

**MINUTES OF THE ZONING BOARD PUBLIC HEARING AND
REGULAR MEETING ON MONDAY, JULY 25, 2022 AT
6:30 PM EDT THROUGH A WEB AND PHONE MEETING**

Present for the Zoning Board: David Stein (Chair), William Morris (Secretary), Rosanne McManus, Roger Quick & Richard Rosenfeld (Alternate). Present for staff: Vineeta Mathur, Principal Planner.

Chairman Stein called the meeting to order at 6:30 p.m. and stated Mr. Rosenfeld would be seated as a Voting Member for this meeting.

Chairman Stein stated this meeting is being conducted through “Zoom” video conference and stated all meeting materials could be found on the Zoning Board website at www.stamfordct.gov. 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 state their name and address and to state whether they were In Favor or Opposed to an application and 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.

PUBLIC HEARING CONTINUED FROM JULY 11, 2022:

- 1. Application 222-17 - Sound Beach Landing LLC, 40 Signal Road and 0 Thread Needle Lane, Stamford, CT - Map Change:** Applicant is proposing to rezone 40 Signal Road and 0 Thread Needle Lane from the present RA-1 Zoning District to proposed R-20 Zoning District.

Chairman Stein read Application **222-17** into the record.

Joseph J. Capalbo II, Esq. gave a detailed presentation and answered questions from the Board.

PUBLIC SPEAKERS:

- Brian Smith, Esq. Robinson + Cole, representing Cummings Point Residents’ Association - Opposed.
- Bill Smith, General Counsel, Geneve Corp., representing Cummings Point Resident’s Association - Opposed.
- Cynthia Bowser - 30 Rose Park Avenue - Opposed.
- Susan Bell - 1476 Hope Street - Opposed.

Chairman Stein asked if there were any further public speakers and Ms. Mathur responded there were none.

Mr. Capalbo replied to the public speakers’ comments and answered additional questions from the Board.

Mr. Redniss responded to comments related to water usage, the existing dock and traffic issues and presented a traffic analysis prepared by SLR International Corp.

Chairman Stein asked the Board if there were any other questions. Mr. Capalbo and Mr. Redniss then answered questions from the Board members.

Chairman Stein asked Mr. Capalbo if he had any further comments.

Mr. Capalbo made final comments asking the Board to approve the application.

Chairman Stein stated the Public Hearing for Application **222-17** is closed.

2. **Application 222-14 - City of Stamford - Zoning Board, 888 Washington Boulevard, Stamford, CT - Map Change:** the City of Stamford Zoning Board is proposing a rezoning for properties currently located in the M-L & M-G district to the R-HD (Residential High Density District). This rezoning will affect properties in Subarea C located east of Pacific Street.

Chairman Stein read Application **222-14** into the record and stated this application is a continuation from the July 11, 2022 meeting.

Chairman Stein asked Ms. Mathur to bring up the map showing Subarea C.

Chairman Stein stated since Ralph Blessing, Land Use Bureau Chief, had already made a presentation on this application previously, we would go to the Board for questions. The Board asked questions to Ms. Mathur and had some further discussion.

Chairman Stein called for any speakers from the public.

PUBLIC SPEAKERS:

- Susan Bell - 1476 Hope Street - Opposed
- Cathy Kligler - 21 Friar Tuck Road - Opposed
- Cynthia Bowser - 30 Rose Park Avenue - Opposed
- Sue Halpern, Vice President, South End NRZ - 30 Elmcroft Road - Opposed
- Anthony Pramburger - 31 Dann Drive - Opposed
- Laura Mungavin - 111 Harbor Point - Opposed.
- Barry Michelson - Stamford Resident - Opposed
- Jeanette Bilcznianski - 125 Idlewood Drive - Opposed
- Sheila Barney - 74 Ludlow Street - Opposed

Chairman Stein asked for any other questions and/or comments from the Board. There were some questions followed by further discussion.

Chairman Stein stated that the Public Hearing for Application **221-14** will be continued to the **September 12, 2022** Zoning Board meeting at **6:30 p.m.** via Zoom video conference for the sole purpose of receiving further written public comments to be submitted by 5:00 p.m. on September 12, 2022 and to allow staff adequate time to provide information requested by the Board.

Ms. Mathur stated there was one more speaker from the public. Chairman Stein allowed the additional speaker.

- Monica Twal - Stamford Resident - Opposed.

Chairman Stein asked Ms. Mathur if there were any other public speakers; there were none.

