

STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, MARCH 6, 2018
REGULAR MEETING
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jennifer Godzeno and Michael Totilo. Alternates: Claire Fishman (Arrived at 7:10 p.m.). Absent: Jay Tepper, Vice Chair - Voting Member; Michael Buccino, William Levin and Roger Quick, Alternates. Present for staff: David W. Woods, PhD, AICP, Deputy Director of Planning and Anthony Romano, Management Analyst, OPM.

Ms. Dell called the meeting to order at 6:37 p.m. and introduced the members of the Board and staff present and introduced the first item on the agenda. Ms. Dell explained that there would be a quorum to begin as Mr. Tepper, Mr. Buccino and Ms. Fishman were absent and Ms. Godzeno, Mr. Totilo and Ms. Dell would be voting on the Capital Budget agenda items.

CAPITAL BUDGET:

MILL RIVER PARK - EAST SIDE - PHASE II: To complete construction of Phase II of the multi-phase Mill River Restoration Project, a three-mile river estuary restoration project that will create a protected greenway along the Mill River in downtown Stamford to the mouth of Long Island Sound. The Planning Board recently approved the Mill River Park Restoration Project, which included an agreement with RBS for Clinton Avenue. As part of this agreement, the City agreed to make certain improvement which has been costed out at about \$500,000.00. This is a new project from the Mayor. Dr. Woods made a brief statement explaining the change and recommended approval so this can be included in the Mayor's Capital Budget submittal due Thursday, March 8, 2018. After a brief discussion, Ms. Godzeno made a motion to accept the Capital Budget addition of the Mill River Park - East Side - Phase II project; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 3-0 (Dell, Godzeno and Totilo).

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:

Mr. Romano made a brief statement on each Capital Appropriation explaining each item.

1. CAPITAL PROJECT CLOSEOUT RECOMMENDATIONS:

PROJECT #	PROJECT NAME	CLOSEOUT AMOUNT	FUNDING SOURCE
CP7149	Public Safety Equipment Replacement & Upgrade	\$132,806.00	Capital Non-Recurring
C5B005	Boyle Stadium	\$146,752.42	State Grant

2. BOYLE STADIUM - PROJECT #C5B005: The City received a second historic grant of \$200,000.00 to complete Phases 1A and 2. Work started but was put on hold for two reasons: (1) FY2011/2012 CP budget cut, and (2) receipt of an Order to close the field due to conditions with lead and torn seams in turf. Based on the Order and budget availability, phases were re-prioritized. Phase 3 was completed with available funds. At this time, the City requested a grant extension (July 2012) that was not approved (December 2012), after which the grant contract expired. A partial grant closeout of \$53,247.58 was approved on August 3, 2015; the remaining \$146,752.42 is to be re-appropriated as bond funds.

Work included:

- a. Phase 1: Restoration of home and visitor side bleacher stone masonry included \$200,000 State grant. Due to unforeseen issues within stone masonry, only the visitor side was accomplished in this phase.
 - b. Phase 1A: Restoration of home side bleacher stone masonry.
 - c. Phase 2: Improvements to handicapped accessibility and energy efficiency.
 - d. Phase 3: Turf and Track replacement.
3. **FIRE APPARATUS - PROJECT #C63005:** To cover Arbitration Award - Arbitrator's decision reads as follows:

“We award damages to Springdale in the amount of \$132,806.00 for the City's breach of its obligation to provide apparatus by failing to reimburse Springdale for its expenditure to replace the rescue vehicle in 2003.”

4. **TRIENNIAL LIST:** In accordance with Section §9-4 of the City Code of Ordinances, the Director of Administration has submitted a list of real property owned and leased by the City (the Triennial List) to the Planning Board, the Board of Finance and the Board of Representatives for review with the objective of recommending future use or disposal of unused properties. In accordance with the City Code of Ordinances, this is a request for the three Boards to annually approve the list of real properties owned and leased by the City to be presented by the Director of Administration for review and recommendation for future use and disposal of unused properties. Dr. Woods explained that after speaking with Robin Stein, Special Assistant to the Mayor, an ordinance was discovered stating this should have been put before all three Boards annually and going forward the Triennial List will now come before the Boards for approval and this form of transparency not only meets the City Ordinance but will enhance the City's transparency. After a brief discussion, Mr. Totilo recommended approval of the Triennial List 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. Godzeno seconded the motion and passed unanimously with eligible members present voting, 3-0 (Dell, Godzeno and Totilo).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #218-08 - ST. JOHN'S TOWERS - WASHINGTON BLVD. - Text Change:** Applicant would like to amend Section 7-S-3 of the Zoning Regulations to change the minimum size of qualifying site from two (2) acres to one (1) acre for sites eligible for a premium of floor area when using permitted commercial floor area for residential development. Dr. David W. Woods made a brief presentation outlining the purpose of this Text Change. Richard Redniss and Ray Mazzeo, Redniss & Mead and Lisa Feinberg, Attorney with Carmody Sandak Torrance Hennessy, were available to answer any questions. After a brief discussion, Ms. Godzeno recommended **approval** of **ZB Application #218-08** and this is compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 3-0 (Dell, Godzeno and Totilo).

