

**STAMFORD PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
APPROVED MINUTES - TUESDAY, SEPTEMBER 26, 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, Secretary (arrived at 6:50 p.m.). Alternates: Michael Buccino (arrived at 6:40 p.m.), William Levin and Roger Quick. Absent-Voting Members: Jennifer Godzeno and Michael Totilo. 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.

ZONING BOARD OF APPEALS REFERRALS:

- 1. ZBA APPLICATION #036-17 - EIGHT 77 LONG RIDGE ROAD, LLC - 877 LONG RIDGE ROAD (REVISED) - Special Exception & Variance of Section 19.3.2.e(5):** Applicant owns this property with a residential dwelling (approximately 5,120 sq. ft. gross area) and associated improvements, including a paved parking area, walkway, deck, and attached garage. Applicant is proposing to use the existing building as a Child Day Care Center (the “Center”), a permitted use in the R-10 Zone with Special Exception approval from the Zoning Board of Appeals. The Center will operate Monday through Friday and will be closed on the weekends. Interior and exterior renovations are proposed to accommodate this use, as well as new outdoor fencing and the installation of play area equipment. The garage will be converted to classroom space, handicap access will be provided and new windows and doors will be installed for additional safety and light. No physical expansion of the building footprint or square footage is proposed. The Center operator will not reside on the premises. The applicant is seeking relief from Section 19.3.2.e(5) [Special Exception Standards for Single-Family Districts; Landscape Buffers] to permit a front yard landscaped buffer area of as few as 9.9 ft. from the property line in lieu of the 20 ft. required.

Jason Klein, of Carmody Torrence Sandak & Hennessey, was available to answer questions from the Board.

Special Exception uses for Child Day Care Centers on a property located in the R-10 Zones require twenty (20) ft. of front yard landscaping from the front yard property boundary. Presently, the front yard of the property is completely paved. This variance will enable the Applicants to maintain portions of the existing parking area by adding a reduced landscaped buffer of ten (10) ft. in lieu of twenty (20) ft. within the property boundary. The site is adjacent to State Highway #104 right-of-way which includes an existing landscaped area of approximately ±eighteen (18) ft. Thus, the new total front yard buffer will be ±twenty-eight (28) ft. to the street line. This is the minimum necessary to afford relief as it allows for the maximum amount of front yard buffer area within the bounds of the Property, while maintaining existing and practical site features, and without disrupting the residential nature of the surrounding neighborhood. After a brief discussion, Mr. Levin recommended approval of **ZBA Application #036-17** and this 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, 4-0 (Dell, Quick, Tepper, and Levin).

