

**STAMFORD PLANNING BOARD**  
**REGULAR MEETING & PUBLIC HEARING**  
**APPROVED MINUTES - TUESDAY, OCTOBER 24, 2017**  
*4TH FLOOR CAFETERIA, GOVERNMENT CENTER*  
*888 WASHINGTON BLVD., STAMFORD, CT*  
*Regular Meeting - 6:30 p.m. / Public Hearing - 7:00 p.m.*

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

Ms. Dell called the meeting to order at 6:30 p.m., announced that the Public Hearing for Master Plan Amendment #428 would start at 7:00 p.m. and then introduced the members of the Board and staff present. Ms. Dell introduced the first item.

**REQUEST FOR AUTHORIZATION:**

**APPROVAL OF CONVEYANCE OF CUBETA STADIUM FROM STATE OF CONNECTICUT TO THE CITY OF STAMFORD:**

Notwithstanding any provision of the general statutes, the Commissioner of Education shall convey to the City of Stamford a parcel of land and any improvements upon said parcel located in the City of Stamford, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 6.6 acres and is identified as a portion of the 18.6 acre parcel located in Lot 3 Block 242 of Stamford Tax Assessor's Map 114 and contains the Cubeta Stadium. Said parcel is further identified as the parcel depicted on a map entitled "J. M. Wright Technical School, Stamford, Conn., Revised Location of Baseball Diamond and Bleachers, Drawing No. 156-506, dated May 15, 1958, prepared by Francis L. Mayer, Architect." The conveyance shall be subject to the approval of the State Properties Review Board. Under the terms of the Special Act, the City must use the stadium for recreational purposes; must retain ownership of the entire parcel and its improvements; must not lease all or any portion of the parcel; and must provide an easement to the J.M. Wright Technical School allowing the school's use of the premises for athletic, ceremonial and scholastic events.

Burt Rosenburg, Assistant Corporate Counsel, answered the Board's questions.

After a brief discussion, Mr. Tepper moved to *approve* the conveyance of Cubeta Stadium from the State of Connecticut to 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 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 #14 (Open Space - Public Parks); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

**SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:**

- 1. STREET PATCH & RESURFACING - PROJECT #C56182:** RMS Construction reimbursement of \$9,600.00 for work done at 900 Washington Boulevard and Yankee Gas Services d/b/a Eversource Energy reimbursement of \$120,000.00 for the paving of Atlantic Street from Broad Street to South State Street. This previously came before the Board on September 26, 2017 but was missing the reimbursement from Eversource Energy and requires reauthorization for the total reimbursement amount of \$129,600.00. This previously came before the Planning Board on September 26, 2017 with only the reimbursement of \$9,600.00 from RMS Construction. This is being resubmitted with the addition of a \$120,000.00 reimbursement from Eversource Energy for the paving of Atlantic Street.

After a brief discussion, Mr. Totilo moved to **approve** 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).

- 2. CAPITAL PROJECT CLOSEOUT RECOMMENDATIONS:** Pursuant to Stamford City Code Section 8-1, partial closeout is recommended of the following capital projects:

<b>Project #</b>	<b>Project Name</b>	<b>Closeout Amount</b>	<b>Funding Source</b>
CP8707	Solid Waste Maintenance Garage	\$50,000.00	State Grant
CP8709	Transfer Station Exterior Lighting	\$50,000.00	State Grant
CP8708	Transfer Station Power Supply Upgrade	\$85,000.00	State Grant

The OPM is recommending a Closeout of \$185,000.00 in proposed State Grants that were not used and re-appropriated to the following three (3) projects. Staff recommends approval. [NOTE: These became State grant proposals; however, the City did not get State funds, which requires City bonds - these were presented last Wednesday.] After a brief discussion, Mr. Totilo moved to **approve** the Capital Project Closeout Recommendations 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. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

- 3. SOLID WASTE MAINTENANCE GARAGE - PROJECT #CP8707 (\$50,000.00):** Construction of a new maintenance garage. Over the last couple of years, Dan Colleluori has requested funds to extend the cover for the Solid Waste Maintenance Garage. Currently, only fifteen (15) of the thirty (30) trucks can fit inside the maintenance garage for protection, storage and/or service. This \$50,000.00 is seed money for the design of an extended or new garage. After a brief discussion, Ms. Fishman moved to **approve** the Solid Waste Maintenance Garage - Project #CP8707 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).
- 4. TRANSFER STATION POWER SUPPLY UPGRADE - PROJECT #CP8708 (\$85,000.00):** Removal of high voltage gear which is no longer in use; installation of new electrical enclosure for Transfer Station power supply. This is to upgrade the existing high voltage gear box which is located in the middle off the transfer station yard and is over 60 years old. This appropriation would allow the City to investigate the electrical needs of the transfer station to modernize and to either relocate these panels inside the station or to construct ways to protect the panels outside. After a brief discussion, Mr. Tepper moved to **approve** the Transfer Station Power Supply Upgrade - Project #CP8708 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. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