2. **ZB APPLICATION #218-06 - RICHARD W. REDNISS (22 1st CORP.) - SUMMER STREET, NORTH STREET & BEDFORD STREET - Text Change:** Applicant is proposing changes to Section 12 and MX-D Regulations to properties owned by Silverback Development. The properties are four (4) contiguous and integrated parcels located at 733 Summer Street, 777 Summer Street, 0 North Street and 612 Bedford Street. The combined site is approximately 2.7 acres. The owner is proposing to demolish the existing office buildings and associated parking lots to create a 376-unit apartment building with ground floor retail and associated garage parking and plaza level open space. The existing bank at 612 Bedford Street, currently occupied by Bankwell, will remain. Dr. David W. Woods made a brief presentation outlining the purpose of this Text Change. Richard Redniss and Ray Mazzeo, of Redniss & Mead, were available to answer any questions. After a brief discussion, Ms. Godzeno recommended *approval* of **ZB Application #218-06** and this is compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 3-0 (Dell, Godzeno and Totilo).
3. **ZB APPLICATION #218-02 - ONE ELMCROFT STAMFORD, LLC c/o BLT - ELMCROFT ROAD & DYKE LANE - Zoning Map Change:** Applicant is proposing a Zoning Map Change from M-G Zoning District to C-G Zoning District to be consistent with the building's office use. As outlined in the applicant's materials, the applicant is requesting a Map Change of the existing Pitney Bowes building from General Industrial District (M-G) to General Commercial District (C-G). This building was designed when Pitney Bowes was the world-leader in the manufacture of postage equipment, which the need is no longer there. So much so Pitney Bowes sold this building to BLT and located their new business operations to an office building in Bull's Head. BLT is requesting to change the designation of the building to C-G which is more conforming with the requirements of the Zoning Ordinance; is much more restrictive than M-G as listed by the applicant and most importantly, the applicant will not increase the floor area ratio of this building or add more parking. Dr. Woods made a presentation on the history of Pitney Bowes and the building and explaining this Zoning Map Change. Seth Ruzzi, Attorney for BLT, was available to answer any questions. After a brief discussion, Mr. Totilo recommended *approval* of **ZB Application #218-02** and this is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-use); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Godzeno and Totilo).

Dr. Woods asked, on the recommendation of Mario Muselli, attorney representing the applicant for ZB Application #218-07, to move forward the two ZBA applications and Planning Board minutes as the application for the medical marijuana dispensary may take some time.

Ms. Dell agreed and introduced the first Zoning Board of Appeals application.

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #005-18 - EMMANUELLA & FRANTZ LAUTURE - 10 ROLLING WOOD DRIVE - Special Exception:** Applicant owns a single-family residence which also serves as a "Family Day Care Home". Applicant is seeking to expand the day care use to a "Group Day Care Home." The applicant wishes to expand their child day care home to a group day care home in order to provide additional day care in a residential area that has a demand for more day care in the City. Nicholas Vitti, Attorney & Partner with Cacace, Tusch & Santagata; made a presentation and answered questions from the Board. After a brief discussion, Ms. Fishman recommended *approval* of **ZBA Application #005-18** and this 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, 4-0 (Dell, Fishman, Godzeno and Totilo).

4. **ZBA APPLICATION #006-18 - STANISLAW BOCHENEK - 28 FARA DRIVE - Variance of Table III, Appendix B:** Applicant owns a single-family residence and would like to add a two-story addition and relocate the existing shed to within the setback requirement. Applicant is requesting a rear setback of 26 ft. 6 in. in lieu of the 30 ft. required. The applicant, in an existing odd-shaped lot, is asking for a relatively small variance for an existing structure and odd-shaped lot in order to build. After a brief discussion, Mr. Totilo recommended *approval* of *ZBA Application #006-18* and this 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, 4-0 (Dell, Fishman, Godzeno and Totilo).

PLANNING BOARD MEETING MINUTES:

2/20/2018: After a brief discussion, Ms. Fishman moved to recommend approval of the Planning Board Minutes of February 20, 2018; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Godzeno, and Totilo).

Ms. Dell called for a 5 minute break at 7:50 p.m. and reconvened at 8:00 p.m.

Ms. Dell continued with the Zoning Board referrals and introduced the final Zoning Board Referral item on the agenda.

ZONING BOARD REFERRALS (Continued):

4. **ZB APPLICATION #218-07 - PAUL SHORTT on behalf of KIND CARE, LLC - 806 EAST MAIN STREET - Special Exception:** Applicant is seeking a Special Exception in accordance with Section 7U of the Zoning Ordinance to operate a Medical Marijuana Dispensary at 806 East Main Street if the State of Connecticut, Department of Consumer Protection grants the applicant a license. Property is located in the C-N Zone. Dr. Woods made a statement explaining that there would be several applications for Medical Marijuana Dispensaries coming before the Board and gave brief details about the operation of the Dispensaries. The applicant, Paul & Cindy Shortt, and their attorney, Mario Muselli, then made a more detailed presentation explaining the research and how medical marijuana can assist potential patients with disease management, how a Dispensary would operate and outlining the legal requirements to manage a Medical Marijuana Dispensary. Staff has worked with the applicant to ensure that the location of this application at 806 East Main Street meets the location requirements that are permitted by Special Exception. While located in a zone permitted by the Zoning Code, staff is not making a recommendation on this or any other proposed application for a Medical Marijuana Dispensary which will come before the Planning Board in the next couple of meetings. It is important to note that in order to operate this facility, the State needs to award a license, which is a long shot for any site in Stamford. After a brief discussion, Mr. Totilo recommended approval of ZB Application #218-07 and this is compatible with the neighborhood and consistent with Master Plan Category #9 (Urban Mixed-Use); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Godzeno and Totilo).

OLD BUSINESS:

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

March 20, 2018

April 10, 2018

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:45 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and audio tape 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.