

STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, SEPTEMBER 24, 2019
REGULAR MEETING
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; and Michael Totilo. Alternates: Claire Fishman. Absent: Jennifer Godzeno, Secretary & Voting Member; Michael Buccino, Voting Member and William Levin, Alternate. 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.

REQUEST FOR AUTHORIZATION:

COMPLETION AGREEMENT BETWEEN O&G INDUSTRIES and THE CITY OF STAMFORD:

Earlier this summer, the Planning Board reviewed the property swap map in association with the settlement of outstanding litigation between O&G and the City of Stamford that will enable the City to build a new Roundabout and reconfigure adjacent roadways as a one-way circulator. This opportunity will significantly improve traffic in the area. In addition to the property swaps, a Completion Agreement has been drafted identifying the obligations of each party to the project.

The City of Stamford and O&G have entered into a Settlement Agreement to resolve prior litigation that includes property swaps between the City of Stamford and O&G which will enable roadway improvements inclusive of a new Roundabout at the intersection of Greenwich Avenue and Pulaski Street and roadway realignment and associated improvements to Davenport Street. Earlier this year, the Planning Board reviewed and approved the property swap plans. At that meeting, the City represented that a Completion Agreement was being drafted to memorialize the obligations of both parties to ensure the roadway improvements are completed, a timeline for same, and the repercussions expected if either party does not perform. That document is now complete and The City of Stamford Law Department and Traffic Engineering Department would like to present these terms to the Planning Board on September 24, 2019. Attorney Kaufman will also be present on behalf of O&G. The document has been reviewed by both parties and as of September 20, 2019 is being further edited. The City expects to submit a final draft to the Planning Board, with exhibits, on Monday, September 23, 2019 which shall be distributed via email.

Mr. Garrett Bolella, Traffic Engineer, City of Stamford; James Minor, Esq, Special Corporation Counsel, City of Stamford and Ms. Jacqueline Kaufman, Esq., Carmody Torrance Sandak Hennessey, LLP made a presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended approval of the Completion Agreement between O&G Industries and the City of Stamford 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, 4-0 (Dell, Fishman, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS (SPECIAL EXCEPTION):

1. **ZBA #051-19 - JACQUELINE O. KAUFMAN, ESQ. of CARMODY TORRANCE SANDAK HENNESSEY, LLP representing KING SCHOOL, INC. - 1450 NEWFIELD AVENUE - Special Exception:** The property is improved with a school (non-public use) including lower, middle and upper school buildings; a performing arts center building, administrative buildings, athletic fields (turf and natural surfaces) and associated improvements, tennis courts, playgrounds and associated recreational equipment, staff housing, driveways, walkways, parking areas and landscaping. The applicant is requesting Special Exception approval to permit the reconstruction and improvement of the existing “middle” athletic fields by replacing the existing natural grass fields with synthetic turf material. In addition, the work will include the placement of the following within and around the improved middle fields:

- a. Portable bleachers.
- b. Shade structures with benches to shield student athletes from the elements.
- c. Replacement and new field equipment including, but not limited to, sports goals/posts, baseball plates/mounds/bullpens/backstops.
- d. Two (2) scoreboards.
- e. Low retaining walls, walks and steps to improve safety and access to the fields and associated improvements.
- f. Fencing/gates/safety netting.
- g. Subsurface drainage improvements.
- h. New plantings.
- i. Relocation of the existing batting cage. The field size and orientation will remain approximately the same as the existing field area. No field lighting or sound amplification systems are proposed. No existing campus buildings will be altered as part of this application.

