

**STAMFORD PLANNING BOARD**  
**APPROVED MINUTES - TUESDAY, APRIL 9, 2019**  
REGULAR MEETING  
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair and Jay Tepper, Vice Chair. Alternates: Claire Fishman (Arrived at 6:45 p.m.); William Levin and Roger Quick. Absent: Jennifer Godzeno, Secretary; Michael Totilo and Michael Buccino. Present for staff: David W. Woods, PhD, AICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 6:30 p.m. and introduced the members of the Board and staff present.

Ms. Dell introduced the first item on the agenda.

**PRESENTATION TO THE BOARD:**

**ST. JOHN'S PLAZA:** As part of the St. John's development proposal by Steve Wise was the proposed piazza-style courtyard between St. John's and the Rectory. Since that approval, additional designs have been developed and staff wanted the Planning Board to see what was being further proposed. John Leydon, Attorney representing the applicant, True North, made a presentation showing these plans. No action by the Planning Board is required.

**REQUEST FOR AUTHORIZATION**

**SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:**

**1. SPRINGDALE TRANSIT ORIENTED DESIGN PROJECT IMPLEMENTATION - PROJECT #000539 (Total Request - \$1,994,188.00):** The Springdale Transit-Oriented Design Project will improve pedestrian safety; improve access to transit and enhance economic development by creating gateways, providing safe pedestrian street crossings and providing streetscape and transit enhancements that improve walkability and expand transportation choice. Springdale Station area redesign proposed under this project consists of improvements that will improve current access to transit - thereby increasing transit ridership and ultimately improving the quality of life throughout the neighborhood - and improvements that make area streets safer for pedestrians and motorists. Improving walkability of the Springdale Station area will also lead to enhanced neighborhood connectivity and increase opportunities for economic development, through the appropriation of land use for vibrant, mixed-use development centralized around local transit systems. (This responsible growth and transit-oriented development grant was received from the State of Connecticut OPM.)

On June 22, 2018, Governor Malloy announced Stamford has been selected to receive a grant award in the amount of \$1,994,188.00 under the 2017 Responsible Growth and Transit-Oriented Development Program, for the purposes of designing and constructing improvements around the Springdale Train Station consistent with the recommendations of the Glenbrook/Springdale Transit-Oriented Development (TOD) Feasibility Study. Funding for this program was previously approved by the State Bond Commission on May 12, 2017.

After a brief discussion, Mr. Tepper recommended **approval** of the Springdale Transit Oriented Design Project Implementation - Project #000539 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. Quick seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick and Tepper).

**2. LONG RIDGE ROAD SIDEWALK DESIGN - PROJECT #C56180 (Total Request - \$100,000.00):** This request is for 100% design documents for sidewalks on the westerly side of Long Ridge Road from Bull's Head to Brook Run Lane. To prepare preliminary design plans for sidewalks on the westerly side of Long Ridge Road (SR #104). The project starts at the Bulls Head area near the intersection of Long Ridge Road and High Ridge Road (SR #137), extending northerly approximately ¾ of a mile to the vicinity of the Stamford Health Complex.

After a brief discussion, Mr. Quick recommended **approval** of the Long Ridge Road Sidewalk Design - Project #C56180 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. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick and Tepper).

**3. STILLWATER ROAD INTERSECTION IMPROVEMENTS - PROJECT #C56172 - Total Request - \$400,000.00:** Intersection improvement and redesign of Boxer Square (intersection of Stillwater and Smith). On August 9, 2018 the City of Stamford was awarded a grant of \$400,000.00 under the Community Connectivity Grant Program by the State of Connecticut, Department of Transportation for this project. After a brief discussion, Mr. Tepper recommended **approval** of the Stillwater Road Intersection Improvements - Project #C56172 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. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

**4. CAPITAL CLOSEOUT RECOMMENDATION:** Pursuant to Stamford City Code Section 8-2, partial closeout is recommended on the following capital project:

Sanitary Sewer Rehabilitation - Project #CP4242 - \$2,000,000.00 - State Grant

After a brief discussion, Mr. Quick recommended **approval** of the Capital Closeout Recommendation for the Sanitary Sewer Rehabilitation - Project #CP4242 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. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

**5. SANITARY SEWER REHABILITATION - PROJECT #CP4242 (Total Request - \$1,500,000.00):** Replacement and repair of sanitary sewers and manholes as required and as recommended by the Infiltration and Inflow Removal Program. Prakash Chakravarti, Supervising Engineer - WPCA, made a brief presentation and answered questions from the Board. Mr. Tepper noted the WPCA bonds are funded by user fees and not from City tax dollars.

