

STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES #3545
TUESDAY, MARCH 3rd, 2009
7TH FLOOR CONFERENCE AREA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Claire Fishman, Rose Marie Grosso, Jay Tepper and Michael Raduazzo. Present for staff were Robin Stein and Todd Dumais.

The Acting Chairman, Mrs. Theresa Dell, called the meeting to order at 7:30 pm.

Master Plan Application:

MP-401 969 Associates, LLC to amend a portion of the Master Plan Map from Land Use Category 7 – Commercial Arterial to Land Use Category 2 – Residential – Low Density Single-Family. The affected property is located between High Ridge Road and Turn of River Road having addresses of 955 and 969 High Ridge Road.

Mr. Stein described briefly the application. He stated that during the Public Hearing on February 24, 2009 there were no member of the public wishing to speak in favor of, in opposition to, or neither in favor of nor opposition to. Mr. Stein continued by explaining how the Master Plan change from Category 7 to Category 2 with the associated zoning map changes was requested by the neighborhood during the public hearing.

After a short discussion, Mr. Tepper moved approval of the Master Plan amendment. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Fishman, Grosso Tepper and Raduazzo)

Subdivision Application:

Subdivision Application #3982 of Brass Ring Properties Venture. For subdivision of property into 4 parcels. The property is located at the northern terminus of Pakenmer Road having an address of 51 Pakenmer Road.

Mr. Stein briefly described the application. He explained that the site is located in the RA-1 zone and meets all applicable zoning and subdivision standards as proposed, while providing an open space buffer around the perimeter of the property. Mr. Stein next explained that during the public hearing no members of the public spoke in favor of or in opposition to the application but several neighbors voiced their concerns about being able to connect to the sewer and the construction vehicles on McArthur.

Ms. Dell stated that the issue of the neighbors connecting to the sewer was not a Board decision because they can't require the developer to extend a force main. Ms. Dell further stated that the construction vehicles shouldn't come in off McArthur Avenue but should be restricted to Pakenmer Road. Mr. Stein expressed concern about enforcing this if made a condition.

Mr. Tepper stated the people bringing this aren't the developer and he is concerned that this work will negatively impact future development. Mr. Stein explained that any future developer will have to abide by any conditions imposed by the Planning Board.

Mr. Stein then distributed and discussed the following 15 conditions for approval:

1. Delineation of "Open Space Preserve/Conservation Easement Area" - to be maintained in a natural state except as may be authorized by the Environmental Protection Board; the area so designated is 32,431 square feet and is shown on a map dated revised January 14, 2009 on file in the Planning Board office and shall be field staked with iron pipes and EPB approved conservation signage at all property boundaries, turning points and at intervals of no less than 100 feet along continuous stretches of the easement boundary.
2. Filing of a standard "Conservation Easement Agreement" to include the area designated as "Open Space Preserve/Conservation Easement Area," concurrently with the filing of the final subdivision map.
3. The development of Lot 1 requires Site Plan Review by the Environmental Protection Board (note to appear on final map).
4. Significantly sized trees shall be preserved to the greatest extent allowable with specific measures to ensure their protection outlined in the report by Second Nature Tree & Landscaping Company, dated September 2008 subject to final review and approval of the Environmental Protection Board staff (note to appear on final map).
5. Submission of a standard "Standard Landscape Maintenance Agreement" to ensure the success of plantings in the Open Space/Conservation Easement Areas to be executed and filed on the land records prior to the start of any site activity, issuance of any Zoning permits, and/or transfer of title (note to appear on final map).
6. Submission of a standard "Drainage Facilities Maintenance Agreement" to be executed and filed on the land records prior to the start of any site activity, issuance of any Zoning permits, and/or transfer of title (note to appear on final map).
7. Final streetscape trees shall be subject to the approval of the Tree Warden and the Executive Director of the Environmental Protection Board (note to appear on final map).
8. Approval of final plans by the City Engineer as to road construction and drainage.
9. In-ground fuel tanks shall be prohibited (note to appear on final map).
10. Site development shall not begin until a soil erosion and sedimentation control plan is approved by Environmental Protection Board staff and those control elements scheduled for installation are in place and functional (note to appear on final map).
11. Filing of a performance bond or other form of surety acceptable to Corporation Counsel for roadway construction, drainage improvements, and streetscape plantings prior to the filing of the final map.
12. In accordance with CGS 8-26c, approval shall expire on March 6, 2014, unless all "work" as said term is defined in CGS 8-26c(b), has been completed by said date (note to appear on final map).
13. Subdivision reference number to be placed on final map.

14. Site ingress / egress for all construction vehicles not related to the installation of the sanitary sewer line or to the demolition of the existing dwelling, barn and shed, shall be restricted to Pakenmer Road.

After a short discussion, Mrs. Fishman moved approval of the subdivision subject to the conditions discussed. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Fishman, Grosso Tepper and Raduazzo)

Zoning Board Referrals:

ZB 208-34, 969 Associates, LLC, requesting a Zoning Map change to R-10, "One Family Residence District" for property currently zoned C-N "Neighborhood Business District." The affected property is located between High Ridge Road and Turn of River Road having addresses of 955 and 969 High Ridge Road.

Mr. Stein reviewed the application. Mr. Tepper moved to recommend approval of the application. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Fishman, Grosso Tepper and Raduazzo)

ZB 208-42, Richard Redniss, requesting a Zoning Text amendment to amend Article IV, Section 10-J (1), Non-Conforming Uses.

Mr. Stein reviewed the application. Mr. Raduazzo moved to recommend approval of the application. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Fishman, Grosso Tepper and Raduazzo)

Old Business

Subdivision #3974, requesting an extension of time to file the final map.

Ms. Jackie Olschan representative for the applicant explained the request. Mr. Tepper moved approval of the request. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Fishman, Grosso Tepper and Raduazzo)

New Business

Mr. Stein informed the Board that they would not meet March 10, 2009.

Respectfully Submitted,
Duane Hill, Chairman

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.