2. **ZBA APPLICATION #035-17 - RYAN ANNE I REVOCABLE TRUST - 0 SHIPPAN AVENUE (UPDATED) - Variance of Table III, Appendix B:** Applicant owns an existing vacant lot and would like to construct a new 2½-story residence approximately 71 ft. x 36 ft. Applicant is requesting: (1) a front yard setback of 16 ft. in lieu of the 30 ft. required from street line; and (2) a 41 ft. setback from center of street in lieu of 55 ft. required. Since this is a narrow corner lot with two (2) front yards, staff agrees with the applicant that this parcel is slightly too small to meet set back requirements in an R-7½ zone. The applicant is requesting a number of variances needed to construct a house compatible with the neighborhood and one which will be smaller than the surrounding homes. This application has been updated with the applicant adding the request for the 41 ft. setback from the center street line. After a brief discussion, Mr. Tepper recommended approval of *ZBA Application #035-17* and this 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, 4-0 (Dell, Quick, Tepper, and Levin).
3. **ZBA APPLICATION #041-17 - RAMON & GRACIELA HERNANDEZ - 19 ALBIN ROAD - Variance of Table III, Appendix B:** Applicant owns a 2-story single-family dwelling with three (3) bedrooms and two (2) bathrooms and would like to add a front porch and portico to the existing approved plans that would go over the setback line towards the street at a distance of 21 ft. from point-to-point. Applicant is requesting: [1] an amendment to plan to construct an open porch and portico in the front of the house which was not previously approved; and [2] a front street setback of 20.76 ft. in lieu of 24 ft. allowed for an open porch as per Section 7C. Applicant is requesting the minimal variances needed to construct the front porch and portico. After a brief discussion, Mr. Quick recommended approval of *ZBA Application #041-17* and this is compatible with the neighborhood and consistent with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 4-0 (Dell, Quick, Tepper, and Levin).
4. **ZBA APPLICATION #042-17 - MICHAEL COVINO - 195 TOMS ROAD - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling with a 3-car detached garage which was destroyed by a fire. Applicant is requesting a height of 18.3 ft. in lieu of the 15 ft. allowed for an accessory structure. Applicant started construction of this non-conforming accessory structure without a permit and is coming to the Zoning Board of Approvals asking to construct this garage at the height of 19 ft. 5 in. with an average of 18 ft. 3 in. in lieu of the 15 ft. allowed in the Zoning Codes. After a brief discussion, Mr. Levin recommended *Denial without Prejudice* of *ZBA Application #042-17* as this is a self-created hardship since the applicant began construction without the proper permits and finds this to be inconsistent with the neighborhood and not compatible 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, Quick, Tepper, and Levin).
5. **ZBA APPLICATION #043-17 - RACKSON RESTAURANT, LLC (d/b/a BURGER KING) - 1058 HIGH RIDGE ROAD & 54 SQUARE ACRE DRIVE - Variance of Table III, Appendix A:** Applicant owns and operates an existing Burger King on this property that was built in 1977. Applicant would like to demolish the existing structure and construct a new building which would include a drive-thru window. Applicant is requesting: (1) a front yard of 45 ft. in lieu of the 50 ft. required; (2) building from property line at 29 ft. 11 in. in lieu of 40 ft. required; and (3) building from residence zone boundary at 0 ft. in lieu of 75 ft. required. **Variance of Table III, Section 10:** Expand existing non-conforming fast food restaurant (demolition and build). The application for this existing non-conforming fast-food restaurant (Burger King) is requesting a variance to allow the applicant to tear down and rebuild this Burger King adding a drive-thru window on a parcel that is split zoned with the majority in C-N Zone (Neighborhood Commercial) and a small portion in R-10 Residential Zone. This also splits the Master Plan Categories between #7 (Commercial - Arterial) and #2 (Residential - Low Density Single-Family).

The surrounding uses include a diner directly to the north, a shopping center with Trader Joe's and a bagel restaurant to the west and single-family homes to the east. Besides not meeting the requirements of #159.1 and #159.2 under Appendix A, Table II, this application is not consistent with Zoning Definition #85.3; specifically it is closer than 75 ft. from the boundary of a residential district.

After some discussion, the Planning Board **recommended the Zoning Board of Appeals DENY ZBA APPLICATION #043-17** as the purpose of Neighborhood-Commercial is to support uses that create a "neighborhood-feel" and uses such as sit-down restaurants, shopping centers that are walkable and businesses that will not increase traffic impacts. A drive-thru for this parcel meets none of these criteria, specifically: it currently is a sit-down restaurant only, which is consistent with the restaurants in the neighborhood including 5 Guys up the street; a drive-thru window in this restaurant will impede on walkability by creating extra cars on this parcel and at the ingress and egress points to High Ridge Road, and the most egregious impact is that this portion of High Ridge Road already has excessive traffic congestion, which would be exacerbated by adding a drive-thru window at this restaurant location. However, if the Zoning Board of Appeals grants this variance, then the Planning Board recommends the condition that only right turns be allowed into and out of this parcel onto High Ridge Road, as is the current requirement.

PUBLIC HEARING (7:00 P.M.)

Ms. Dell suspended the Regular Meeting at 7:05 p.m. and took a 5 minute break before starting the Public Hearing.

Ms. Dell reconvened the meeting and started the Public Hearing at 7:12 p.m. Ms. Dell stated that if anyone would like to speak to please sign in and then introduced the item under consideration:

MASTER PLAN AMENDMENT #428 - RICHARD W. REDNISS - 22 FIRST CORP. - 523 CANAL STREET - Text Change to amend Section 8.2 (2025 Master Plan Land Use Categories), Subsection #9 (Urban Mixed-Use): Applicant owns a 46,638 sq. ft. parcel located south of Dock Street and on the east side of John Street with an address of 523 Canal Street. Applicant would like to construct a hi-rise building with ground floor retail and community space for use by the South End neighborhood, a concealed and landscaped garage podium and stepped back residential tower containing 177 studio apartments and residential amenities. The potential development, as currently designed, will require a zone change to one of the designed districts as well as this Master Plan change to the definition of Category #9 (Urban Mixed-Use); relating to height and bulk elsewhere and in the South End.