After a brief discussion, Mr. Levin recommended **approval** of the Sanitary Sewer Rehabilitation - Project #CP4242 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; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

**6. MOLD TASK FORCE (MTF) [Total Request - \$50,000,000.00]:** On October 29, 2018 the Mold Task Force was formed with the purpose of overseeing and actively managing the indoor air quality crisis within our Stamford Public School buildings. The MTF made the following commitments: **(a)** address the immediate mold conditions and the underlying water-intrusion issues; **(b)** design and implement medium to longer-term capital projects to remedy the building envelope and HVAC issues; and **(c)** design a proper ongoing maintenance structure to ensure that our buildings do not fall back into a state of disrepair. While we have not completed the first phase of surface mold cleaning in all of our buildings, we are at a point where "maintenance" is appropriately transitioning into "capital" upgrades. Some of these capital upgrades will be traditional projects that we design and bid out, while others will continue to have work done by construction management firms currently hired by the MTF and actively working in the buildings. The following schools will fall under this current request:

School	FY 18/19 Amount Fund Source: Bond (City)	Capital Forecast						Total
		FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25	
Davenport Ridge	\$5,000,000.00	0	0	0	0	0	0	\$5,000,000.00
Hart Magnet School	\$5,000,000.00	0	0	0	0	0	0	\$5,000,000.00
Julia Stark School	\$5,000,000.00	0	0	0	0	0	0	\$5,000,000.00
Toquam Magnet School	\$5,000,000.00	0	0	0	0	0	0	\$5,000,000.00
Westhill School	\$5,000,000.00	0	0	0	0	0	0	\$5,000,000.00
Westover Magnet School	\$25,000,000.00	0	0	0	0	0	0	\$25,000,000.00
<b>Grand Total</b>	<b>\$50,000,000.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$50,000,000.00</b>

Mr. Anthony Romano, Management Analyst, Office of Policy & Management, City of Stamford, made a brief presentation and answered questions from the Board. After a brief discussion, Ms. Fishman recommended **approval** of the Mold Task Force 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. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

**SUBDIVISION:**

- 1. SUBDIVISION #4038 - ND ACQUISITIONS, LLC & HRC 201 II, LLC - 201 HIGH RIDGE ROAD - EXTENSION OF TIME:** Applicant is requesting a 90-day extension of time to record the final map on the Stamford Land Records. The current expiration is May 13, 2019. Mr. Raymond Mazzeo, of Redniss & Mead, made a presentation. After a brief discussion, Mr. Tepper recommended approval of the ninety (90) day Extension of Time to file the final map with a new expiration date of August 13, 2019 and that this request is compatible with the neighborhood and consistent with Master Plan Category #8 (Mixed-Use Campus); Mr. Quick seconded the motion and passed unanimously with eligible members voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

**ZONING BOARD REFERRALS:**

- 1. ZB APPLICATION #219-04 - RAYMOND R. MAZZEO c/o REDNISS & MEAD (22 1ST CORP.) REPRESENTING HALF FULL BREWERY - 575 PACIFIC STREET - Text Change:** Applicant proposes to amend applicable sections of the Zoning Regulations to define the “Social Hall” use and permit it as-of-right in the CC-N, M-G, and M-L districts, by Special Exception in the NX-D district, and following administrative approval by the Zoning Board in legally nonconforming commercial and/or industrial buildings located within the RM-F district and Master Plan Categories 9 (Urban Mixed-Use) or 11 (Downtown). Applicant also proposes a new subsection “Q” in Section 14 (Dispensing of Alcoholic Liquors) exempting the use from the separation distance requirement.

