

STAMFORD PLANNING BOARD  
REGULAR MEETING  
APPROVED MINUTES, TUESDAY, MARCH 18, 2014  
7<sup>th</sup> FLOOR, GOVERNMENT CENTER  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Theresa Dell, Chair, Claire Fishman, Zbigniew Naumowicz, Roger Quick, and Jay Tepper. Michael Totilo was absent. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner.

Ms. Dell called the meeting to order at 7:02 p.m. Ms. Dell announced that since Mr. Totilo was absent, and that Mr. Naumowicz was voting on all items tonight.

**Request for Authorization:**

1. **Sacred Heart University:** Lease of Government Center Office Space to Sacred Heart University for Use as Radio Broadcasting Station. Burt Rosenberg, Assistant Corporate Counsel made a brief presentation regarding the recommended lease agreement between the City and Sacred Heart University for use of space on the 8<sup>th</sup> Floor in the Government Center for their Radio Broadcasting Station. After a brief discussion, Mr. Quick moved to recommend that the City agree to enter this lease agreement with Sacred Heart University for their Radio Broadcasting Station, and that this request is consistent with the adopted 2002 Master Plan; Mr. Naumowicz seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).

**Zoning Board of Appeals Referrals:**

- a) **ZBA Appl. 016-14 44 Lenox Avenue,** the applicant requests a variance from Table III, Appendix B Property Frontage, Side Yard and Total Side Yard Setback are requested for two parcels, noted as Proposed Parcel A and Proposed Parcel B. For Proposed Parcel A the applicant is requesting variances of frontage of 50 feet instead of the required 60 feet, 2.3 feet side yard in lieu of 6 feet required, and 8.9 feet instead of the 12 foot minimum for total side yards. For Proposed Parcel B the applicant is requesting a variance of Section 3 Definition 2.1 Accessway Minimum Width and a variance of Section 7 Paragraph "O" Accessway Lot of 10 feet accessway width instead of 25 feet, and to allow Proposed Parcel B to be an accessway lot in the R-7½ zone. The applicant requires the ZBA to grant these variances prior to applying for a two-lot subdivision to the Planning Board. Mr. Kenneth E. Frattaroli made a brief presentation noting that this was a narrow but deep parcel and that other neighboring lots along Lenox Avenue were already subdivided in this manner. After a brief discussion, Mr. Tepper moved to recommend to the Zoning Board of Appeals that approve these variances for ZBA Appl. 016-14, and that this request is consistent with the adopted 2002 Master Plan; Ms. Fishman seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).
- b) **ZBA Appl. 017-14 274 Strawberry Hill Avenue** a Special Exception to permit a sixteen unit addition to the home for retired and disabled priests of linear and area dimensions; the home shall meet the definition of an "Apartment Building for the Elderly – Nonprofit" set forth in Article II, Section (3)(A)(4.4) of the Zoning Regulations – one additional parking space is also proposed. St. Bridget's Roman Catholic Church Corporation must first obtain a Special Exception from the ZBA. Mr. John X. Leydon, attorney for the applicant made a short presentation to the Board regarding this Special Exception to the ZBA. After a brief discussion, Mr. Tepper moved to recommend to the Zoning Board of Appeals that approve the Special Exception to permit a sixteen unit addition as per

ZBA Appl. 017-14, and that this request is consistent with the adopted 2002 Master Plan; Ms. Fishman seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).

