

**STAMFORD PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES - TUESDAY, APRIL 25, 2017
4TH FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT**

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Claire Fishman, Secretary (Arrived at 6:55 p.m.); Jay Tepper, Vice Chair and Michael Totilo. Alternates: Michael Buccino, William Levin and Roger Quick. Absent: Jennifer Godzeno, Voting Member. Present for staff: David W. Woods, PhD, AICP, Principal Planner. Other City staff: Ellen Bromley, Director of Social Services.

Ms. Dell called the meeting to order at 6:30 p.m. and introduced the members of the Board and staff present. Ms. Dell opened the meeting with the first item on the agenda.

REQUEST FOR AUTHORIZATION:

1. **RECONSTRUCTION OF ATLANTIC STREET & REPLACEMENT OF METRO-NORTH RAILROAD BRIDGE NO. 08012R - Memorandum of Agreement between The Federal Highway Administration, the Connecticut State Historic Preservation Office, Connecticut Dept. of Transportation & the City of Stamford:** This project consists of the demolition and replacement of the existing Metro-North Railroad Bridge over Atlantic Street in the City of Stamford. The removal of the bridge will allow for widening of Atlantic Street between South State Street and Manhattan Street to match the lane number and width of the existing roadway immediately north and south of the bridge. As part of the Memorandum of Agreement for the replacement of the Atlantic Street railroad bridge the CT DOT agreed to donate \$50,000 as part of the historic study for the South End. This element will be added to the existing funds of \$100,000 for the South End Neighborhood & Historic Preservation Plan. The purpose here is to recommend that the City accept the \$50,000 to be added to the South End Study. After a brief discussion, Mr. Tepper recommended approval of the Reconstruction of Atlantic Street & Replacement of Metro-North Railroad Bridge No. 08012R 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 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, Levin, Quick, Tepper and Totilo).

2. **DISCONTINUANCE OF A PORTION OF STANLEY COURT TO FACILITATE DEEPLY AFFORDABLE HOUSING PROJECT:** The portion of Stanley Court being considered for discontinuance would be part of donated property used to build 55 units of deeply affordable rental housing units. Richard Freedman; Ellen Bromley, Director of Social Services and Jason Shaplen, CEO of Inspirica, made a brief presentation to remind the Board of the two interlinked elements of this project.. This discontinuance of the eastern half of Stanley Court to Franklin Street was presented as part of the complete discontinuance request earlier. However, through various reasons, the City chose to divide this into two phases. The first phase came before the Planning Board on April 4, 2017 and approval was recommended. Agenda Item No. 2 is the second phase in which the City is proposing a discontinuance of a portion of Stanley Court so 55 units of deeply affordable rental housing units could be constructed, which is covered under Agenda Item No. 3. After some discussion, Mr. Totilo recommended approval of the Discontinuance of a Portion of Stanley Court to Facilitate Deeply Affordable Housing Project 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 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 Category #11 (Downtown); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Dell, Quick, Tepper and Totilo).

- 3. AFFORDABLE HOUSING PRODUCTION - RESOLUTION TO APPROVE THE DONATION OF CITY-OWNED PROPERTY:** This resolution is for the donation of property located at 72 Franklin Street (the "Property") and a portion of Stanley Court adjacent to the Property which is under request for discontinued use (the "Additional Parcel"). Garden Homes Fund and Inspirica have agreed to partner to build 55 units of deeply affordable rental housing on a site that would be created by assembling the Property and the Additional Parcel with adjacent properties at 68, 76 & 80 Franklin Street to be donated by Garden Homes Foundation to Inspirica for this purpose. After a brief discussion, Mr. Quick recommended approval of the Affordable Housing Production - Resolution to Approve the Donation of City-owned Property 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 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 Category #11 (Downtown); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Dell, Quick, Tepper and Totilo).