**5. TRANSFER STATION EXTERIOR LIGHTING - PROJECT #CP8709 (\$50,000.00):** Installation of four (4) 40 ft. wood poles with lights and receptacles for Transfer Station personnel safety near storage and parking areas next to wooden fenceline. Power connection from 185 Magee Avenue facility. To fix the existing inadequate lighting in the parking area along the west wall of the Solid Waste maintenance garage. Risk Management has flagged this as a potential safety hazard for City employees which must be fixed as soon as possible. After a brief discussion, Mr. Totilo moved to *approve* the Transfer Station Exterior Lighting - Project #CP8709 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. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

Ms. Dell suspended the Regular Meeting at 7:00 p.m. and reopened the Public Hearing for Master Plan Amendment #428 which was left open from the September 26, 2017 Public Hearing.

**PUBLIC HEARING - 7:00 P.M.**  
***(Continued From September 26, 2017)***

**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).

Ms. Dell read the applicant's proposal into the record as stated above. Ms. Dell announced that since Mr. Totilo and Ms. Godzeno were absent from the September 26th Public Hearing, Mr. Quick and Mr. Levin would be voting on this Master Plan amendment. Ms. Dell then asked Dr. Woods to outline the changes made from the earlier Staff Report presented at the September 26th meeting.

Dr. Woods explained the modifications received as per the public input from the September 26th Public Hearing and recommended approval of the revised language amending the last sentence of the definition of Master Plan Category #9 as follows: *"Residential development within this category shall allow a density of up to 50 percent above Category 5, with up to a maximum of 60 percent with bonuses (such as increased BMR units' on-site, on-site public amenities, on-site green space, historic preservation, and play areas);"*

Ms. Dell asked the applicant if they wanted to add anything further and then asked if anyone from the audience wanted to make any additional comments.

Martin Levine, Special Assistant to the Mayor spoke on behalf of the Stamford Downtown Special Services District in favor of the amendment.

Ms. Dell asked the members of the Board, in turn, if they had any questions for staff or the applicant. Starting with Mr. Levin, who stated while he was in support of the application, he had concerns regarding the size and scope of this amendment to other developed sites within Master Plan Category #9 (Urban Mixed-Use). Specifically, he asked if Harbor Point could revise their General Development Plan ("GDP") under the proposed new density allowed by this amendment.

Dr. Woods and Mr. Redniss both answered his question in different ways. Dr. Woods pointed out that BLT has the rights currently to propose raising the density of the GDP to 108 units per acre from 50 units per acre. However, BLT has no interest in doing this. More importantly, Dr. Woods discussed the seven (7) design criteria already incorporated in the definition of Master Plan Category #7 (Commercial - Arterial).

Mr. Redniss focused on the point that even though there is the possibility to propose a development with a density of up to 50% above Master Plan Category #5 (Residential - High Density Multifamily) with up to 60% with bonuses, these proposals still require Zoning Board approval after a Planning Board referral.

Mr. Quick then asked why the Planning Board did not take the issue of density into account when the Planning Board was approving the Master Plan. Dr. Woods reminded Mr. Quick that the decision was made, after much deliberation, that a future study and assessment was needed for three (3) categories that the Planning board adopted at that time. These were Master Plan Category Nos. 6 (Commercial - Neighborhood Business); 8 (Mixed-Use Campus) and 9 (Urban Mixed-Use). No other Board member had any further questions.

Ms. Dell closed the Public Hearing and called for a motion from the floor.

Mr. Tepper moved to approve the Text Change to amend the last sentence of the definition of Master Plan Category #9 as follows: *“Residential development within this category shall allow a density of up to 50 percent above Category 5, with up to a maximum of 60 percent with bonuses (such as increased BMR units’ on-site, on-site public amenities, on-site green space, historic preservation, and play areas);”* Mr. Quick seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Quick and Tepper). (Ms. Godzeno and Mr. Totilo were absent from the September 26, 2017 Public Hearing so ineligible to vote.)