Ray Mazzeo, of Redniss & Mead, and Conner Morgan, Founder & Chief Hoptimist of Half Full Brewery, made a presentation and answered questions from the Board. After a brief discussion, Mr. Quick recommended **approval** of **ZB Application #219-04** and that this request is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use) and Master Plan #11 (Downtown); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Quick and Totilo).

- 2. ZB APPLICATION #218-01 - TLRC, LLC - 2517 LONG RIDGE ROAD - Text Change:** Applicant is seeking to amend the following sections of the City of Stamford Zoning Regulations:
  - To Amend Section 3 (A) (Definition) by adding a new paragraph: 94-95 Soccer Club
  - To Amend Section 4 (List of Districts), AA (District Regulations) by adding a new paragraph: (r) - Soccer Club, RA-3 and RA-2 Districts Only
  - To Amend Section 19 (Variances and Special Exceptions) 3. (Special Exceptions) 3.2 (Standards and Conditions) by adding a new category: (f) Soccer Club Use.
  - To Amend Appendix A, Table 1 & Land Use Schedule, Table 1 by adding a line: 15.5 - Club - Soccer and adding an A to Column RA-3 and RA-2.

Ms. Dell explained that this is not a Public Hearing but a Public Meeting and the public will not be allowed to speak. Ms. Dell stated permission has been granted to a small group of citizens to address the Board and they are the NSA and a few of the neighbors who have made requests and were given permission to speak. Given the amount of residents in attendance, permission would be given to one citizen who does not live in the neighborhood to speak and if there is anyone who is in favor will be allowed to speak. 5 people to speak

Ms. Dell read into the record as follows:

Ms. Dell stated again this is not a Public Hearing. The Zoning Board will hold a Public Hearing when it goes before them. The Planning Board is charged with making a recommendation to the Zoning Board based on the following two (2) main criteria:

- a. Is the proposed Text Change consistent with the 2015 Master Plan?
- b. Is the proposed Text Change compatible with the neighborhood of intensity of use and ability to mitigate potential impacts (i.e. noise, light traffic, etc.)? Does the proposed Text Change provide sufficient safeguards to limit the potential impacts to the neighborhood and to the environment such as hours of use; in this case, natural grass turf instead of artificial turf; no lights and things like that.

Finally, if the Planning Board recommends denial for any or all of the reasons stated above, the Zoning Board can override the Planning Board's recommendation by a Super-Majority of Zoning Board members.

This is the procedure we follow. First the applicant will present to the Planning Board with a presentation of not more than 20-30 minutes. The Planning Board will then have the opportunity to ask questions of the applicant and lastly, those from the public who were granted permission to speak will come forward to address the Board. Ms. Dell asked that comments be brief to 2 or 3 minutes.

Ms. Dell noted many notes and emails were received which will be made part of the record. Also, the documents sent to the Zoning Board at the past hearing will also be made part of the record. After the public has spoken the Planning Board will discuss Dr. Woods' Staff Report for any additional clarification, if needed. The Planning Board will then make its decision on this application.

Ms. Dell asked the public to please not comment while the applicant is making their presentation and when coming forward to speak to address the Planning Board, not the applicant. When the Planning Board has finished asking questions the applicant may return to respond to the public.

Ms. Dell asked the applicant to come forward.

Casey O'Donnell, Attorney with O'Donnell Law, LLC representing TLRC, LLC, made a presentation and answered questions from the Board.

Ms. Dell stated she understood Mr. O'Donnell was objecting to have the public speak but explained the Planning Board, and myself as Chair, have the prerogative to allow the public to speak. The City Charter also grants the right to the public to address the Board. Ms. Dell stated she would allow five (5) speaks including the President of the North Stamford Association, two (2) North Stamford residents, who requested to speak, against the application and two (2) residents speaking In Favor. Ms. Dell called the first speaker "Against", the representative from the North Stamford Association.

