

STAMFORD PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
APPROVED MINUTES - TUESDAY, SEPTEMBER 12, 2017
4TH FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT
REGULAR MEETING - 6:30 P.M. / PUBLIC HEARING - 7:00 P.M.

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Claire Fishman (arrived at 6:40 p.m.), Secretary; Jennifer Godzeno and Michael Totilo. Alternates: Michael Buccino and Roger Quick. Absent: William Levin, Alternate. Present for staff: David W. Woods, PhD, AICP, Principal Planner.

Ms. Dell called the meeting to order at 6:30 p.m., stated the Public Hearing would start at 7:00 p.m. and introduced the members of the Board and staff present. Ms. Dell introduced the first item.

REQUEST FOR AUTHORIZATION:

LAND SWAP: For over 30 years, the City has been working to secure a public walkway along the East Branch connecting the north end of Woodland Cemetery to Kosciusko Park, thereby connecting the East Branch to the West Branch, which will eventually connect to the Mill River Park Trail. One of the sticking points has been how to connect out of Woodland Cemetery to Kosciusko Park. To enhance this connection, this proposal is a straight land swap of a 20,000 square foot parcel of land adjacent to the Build Land Technology (BLT) building and the City-owned land in front of it of 20,000 square feet adjacent to Woodland Cemetery. Refer to the Mayor's memo dated September 6, 2017 and the Staff Report dated August 30, 2017 regarding the proposed Land Swap of a 20,000 sq. ft. parcel located in front of the BLT building which is adjacent to the Woodland Cemetery which will allow entrance to the proposed connecting walkway through the Cemetery to Kosciusko Park to the south. Dr. Woods made a brief presentation providing further details to the Board. Maureen Boylan had made a request to speak and she provided her comments. After a brief discussion, Mr. Tepper moved to *approve* the Land Swap 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, Fishman, Godzeno, Tepper and Totilo).

PUBLIC HEARING (7:00 P.M.)

Ms. Dell suspended the Regular Meeting and started the Public Hearing. Ms. Dell introduced the item under consideration:

SUBDIVISION:

SUBDIVISION #4031 - NORTH RIDGE CONTRACTORS, LLC - CASCADE ROAD -

LOT A-2: North Ridge Contractors, LLC owns approximately 8.95 acres of land in the RA-1 District located at 261 Cascade Road, Lot A-2 with frontage on the east side of Cascade Road and at the intersection of Michael Road. The applicant would like to subdivide this parcel into five (5) lots.

Ms. Dell stated that John Leydon, Esq. would be making a presentation and then asked Ms. Fishman to read the Legal Notice into the record as follows:

**LEGAL NOTICE
PLANNING BOARD - CITY OF STAMFORD**

Notice is hereby given that the STAMFORD PLANNING BOARD will hold a Public Hearing on Tuesday, September 12, 2017 at 7:00 PM in the Government Center Building, 4th Floor Cafeteria, 888 Washington Boulevard, Stamford, CT to consider the following application for the subdivision of property:

Subdivision Application No. 4031 of North Ridge Contractors, LLC for subdivision of property commonly known at Cascade Road - Lot A-2 (List No. 002-4916), Stamford, Connecticut into five (5) parcels. The property is located on the east side of Cascade Road and across the street from Michael Road. The property is ±8.95 acres and is located in the RA-1 Zone.

Neighboring property owners and/or their agents are encouraged to review the proposed subdivision map and pertinent correspondence in the file prior to the scheduled Public Hearing. These are available during normal business hours at the Land Use Bureau, Government Center, 888 Washington Boulevard, 7th Floor, Stamford, CT. At the above named time and place, all persons interested will be given an opportunity to be heard. The meeting place is accessible to the physically impaired. Deaf and hearing impaired persons wishing to attend this meeting and requiring an interpreter may make arrangements by contacting the Department of Social Services Administration office at (203) 977-4050 at least five (5) working days prior to the meeting.