Chairman Stein restated that the Public Hearing for Application **221-14** will be continued to the **September 12, 2022** Zoning Board meeting at **6:30 p.m.** via Zoom video conference for the sole purpose of receiving further written public comments to be submitted by 5:00 p.m. on September 12, 2022 and to allow staff adequate time to provide information requested by the Board.

PUBLIC HEARING:

1. **Application 222-22 - Martin Roth, 56 Euclid Avenue, Stamford, CT - Text Change:** To add a definition of Propane Filling Station to Section 3.B, add this use to Appendix A, Table II, Item 153.5 (Propane Filing Station), along with a footnote regarding location limitations and renumber the footnotes for Table II accordingly.

Chairman Stein read Application **222-22** into the record and asked that the Planning Board letter be read into the record. Mr. Morris read the Planning Board letter into the record.

John Leydon, Esq., representing the applicant, made a presentation and answered questions from the Board.

Chairman Stein asked the Board for questions. There were some questions followed by an extensive discussion with regard to the location restrictions.

Chairman Stein suggested postponing this application for further due diligence on allowable locations for this type of business within the City of Stamford.

Mr. Leydon requested approval of the application as presented since Mr. Roth needs to move his business from the current site by August and if this application is postponed until September, Mr. Roth will lose his business. Mr. Leydon suggested the Board could go back and consider an amendment at a future time.

Chairman Stein asked if there was anyone from the public to speak; Ms. Mathur responded there were none.

Mr. Leydon again requested the Board approve the application as there has been no public opposition and the Board has not indicated being against the application.

Chairman Stein asked the Board where they stood. All members felt the application should be closed and to make any changes during deliberations and vote on the application.

Mr. Roth pleaded his case stating he has been operating for 40 years and has an extensive business and has serviced customers from all over the state. Mr. Roth stated he has put everything into this new site and has been served with a court order to move from his current location and will be out of business if this application is not approved this evening.

Chairman Stein asked for final comments from the Board before closing the application.

Ms. Mathur stated there were now speakers from the public; Chairman Stein allowed them to speak.

PUBLIC SPEAKERS:

- Monica Twal - Stamford Resident - In Favor.
- Elizabeth McCauley - Stamford Resident - In Favor.
- Cynthia Bowser - 30 Rose Park Avenue - In Favor.

Chairman Stein closed Application **222-22**.

REGULAR MEETING:

1. Approval of Minutes - **July 11, 2022:** Mr. Rosenfeld requested several changes as follows:
Page 3: Under Public Speakers to add the words "in opposition" at the end of the listing for Susan Bell.
Page 5: In the 4th paragraph beginning "Following a brief discussion..." to add a space after "3"; Item #2 remove the additional quote mark after the word "Covenants"; and last paragraph under Item #2 remove additional quote mark after the word "Covenants."

After a brief discussion, a motion was made by Mr. Quick for approval of the minutes presented tonight with the changes requested by Mr. Rosenfeld, seconded by Mr. Rosenfeld and carried on a vote of 3 to 0 (Morris, Quick and Rosenfeld). Mr. Quick also thanked and commended Mr. Morris for doing an excellent job as Acting Chair for the meeting.

PENDING APPLICATIONS:

1. Application **222-12** - City of Stamford - Zoning Board, 888 Washington Boulevard, Stamford, CT - Map Change.

Chairman Stein read Application **222-12** into the record.

Chairman Stein stated this is the rezoning of the Subarea A around the train station and asked Ms. Mathur to bring up the map showing the area.

Chairman Stein asked if there was any opposition to this application.

Ms. McManus asked if the discussion on this application should be held in conjunction with the application for Subarea C since additional information was requested.

Chairman Stein stated this request is appropriate for the train station and felt it should not be discussed with Subarea C.

Following a brief discussion, a motion was made by Ms. McManus for approval of Application **222-12**; seconded by Mr. Quick and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

2. Application **222-13** - City of Stamford - Zoning Board, 888 Washington Boulevard, Stamford, CT - Map Change.

Chairman Stein stated he would like to postpone deliberations on this application to the next meeting.

3. Application **222-14** - City of Stamford - Zoning Board, 888 Washington Boulevard, Stamford, CT - Map Change.

Chairman Stein restated this application has been continued.

4. Application **222-17** - Sound Beach Landing LLC, 40 Signal Road and 0 Thread Needle Lane, Stamford, CT - Map Change.

Chairman Stein read Application **222-17** into the record.