Ms. Dell asked Ms. Fishman to read the Legal Notice into the record as follows:

LEGAL NOTICE Planning Board - City of Stamford

APPL. MP-428 - Notice is hereby given that the STAMFORD PLANNING BOARD will hold a Public Hearing on Tuesday, September 26, 2017, at 7:00 p.m., in the Government Center Building, 4th Floor Cafeteria, 888 Washington Boulevard, Stamford, CT, to consider the following application for a Text Change to the Stamford Master Plan: Application No. MP-428 of Richard W. Redniss (22-1st Corp.) for approval of a Text Change of the Stamford Master Plan to amend a portion of Section 8.2 (2025 Master Plan Land Use Categories), Subsection #9 (Urban Mixed-Use), by amending the last sentence of the paragraph to read as follows (new language appears underscored; language to be deleted appears bracketed):

#9. URBAN MIXED-USE

Residential development within this category shall be at a density that is less intense than the Downtown [not to exceed that permitted in Residential-High-Density Multifamily (Category #5)].

A full copy of the above referenced application is available for review in the Office of the Land Use Bureau 7th Floor, Government Center Building, 888 Washington Boulevard, Stamford, CT during normal business hours.

At the above time and place all interested persons shall be given an opportunity to be heard. The hearing may be continued to such time and place as will be announced by the Planning Board at the public hearing. The meeting place is accessible to the physically handicapped. Hearing impaired persons wishing to attend this meeting that require 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.

ATTEST: CLAIRE FISHMAN
SECRETARY STAMFORD PLANNING BOARD

Dated at the City of Stamford, CT, this 16th day of September 2017

Mr. Richard Redniss, of Redniss & Mead, made a presentation to the Board.

Ms. Dell then opened the Hearing to the public and explained that if anyone would like to speak they must sign in. Ms. Dell first asked for those who wanted to speak in favor of the Amendment. Mr. Seth Weinstein, co-developer, came forward but asked to speak last so he might be able to address any questions the Board might have. Ms. Dell then asked if anyone would like to speak against the Amendment and there was no response. Finally, Ms. Dell asked if there is anyone would like to speak, who is neither for nor against. The following citizens addressed the Board:

- Mr. Martin Levine (on behalf of Sandra Goldstein, President, Downtown Special Services District)
- Mr. Michael Moore, Vice President Operations, Downtown Special Services District
- Ms. Kathy Rorick, Heyman Properties

Ms. Dell then recalled Mr. Weinstein to come back and address the Board. Mr. Weinstein made a presentation in favor of this Amendment. Ms. Dell then asked Mr. Redniss to come forward so the Board may ask questions. After the Board had asked all their questions, Ms. Dell asked the Board if they would like to vote tonight or table the decision until the October 17, 2017 meeting and it was decided to postpone the decision until October 17th. Ms. Dell also asked Dr. Woods to revise his Staff Report to include the additional comments/issues discussed this evening. Ms. Dell suspended the Public Hearing and announced a 5 minute break.

NOTE: Attached are the following documents:

- Sign-in Sheet
- Staff Report
- Comments from Martin Levine - City of Stamford representing DSSD
- Letter from Lazarus Heyman - Heyman Properties
- Letter from Seth Ruzi - BLT
- Letter from Terry Adams - NRZ

Ms. Dell reopened the regular meeting and introduced the next agenda item:

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:

STREET PATCH & RESURFACING - PROJECT #C56182: RMS Construction reimbursement of \$9,600.00 for work done at 900 Washington Boulevard. After a brief discussion, Mr. Tepper moved to *approve* the Street Patch & Resurfacing Reimbursement of \$9,600.00 from RMS Construction (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; Mr. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Buccino, Dell, Fishman, Tepper and Totilo).

ZONING BOARD REFERRALS:

ZB #217-41 - SUNRISE CHILD DEVELOPMENT CENTER, LLC - 35 HOYT STREET & 0 DOLSEN PLACE - Site & Architectural Plans and/or Requested Uses and Special Exception:

Applicant is proposing to operate a Child Day Care Center for up to 40 children with a fenced in playground area and 25 parking spaces. These properties are located within the RM-F Zone. The applicant, Sunrise Child Development Center, LLC; is requesting a Special Permit and Site Plan approval in the RM-F Zone to convert the existing single-story masonry structure, currently a medical facility, into a Child Day Care Center for up to 40 children. The total site, the combination of the two identified parcels, will provide a playground area, two-way traffic throughout and parking for 25 automobiles, 14 spaces being required. The center shall be licensed by the State of Connecticut and is intended to operate during normal and typical hours associated with such facilities.

