

STAMFORD PLANNING BOARD  
REGULAR MEETING MINUTES #3748  
TUESDAY, MAY 15, 2012  
7<sup>TH</sup> FLOOR LAND USE CONFERENCE AREA,  
GOVERNMENT CENTER  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Theresa Dell, Chairperson, Roger Quick, Michael Totilo, Claire Fishman and Jay Tepper. Present for staff was Todd Dumais.

Alternate Board Member Jay Tepper was seated for Dudley Williams who was not present. Mrs. Dell called the meeting to order at 7:30pm and introduced the Board Members.

### **Regular Meeting**

#### ***Subdivision:***

**Modification of Subdivision #3358, 3 Roxbury Road**, request to modify Condition 1 of Planning Board Certificate #3358 by relocating the existing open space to the northerly most portion of the Property.

#### ***Zoning Board Referral:***

**ZB 212-03 – June Rosenthal, Zoning Text Amendment** to Amend Article III, Section 7.3 Special Exception Uses for Historic Buildings to allow real estate office use in R-20 districts that front State Highways provided the property contains an approved and/or legally nonconforming residential use.

**ZB 212-04- June Rosenthal, Zoning Special Exception** - requesting approval to salvage, relocate and restore an off-site historic building on 0.58 acres in an R-20 zone and accommodate a real estate office which currently exists but is nonconforming.

Mrs. Dell explained that the subdivision modification and two Zoning Board applications all relate to one application. Mr. Totilo recused himself on this application and left the table. Mr. Dumais briefly introduced each application. Mrs. Dell announced that due to the significant amount of material to review and potential impact of the applications, the Board would not vote this evening.

Attorney William Hennessey, for the Applicant, briefly reviewed the application and provided the Board a detailed project location review identifying the Juner school house, real estate office on Long Ridge Road. He explained that the property is an existing legal non-conforming real estate office in a residential zone and that the owners have followed all Zoning regulations and also previous Planning Board subdivision conditions. He added that the previous open space was contemplated to accommodate the Long Ridge Road proposed expansion but tonight they're here for a different reason and that the development team was here to share that grand plan with the Board.

Richard Redniss, Planner for the application, described two intersecting lines of the application. He explained that for decades since the mid-1870's and more recently after the church burned down, the Roxbury Community Association and neighbors have been working to see what can be done with this historic property and that he has also been working with the Juner property to help expand her non-conforming property. Mr. Redniss stated that an amendment to the historic regulations to accommodate the needs of both properties was developed so that Roxbury historic building could be moved to the Juner property and used

for a real estate office expansion. He next explained how they examined taking the building apart and reassembling it; went to the EPB to get a permit to take the building off the property. In terms of crafting the text, he stated that it was important to not make this amendment retroactive to other properties (i.e. other real estate offices on Long Ridge Road). Mr. Redniss then listed the text amendment and special exceptions application compliance with the Master Plan. He next identified a slight change in the open space modification request in reaction to the EPB report saying open space should stay because of specimen trees, rocks and outcroppings. He noted that Renee Khan wanted the house closer to the street but is okay with moving the home further back and distributed to the Board copies of the new plan. He noted that the applicant will green up some of the streetscape in front.

Mr. Tepper asked about parking for the Juner offices. Mr. Redniss said there'd be two separate buildings with separate parking areas.

Mrs. Dell asked about the people that live in the house next to this and if they'd been told about this? Mr. Redniss said they are nowhere near the actual proposal.

Mr. Redniss reviewed the specific text amendment because this is how they get to do what they want to do. He discussed where this change could apply, starting first with Long Ridge Road and detailed the parcels that meet the text change designated criteria. The text change impacts homes that qualify by age but don't have a legal non-conforming use on them.

Mrs. Dell asked if this would take rights away from 710A? Mr. Redniss said no, still permits their rights.

Mr. Redniss said the Raveis office further down Long Ridge could not benefit from this text change because they are not 100 years old. They see no unintended consequences that would arise from the text change.

Mr. Tepper asked if there'd be an increase in blacktop? Mr. Redniss answered yes because they do not want to create any problems with parking.

Mrs. Dell asked how many parking spaces would they have and commented that the plan provided for a lot of blacktop. Mr. Redniss said they'd construct 16 spaces in the rear of the buildings and make the driveway longer.

Mrs. Dell asked about additional landscaping along the property lines.

Mrs. Fishman thought the key word in the text change was "may". Mr. Redniss agreed that the site changes are subject to special exception uses and standards and would need approval.

Mr. Tepper suggested the main thrust of the text change was to allow Juner to expand in an historic way.