- Jackie Kaiko, North Stamford Association: Ms. Kaiko spoke about elements of the Text Change that could affect the quality-of-life in North Stamford (i.e. noise, light, traffic, environmental impacts from the artificial turf, intensity of use).

- Valerie Scott, Resident representing a group of approximately 60 neighbors of North Stamford: Ms. Scott spoke to quality-of-life issues and potential affects to property values. *(Submitted report)*
- Allison Cantonese, Resident: Ms. Cantonese spoke to the issue of mitigation. *(Submitted report after meeting)*

Ms. Dell then called for anyone “In Favor” to please raise their hands. Several residents identified themselves but Mr. O’Donnell requested to allow Mr. Marmet to speak.

Ms. Dell agreed but allowed one of the residents from the audience to speak first.

- Joseph Higgs, North Stamford Resident: Mr. Higgs, who has children that play soccer, expressed concerns about proximity and that there are no soccer facilities in the City for his and other children to play in.
- Roger Marmet, Resident on Shippan Avenue near West Beach & Soccer Coach: Mr. Marmet spoke about artificial turf and some of the misconceptions of its use.

Ms. Dell asked Mr. O’Donnell if he had anything additional. Mr. O’Donnell made final comments.

Ms. Dell then asked Dr. Woods for comments relating to the Staff Report.

Ms. Dell asked each Board member if there were any questions or comments for Dr. Woods.

Ms. Dell called for final comments from the Board.

After considerable discussion, Mr. Tepper recommended the Zoning Board **DENY ZB Application #218-01** as proposed. Specifically, the Planning Board found that:

- a. The Text Amendment is overly broad with respect to: **(a)** not providing hours of operation, **(b)** number of potential events per year (even though soccer has 22 participants on the field, each team can have up to another 10 to 12 potential players), **(c)** no seating for parents or spectators watching the matches, and **(d)** with 10 soccer matches per day that would impact the number cars entering and leaving a facility every 90 minutes.
- b. The Planning Board agrees with Staff’s assessment that a non-profit organization renting the facility to for-profit endeavors, by definition, increases commercial activity in North Stamford.
- c. It is not specified who can participate in the “soccer club” (e.g. if this is a “club” similar to the Italian Center only members of that club can participate).
- d. The Planning Board recommends the Zoning Board explore regulations for all field sports facilities not just soccer.
- e. The intensity of use is incompatible with the neighborhood.
- f. The Planning Board found by allowing soccer in low density residential areas, specifically North Stamford, the Text Amendment is not consistent with the Master Plan (prohibiting commercial uses in North Stamford) and is incompatible with the neighborhoods of North Stamford.

This request was found to be incompatible with the neighborhood and inconsistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

Ms. Dell called for a 5 minute break.

Ms. Dell called the meeting back to order and introduced the next item on the agenda.

Ms. Dell called for a motion to bring the Planning Board Meeting Minutes forward. Unanimously approved by all voting members.

**PLANNING BOARD MEETING MINUTES:**

March 5, 2019 (*Tabled from February 19, 2019*)

**3/05/19:** After a brief discussion, Mr. Levin moved to recommend approval of the Planning Board Minutes of March 5, 2019; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 3-0 (Fishman, Levin and Tepper).

March 19, 2019 (*Tabled until April 23, 2019*)

Ms. Dell called for a motion to bring forward ZBA Application #021-19 as the first item under Zoning Board of Appeals Referrals. Unanimously approved by all voting members.

**ZONING BOARD OF APPEALS REFERRALS:**

**1. ZBA APPLICATION #021-19 - JONATHAN & MARY RATHER - 241 FAIRVIEW AVENUE -**

**Variance of Table III, Appendix B & Section 6A:** Applicant owns a two and one-half (2½) story single-family residence with an outdoor pool and patio area. The applicant is proposing to construct a two (2) story, 620 sq. ft. addition on the northerly façade of the existing single-family home. The addition will be located within the footprint of the existing wood deck currently located along the northerly façade of the home. The first (1st) floor is proposed to be utilized as a family room area. The second (2nd) floor will be utilized as a kid's playroom. The proposed addition will be architecturally consistent and in keeping with the existing single-family residence. The applicants also seek approval of a pergola located within the front yard of the property.