From a planning perspective, this use is consistent with Zoning requirements and compatible with Master Plan Category #4 (Residential-Medium Density Multi-family). The category is appropriate to areas in transition from lower- to medium-density use, or in areas characterized by a mixture of apartment, condominium, attached row house or detached residential mid-rise structures, and such other uses (e.g., schools, houses of worship, clubs, hospitals and institutions) as may be permitted by Special Exception being in general harmony with and supportive of such multifamily neighborhoods. After a brief discussion, Ms. Fishman recommended approval of ZBA Application #041-17 and this is compatible with the neighborhood and consistent with Master Plan Category #4 (Residential-Medium Density Multifamily); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper).

PLANNING BOARD MEETING MINUTES:

Meeting of 09/12/17: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of September 12, 2017; Mr. Quick seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Buccino, Dell, Fishman, Tepper and Totilo).

OLD BUSINESS:

None.

NEW BUSINESS:

RIVER OAKS CONDOMINIUM ASSOCIATION - APPLICATION FOR ADOPTING STREET NAMES: River Oaks is a private condominium community with fifty-seven (57) single homes plus the original dwelling that was renovated and contains two (2) homes. All properties share the same address plus a unit number (i.e., 631 Long Ridge Road, Unit XX, Stamford, CT 06902). The community has five (5) separate streets; the “main drag” stretches from Long Ridge Road to the farthest end of the property (near Unit #49) along with four (4) distinct side roads, two (2) to the left and two (2) to the right.

River Oaks Association has been working with the Land Use Bureau, Engineering, the Fire Marshal and Police to change the names of the internal private streets from the original approval addresses which shared the same address plus the unit number. For example: 631 Long Ridge Road, Unit #XX, Stamford, CT 06902. I am bringing this to your attention with the request to recommend that the Zoning Board approve these private street and unit numbers, which will allow better identification for first responders, the postal service and visitors to this condominium complex.

NOTE: This request goes before the Zoning Board for administrative approval since this was originally approved by the Zoning Board as a planned unit development and this technically is an amendment to the original approval. However, once approved, the final mylar will be signed by the Planning Board Chair.

After a brief discussion, Mr. Tepper recommended approval of the River Oaks Condominium Association's application for Adopting Street Names and this is compatible with the neighborhood and consistent 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, Quick, Tepper, and Levin).

Next regularly scheduled Planning Board meetings are:

10/03/17 - Regular Meeting (If Needed)

10/17/17 - Capital Budget (*Starts at 6:00 p.m.*)

10/18/17 - Special Meeting (Board of Finance Conference Room - 4th Floor)

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.

**PLANNING BOARD PUBLIC HEARING
MASTER PLAN AMENDMENT #428 - 523 CANAL STREET
SEPTEMBER 26, 2017
SIGN-IN SHEET**

Public Hearing

7 pm

Master Plan Amendment #428

Martine Hevone
Michael Moore

For Seth Weinstein

Seth Ruzi

Kathy French - Haynes

City of Stamford Planning Board

STAFF REPORT

TO: CITY OF STAMFORD PLANNING BOARD
FROM: DAVID W. WOODS, PhD, AICP, PRINCIPAL PLANNER
SUBJECT: MASTER PLAN CHANGE APPLICATION #428
DATE: SEPTEMBER 22, 2017

