

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES #3763
TUESDAY, OCTOBER 16, 2012
7TH FLOOR LAND USE CONFERENCE AREA,
GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

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

Mrs. Dell called the meeting to order at 7:05pm. Mrs. Dell seated alternates Tepper and Naumowicz for permanent members Williams and Totilo. Mr. Tepper moved to take Application ZBA 065-12 out of order and hear it first on the Agenda. Mr. Naumowicz seconded the motion which carried unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Quick, Tepper and Naumowicz).

Zoning Board of Appeals Referrals:

ZBA Appl. 065-12 – Richard & Beverly Kohlberger requesting variances of side yard setbacks and building coverage to demolish an existing home and reconstruct a new home located at 134 Davenport Drive in an R-20 zoning district.

Mr. Dumais briefly described the variance request to the Board and its recent history. He noted the Planning Board recently denied a similar, but more intense request at this property. Mr. Dumais then explained that in this application, the applicant changed the building and reduced the coverage and setback variances being requested.

Richard Redniss, for the Applicant, said that until the mid-1980's, this area was zoned a R-10 with 20% allowable coverage and that this property is on the water and enjoys the benefits of being on the water with the lot size that feels larger because of the waterfront. He next discussed that the hardships the applicant faces are that they are in a flood plain and new or substantially new structures must be designed to be flood proofed. Mr. Redniss then stated that the Zoning Board of Appeals was concerned that there would be a subdivision along the water because they wanted to increase coverage. Since the last submission, coverage has come down 24% from the previous request and is in character with surrounding properties. The proposed house is relatively modest and in context with the neighborhood. The plan includes a patio with deck on the second floor.

Mrs. Dell asked if there was a way to move the A/C to eliminate the need to seek a variance for the side-yard setback.

Peter Kours, Architect for the project said the A/C units were placed according to the flood plain. Mrs. Dell asked if the A/C units were moved, would the request then only be for a coverage variance? Mr. Kours said yes.

Mr. Tepper asked when did they buy the house? Mr. Redniss said after the change in zoning 10 years ago.

Mrs. Fishman asked what coverage was allowed in an R-20 zone? Mr. Redniss answered 15%.

Mr. Quick noted he thought the Applicant had made significant changes in the coverage but he did question the A/C location and the house height. He asked how the pool filter and heater were dealt with?

Mrs. Dell suggested if they could do something with the side-yard variance request it might be helpful for the Planning and ZBA Boards to approve the application.

Mr. Tepper still expressed concern about coverage which is still 1/3 over and still 1-2 percentage points over other approved variances in the neighborhood. He's opposed to the variance because he doesn't like the trend that this sets for others in the neighborhood.

Mr. Quick said he was in favor but would like to see what they've done with the pool equipment.

After further discussion, Mr. Quick moved to recommend approval of the variance application. Mr. Naumowicz seconded the motion which carried with the eligible members present voting, 3-2 (Dell, Quick and Naumowicz voting yes; Fishman and Tepper voting against).

Zoning Board Referral:

ZB Application 212-25 – BBSF, LLC and Affordable Housing Development Company, LLC, Text change, to Amend Article III, Section 9.BB.5.f by altering the minimum residential off-street parking requirement in the Transportation Center Design District (TCDD). One space for each unit one bedroom or less, 1.25 spaces per unit for each unit two or more bedrooms.

ZB Application 212-26 – GDP Amendment, BBSF, LLC & Affordable Housing Development Company, LLC, Request to Amend previously approved General Development Plan for Metro Green TOD; principle changes include an increase in the total number of residential units from 238 to 255; a reduction in size (both in stories and units) of Building A; a new three-story Building D and an increase in the total number of BMR units on site.

Mr. Dumais made an opening statement to the Board and briefly described the history of this development before the Board in numerous, Master Plan, Zoning Map, Zoning Text and Site Plan applications over the past several years. He commented that it is one of the premier examples of quality transit-oriented mixed-use development in the state.