Mr. Quick said he was confused on how this historic regulation can be applied to two separate buildings on one lot. Mr. Redniss said it was because of the zoning incentives to save and preserve historic structures and it's consistent with the Master Plan.

Mr. Quick asked if they'd considered connecting the buildings. Mr. Redniss said they original had wanted to do this but are now working towards separate buildings. The ages of the buildings are Juner 1840 and the other 1870's and that additional site topography made this difficult.

Mr. Quick asked when the school house had been converted to the real estate office and that he thought Percy Weaver did the conversion, but didn't remember the year.

Mrs. Fishman asked how many real estate agents will be using this space? Mr. Redniss wasn't sure.

Mr. Quick asked about reducing the front yard parking. Is her parking currently in the City's right of way? Mr. Dumais said he'd check on the status of parking in the Roxbury Road right of way.

Mrs. Dell asked if there were any other questions on the text change. There being none, she continued further discussion on the referral to next meeting and that the Board would vote then.

**ZB 211-13 Text Change, RMF FRANKLIN, LLC & JFFS REALTY, LLC**, to amend Article III, Section 9-AAA-4-b-v of the MXD-A standards to permit up to a 50% reduction in parking requirements for shared uses.

**ZB 211-14- Special Exception – RMS FRANKLIN, LLC & JFFS REALTY, LLC, 159-163 Franklin Street**, requesting reduction in required parking due to shared residential and commercial uses and fractional (0.8) BMR fee-in-lieu payment; both related to a proposed 4-story, 58 unit residential building located in a MX-D district.

Mrs. Dell read the application descriptions into the record and noted that since both applications were related they would be discussed simultaneously. Mr. Totilo recused himself on these applications and left the table.

Attorney William Hennessey, for the Applicant, briefly reviewed the Franklin Street application, describing both the text change and special exception requests. He described the property they're talking about and the location on Franklin and 1200 Summer Street and that the purpose of the MX-D zone. Mr. Hennessey stated that the applicant is proposing a four story residential building with basement parking and amenities. He noted that the MX-D is one of the best zoning tools to convert the existing parking lots existing lots on Summer Street to residential.

Mr. Tepper inquired about the impact to the front of the office building? Attorney Hennessey described the existing building and parking areas. He said the heart of these applications is the parking. They have 127 parking spaces, the regulations require 75 spaces and currently 1.25 spaces for one bedroom units and 1.5 spaces for larger units.

Mrs. Dell asked about the apartment distribution in the building? Attorney Hennessey said there will be three 3-bedrooms, seven 2-bedrooms and the remainder will be 1-bedrooms. MX-D is designed to get rid of extra parking. He said if they have 154 spaces, they wouldn't need anything on parking because they are talking about sharing 27 spaces. They feel they have the parking nailed. They've discussed with Land Bureau Staff and crafted the special exception.

Mrs. Dell expressed she was troubled with the parking and sharing uses and that she was very uncomfortable with the wording of the proposed text amendment. The Board discussed parking demand.

Dave Sullivan, Milone & MacBroom, said if you look at the mathematics, there will be 117 spaces as proposed and by regulations they need 127.

Mrs. Dell said that seemed aggressive even with shared spaces. Mr. Dumais had a question on the demand of parking levels stated. Mr. Sullivan said they could spend hours using ULI numbers based on their databases showing that multi-family numbers are dramatically lower than single family. Attorney Hennessey said with 58 units, they are functionally sharing parking of two spaces. They don't have dedicated parking spaces identified.

Randy Salvatore, Applicant, described a similar project filled last June that they had 52 spaces dedicated for residential use but those were not needed so they assigned some to office space. They crafted the project around zoning because anything else wasn't practical and wouldn't work.

Mr. Quick asked down the road once this is approved how will the parking be assigned and what is the term of this kind of agreement? Attorney Hennessey said it will be in perpetuity.

Mrs. Dell asked if there were any other questions. There being none, she continued discussion on the referral to the next meeting date.

***Planning Board Meeting Minutes:***

**Meeting of 5/1/12** – Mrs. Dell tabled discussion on the meeting minutes until the next meeting.

***Old Business***

Mr. Dumais informed the Board the Master Plan RFP was out and head a submission deadline on June 7<sup>th</sup>. He also explained that Staff held a pre-proposal meeting for interested consultants on the project in the hope of getting better responses to the RFP. Several members of the Board asked staff if the Zoning Enforcement Officer could be invited to a meeting to update the Board on City-wide Zoning Enforcement actions / decisions such as Five-Guys and temporary signage on buildings. Mr. Quick asked staff for information on the Hight Ridge Long Ridge corridor studies.

There being no further business to discuss, Mrs. Dell adjourned the meeting at 9:30 pm.

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.