ZONING BOARD REFERRALS:

- 1. ZB APPLICATION #217-10 - RICHARD W. REDNISS (22 1ST CORP.) - 22 FIRST STREET - Text Change:** To amend Section 7-K and Section 9-B (B-D Designated Business District), Subsection 3-c. Raymond Mazzeo, of Redniss & Mead, made a presentation on ZB Application #217-10 (Text Change) & #217-11 (Site & Architectural Plans and/or Requested Uses). These two applications will improve the look of the gas station; are compatible with the neighborhood and consistent with Master Plan Category #7 (Commercial - Arterial). The applicant has worked extensively with City staff on these applications to the Zoning Board. After a brief discussion, Mr. Levin recommended approval of *ZB Application #217-10* and finds this request to be compatible with the neighborhood and consistent with the 2015 Master Plan Category #7 (Commercial - Arterial); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).
- 2. ZB APPLICATION #217-11 - UB NEWFIELD GREEN LLC - 565 NEWFIELD AVENUE - Site & Architectural Plans and/or Requested Uses:** Applicant is requesting approval to construct a new gas station and associated one-story (1,990 sq. ft.) convenience/retail building proposed in the area previously occupied by the Mobil station. After a brief discussion, Mr. Levin recommended approval of *ZB Application #217-11* and finds this request to be compatible with the neighborhood and consistent with the 2015 Master Plan Category #7 (Commercial - Arterial); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).
- 3. ZB APPLICATION #217-12 - RICHARD W. REDNISS (22 1ST CORP.) - 22 FIRST STREET - Text Change:** To amend Article III, Section 4 - List of Districts, Subsection AA - District Regulations, by adding No. 12 General Industrial (M-G) District and No. 13 Light Industrial (M-L) District. One of the drawbacks to the City having such an increase in rental apartments, especially downtown, is the need for additional self-storage facilities. Richard Redniss, of Redniss & Mead, made a presentation to discuss ZB Agenda Item Nos. 3 & 4 together on the requested Text Change to amend Article III, Section 4 by adding two (2) districts and the Special Exception to clean up some of the attached footnotes. Given the adjacent uses and the existing lot, this application would be an improvement especially taking in the proposed landscaping. After a brief discussion, Mr. Tepper recommended approval of *ZB Application #217-12* and finds this request to be compatible with the neighborhood and consistent with the 2015 Master Plan Category #13 (Industrial - General); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper and Totilo).
- 4. ZB APPLICATION #217-13 - BRT MANAGEMENT - 432 FAIRFIELD AVENUE - Special Exception and Site & Architectural Plans and/or Requested Uses:** Applicant is proposing construction a self-storage facility (49,590 sq. ft.) with interior parking on the lower level and other associated site improvements on the ±1.14 acres property. Property is located within the M-G zoning district. After a brief discussion, Mr. Tepper recommended approval of *ZB Application #217-13* and finds this request to be compatible with the neighborhood and consistent with the 2015 Master Plan Category #13 (Industrial - General); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper and Totilo).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #011-17 - STAMFORD BAPTIST CHURCH - 602 HIGH RIDGE ROAD - Special Exception [Article V, Section 19(3); Article III, Section 4AA; and Appendix A, Table I-Permitted Use No. 9]:** Stamford Baptist Church owns the existing church structure which also houses over six (6) classrooms and offices. Applicant is requesting to use the classrooms as a daycare center hosting up to 60 children with operating hours from 7:30 a.m. to 6:00 p.m. Monday through Friday. The daycare center will provide pick up and drop off services, all meals and educational activities. For years the Stamford Baptist Church operated a day care center which ceased operations a couple of years ago. In order for a new owner to operate a day care center from 7:30 a.m. to 6:00 p.m. Monday through Friday, the Stamford Baptist Church requires a new Special Exception. After a brief discussion, Mr. Tepper recommended approval of ***ZBA Application #011-17*** and finds this request to be 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 (Buccino, Dell, Fishman, Tepper and Totilo).

2. **ZBA APPLICATION #012-17 - ROBERT McCARTHY - 54 MAYFLOWER AVENUE - Variance of Table III, Appendix B:** Applicant owns a single family residence and would like to construct a two (2) family residence on new Lot #1-B with an area of 10,730 sq. ft. Applicant is requesting a front yard of 16 ft. in lieu of 50 ft. required. The applicant is requesting a variance of the front lot and is seeking a minimum front yard setback in order to come back to the Planning Board with a two (2) lot subdivision. This application does not have a hardship since this clearly is self-created. Gerald Fox III appeared before the Board to speak on behalf of the applicant. After considerable discussion, Mr. Buccino recommended **denial** of ***ZBA Application #012-17*** based on the fact that: (1) it would create a skinny access lot with the ability to have three units on a lot that should only have one; (2) this would create an undue precedent for a number of the other lots to subdivide making the neighborhood less single-family friendly; and (3) Mayflower Avenue is a narrow street and subdividing this and other lots along it could create undue traffic impacts. The Board also finds this request to be incompatible with the neighborhood and inconsistent with Master Plan Category #3 (Residential - Low Density Multifamily); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 4-0-1 (Buccino, Dell, Fishman and Tepper in favor and Totilo abstained).