Chairman Stein asked the Board for comments.

Ms. Mathur asked Chairman Stein to read the Zoning Board Resolution into the record.

Chairman Stein asked Ms. Mathur to bring up the Resolution and show the appropriate language to be included in the approval, which was shown as follows:

“Therefore the Zoning Board believes that the rezoning is appropriate because it 1) furthers the policy and goals of the Master Plan Category 2 and is compatible with the surrounding single family neighborhood, 2) facilitates the reduction in non-conformity of the use with the existing Zoning and Master Plan designation, 3) facilitates redevelopment which would add flood resilience measures to future development in compliance with FEMA guidelines, and 4) makes use of existing public water and sewer infrastructure.”

Following a brief discussion, a motion was made by Ms. McManus for approval of Application **222-17** to include the above-referenced language, seconded by Mr. Rosenfeld and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

Chairman Stein called for a motion to bring forward the final agenda item, the ADU discussion.

Ms. McManus made a motion to amend the agenda to move to the final item, the discussion on Accessory Dwelling Units; seconded by Mr. Rosenfeld and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

UPDATES AND DISCUSSIONS:

1. Discuss regulations for Accessory Dwelling Units (ADU) and other items related to Public Act 21-29.

The Board had a discussion on whether to request staff to draft ADU regulations for the City of Stamford and for the Board to consider adopting those regulations.

Following some discussion, a motion was made by Mr. Morris for approval of staff to draft ADU regulations for the City of Stamford to be presented as an application, seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

Chairman Stein called for a motion to return to **agenda order**.

Mr. Morris made a motion to return to **agenda order**, seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

PENDING APPLICATIONS (Con't):

5. Application 222-22 - Martin Roth, 56 Euclid Avenue, Stamford, CT - Text Change.

Chairman Stein read Application **222-22** into the record.

Chairman Stein asked Ms. Mathur to bring up the Text Change.

Ms. Mathur reviewed the Text Change and summarized the previous discussion.

The Board agreed on the following changes to the Text Amendment:

- I. Add the following to Section 3.B:

Propane Filling Station

A property at which propane and/or other gases is sold at a wholesale and/or retail basis at which tanks or other appropriate containers may be pumped or otherwise filled with gas by the proprietor. The proprietor may also sell such product in a tank it provides.

Said use may be permitted on properties of at least 10,000 square feet in industrial zones or commercial zones as listed in Appendix A, Table II; provided that in commercial zones the subject property fronts on a state or an interstate highway, including but not limited to Route 1, does not adjoin any residentially zoned property and is approved by the Land Use Bureau Chief ~~and~~, the Zoning Enforcement Officer and the Fire Marshall. The operation must comply with all appropriate safety and regulatory requirements as determined by the Fire Marshall.

Prior to the issuance of a zoning permit an applicant for this use must execute and file an affidavit in favor of the City of Stamford which stipulates to the applicant's specific site plan and the limitations of this use, and provide any information requested by the Land Use Bureau Chief, the Zoning Enforcement Officer and the Fire Marshall.

II. Add the following to Appendix A, Table II:

153.5 Propane Filling Station

**In permitted commercial zones the subject property must front on a state or Interstate highway, including but not limited to Route 1, ~~is no more than 500 feet from an entrance to or exit from I-95,~~ does not ~~abut~~ adjoin any residentially zoned property and is approved by the Land Use Bureau Chief, ~~and~~, the Zoning Enforcement Officer and the Fire Marshall.

Following considerable discussion, a motion was made by Ms. McManus for approval of Application **222-22** as amended, seconded by Mr. Quick and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

6. **CSPR 1153 - City of Stamford - Engineering Bureau, 888 Washington Blvd., Stamford, CT** - Place new pedestrian bridge across Rippowam River, abutments installed landward of existing walls at edge of river. Ramps will connect proposed bridge to existing sidewalks. Property is located within the CAM boundary.

Chairman Stein read Application **CSPR 1153** into the record.

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

Lou Casolo, Engineering Bureau Chief/City Engineer also made a presentation and answered questions from the Board.

Following a brief discussion, a motion was made by Mr. Morris for approval of Application **CSPR 1153** with conditions prepared by EPB Staff dated **July 22, 2022** and conditions prepared by Engineering Staff dated **July 25, 2022**; seconded by Mr. Rosenfeld and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

7. **CSPR 1109 - Bicoastal Holdings, LLC, 110 Davenport Drive, Stamford, CT** - Applicant is seeking to construct an in-ground swimming pool and modify the existing patios. Property is located within the CAM boundary.