The King School is located at 1450 Newfield Avenue, Stamford, CT in the RA-1 Zone and Category 13 of the Master Plan. King School has operated from this location for many years and been before the Planning Board with many requests throughout its tenure for various campus improvements and student enrollment increases. The pending application to the ZBA requests Special Exception approval for improvement of the “middle” athletic fields only. (Special Exception of Article III, 4-AA-1.3(p) School, Non-Public) (District and District Regulations) and Appendix A-Use 41 (Land Use Schedule); Article V, Section 19(3). King School proposes to replace the existing, natural grass fields with synthetic turf field and make associated field enhancements. In addition, the Applicant’s submission materials depict the following other improvements in and around the field, all of which are consistent with existing conditions or common for school playing fields: (a) portable bleachers; (b) shade structures with benches to shield student athletes from the elements; (c) field equipment, including but not limited to, soccer goals, foul posts, baseball plates/mounds/bullpens; (d) two scoreboards; (e) low retaining walls, walks and steps to improve safety and access to the fields and associated improvements; (f) fencing/gates; (g) subsurface drainage improvements; (h) new plantings; and (i) the relocation of the existing batting cage. The field size and orientation will remain approximately the same as the existing field. No field lighting or sound amplification systems are proposed. No student enrollment increase is proposed. King School installed a turf field on the property in another location in 2007 and there have been no reported issues. Our review is the replacement and filed upgrades are consistent with existing conditions and will be an improvement for the students. Further, it is consistent with the goals of Master Plan Category #1 (Residential - Very Low Density Single Family) and consistent with the prior reviews and recommendations of the Planning Board.

Jacqueline Kaufman, Esq. of Carmody Torrance Sandak Hennessey, LLP made a presentation and Ms. Kaufman and the following list of representatives were available to answer questions from the Board.

- Ms. Karen Eshoo, Head of School - King School
- Ms. Kim Leeker, Associate Head of School - King School
- Mr. Micah Hauben, Dean of Athletics - King School
- Mr. Craig Flaherty - Redniss & Mead
- Mr. Dan Grannis - S/L/A/M Collaborative
- Mr. Ian Lacey - S/L/A/M Consultant
- Mr. Kurt Lavaway, Project Leader - Colliers
- Mr. William Hennessey, Partner & Attorney - Carmody Torrance Sandak Hennessey, LLP

After some discussion, Mr. Tepper recommended *approval* of **ZBA Application #051-19** and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

OMNIBUS TEXT CHANGE - RALPH BLESSING, LAND USE BUREAU CHIEF: The Land Use Bureau has been working on amending the Zoning Regulations which is being called the “Omnibus Text Change.” Ralph Blessing will highlight the key areas being proposed.

Ralph Blessing made a PowerPoint presentation and answered questions. Please note the Omnibus Text Change has not been officially filed by the Zoning Board and once it is filed, the Planning Board will make its official recommendation to the Zoning Board on referral.

Ms. Dell called for a motion to bring forward ZBA Application #048-19 - 47 Chestnut Hill Road.

Mr. Tepper made a motion to bring forward ZBA Application #048-19 - 47 Chestnut Hill Road; Mr. Totilo seconded the motion and passed unanimously with eligible members voting, 4-0 (Dell, Fishman, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS (Con’t):

2. **ZBA APPLICATION #048-19 - NATALEE PEI - 47 CHESTNUT HILL ROAD - Variance of Table III, Appendix B:** Applicant owns the single-family residence which was purchased with an existing deck that extends 6.5 ft. into the side yard setback. Applicant is requesting a variance to permit the deck to remain in lieu of the 15 ft. minimum allowance. Applicant was not aware the deck did not conform to current Zoning codes when purchasing the home and based on tax records and contractor assessment it is estimated the deck is approximately 15 years old.

The applicant is requesting legalization of a variance that should have happened when the previous owner put the deck in place 15 years ago without a variance. From a planning perspective, the deck is screened from any neighbor and it does not have a negative impact on the neighborhood.

After a brief discussion, Mr. Tepper recommended *approval* of **ZBA Application #048-19** and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single Family); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

Ms. Dell suspended the meeting for a 5 minute break.