MASTER PLAN: CATEGORY 9: URBAN MIXED USE
ZONE: M-G

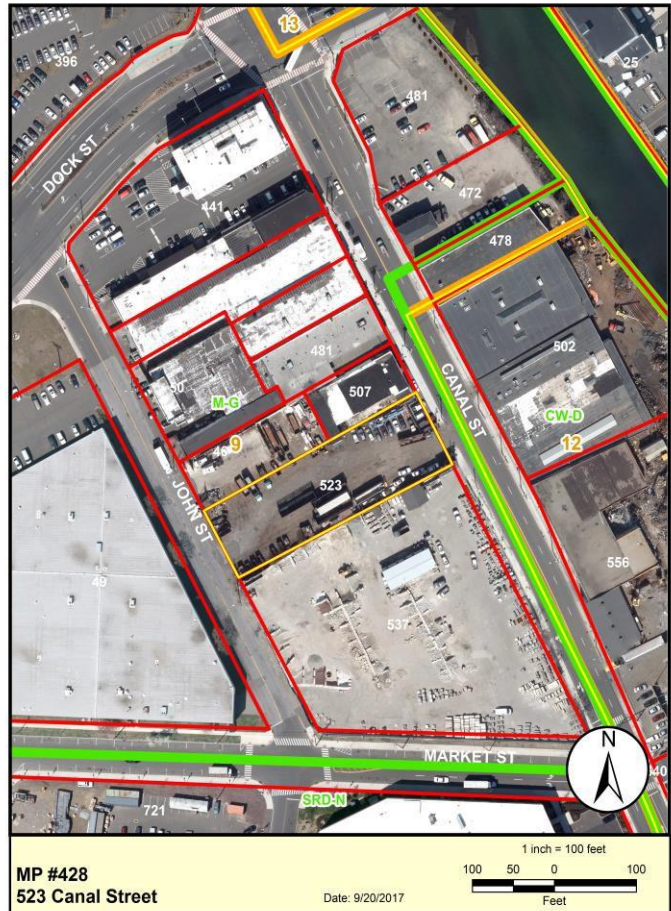
Introduction

The applicant, Richard Redniss, is requesting to amend the last line for Master Plan Category #9 (Urban Mixed-Use) to read as follows: Residential development within this category shall be at a density *that is less intense than the Category #11: Downtown*, replacing the existing language of *not to exceed that permitted in Residential-High-Density Multifamily (Category #5)*.

A demonstration plan and information was submitted for a site located in the center of the block between Canal Street and John Street. The block is located immediately north of Market Street (and CVS); roughly a quarter of the block south of Dock Street.

Existing conditions

The demonstration site is currently owned and utilized by the Rubino Bros. scrap metal operation for the storage of trucks and other industrial equipment/materials. CVS is located directly to the south, Juliska is located directly to the north, Lillian August furniture ware- house is located directly west across John Street and Rubino Brothers Iron Works is located directly across Canal Street to the east. The current zoning is M-G (Industrial Manufacturing), which will need to be changed to a residential or mixed use zone. The applicant has discussed with staff making changes to the MX-D Infill or TCDD as a means for facilitating the development. In general, these zones make sense from a planning perspective.