3. **ZBA APPLICATION #016-17 - MATTHEW & MONICA WOODS - 214 VAN RENSSELAER - Variance of Table III, Appendix B:** Applicant owns a single family residence with a wooden deck on the side and rear yard and a brick patio in the rear. Applicant is requesting: (1) a side yard setback of 18.7 ft. in lieu of 20 ft. required; (2) total side yard setback of 29.5 ft. in lieu of 35 ft. required [31.5 ft. existing]; and (3) building coverage of 23.2% [minus 200 ft. deck allowance per Definition #15 Building Area = 21.2%] in lieu of 15% required. [21.1% existing] The applicant is requesting a variance in order to build a shed and expand their existing patio in the area which had been created, by the Planning Board, as a landscape buffer on February 22, 1983 as part of Subdivision No. 3205. The applicant must come before the Planning Board prior to an application in order for the Board to reconsider the approved condition. Mark Greenwald, of Maher & Greenwald, appeared to speak on behalf of the applicants. After a brief discussion, Mr. Tepper recommended to **deny without prejudice ZBA Application #011-17**. The Planning Board based this denial on the inclusion of the shed in the landscape buffer, which is in violation of the Planning Board condition of the time of Subdivision No. 3205 dated February 22, 1983. However, if the Zoning Board of Appeals denies the shed, thereby removing that from the landscape buffer, the Planning Board unanimously would recommend that the Zoning Board of Appeals approve the minimal encroachment of less than two feet into the landscape buffer for the porch extension. It is the opinion of the Planning Board that the Zoning Board of Appeals could approve the variance for the porch without having to return to the Planning Board.

The Planning Board also finds this request, with the inclusion of the shed in the landscape buffer, to be inconsistent with the 2015 Master Plan Category #2 (Residential - Low Density Single Family) but would be consistent with the Master Plan if the shed were removed; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper and Totilo).