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

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #219-19 - REDNISS & MEAD representing TC NE METRO DEVELOPMENT, INC. - 210 LONG RIDGE ROAD a/k/a 0 LONG RIDGE ROAD - Site & Architectural Plans and/or Requested Uses and Special Exception:** Applicant, in partnership with Allegro Senior Living, is proposing to redevelop the easterly portion of an existing vacant parcel located at 210 Long Ridge Road (the “Property”) to create new senior living opportunities in Stamford. The Property is 15 acres located on the westerly side of Long Ridge Road in Master Plan Category #8 (Mixed Use - Campus) and the C-D (Designed Commercial) Zoning District. The property, which was previously owned by General Electric, has been vacant for at least 20+ years and is sandwiched between two office complexes.

Rick Redniss, of Redniss & Mead, representing TC NE Metro Development, Inc., made a presentation outlining the proposed construction of a senior living facility built by Trammel Crowe Developers, who specialize in these types of facilities. Also in attendance to answer questions were Mr. Anup Misra, Trammel Crowe Companies; Mr. Joseph Miklich, Allegro Senior Living and William Hennessey, Esq., Carmody Sandak Torrance Hennessey, LP. This application is a creative redevelopment of a large lot on Long Ridge Road in Master Plan Category #8 (Mixed Use - Campus). Staff’s review of how this proposed development is compatible with the Master Plan includes densities far below downtown; is compatible with adjacent uses (residential) and the development proposed is a campus-like nature and traffic and other potential impacts are considerably less than previously proposed by BLT for this site.

After a brief discussion, Mr. Totilo recommended *approval* of **ZB Application #219-19** and that this request is compatible with the neighborhood and consistent with Master Plan Category #8 (Mixed Use -

Campus); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

Ms. Dell called for a motion to bring forward ZBA Application #050-19 - 521 & 527 Glenbrook Road.

Mr. Tepper made a motion to bring forward ZBA Application #050-19 - 521 & 527 Glenbrook Road; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS (Con't):

3. ZBA APPLICATION #050-19 - DAVID P. LASNICK representing GLENBROOK REAL ESTATE, LLC - 521 & 527 GLENBROOK ROAD - Variance of Section 11.3C: Applicant owns the two (2) consolidated parcels currently containing two (2) gas service pumps on one (1) island, a convenience store and abandoned repair garage. Applicant is proposing:

- a. To permanently abandon the repair garage use on the pre-consolidation address of 527 Glenbrook Road.
- b. To add one (1) additional gas pump on the expanded existing island; extend the canopy to cover the island within the setbacks and remove the convenience store building on the pre-consolidation address of 521 Glenbrook Road.
- c. To transfer the convenience store use to the service garage building on the pre-consolidation address of 527 Glenbrook Road.
- d. To construct a 29 ft. 11 in. x 12 ft. addition to the service garage building within the footprint of the removed building on the pre-consolidation address of 521 Glenbrook Road.
- e. To convert the existing building on 527 Glenbrook Road to a 1,920 sq. ft. convenience store with a 375 sq. ft. take-out restaurant and 1,545 sq. ft. of retail.

Applicant is requesting a side yard setback of .9 ft. on a corner lot in lieu of the required 0 ft. in the V-C Zone.

David Lasnick, representing the applicant, made a presentation and answered questions from the Board. The applicant would like to redevelop an existing gas station on Glenbrook Road which is zoned Village Commercial and is in Master Plan Category #6 (Commercial - Neighborhood Business). Part of the application is to combine two (2) lots into one (1) use (variance required) which the applicant hopes to add a third pump (Motor Vehicle approval required). This application will require a two-step approval process which is to get the required variance for side yard setback by the ZBA and requires site plan approval by the Zoning Board.

Staff Comments: It appears this proposal is an improvement to the existing service station but Staff has concerns that a third pump would be too much for this size lot. By Tuesday, Staff will receive a traffic analysis by Frank Petise, P.E., Traffic Engineer, for this area outlining any impacts that need to be addressed.