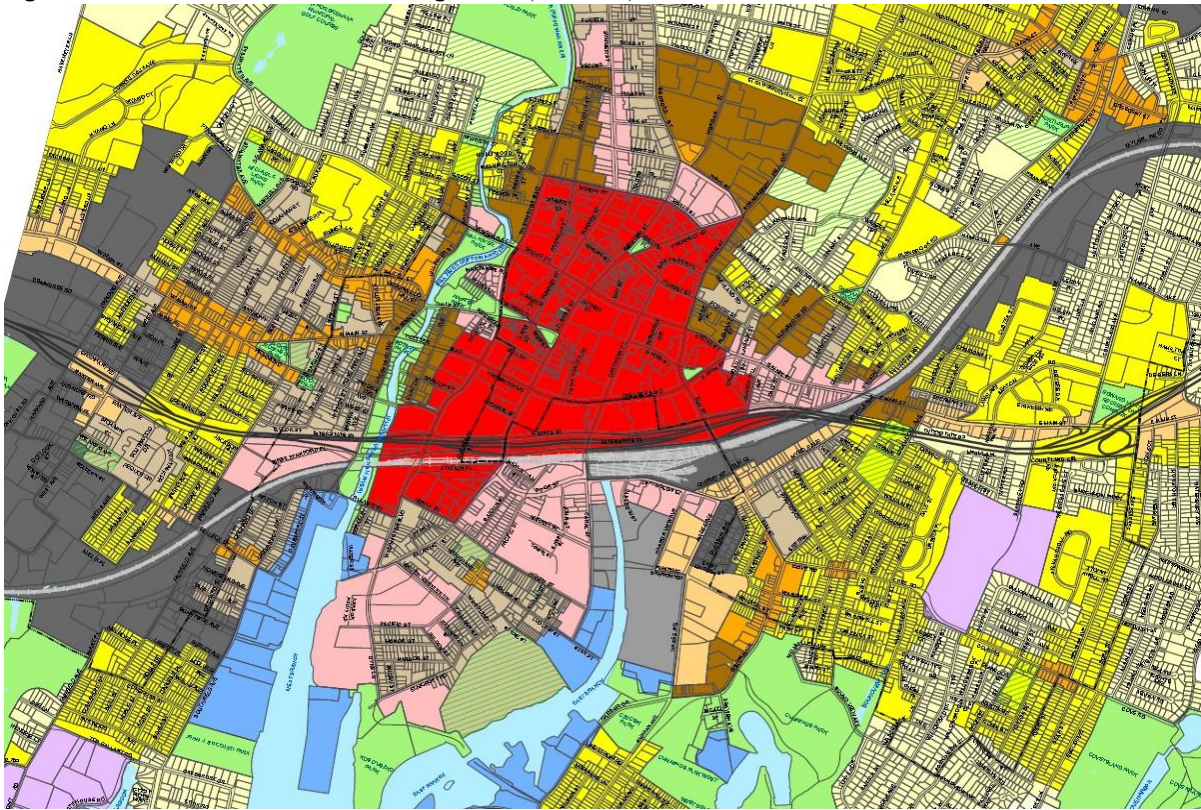


STAFF DISCUSSION:

How detailed or limiting each Master Plan Category should be at the core of the issue here - especially for the Master Plan categories that are designed to have a mix of uses outside of Category #11 Downtown, including Master Plan Categories: #6 Commercial-Neighborhood; #8 Mixed-Use Campus; and #9 Urban Mixed-Use.

I offer these observations as to why staff supports amending the last line of the definition of Category #9 to read as follows: “Residential development within this category shall be at a density *that is less intense than the Category #11: Downtown.*”

1. Master Plan Category #9: Urban Mixed-Use [shown in pink below] is not only located in the South End, but also northern edge of Waterside, East End, northern edge of Shippan, and upper Summer Street to between North Street and Fourth Street; this means that the definition shouldn't be narrowed to apply to only one area in the City.
2. The intent of Planning Board when the Board adopted the Master Plan in 2014 was that for Category #9 Urban Mixed-Use that surrounds the Downtown is that “development will be at a significantly lower density than in the Downtown (Category #11) and consistent with buildings that are generally compatible in scale to the general character of the surrounding area” (MP 195).



3. Category #9 was also intended to serve as a transition from the Downtown to less intense residential areas. In keeping with that guiding principle, it is important to note that the primary zoning districts in Category #11 are C-G and CC-N, which allow for heights up to 350 feet (when meeting certain conditions the developer can actually go to 400 feet) and densities up to 260 units/acre (with bonuses and trade-in of commercial rights); whereas, this demonstration mixed-use infill proposal being discussed is 160± feet and a density of 170± units/acre. Therefore, height and density are clearly less than what is allowed in CG and CC-N.

The current density limit in Category #9 references the maximum density of Category #5 (Residential-High Density Multifamily) of 108 units per acre. Category #5 is located outside of the Downtown and adjacent to far less intense Master Plan Categories, including Category #4 (Medium Density Multifamily), Category #3 (Low Density Multifamily) and Category #2 (Low Density Single-Family).

Prescribing a specific density limitation in Category #9 encourages larger unit sizes, e.g., High Grove, 70 Forest Street [see picture to right] in the downtown with average unit size of over 2500 square feet on 1.1 acres (similar size parcel to 523 Canal), which equals less density (83 units per acre), but more intensity (building size is approximately 300,000 square feet plus a structured garage). The demonstration plan has an average unit size of 500 square feet, which produces a higher density with less than half the bulk.



4. As stated above, the issue is how directive is the Master Plan as a document that sets the *planning framework* for planning decisions for the City's future growth, preservation, and types of development. From a planning perspective, I argue that the mixed use categories already include guidelines and direction for planning through the set of criteria that is already in the definition:

Throughout the Urban Mixed-Use area, development should meet superior standards of design and consider such factors as:

- (a) Compatibility with adjacent residential areas,
- (b) Extensive planning and outreach directed or overseen by the Land Use Bureau
- (c) Preference that the uses will not lead to a net decrease in habitable affordable housing,
- (d) Safe and efficient movement by pedestrians and bicyclists, (5) proximity to mass transit,
- (e) Determination that the scale and nature of the proposed uses are compatible with available traffic capacities and public infrastructure system,
- (f) Final approval of architectural and site plans and requested uses by the Zoning Board, and
- (g) Compliance with the goal of directing regional commercial development to the Downtown.

In short, the existing definition already includes guidance to both the Planning Board and Zoning Board, which makes including the maximum density of Residential-High-Density Development unnecessary; and the guidelines already within the definition are more than is sufficient. That is, for development proposals in Category #9, what is important are: compatibility with adjacent residential areas, which in this case is surrounded by commercial uses including Rubino Iron Works, will not lead to a decrease to affordable housing, is within easy walking distance to mass transit, will require final architectural and site plan approval by the Zoning Board, and does not include any regional commercial development. In fact, this is a model for future infill mixed-use development proposals on lots smaller than 1.5 acres, which would be defined as a large lot development, not only in the South End but other Category #9 districts as well.