- c) **ZBA Appl. 018-14 143 Mulberry Street**, the applicant requests a modification of the Special Exception for a “Group Day Care Home” approved by the ZBA on October 29, 2009 under ZBA Appl. #050-09, limiting the number of children to 10 children, instead of the 12 children maximum previously approved. Mr. Nick Vitti made a short presentation to the Board regarding this application to the ZBA for a day care that the Board has previously addressed – this is an amended application. After a brief discussion, Mr. Tepper moved to recommend to the Zoning Board of Appeals that if the ZBA does approve modifying the existing Special Exception that the ZBA authorize less than ten children, closer to the six that is already approved, and that this request is consistent with the adopted 2002 Master Plan; Ms. Fishman seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).
- d) **ZBA Appl. 019-14 39 Beach View Drive**, the applicant is requesting a variance of Article III, Section 4, AA, 2.4 and Table III, Appendix B (R-10 standards) of the Stamford Zoning Regulations to permit the existing single family residence to be 9.2 feet from the southerly side yard setback instead of 10 feet required; and 18 feet instead of the 20 feet required for the combined side yard setbacks. Ms. Jacqueline O. Kaufman, attorney for the applicant made a short presentation to the Board regarding the legalizing the existing house that due to human error mis-measured their side yard setbacks to the ZBA. After a brief discussion, Mr. Tepper moved to recommend to the Zoning Board of Appeals approve the variances that the applicant needs to legalize its development as per ZBA Appl. 019-14, and that this request is consistent with the adopted 2002 Master Plan; Mr. Naumowicz seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).
- e) **ZBA Appl. 020-14 73 Hirsch Road**, the applicant requests a variance from Article III, Section 4, AA, 2.4, 12-7½ (b) and Table III, Appendix B (R-7 ½ standards) Yards of the Stamford Zoning Regulations to allow construction of the second floor addition to align with the first floor existing wall area “A” 11.5’ x 4.5’ = 51.75 square feet; to allow the front line of 25.5 feet instead of the 30 feet required, and similarly Area B to allow 27 feet instead of the required 30 feet. After a brief discussion, Mr. Tepper moved to recommend to the Zoning Board of Appeals that approve these variances for ZBA Appl. 020-14, and that this request is consistent with the adopted 2002 Master Plan; Ms. Fishman seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).

***Planning Board Meeting Minutes:***

1. Meeting of 2/11/14, after a brief discussion, Mr. Tepper moved to adopting the Planning Board minutes of 2/11/14; Mr. Naumowicz seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).
2. Meeting of 2/18/14, after a brief discussion, Mr. Naumowicz moved to adopting the Planning Board minutes of 2/18/14; Ms. Fishman seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).
3. Meeting of 2/25/14, after a brief discussion, Mr. Tepper moved to adopting the Planning Board minutes of 2/25/14; Ms. Fishman seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).

4. Meeting of 3/4/14, after a brief discussion, Mr. Tepper moved to adopting the Planning Board minutes of 3/4/14; Mr. Naumowicz seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper).

### *Old Business*

**Subdivision #4007 Request for Extension and to Revise Condition 12**, Boris and Helen Miloslavsky have requested a 90-day extension to meet the conditions in order to filing their Final Map, and they are requesting to present their request to revise Condition No. 12, requiring the posting of a performance bond prior to filing the Final Map. First, after a brief discussion, Mr. Tepper moved to approve the 90-day extension to for the applicant to file their Final Map; Mr. Naumowicz seconded the motion and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Naumowicz, Quick, and Tepper). Second, Ms. Miloslavsky made a presentation to the Board pleading their case to require a bond only on Lot C and to delay the bond on Lot D until they decide to build on it – claiming among other things that they were unaware of the requirements for a performance bond, and that it was difficult to get a bond as a private citizen. After considerable discussion, including offering options to incorporate as a LLC (which they did not want to do because they did not want to pay the taxes that came with an LLC), the Board decided to table the decision until a later meeting.

Jay Tepper reported on the governance issues that were being negotiated with the merger between South West Regional Planning Agency (SWRPA) and Housatonic Valley Council of Elected Officials.

### *New Business*

There was no New Business brought before the Board.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:43 p.m.

Respectfully Submitted,

Claire Fishman, Secretary  
Stamford Planning Board

**Note:** These proceedings were recorded on tape and are available for review in the Land Use Bureau located on the 7<sup>th</sup> floor of Government Center, 888 Washington Boulevard, during regular business hours.