,569 sq. ft. footprint) with an attached one-car garage and reconfigured driveway. Also proposed is a 409 sq. ft. (footprint) two-story addition on the northwestern side of the building. Front setback encroachments along Benstone Street and Oaklawn Street will remain non-compliant.

Applicant is requesting the following:

- a. Section 4.B.2d(3)(e) - Minimum Yards:
 - Front setback of 16.9 ft. in lieu of the 30 ft. required (along Benstone Street).
 - Front setback of 24.2 ft. in lieu of the 30 ft. required (along Oaklawn Avenue).
- b. Table III, Appendix B - Schedule of Requirements for Area, Height & Bulk of Buildings/Front Street Center Minimum Yard:
 - Front yard setback from street center of 48.2 ft. in lieu of the 55 ft. required (along Benstone Street).
 - Front yard setback from street center of 41.9 ft. in lieu of the 55 ft. required (along Oaklawn Avenue).

- c. Section 12.C.1 & Table 12.5 - Minimum Distances of Parking Areas from Lot Lines & Buildings:
 - 0 ft. in lieu of the 10 ft. required for second parking space.

Applicant would like to add another parking space in the setback area. As there is very little parking on the street and given this is a single-family dwelling, it is the only place to put it. Also, where they are locating it backs up to the driveway to the north and there would be no major impacts.

After a brief discussion, Mr. Tepper recommended **approval** of **ZBA Application #030-21** and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single-Family).; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Totilo, Tepper and Totilo).

5. ZBA APPLICATION #031-21 - JEFFREY PINEDO - 939 HIGH RIDGE ROAD - Motor Vehicle:
Applicant is requesting to re-establish two (2) garage bays for general repair license. (Gas pumps and convenience store were previously approved and will remain in the same location.)

After a brief discussion, Mr. Tepper recommended **approval** of **ZBA Application #031-21** with the recommendation the applicant supply more accurate frontal pictures of the existing conditions showing the location of the convenience store, gas pumps and garage bays before a decision is made by the Zoning Board of Appeals and that this request is compatible with the neighborhood and consistent with Master Plan Category #7 (Commercial - Neighborhood).; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Totilo, Tepper and Totilo).

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- September 14, 2021
- September 28, 2021

Dr. Woods mentioned that at the September 14th meeting, Ralph Blessing, Land Use Bureau Chief and Vineeta Mathur, Associate Planner, will be presenting a ZB Application for a Text Change for additional language to Master Plan Category #16 (Transportation Center Design District).

Ms. Dell announced this was Dr. Woods' last meeting and thanked him for his service to the Planning Board and wished him all the best in his new endeavors. Each Board member gave Dr. Woods their best wishes for much success.

Ms. Dell stated Capital Budget will begin with the October 5, 2021 meeting and that the meetings will begin at the regular meeting time of 6:30 p.m. instead of beginning earlier at 6:00 p.m.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:35p.m.

Respectfully Submitted

September 2, 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