STAFF RECOMMENDATION:

Staff recommends approval of amending Master Plan Category #9 to read as follows: Residential development within this category shall be at a density *that is less intense than the Category #11: Downtown.*

Comments to Planning Board re MP-428; September 26, 2017

Good evening, members of the Planning Board. My name is Martin Levine. I am here tonight on behalf of Stamford Downtown Special Services District. I am speaking about Master Plan application MP-428, which proposes a change in language to the Master Plan Category 9, Urban Mixed-Use.

Just short of three years ago, this Planning Board approved a new Master Plan, after two years of a consultant study, of stakeholder input, and extensive public hearings. The Urban Mixed Use category was approved for areas along Summer Street as far north as Fourth Street, for East Main Street as far east as the Myrtle Avenue railroad bridge, for Jefferson Street as far east as Magee Avenue and for large parts of the South End.

Included in the description of the Urban Mixed Use category was language that development should be at a "significantly" lower density than the Downtown, and that residential development "shall be at a density not to exceed that permitted in Residential High Density (Category 5)".

Tonight's application is to eliminate the reference to Category 5 and to change the "significantly lower" density to just "lower" density than the Downtown. The staff report says the current maximum density for development in the Downtown is 260 units per acre. The maximum currently permitted in Urban Mixed Use is 108 units per acre. In effect, this change could more than double the residential density permitted in this Category...and with little fanfare. Although actual maximum density must be set by the Zoning Board, development proposals tend to reflect the maximum permitted by the Master Plan. We have seen that in recent applications on Long Ridge Rd and in the South End. Vague references in the Master Plan risk unintended consequences and over-reaching applications that tend to create anger in the community and undermine confidence in the land use process.

The description of the requested change in tonight's agenda is mostly about a single project proposed for a parcel of about one acre, and contains little indication that the requested change would double potential residential development density in many parts of the City, including most of the South End. The two SRD zones, Yale & Towne and Harbor Point are built at 50 units per acre. The proposal for the B&S Carting site, with 27 story towers was at 108 units per acre. Tonight's change would authorize over 200 units per acre. That is four times the density of the Yale & Towne site and double the B&S site.

We are concerned with the staff position that the Master Plan should not contain specific limits on residential density but should leave it to the Zoning Board. To suddenly abandon a practice which has been followed since the 1984 Master Plan without full and adequate public discussion is unwise, particularly when there is widespread concern that Stamford may be exceeding its ability to absorb new residential development.

DSSD believes that this application deserves a wider audience and more public knowledge of the radical nature of the proposal. We are concerned that the public notice for this hearing, and especially the description in tonight's agenda, do not make clear the significance of this change for many Stamford neighborhoods.

We believe that any change to permitted residential density in Category 9 should retain a specific limit on residential density, and set it clearly at a "significantly" lower density than Downtown, understanding that proximity to the Transportation Center justifies greater density than other areas where Category 9 has been assigned. DSSD could support language that retains the current maximum density for all areas in Category 9, allows an increased density of no more than 50% for predominantly residential developments within 2000 feet of the Stamford Transportation Center, and is clearly significantly lower than the maximum density in the Downtown, in accordance with the current description of Category 9 in the Master Plan.

HEYMAN PROPERTIES, LLC

c/o The Heyman Enterprise
667 Madison Avenue, 20th Floor
New York, NY 10065

September 26, 2017

Chairwoman Dell
Planning Board
c/o David W. Woods, PhD, AICP/PP
Principal Planner
City of Stamford Government Center
Land Use Bureau
888 Washington Blvd., 7th Floor
Stamford, CT 06904-2152

Re: MASTER PLAN AMENDMENT APPLICATION #428

Dear Chairwoman Dell and Members of the Planning Board:

I represent the owner of properties known as 441-465 Canal Street, 0 Canal Street, and 537 Canal Street, Stamford, Connecticut located in the M-G Zone and within Master Plan Category 9. I just recently became aware of the above referenced Master Plan text change application pending before the Board tonight via the public notice. The Applicants did not communicate with me on this matter. As a result, I have not had adequate time to consider and study the implications of the proposal to my properties, nor the opportunity to meaningfully confer with my business partners or legal counsel. Unfortunately, I also cannot attend tonight's public hearing. I have great interest in this application and the associated applications anticipated for 523 Canal Street, Stamford, CT, which sits directly between my properties – one to the north and one to the south.