Chairman Stein read Application **CSPR 1109** 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. Quick for approval of Application **CSPR 1109** with conditions prepared by EPB Staff dated **July 13, 2022**; conditions prepared by Engineering Staff dated **April 19, 2021**, and with the requirement the applicant must file an additional CSPR application for the HVAC unit which was installed without review; seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

8. **CSPR 1136 - Timothy Kraus, 95 Kenilworth Drive West, Stamford CT** - Proposing to raise the existing dwelling above the FEMA flood elevation, drainage improvements, landscaping and incidental site work. Property is located within the CAM boundary.

Chairman Stein read Application **CSPR 1136** into the record.

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

Following a brief discussion, a motion was made by Ms. McManus for approval of Application **CSPR 1136** with conditions prepared by EPB Staff dated **July 7, 2022** and conditions prepared by Engineering Staff dated **March 10, 2022 and updated by an email dated May 2, 2022**, seconded by Mr. Quick and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

9. **CSPR 1138 - Matthew Popp, 48 Cook Road, Stamford, CT** - Proposing to construct a swimming pool, pool patio and pergola. Property is located within the CAM boundary.

Chairman Stein read Application **CSPR 1138** 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. Quick for approval of Application **CSPR 1138** with conditions prepared by EPB Staff dated **July 14, 2022** and conditions prepared by Engineering Staff dated **March 17, 2022**, seconded by Ms. McManus and carried on a vote of 5 to 0 (Stein, Morris, McManus, Quick & Rosenfeld).

Chairman Stein announced he needed to leave the meeting (9:46 p.m.) and turned it over to Mr. Morris.

10. **CSPR 1141 - 123 Saddle Rock LLC, 123 Saddle Rock Road, Stamford, CT** - Proposing to demolish existing tennis court along with some perimeter walls and construct an attached garage, expand the existing stone paver motor court along with other related site work. Property is located within the CAM boundary.

Mr. Morris read Application **CSPR 1141** into the record.

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

Following a brief discussion, a motion was made by Ms. McManus for approval of Application **CSPR 1141** with conditions prepared by EPB Staff dated **July 14, 2022** and conditions prepared by Engineering Staff dated **May 27, 2022 & June 24, 2022**, seconded by Mr. Quick and carried on a vote of 4 to 0 (Morris, McManus, Quick & Rosenfeld).

ADMINISTRATIVE REVIEW:

1. **Application 220-40 (MOD) - Artel Properties LLC (Owner/Applicant) & Pacific House, Inc. (Contract Purchaser), 41-45 Stillwater Avenue, Stamford, CT - Site & Architectural Plans and/or Requested Uses, Special Permit and a Coastal Site Plan Review:** Applicant is seeking modifications to previously approved **Special Permit** application to facilitate use of the property as supportive housing. Modifications include increased first floor office space, reduction in parking and expansion of on-site open space. No changes are proposed in the number or mix of units.

Mr. Morris read Application **220-40 (MOD)** into the record.

Ms. Mathur gave a brief presentation explaining the applicant has not yet obtained authorization to represent the owner and will not be able to appear at this meeting.

Mr. Morris stated this application will be postponed until the applicant is ready to come before the Board.

2. **Puerto Vallarta Restaurant - 230 Tresser Boulevard, Stamford CT:** Requesting approval of signage.

Mr. Morris read the request into the record.

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

Following a brief discussion, the Board agreed the signage proposed to be too large and decided to have staff work with the Downtown Special Services District (DSSD) to design signage of appropriate size for the location instead of having the applicant come back to the Zoning Board in September.

The Board had some further discussion on the Hamilton Apartments, the new restaurant site on Long Ridge & High Ridge Roads and the former United House Wrecking site.

Mr. Morris commented on the outdated Zoning Board Public Hearing notices still posted around the City.

Ms. Mathur stated she would contact the applicants for removal.

ADJOURNMENT:

Ms. McManus made motion to adjourn the meeting at 10:00 p.m., seconded by Mr. Rosenfeld and carried on a vote of 4 to 0 (Morris, McManus, Quick & Rosenfeld).

Respectfully submitted,

William Morris (Secretary)
Stamford Zoning Board

ZB PH 07025022

NOTE: *These proceedings were recorded on video and are available for viewing through the City of Stamford's web page - www.stamfordct.gov.*