### **ZONING BOARD REFERRALS:**

1. **ZB APPLICATION #217-48 - HP GATEWAY LAND I, LLC - 400-440 WASHINGTON BOULEVARD - Text Change (Tabled from October 17, 2017):** Applicant is proposing to amend the TCDD regulations to allow for changes to the bonus parking requirements, sign regulations and phasing of development on parcels adjacent to the Mill River.

Dr. Woods outlined what had been negotiated to date. Dr. Woods stated that last week he told the Board it was most likely a Text Amendment was going to be included and the City was negotiating with BLT on the wording as well as discussing the potential impacts for the TCDD district. Based on the revisions and staff analysis, staff recommends approval of all three elements of the TCDD Text Amendment.

The applicant is requesting the following three (3) amendments to the existing TCDD zoning regulations:

1. **Signage:** To amend the sign requirements to allow a wall sign to be mounted above the established roof line. This is the same as what had recently been approved for the UBS/RBS building.
2. **Parking:** Their requested amendment actually raised the number of parking spaces required per 1,000 gross square feet from 2.25 to 2.35 parking spaces.
3. **Decoupling:** What is actually the most important amendment is to allow, at the Zoning Board’s discretion, a large development in phases. As an aside, Dr. Woods pointed out that even though numerous large scale commercial developments have been approved, such as the UBS building which had four (4) phases, of which only two (2) have been developed and the RBS building that the Board will remember recently came to the Board for a Master Plan Amendment and a side plan approval to convert commercial space into over 400 residential units. Given the realities of the market and given that Charter does not know what their future needs are from a planning perspective it is better to develop a General Development Plan for the building proposed, and once built and operational, then Charter can assess its future needs and come back to the Planning and Zoning Boards for approval at that time.

Ms. Dell asked the Board if they had any questions, at which time Ms. Fishman asked for clarification on the sign language; stating her concern that the sign not be over the top of the building. Mr. Seth Ruzi, of BLT, pointed out where the roof line was and where the sign was going to be placed in the area of the mechanical penthouse. Mr. Totilo made note of the RBS/UBS signs and also the building in Bull's Head on Summer Street where there are three (3) signs including Pitney Bowes.

After some discussion, Mr. Totilo recommended *approval* of **ZB Application #217-48**; and this request is compatible with the neighborhood and consistent with Master Plan Category #11 (Downtown); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

### **ZONING BOARD OF APPEALS REFERRALS:**

- 1. ZBA APPLICATION #044-17 - BIANCE DE LA CRUZ - 5 OWEN STREET - Variance of Table III, Appendix B:** Applicant owns a single-family residence and would like to add a rear roof covering of 6 ft. 10 in. x 4 ft. 4 in. to keep out water/snow and a front roof covering of 2 ft. 8 in. x 5 ft. 3 in. to keep the architecture with the characteristics of the neighborhood. Applicant is requesting: (1) a minimum yard dimensions for front yard street line of 22.1 ft. in lieu of the 24 ft. required; (2) a street centerline of 47.1 ft. in lieu of the 55 ft. required; and (3) a side yard of 1.3 ft. in lieu of the 6 ft. required. What the applicant is requesting is compatible with the neighborhood and will have minimal effect on the property. After a brief discussion, Mr. Totilo recommended *approval* of **ZB Application #044-17**; and this request 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, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).
- 2. ZBA APPLICATION #045-17 - YVES & CHERYL LAFLEUR - 297 BARNCROFT ROAD - Variance of Table III, Appendix B:** Applicant owns a one-story single-family residence and would like to construct a second-story addition. Applicant is requesting: (1) a front yard setback of 38.8 ft. in lieu of the 40 ft. required; and (2) a street centerline setback of 63.8 ft. in lieu of the 65 ft. required. Applicant is requesting setback relief of less than 2 ft. After a brief discussion, Mr. Tepper recommended *approval* of **ZB Application #045-17**; and 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, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).
- 3. ZBA APPLICATION #046-17 - 250 HOPE STREET, LLC - 250 HOPE STREET - Variance of Table IV, Appendix; Section 12.D.9 and Special Exception:** Applicant owns an existing four-bay automobile service station/convenience store with 2 gas pumps covered by a canopy. Applicant would like to reduce the existing 2,253 sq. ft. garage/convenience store to a 1,602 sq. ft. convenience store and increase the length of the canopy to accommodate one [1] additional gas pump. Applicant is requesting: (1) a front setback of 7 ft. in lieu of the 15 ft. required; (2) five [5] parking spaces in lieu of the four [4] spaces per 1,000 sq. ft. of gross floor area provided; and (3) a street centerline setback of 32 ft. in lieu of the 40 ft. required. Applicant is requesting a variance and Special Exception to reduce the existing convenience store and gas station on Hope Street. The applicant proposes to decrease the size of the existing garage and convenience store and to lengthen the canopy which will allow an additional gas pump to be added. Staff concurs with the applicant's contention that an additional gas pump will help alleviate traffic impacts, especially off Plymouth Road. After a brief discussion, Ms. Fishman recommended approval of **ZB Application #046-17**; and this request is compatible with the neighborhood and consistent with Master Plan Category #7 (Commercial - Arterial); Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).