I respectfully request that the public hearing be continued so that I may study the proposal, speak with staff and/or the applicant(s) to have further questions answered and be in a position to provide an informed response.

I greatly appreciate your consideration of this request. It will be my goal to respond to staff promptly and in advance of the next hearing.

Sincerely,



L. Heyman
Heyman Properties, LLC

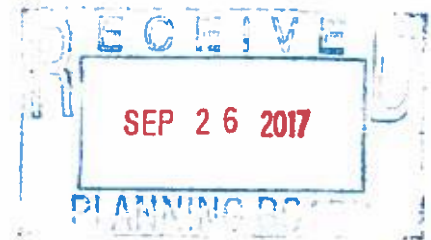
cc: R. Redniss

{S7091759}



September 26, 2017

Ms. Theresa Dell, Chair
City of Stamford
Planning Board
888 Washington Boulevard
Stamford, Connecticut 06901



Re: MP-428

Dear Ms. Dell:

I am writing with respect to this application which seeks to amend the last sentence of Master Plan Category 9 (Urban Mixed-Use) to read as follows: Residential development within this category shall be at a density *that is less intense than the Category #11: Downtown*. The highlighted language would replace the existing language of not to exceed that permitted in Residential-High-Density Multi-family (Category #5).

The reference to Category 5 refers to the following:

“Residential density shall not exceed 108 units per acre, provided that below-market-rate units are included. A residential density not to exceed 125 units per acre may be provided for parcels developed for low- or moderate-income elderly and/or disabled persons.”

Alternatively, Staff has proposed deleting the last sentence.

We have discussed the applicant’s proposed change (and Staff’s potential sentence deletion) with the applicant and Land Use Bureau to understand the meaning of the new text (or deletion). We are informed this is not intended to reduce the Category 9 residential density. This is reflected in the Staff Report dated September 26, 2017 describing the Downtown densities in comparison to the applicant’s proposed project.

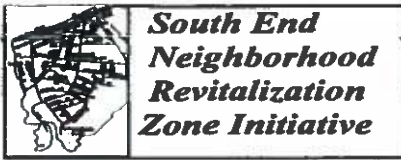
Based on the foregoing, with the understanding that the change or deletion is not intended to reduce residential density for Category 9, we have no objection.

Thank you.

Sincerely,

Seth Ruzi

1 Elmcroft Road • Suite 500 • Stamford, CT 06902 • 203.355.6037



September 18, 2017

David Woods, PhD, AICP
Principal Planner
City of Stamford
888 Washington Boulevard
Stamford, CT 06901



**RE: Application MP-428
523 Canal Street Redevelopment**

Dear Dr. Woods

On behalf of the South End NRZ, I am writing in support of the text change and proposed redevelopment of the Rubino industrial site at 523 Canal Street.

Rick Redniss presented at two NRZ meetings and had one on site meeting at the Rubino location so the residents could see the future staging of the Rubino Trucks and equipment that will be removed for the proposed building site. The developers listened to our concerns and have agreed to include certain suggestions of the residents in their design plans. These include:

1. Adding balconies to have more “eyes on the street”
2. Working with us to create off-peak parking along Canal Street to serve both as a community amenity and traffic calming measure.
3. Creating much needed community space as part of the development.

The redevelopment will also enhance the ongoing redevelopment of the South End by creating new housing, and affordable housing, without displacing any existing residential properties, and redeveloping what is currently a heavy industrial use on a main corridor. Mr. Rubino and redevelopment team have also addressed our concerns regarding the ongoing Rubino operation by demonstrating that more room is being created for truck maneuvering and circulation in the new parcel that the Rubinos are leasing across the street (next to their other existing site).

We understand that the proposed text change is broad and relates only to unit density, and we plan to continue to be engaged in the approval process to review and address future Planning and Zoning Board applications, as they may relate to things like architectural design, traffic, parking, and other City infrastructure. We will be looking closely at the parking. They have agreed to help restore parking on Canal Street.

We appreciate the steps that have been taken by this particular developer so far, to meet with us in the early stages (prior to submitting applications), remaining engaged throughout the process, listening and responding to our concerns, and continuing to update us on changes and advancements. We hope that this type of relationship will continue throughout the approval and construction process.

Sincerely,

Terry Adams
South End NRZ President