

STAMFORD PLANNING BOARD  
PUBLIC HEARING & REGULAR MEETING MINUTES #3582  
TUESDAY, MAY 25, 2010  
4<sup>TH</sup> FLOOR CAFETERIA  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Duane Hill, Theresa Dell, Claire Fishman, Roger Quick and Jay Tepper. Present for staff were Robin Stein and Todd Dumais.

***Public Hearing***

The chairman, Mr. Duane Hill, called the meeting to order at 7:32 pm.

Mr. Hill introduced the members of the Board and Staff to the Public and explained the procedures for a Public Hearing. Mrs. Fishman read the Public Notice into the record. Mr. Dumais then read the following staff report into the record:

**TO:** CITY OF STAMFORD PLANNING BOARD  
**FROM:** LAND USE BUREAU STAFF  
**SUBJECT:** MP-410, PROCUREMENT, LLC  
808-826 HIGH RIDGE ROAD & 11 MAPLEWOOD PLACE, STAMFORD, CT  
APPLICATION FOR CHANGE IN THE MASTER PLAN FROM CATEGORY 2 – LOW  
DENSITY SINGLE-FAMILY TO CATEGORY 3 – LOW DENSITY MULTIFAMILY  
**DATE:** 03/18/10

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“The above captioned application, submitted by Procurement, LLC, requests an amendment of the Master Plan Map from Category 2 (Residential - Low Density Single Family) to Category 3 (Residential – Low Density Multifamily) for six lots (808, 812, 816, 820 and 826 High Ridge Road & 11 Maplewood Place). The total combined area for the proposed amendment is approximately 2.0 acres.

The affected properties are currently zoned R-10 and adjoin commercial property to the north (C-N & Category 7), but are otherwise surrounded by R-10 residential property to the west, south and east. A portion of the northerly most lot (826 High Ridge Road) is used as commercial parking for the adjoining commercial use (Nagi Jewelers, 828 High Ridge Road), while the five other affected lots are developed for residential use. The Site Orientation Map on page 3 shows the existing development of the affected and surrounding properties.

In Spring of 2009, the Planning Board unanimously denied Master Plan Application 405 (also submitted by Procurement, LLC). MP 405 included nearly the same area of change, less .75 acres of land from 808 High Ridge and 11 Maplewood Place, however, differed from the current application in that its request was entirely for commercial Category 7. During the hearing, many residents and commercial property owners objected to landing commercial Category 7 and future commercial development on the site. The Planning Board cited a concern about setting precedent for future applications / commercialization of High Ridge Road; cited an underlying theme of the Master Plan

for more residential development and stated that the conversion of residential property into commercial would have to be backed by extraordinary circumstances.

The current Master Plan application (410) differs substantially from the previous application. A slightly larger area at 2.0 acres, this application requests the change of the affected parcels from Category 2 (Low Density Single Family) to Category 3 (Low Density Multifamily). The principal difference between Category 2 and Category 3 is density. Residential density in Category 2 shall not exceed 6 units per acre, while residential density in Category 3 cannot exceed 17 units to the acre and the two Master Plan categories permit similar special exception uses. The increase in residential density on the site is supported in the *Citywide Policies Report of the 2002 Master Plan*: page 17, "A1.6 Encourage increased housing along transit corridors and in and near Downtown."

Should the Planning Board approve the Master Plan map amendment, the applicant proposes to rezone the property to RM-1, Multi-Family, Low Density Design District. RM-1 zoning would arguably provide a buffer and transition between the commercial development and surrounding single family R-10 development to the south and west. A similar development pattern exists on the east side of High Ridge Road at Merriman Road and the Board should note that the Master Plan and zone change granted for that development has not had an adverse impact to the neighborhood.

However, in making its decision, it is important for the Board to review this application in a coordinated and comprehensive manner and the applicant should be prepared to address the following questions / comments at the public hearing:

- 1) What conditions have changed to warrant the Master Plan change?
- 2) How does this application promote the Master Plan policy of protecting residential neighborhoods.
- 3) What are the impacts to the neighborhood as a result of increased density and special exception uses such as daycare use at this location, particularly impacts on Maplewood and Bradley."

John Leydon, Attorney for the Applicant, submitted the Certificate of Mailing for the record along with various exhibits. Mr. Leydon next submitted a petition to the Board signed by property owners supporting the application. He next introduced the development to the Board and the Public and explained that some of the presentation would cross with the Zoning Board Applications but were important because they would show what would happen on the site if successful. Mr. Leydon discussed the history and negative aspects of the previous application. He stated that they have met with the opposition and heard their issues. The current application for all residential was based on neighbors and staffs concerns. Mr. Leydon explained that the application requests a change in zone from MP to Category 3 and has the amenities of multi-family development in a single family residential zone. He described it as a logical transition between commercial zones and lower density zones, adding that the hope is to develop a day care center on the ground floor with residential units on top by submitting a Special Exception. He commented that the development will have a residential feel and is compatible with High Ridge Road. Mr. Leydon explained that this part of High Ridge Road doesn't have a single family feel and referenced the Sandolo application and how it highlights why a single family houses don't work on this site. He showed a map of property with a petition of supporters. He also showed a site photograph of elevations.