After a brief discussion, Mr. Tepper recommended **ZBA Application #050-19** be **TABLED** to a future meeting until the Traffic Study is completed; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

Ms. Dell made a motion to bring forward ZBA 046-19 - 2061 West Main Street.

ZONING BOARD OF APPEALS REFERRALS (Con't):

4. **ZBA #046-19 - WILLIAM J. HENNESSEY, JR. of CARMODY TORRANCE SANDAK HENNESSEY, LLP representing 1549 EAST PUTNAM AVENUE, LLC - 2061 WEST MAIN STREET - Variances of Article III, Section 4-AA-13.4(h); Article IV, Section 12-A and Article IV, Section 12-B:** Applicant owns this property of approximately 13,972 sq. ft. which is bisected by the Stamford/Greenwich town line. The property is currently improved with a ±4,580 sq. ft. structure that is used as a veterinary clinic with associated parking and other improvements. The applicant is proposing to demolish the existing structure and construct a ±9,430 sq. ft. commercial building on the Stamford side of the property with associated parking and landscaping improvements on the Greenwich side. At this time, the contemplated uses of the new building include professional/medical office, a medical spa and retail.

William Hennessey, Esq., will be available to answer any questions on the request for these variances. It is important to note that if this parcel, which is zoned M-L, were solely in Stamford as compared to a portion in Stamford and a portion in Greenwich, this development would be classified as-of-right and no variances would be needed.

After a brief discussion, Ms. Fishman recommended *approval* of *ZBA Application #046-19* and that this request is compatible with the neighborhood and consistent with Master Plan Category #7 (Commercial - Arterial); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

SUBDIVISIONS:

SUBDIVISION REGULATIONS: Dr. David Woods, PhD, AICP, Deputy Director of Planning for the City of Stamford made a brief presentation outlining the revisions by and to set the potential Public Hearing for November 5, 2019.

Please note the draft has been provided as reference to give you a document to review in order to allow two (2) actions by the Planning Board:

- a. Make a motion to file the revision to the Subdivision Regulations. (Which will be amended a number of times before the final draft gets submitted two (2) weeks before the Public Hearing.)

After a brief discussion, Mr. Totilo made a motion to file the revision of the Subdivision Regulations; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

- b. Make a motion to set the date for the Public Hearing which would trigger the mandatory review period. Recommend date is Tuesday, November 5, 2019 at 7:00 p.m.

After a brief discussion, Mr. Totilo made a motion to set the Public Hearing for the Subdivision Regulations on Tuesday, November 5, 2019 changing the time from 7:00 p.m. to 7:30 p.m.; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

Mr. Totilo noticed that November 5, 2019 is Election Day and may not be the best day to hold a Public Hearing.

After a brief discussion, Ms. Dell then called for a second motion to change the Public Hearing date from November 5, 2019 to November 12, 2019.

Mr. Totilo made a motion to change the Public Hearing date for the Subdivision Regulations to Tuesday, November 12, 2019 instead of November 5, 2019; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

August 27, 2019 - Regular Meeting: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of August 27, 2019; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 3-0 (Dell, Tepper and Totilo). (Ms. Fishman was ineligible to vote as she was absent at the August 27, 2019 meeting.)

September 10, 2019 - Special Meeting: After a brief discussion, Ms. Fishman moved to recommend approval of the Planning Board Special Meeting Minutes of September 10, 2019; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

September 10, 2019 - Emergency Meeting: After a brief discussion, Mr. Totilo moved to recommend approval of the Planning Board Emergency Meeting Minutes of September 10, 2019; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Tepper and Totilo).

OLD BUSINESS:

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

October 8, 2019 - CAPTIAL BUDGET (Meeting starts at 6:00 p.m.)

October 22, 2019 - CAPTIAL BUDGET (Meeting starts at 6:00 p.m.)

October 29, 2019 - CAPTIAL BUDGET (Meeting starts at 6:00 p.m.)