Applicant has a backyard deck with a recently added pergola. The applicant was unaware they needed a permit and/or variance to erect the pergola on this historic house built in 1910. The hardships to the applicant are: (a) Orientation of lot (odd-shaped parcel); (b) existing wetlands limit where the pergola could be built; and (c) adjacent to the Long Island Sound. Jason Klein, Attorney with Carmody Torrance Sandak Hennessey, made a presentation and answered questions from the Board. After a brief discussion, Mr. Tepper recommended *approval* of *ZBA Application #021-19* and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Mr. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

**NOTE:** *After the meeting it was decided to bring this application back to the April 23, 2019 meeting for clarification on what the applicant was asking for.*

**2. ZBA APPLICATION #019 -19 - LINER RUSSELL - 86 DOWNS AVENUE - Variance of Article III-**

**Section 6D:** Applicant owns a single-family residence with a detached garage and bituminous driveway. Applicant would like to rebuild the detached garage increasing the height. Applicant is requesting a building height of 17 ft. 3 in. in lieu of the 15 ft. allowed.

The applicant needs to establish a hardship as to why they cannot build their garage at the legal height of 15 ft. After a brief discussion, Mr. Quick recommended *approval* of *ZBA Application #019-19* and that this request is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single Family); Mr. Levin seconded the motion and passed with eligible members present voting, 4-0-1 (Dell, Fishman, Levin, Quick - In Favor; Tepper - Abstained).

**3. ZBA APPLICATION #020-19 - RUSSELL DAVIS - 0 SHIPPAN AVENUE & 1022 SHIPPAN**

**AVENUE - Variances:** Applicant owns a vacant lot located at 0 Shippan Avenue and a single-family residence located at 1022 Shippan Avenue. Applicant is requesting the following for each property:

0 Shippan Avenue: Applicant would like to construct two (2) dwelling units on this empty lot. “Unit A” with an attached garage and “Unit B” with a detached garage. Applicant is seeking variances of Table III, Appendix B (Building Area Lot Coverage) - Proposed Unit “A” Attached Garage and Section 6-E for Detached Garage (Accessory Building) and is requesting: [**a**] a distance of 5 ft. in lieu of the 10 ft. minimum allowed from Proposed Unit “B” as depicted on the survey map submitted with the application; [**b**] 25% maximum Building Coverage allowed; [**c**] 32.8% requested for proposed 22 ft. x 22 ft. attached garage on Proposed Unit “A”; [**d**] detached accessory garage to have a distance of 5 ft. from Proposed Unit “B” in lieu of the 10 ft. minimum allowed; and [**e**] Variance of Section 4-3.2a to allow two (2) separate detached dwelling units on one (1) lot in lieu of one (1) detached dwelling unit on an R-6 lot.

1022 Shippan Avenue: Applicant would like to update and expand the existing dwelling and add a detached garage. Applicant is seeking variances of Table III, Appendix B for the side yard and combined side yard (both sides) for the Proposed Upper Story Additions and is requesting [**a**] a 6 ft. minimum side yard; [**b**] a 1.6 ft. side yard for Proposed Upper Story Additions; [**c**] a 12 ft. minimum combined allowed; and [**d**] an 8.6 ft. combined side yard for Proposed Upper Story Additions.

The Planning Board unanimously recommended the Zoning Board of Appeals **DENY ZBA APPLICATION #020-19** as the applicant is proposing to overbuild on the two (2) lots as well as building the dwelling units too close to each other. The applicant has neglected the prohibition of multiple dwellings on one (1) lot. This is incompatible with the neighborhood and not in keeping with the purpose of Section 4-3.2 of the Zoning Code. In addition, the applicant does not need a variance if they were to build one (1) duplex at 0 Shippan Avenue. The applicant is also proposing to build an oversized attached garage to Proposed Unit “A” where they have not indicated a hardship as to why they need the oversized garage.