Mr. Leydon said the applicant believes there is a rental market for these units and a market for a day care in this location. Mr. Osta is committed and would start immediately in this bad environment. They believe the application is consistent with the Master Plan and they have reacted to previous criticisms.

Mr. Hill asked Mr. Leydon to address Staff questions 1 and 3. Mr. Leydon answered the questions.

Mrs. Dell questioned the traffic and why a light is needed on Bradley Place? Mr. Leydon answered the question and also said there would be 3 ways into and out of the site.

Mrs. Fishman asked about the adjacent lot? Mr. Leydon said for now it is being left as a vacant parcel.

Mrs. Dell asked about a daycare and more specifically where would playground be? Mr. Leydon said along Maplewood Place.

Mrs. Dell asked if the rear of the property would be screened? Mr. Leydon said yes.

Mr. Stein said this is a Master Plan amendment so they can't condition anything – what is shown is for illustrative purposes only.

Mr. Quick asked if you drive down High Ridge Road, are you precluding entering from the south on High Ridge. The Traffic Engineer answered yes.

Mr. Tepper asked if they are going to be able to turn left into Maplewood going North.

Mr. Quick asked what determines placing a light on Maplewood/Bradley? The Traffic Engineer responded a signal warrant analysis which CT DOT STC needs to approve a new signal.

Mr. Hill asked the public if they had any comments. He reminded them that this is an application for a Category 3 and not to approve a day care center and hopes the public could confine comments to the Master Plan only.

Bonnie Yublon, 23 Maplewood Place was in favor of the application. The current situation is not working now and traffic is horrendous on High Ridge. This application will improve this area. She sees this as a betterment of the neighborhood.

Mrs. Churchill, 795 High Ridge Road, stated her opposition to the application and had a question and concerns about traffic. She commented that a light won't change the traffic and that a day care center won't make conditions any better. Multifamily units will downgrade the value of the property. She asked what the applicant wants to put in the middle of the property?

Eva Proyce, Residential Real estate agent said the site is in need of development and the plans are amazing.

Ted Cer, 24 Little Hill Drive, spoke in favor of the proposal for a few reasons. Stating that single family homes are not viable on High Ridge Road.

Arma Masion, who has worked in Stamford for 15 years, stated that he doesn't live in Stamford because it's too expensive. He added that he doesn't see High Ridge Road as having a single family homes and therefore is in support of this application.

Mrs. Fishman asked how many children are anticipated for the daycare? Mr. Leydon responded up to 120.

Nagi Osta, Applicant, addressed the Board and Public. He said the Master Plan talks about green boulevards and they are doing this and that this development would help with traffic and drainage. Mr. Osta said that he cares about the neighborhood and knows what it is like to be located on High Ridge Road. They want to create jobs and work and more revenue for the City. He concluded by commenting that it is better to work together than against each other.

Mr. Hill commented about the prospect of commercial buildings on the lot in between and how this application is for residential and precludes commercial.

Mr. Hill closed the public hearing on this application and placed the Board into a 5 minute recess.

### **APPL.SD-TC-01 Planning Board.**

Mr. Hill again described the Public Hearing process. Mrs. Fishman read the legal notice into the record.

Mr. Stein said that an amendment to the subdivision regulations is rare and that they haven't been amended since 1988. A recent lawsuit against an approved subdivision and the Planning Board made the staff and Board look at the current regulations and suggest the proposed amendments. Mr. Stein then explained each amendment.

Mr. Tepper asked will the definition of tortured lot lines be removed. Mr. Stein said yes. Mr. Tepper asked if they could leave the last half sentence in? Mr. Stein said it was subjective and felt it hurt to leave the sentence in.

Mr. Stein said the next amendment is something we do very frequently and is an example of subdivision accessway and explained it is not a-typical nature of common driveways in accessways. They've added this amendment to define the practice we already use.

Mr. Quick asked about common driveway easements as part of a subdivision? Mr. Stein said they don't have it and it's not a bad idea to include it with standard language.

Mr. Tepper stated it should not be excessive in length and convenience, should be tightened or dropped? Mr. Stein said more of a historical thing maybe should add the Fire Marshall (who might rule on it).

Mr. Hill asked for comments from the Public.

Ronald Gold, local attorney, said he was in favor of the change. He explained that 5.2.5 Tortured Lot Lines, defines the definition and that under today's conditions it is almost impossible to create lines that are not tortured. Mr. Gold explained that many lots today are gerrymandered to protect natural features of the parcel and that over the last 5

years, found 30 applications that have lot line eccentricities and went through various examples (function of natural features). Mr. Gold then stated that Section 5.2.6, the way it is written now, is violated every time a driveway is not included in a lot. As written, violated in dozens and dozens of subdivisions. He added that the proposal tightens this language and that he supports both of the text change applications.

Mr. Hill asked the Public if there were any more comments. There were none.

Mr. Hill then closed the Public Hearing.

***Old Business:***

Mr. Stein announced that there will be a meeting next week, Tuesday, June 1, 2010 and that the Board would elect new officers.

There being no further business to discuss, Mr. Hill adjourned the meeting at 9:08 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.