Dr. Woods made a brief statement outlining the application history of this subdivision explaining that the applicant has worked with Staff for the last year to improve this subdivision by mitigating impacts and increasing land conservation. Dr. Woods also stated for the record that all referrals responded positively to this subdivision. Ms. Dell then introduced Mr. Leydon, attorney for the applicant. Mr. Leydon introduced his team of Robert Rondano, Principal of North Ridge Contractors, LLC; John Pugliesi, P.E., Edward J. Frattaroli, Inc.; Matt Popp, Environmental Land Solutions; Tom Ryder, LandTech; and Nicholas Lee, Lee Horticultural Services Ltd. Mr. Leydon made a presentation to the Board as well as Mr. Pugliesi and Mr. Popp. Mr. Leydon and his team answered questions afterwards.

After the applicant concluded their presentation, Ms. Dell then opened the floor to the public. First asking if anyone would like to speak “for” the subdivision, to which there was no response; then asking if anyone would like to speak “against” the subdivision. Two citizens came forward to make statements in opposition. Mr. Pugliesi and Mr. Ryder answered questions regarding environmental issues posed by the public remarks and made additional comments.

After some discussion, Mr. Totilo made a motion to ***approve Subdivision #4031 - Cascade Road-Lot A-2*** with the following conditions:

1. Compliance with the CT DEEP Stormwater General Permit requirements.
2. An EPB Permit will be required for the proposed road, and for Parcels 1, 2, 3 and 5. (Note to appear on Final Map.)
3. Revised Landscape Plan to be submitted to match new layout. (Note to appear on Final Map.)

4. An independent site monitor, knowledgeable in environmental and construction management, is to monitor installation and maintenance of erosion controls, site development, and contingency planning, with monthly written reports submitted to Staff during ongoing construction activities. The site monitor selection is to be reviewed and approved by EPB Staff.
5. A Site Plan Review will be required for the proposed development of Lot No. 4. (Note to appear on Final Map.)
6. Dedication of a standard Conservation Agreement. The applicant shall execute and file the agreement prior to the filing of the final subdivision map.
7. Conservation areas established under the terms of the Conservation Agreement shall be field staked with permanent markers concurrently with the filing of the final subdivision map. Iron pipes and EPB approved conservation signage shall be installed along all property boundaries, turning points and at intervals of no less than 100 feet along continuous stretches of the conservation boundary prior to the filing of the final subdivision map.
8. Bond or other acceptable surety for the roadway construction, installation of erosion controls, drainage improvements, landscaping and certifications to be filed with the Planning Board prior to the filing of the Final Map. An estimate is to be prepared by the developer and submitted to City staff for review and approval. (Note to appear on Final Map.)
9. The lot areas shown for proposed Parcels 1 & 2 are exclusive of revised plot B-2a & B-2b. Parcel 2 area is also exclusive of Proposed Plot "C-1" which is to be Dedicated For Future Widening of Cascade Rd. Parcel 3 is exclusive of Proposed Plot Proposed Plot "C-2" which is to be Dedicated For Future Widening of Cascade Rd upon Planning Board Approval. The plots to be so dedicated shall be conveyed by the owner(s) to the City of Stamford for One Dollar (\$1.00) upon the request of the City of Stamford. (Note to appear on Final Map.)
10. Significant trees and stone walls are to be preserved to the greatest extent allowable with specific measures to ensure their protection outlined on a plan subject to the review and approval of the EPB staff. (Note to appear on Final Map.)
11. Prohibition of in-ground fuel storage tanks; propane exempted. (Note to appear on Final Map.)
12. The burial of any stumps, logs, and brush and construction debris shall be expressly prohibited. All fill deposited on the property shall be clean by nature, free of construction debris, wood lengths and other debris.
13. Site development shall not begin until final soil erosion and sedimentation control plan is reviewed by Environmental Protection Board Staff and those approved elements are properly installed and are functional. (Note to appear on Final Map).
14. Submission of standard drainage and landscape agreements to ensure the function and maintenance of drainage structures and planted features prior to the issuance of any Zoning permits, or before any transfer of property. (Note to appear on Final Map.)
15. All landscaping, environmental enhancements, and drainage improvements to be completed under the supervision of qualified professionals with certification of proper completion provided to EPB staff prior to endorsement of the issuance of Certificates of Occupancy, and prior to the release of the surety.
16. Compliance with the conditions of the letter from Aquarion Water Company dated September 6, 2016 (Attached).