4. **ZBA APPLICATION #047-17 - PAUL D. MELCHIONNO - 18 DELEO DRIVE - Variance of Table III, Appendix B:** Applicant owns an existing single-family one-story residence and is proposing to construct a 12 ft. x 20 ft. one-story addition. Applicant is requesting a rear yard setback of 27.1 ft. in lieu of the 30 ft. minimum. Applicant is requesting setback relief of less than 3 ft. After a brief discussion, Mr. Tepper recommended *approval* of *ZB Application #047-17*; and this request is compatible with the neighborhood and 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, Godzeno, Tepper and Totilo).
5. **ZBA APPLICATION #048-17 - RONALD C. MORSE - 27 RED FOX ROAD - Variance of Section 6 (Accessory Buildings) & Section 7, Paragraph O (Accessory Lot):** Applicant owns an existing single-family residence with an existing shed and a pool under construction. Applicant is requesting: (1) a front yard of 10 ft. for the proposed pool equipment in lieu of 40 ft. minimum; (2) a front yard of 5.5 ft. for the existing shed in lieu of the 40 ft. minimum; and (3) a side yard of 11.2 ft. for the existing shed in lieu of the 25 ft. minimum. After the applicant obtained a building permit to install a pool it was discovered by Zoning Enforcement that the location of the existing shed created the situation that the front and side yard setbacks were not in compliance. It was also discovered that a variance was needed for the existing shed and pool filter area to be considered an accessory building in the front yard. Given the location and configuration of this lot with the long narrow flag driveway, it appears that the only place to put a pool is in the front yard with the septic system in the back. This house is also at a distance from any neighboring homes. After a brief discussion, Mr. Totilo recommended *approval* of *ZB Application #048-17*; and this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single-Family); Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).
6. **ZBA APPLICATION #049-17 - GETTY PETROLEUM CORP. - 59 WEST BROAD STREET - Special Exception:** Applicant owns an existing gas station which is non-operational and would like to construct an 887 sq. ft. convenience store for retail sales of packaged food and household and personal items and 500 sq. ft. of storage and office space. Applicant is seeking a Special Exception of Section 11.C.1 and Article V, Section 19.3. Applicant is requesting a Special Exception to renovate an existing non-operational gas station with a small convenience store and related gas pumps. After a brief discussion, Mr. Tepper recommended *approval* of *ZB Application #049-17*; and this request is compatible with C-N Zoning and the neighborhood and is consistent with Master Plan Category #5 (Residential - High Density Multifamily); Ms. Godzeno seconded the motion and passed with eligible members present voting, 4-0-1 (For - Dell, Godzeno, Tepper and Totilo / Abstain - Fishman).

**PLANNING BOARD MEETING MINUTES:**

10/17/17 & 10/18/17

**Meeting of 10/17/17:** After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of October 17, 2017; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Levin, Tepper and Totilo). (Ms. Godzeno was absent at the October 17, 2017 meeting so ineligible to vote.)

**Meeting of 10/18/17:** After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Minutes of October 18, 2017; Ms. Godzeno seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Quick and Tepper). (Mr. Totilo was absent at the October 18, 2017 meeting so ineligible to vote.)

**OLD BUSINESS:**

**Parking Fee-in-Lieu:** Roger Quick brought up to the Board the parking fee-in-lieu, which was discussed at a previous meeting, with regard as to why the City does not assess impact fees. Dr. Woods explained that the State of Connecticut General Statute Title 8 allows towns in the State to apply for three (3) fee-in-lieu rates:

1. Affordable housing
2. Open space
3. Parking requirements

Dr. Woods stated that he believes the area of parking requirement reductions is something all Boards should keep a close eye on. Another consideration is how many past approvals were granted without taking advantage of assessing these fees to fund transportation capital improvements?

**NEW BUSINESS:**

Next regularly scheduled Planning Board meetings are:

10/31/17 - No Meeting

11/14/17 - Capital Budget (Starts at 6:00 p.m.)

11/28 17 - Capital Budget Call Back(?) & Regular Meeting (Starts at 6:30 p.m.)

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:10 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.