William Hennessey, Attorney for the Applicant described the application and introduced the development Team. He stated that this project has been at the forefront of parking reduction requirements in the City and in 2010, asked for a 1 to 1 parking regulation based on demand. What the Zoning Board did based on the Planning Board's recommendation was to reduce it to 1.25 and the Applicant is now coming back to reduce it to 1 to 1.

Mr. Hennessey explained that they've studied over 100 units and their parking and went to the neighborhoods and are submitting a request for a reduction not as aggressive as downtown and have data to support this application based on actual on-site parking data. He acknowledged that the other application before the Board is the GDP amendment and that they still need to tweak the Final Plan approach for the building. Mr. Hennessey next explained the history of the project before the Board and walked the Board Members through a power-point presentation on the project and highlighted the new building and its positioning relative to everything else in the development.

Mrs. Fishman asked what happens if an occupant in a 1-bedroom has two cars? Attorney Hennessey said it happens and you rent one of the new spaces.

Mrs. Dell had a question about changes in the market range for units. Caroline Very, Jonathan Rose, said the number of two and three-bedrooms does have an effect on the number of cars.

Mr. Hennessey noted they've adjusted for vacancies and they are currently running at a 5% vacancy rate.

Mr. Tepper asked about visitor parking? Mr. Hennessey said this wasn't built into the equation. He took the proposed parking and applied it to 100 units which would require 115 spaces meaning they'd be 15 spaces over-parked.

Mrs. Dell asked again about guest parking? Mr. Hennessey said there are 20 parking spaces on the street and they are not claiming those – neighbors use them and that they feel very comfortable about the self-parked ratios but if they are wrong, it would only be 3, 4 or 5 spaces.

Mrs. Dell said she'd be amenable to a 1 to 1 ratio on this side of I-95 in this particular district since it is less than what was approved for the Downtown.

Mr. Quick asked about a Parking Management Plan and if it was needed for this application. Mr. Dumais answered no, but they in essence already have a plan in place.

After further discussion, Mr. Quick moved to recommend approval of the Text Change application (Appl. 212-25). Mrs. Fishman seconded the motion which passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Tepper and Naumowicz).

Mr. Tepper moved to recommend approval of the GDP Amendment application (Appl. 212-26). Mr. Naumowicz seconded the motion which passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Tepper and Naumowicz). Mrs. Dell asked as a courtesy to the Board that the Applicant bring back the final design on the building, landscaping and parking.

ZBA Appl. 066-12 – Brendan Albee requesting variances of front yard setbacks to construct a second story addition over an existing garage on a home located at 41 Alton Road in a R-7½ zoning district.

Mr. Dumais introduced the application. After a short discussion, Mrs. Fishman moved to recommend approval of the requested variance. Mr. Naumowicz seconded the motion which passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Tepper and Naumowicz).

ZBA Appl. 067-12 – Bright Beginnings Child Care, LLC requesting variances of Section 13 to locate a sign in a front yard in advance of the required setback and a request to modify a previously approved Special Exception at an existing Child Day Care Center located at 430 High Ridge Road in a R-10 zoning district.

Mr. Dumais described the application. He explained that it previously saw this referral when the Day Care Center was seeking approval from the ZBA. The Board expressed concerns about the application and asked the ZBA for more time, however, the request was ignored and the application approved. Mr. Dumais then explained that this application was for a modification of the previously approval and for a signage location variance.

After a brief, Mr. Tepper moved to recommend denial of the requested variance. Mr. Naumowicz seconded the motion which carried with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Tepper and Naumowicz).

Planning Board Meeting Minutes:

Mrs. Dell tabled announced that the Board would vote on the minutes at a future meeting date.

New Business:

Mrs. Dell informed the Board that long time former Planning Board member Rose Marie Grasso passed away and that she had been on the Planning Board for 12 years. The Board acknowledged her many wonderful years of contributions.

There being no further business, Mrs. Dell adjourned the meeting at 8:45 pm.

Respectfully Submitted,

Theresa Dell, Chair
Stamford Planning Board

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