17. In accordance with CGS 8-26c, approval shall expire on September 28, 2023 unless all "work" as said term is defined in CGS 8-26c (b), has been completed by said date. Work shall constitute the completion of Condition Nos. 8 and 9. (Note to appear on Final Map).
18. Subdivision reference number to be placed on Final Map.

And the Board finds this request to be compatible with the neighborhood and consistent with the 2015 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 (Dell, Fishman, Godzeno, Tepper and Totilo).

Ms. Dell closed the Public Hearing at 7:40 p.m. and took a 5 minute break.

Ms. Dell reopened the Regular Meeting at 7:45 p.m. Ms. Dell introduced the next item on the agenda.

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:

STREET PATCH & RESURFACING - PROJECT #C56182: Patch and resurface Stamford's roadway infrastructure using accepted engineering standards. This includes milling, overlay, reconstruction associated fixes to public streets and associated subsurface replacements with an appropriation amount of \$2,500,000.00. Requested by Traffic & Road Maintenance, this Supplemental Capital Appropriation for \$2.5M is being proposed because the City has been able to spend the previous Capital Budget Appropriation for street paving and resurfacing. Staff recommends approval. After a brief discussion, Mr. Tepper moved to recommend ***approval*** of the Supplemental Capital Project Appropriation Request for the Street Patch & Resurfacing - Project #C56182 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; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

ZONING BOARD REFERRALS:

ZB APPLICATION #217-38 - ONE HARBOR POINT c/o BLT - 2200 ATLANTIC

STREET - Text Change: Applicant is requesting an amendment to Section 9J.4.b (refer to Section 14B) to add a separation distance requirement of 750 ft. for packaged liquor stores in the SRD-S District. As stated in the Zoning Regulations Section 14B - Dispensing of Alcoholic Liquors "...no building or premises which prior to December 1, 1951, was not the site or location of a business where alcoholic liquor was sold at retail for consumption off the premises under a (1) package store permit, (2) druggist permit, shall thereafter be used either in whole or in part for the sale of alcoholic liquor, wine, beer or all under any one (1) package store permit, (2) druggist permit, which may be issued by the Liquor Control Commission of the State of Connecticut, if any entrance to such building or premises shall be within fifteen hundred feet (1500') radius from any other building or premises being used for the sale of alcoholic liquor, under any (1) package store permit, (2) druggist permit;..."

Seth Ruzi, attorney for the applicant, made a presentation to the Board and answered questions afterwards. After considerable discussion, Mr. Totilo recommended ***DENIAL*** of ***ZB Application #217-38***. The Board unanimously recommended denial of lowering the reduction of the separation requirement from 1,500 ft. to 750 ft. specifically for the SRD-S zoning category and takes issue with a Text Change solely for an individual store owner. While the Planning Board is not opposed to lowering the separation requirement, from a planning perspective, any change needs to be consistent with other commercial districts throughout the City, except Downtown.

Whatever distance is finally approved, it needs to be greater than the 750 ft. for Downtown, and in a range between 1,000 ft. to 1,250 ft.; and the Board finds this request to be incompatible with the neighborhood and inconsistent with the 2015 Master Plan Category #9 (Urban Mixed-Use); Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

Meeting of 08/29/17: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of August 29, 2017; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

OLD BUSINESS:

Mr. Quick asked for clarification of the historic bonus for residential housing. Dr. Woods stated that he would report back.

NEW BUSINESS:

2017 Capital Budget Schedule & proposed 2018 Meeting Schedule.

Next regularly scheduled Planning Board meeting is:

09/26/17 - Public Hearing

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:20 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.