4. **ZBA APPLICATION #018-17 - NICHOLAS J. DIDELOT - 96 WHITE BIRCH LANE - Variance of Table III, Appendix B:** Applicant owns a single family residence with a patio and front porch. Applicant is requesting: (1) a front street line setback of 30.5 ft. in lieu of 40 ft. required; and (2) a street centerline setback of 55.3 ft. in lieu of 65 ft. required. The applicant is proposing to build in the non-conforming front yard setback in lieu of the backyard where they would not have setback issues, thus, this appears to be a self-imposed hardship. After a brief discussion, Mr. Buccino recommended **denial** of *ZBA Application #018-17* as it is the opinion of the Board that there is no hardship since the applicant can legally build in the back yard; finds this request to be incompatible with the neighborhood and is 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, Tepper and Totilo).
5. **ZBA APPLICATION # 019-17 - MARK & KIM SENERCHIA - 52 TODD LANE - Variance of Table III, Appendix B (Schedule of Requirements for the R-10 Zone):** Applicant owns a single family, ranch style residence which is legally non-conforming as it relates to the Maryanne Lane street line. Applicant would like to construct two (2) additions with the first one to square off the rear of the residence no closer to the street line of approximately 7 ft. 10 in. x 16 ft. 8 in. and the second at the front of the residence encroaching no closer than already existing of approximately 2 ft. x 5 ft. Applicant is requesting: (1) a front yard of 12.5 ft. from the rear addition in lieu of the 40 ft. required; (2) a front yard to street center of 37.5 ft. in lieu of the 65 ft. required; (3) a front yard of 38 ft. from the front addition in lieu of the 40 ft. required; and (4) a street centerline from the front yard of 63 ft. in lieu of the 65 ft. required. The applicant is requesting minimal variance to make this older structure more functional and, thus, more consistent with the neighborhood. After a brief discussion, Mr. Quick recommended approval of *ZBA Application #019-17* and finds this request to be compatible with the neighborhood and is consistent with Master Plan Category #2 (Residential - Low Density Single-family); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper and Totilo).
6. **ZBA APPLICATION #020-17 - CHARLES & CARMEN FAILLA - 151 WELLINGTON DRIVE - Variance of Table III, Appendix B:** Applicant owns a single family residence and would like to install a generator and an underground propane tank. Applicant is requesting a side setback of 14 ft. for the generator in lieu of 20 ft. required. No variance is required for the propane tank but is included for reference. It appears the side yard is the best place to place the proposed generator due to setback requirements of the existing wetlands in the backyard as well as the storm water catch basin areas. After a brief discussion, Mr. Buccino recommended approval of *ZBA Application #020-17* and finds this request to be compatible with the neighborhood and is consistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Dell, Fishman, Tepper and Totilo).
7. **ZBA APPLICATION #022-17 - NORTH STAMFORD CONGREGATIONAL CHURCH (“NSCC”) - 31 CASCADE ROAD - Special Exception [Article V, Section 19(3); Article III, Section 4AA and Appendix A, Table I-Permitted Use No. 41]:** NSCC owns a multifunctional community hall which is approximately 85 ft. x 36 ft. (±3,100 sq. ft.) and was established in 1925. Gray Farms Nursery School would like to relocate to the community hall on September 1, 2017. Gray Farms was established in 1954 and hosts 28-30 children to be taught and cared for by four (4) employees. Hours of operation are 8:15 a.m. to 3:00 p.m. Monday through Friday. Approximately half of the children will be dropped off 30-45 minutes in advance of the second half. Pick up in the afternoon is scattered in the same 30-45 minute range with some children departing at midday. The applicant is requesting a Special Exception to relocate an existing nursery school from 884 Newfield Avenue to the North Stamford Congregational Church at 31 Cascade Road. As per the application, the school will hold no more than 30 children with limited hours from 8:15 a.m. to 3:30 p.m. Monday through Friday. Mr. Joseph Carena, Chair, Board of Trustees, NSCC; and Ms. Debbie Heins, Director, Gray Farms Nursery School appeared to speak on this application. After a brief discussion, Ms. Fishman recommended approval of *ZBA Application #022-17* and finds this request to be compatible with the neighborhood and is 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, 5-0 (Buccino, Dell, Fishman, Tepper and Totilo).

8. **ZBA #015-17 - AMELAINE REALTY COMPANY, INC. - 1026-1034 HIGH RIDGE ROAD - Variance of Article III, Section 10A/Section 12C/Section 12D:** The applicant owns property that is 13,267 sq. ft. with a commercial building built in 1956 used as a retail shopping center with retail and restaurant tenants. There is an asphalt parking lot on three (3) sides of the building with twenty-two (22) striped spaces; nine (9) of which encroach on Olga Drive. Applicant is asking for: [1] a total of thirteen (13) standard sized parking spaces to serve the property where up to 27 spaces are required by current standards; [2] to allow nine (9) existing parking spaces located on the northerly side of the property to be located 0 ft. from Olga Drive in lieu of the 10 ft. required; and [3] to allow the continuation of nine (9) existing, non-conforming parking spaces located on the northerly side of the property which are substandard as to length and width and which transgress the existing property line and encroach on the City of Stamford right-of-way known as Olga Drive. The applicant and the City have been working together for over a year on the issues related to this application. Jacqueline Kaufman, of Carmody Torrance Sandak & Hennessey, appeared to speak in favor of this application and Leonard Braman of Wofsey, Rosen, Kweskin & Kuriansky, appeared to speak in opposition. After a brief discussion, Mr. Tepper recommended that ***ZBA Application #022-17*** be ***tabled without prejudice*** in order for the applicant to perform further due diligence to resolve the parking issues; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

Meeting of 04/04/17: After a brief discussion, Mr. Quick moved to recommend approval of the Planning Board Minutes of April 4, 2017; Mr. Buccino seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Buccino, Dell, Fishman, Quick, and Tepper) (Mr. Totilo was absent so not eligible to vote).

OLD BUSINESS:

NEW BUSINESS:

Next regularly scheduled Planning Board meeting is:
05/09/17

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