What is being proposed is not consistent with the Master Plan, specifically:

Shippan (S) Neighborhood Policies and Implementation Strategies

Policy S1: Preserve and enhance neighborhood character and quality-of-life

S1.1: Maintain existing residential character of neighborhoods by maintaining existing residential zoning districts.

S1.2: Support efforts aimed at maintaining and enhancing the scenic quality of key corridors, including Shippan Avenue and other roadways serving the Shippan neighborhood. Priority should be given to maintaining roadways that provide waterfront views and access.

It is the opinion of the Board the proposed application is not in keeping with the character of the neighborhood and finds this request inconsistent with Master Plan Category #3 (Residential - Low Density Multifamily).

4. **ZBA APPLICATION #022-19 - CEKI ALUF MEDINA - 108 NORTH LAKE DRIVE - Variance of Section 6A:** Applicant owns a single-family residence with a pool and pool house. Applicant would like to install a generator in the front yard and is seeking an allowance for an accessory building in a front yard. Due to environmental concerns with regards to wetlands, slopes and grade changes it is impracticable to install a generator in the backyard. After a brief discussion, Mr. Tepper recommended ***approval of ZBA Application #022-19*** with the recommendation the applicant enhance the side yard landscape screen proposed by adding a fence to further shield the generator from the neighbors and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).
5. **ZBA APPLICATION #023-19 - EIGHTH STREET, LLC - 38 EIGHTH STREET - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling and would like to add a second story addition to convert a one (1) family dwelling into a two (2) family dwelling. Applicant is requesting a side yard of 5.7 ft.

in lieu of the 6 ft. minimum required. The applicant is proposing to add a second story addition over the existing house to convert a one (1) family dwelling into a two (2) family dwelling in an R-6 zone (1 and 2 Family District). This dwelling was built in 1946 before zoning thus the side yard variance of 5 inches is minimus.

After a brief discussion, Mr. Tepper recommended **approval** of **ZBA Application #023-19** and that this request is compatible with the neighborhood and consistent 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, Fishman, Levin, Quick and Tepper).

**6. ZBA APPLICATION #024-19 - DIEGO QUINTERO - 429 WEST MAIN STREET - Variances:**

Applicant owns a single-story masonry building with a small office space and three (3) service bays. Applicant would like to renovate the existing by adding a 3.8 ft. x 4.4 ft. addition on the northeast side, an additional service bay on the northwest side and a new stair case and second floor addition on the south side. Applicant is requesting the following variances:

Section 10-A: Allow expansion from three (3) service bays to four (4) service bays.

Section 7-M: Side yard setback of 3.8 ft. on the northeast side and 4.4 ft. on the northwest side of the building in lieu of 20 ft. required.

Section 11C-9: Allowance of a three (3) on-site parking spaces in lieu of the five (5) on-site parking spaces required. [Three (3) spaces are grandfathered.]

The applicant is requesting to expand a nonconforming use from three (3) service bays to four (4) service bays which is expanding a legal nonconforming use. The applicant is requesting what appears to be excessive side yard relief of approximately 16 ft. of the 20 ft. required. Given the amount of parking space allowance onsite, the applicant should not be relieved of this variance.

After some discussion, Mr. Levin recommended the Zoning Board of Appeals **DENY ZBA APPLICATION #024-19** as the applicant is requesting to increase a nonconforming use from three (3) service bays to four (4) service bays which is expanding a legal nonconforming use. The applicant is requesting what appears to be excessive side yard relief of approximately 16 ft. of the 20 ft. required. Given the amount of parking space allowance onsite, the applicant should not be relieved of this variance. The Board pointed out it appears the parking variance would not be needed if this application is denied. The Board found this request to be incompatible with the neighborhood and inconsistent 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, Levin, Quick and Tepper).

**OLD BUSINESS:**

**NEW BUSINESS:**

Next regularly scheduled Planning Board meetings are:

April 23, 2019

May 7, 2019

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:35 p.m.

Respectfully Submitted,

Jennifer Godzeno, Secretary  
Stamford Planning Board

**NOTE:** *These proceedings were recorded on video and audio and are available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.*