

STAMFORD PLANNING BOARD
PUBLIC HEARING AND REGULAR MEETING MINUTES #3549
TUESDAY, APRIL 28th, 2009
4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

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

Public Hearing

The Chairman, Mr. Duane Hill, called the Public Hearing to order at 7:30 pm.

Subdivision #3986, Anthony and Susan K. Loglisci, for subdivision of property into 3 parcels. Property is located on the northeast corner of the intersection of Haviland Road and East Hunting Ridge Road; having an address of 301 Haviland Road.

Mrs. Gross read the following legal notice into the record:

LEGAL NOTICE - PLANNING BOARD OF THE CITY OF STAMFORD

Notice is hereby given that the STAMFORD PLANNING BOARD will hold a Public Hearing on Tuesday, April 28, 2009, at 7:30 PM., in the Government Center Building, 4th Floor, Cafeteria, 888 Washington Blvd., Stamford, CT to consider the following application for the subdivision of property:

Subdivision Appl. #3986 of Anthony and Susan K. Loglisci. For subdivision of property into 3 parcels. Property is located on the northeast corner of the intersection of Haviland Road and East Hunting Ridge Road; having an address of 301 Haviland Road.

Neighboring property owners and/or their agents are encouraged to review the proposed subdivision map and pertinent correspondence in the file prior to the scheduled public hearing. These are available during normal business hours at the Land Use Bureau, Government Center, 7th floor, 888 Washington Blvd., Stamford, CT

At the above named time and place, all persons interested will be given an opportunity to be heard. The meeting place is accessible to the physically impaired. Deaf and hearing impaired persons wishing to attend this meeting and requiring an interpreter may make arrangement by contacting the Department of Social Services Administration office at 977-4050 at least five working days prior to the meeting.

Mr. Hill next introduced the members of the Planning Board and of the Land Use Staff to the public and proceeded to explain the procedures by which the Public Hearing portion of the meeting would be conducted.

Mr. John Leydon, of the law firm Brennan & Leydon and attorney for the applicant, presented the application. He began the presentation by submitting the statement of notification of adjoining property owners into the record; submitting a Health Department letter of correction into the record and ensuring that the Board had the Frattaroli plans with a revision date of April 22, 2009.

Attorney Leydon next described the application stating that it is a 3 lot subdivision, each lots conforming to applicable zoning requirements and that the applicant had already gone to the Environmental Protection Board (EPB) and received a unanimous approval for the proposed subdivision.

Mr. Stein added that the Land Use Bureau received a letter today in which two neighboring property owners proclaimed their support for the application.

Next, Mr. John Puglisi of Edward J. Frattaroli, Inc. Surveyors, project engineer, described the technical details of the application. He explained that the proposed subdivision was a three plus a property, a piece of which is located on Haviland Road and the rest being located on East Haviland Road. Mr. Puglisi described the physical characteristics of the site noting that there is a large rock outcropping with steep slopes in the center of the site, an existing house, garage, pond and open fields and lawn. He commented that the three lots would be divided into a 1.46-acres lot and two 1-acre lots. Mr. Puglisi added that the site was designed to with a storm-water detention system to elevate any runoff and that as part of overall development, an arborist evaluated the existing trees stock and prepared an appropriate landscape plan.

Mr. Stein asked what plans were in place to preserve the cemetery. Attorney Leydon answered the language in the conservation easement required for the preservation of the cemetery and assured family visiting rights.

Howard Merske, Professional Engineer registered in State of Connecticut explained that the issue of traffic safety is paramount. He noted that the existing sightline was proposed to be increased from 140' to about 200'.

Mr. Stein commented that a proposed condition of approval requires the posting a of performance bond prior to the filing of the final subdivision map and asked if the applicant was aware of this condition, given current state of economy. Attorney Leydon responded yes his client is aware and that they are prepared to either physically make the improvements or provide a bond as required.

Mr. Hill asked if there were any members from the public wishing to speak in favor of this application. There were none. Next, Mr. Hill asked if there were nay members of the public wishing to speak in opposition to the application. There were none. Mr. Hill then asked if there were any members of the public wishing to speak neither in favor of nor in opposition to the application.

Wes Levers, homeowner 66 Pillsbury Lane stated that he had several questions about the application. First, he asked if preservation meant the same thing as maintenance for the cemetery. Second, Mr. Levers asked if the pond area and wetlands that are now lawn would become wetlands again and finally he asked if the application required any exemptions from the City of Stamford code.

Mr. Stein stated that all of the lots conform to zoning regulations and that the applicant has not requested any waivers or variances.

Christine Begole, homeowner 316 Haviland Road stated there is an interconnected pond system and that she is concerned about impact to the water on wells and septic systems in the neighborhood. She commented that she was also concerned about any impact on the flow of water in the pond system.

Mr. Puglisi responded to say the open space has to remain a natural space with more of a woody marsh wetland. With respect to the drainage questions, Mr. Puglisi noted that they've analyzed the site development and there will be no increase in impervious coverage to the property or impacts to the ponds. He also added that there was no reason to believe there will be issues with wells and that the septic systems must be designed to Health Department standards.

Ms. Dell asked a question about the existing house's septic system. Mr. Puglisi answered the septic system has to be constructed prior to final map.

Attorney Leydon further addressed the public's questions stating that proposed Parcels 2 and 3 are subject to site plan review and that no variances are needed; that all lots are conforming and that the cemetery will have deeded rights to Stensel family for visitation and maintenance.

Mr. Stein stated that the actual development of any lots would require a detailed review by the EPB and Engineering departments prior to approvals.

Mr. Hill again asked if there was anyone from the public wishing to comment on this application.

Ms. Begole asked a follow up question to ensure that there would be no increase or decrease in outflow of water from the pond system. Mr. Puglisi said they are not diverting any water away from the pond and will not increase or decrease rate of runoff.

Phillip Berns, of the Board of Representatives requested that the Planning Board pose specific questions for EPB to look at, specifically the driveway along edge of wetlands to be further reviewed by the EPB staff.

Mr. Puglisi responded to the comment by stating that EPB has already looked at the driveway, noting that the site is nearly 38% open space on site and that EPB voted to approve the current configuration.

There being no further comments or questions from the public, the Board or staff, Mr. Hill closed the public hearing on Subdivision Application #3986 at 8:10pm.

The Board took a ten minute recess.

Mr. Hill called to order the public hearing on application **MP-405 Procurement, LLC 808-826 High Ridge Road and 11 Maplewood Place**, to amend a portion of the Master Plan. From Master Plan Land Use Category 2- Residential – Low Density Single-Family to proposed Master Plan Land Use Category 7- Commercial – Arterial at 8:20 pm.

Ms. Rose Marie Grosso read the following legal notice into the record:

LEGAL NOTICE PLANNING BOARD OF THE CITY OF STAMFORD

RE: MP-405 Notice is hereby given that the Planning Board of the City of Stamford, Connecticut, will hold a Public hearing on Tuesday, April 28, 2009, 8:00 PM., in the Government Center Building, 4th Floor Cafeteria, 888 Washington Boulevard, Stamford, Connecticut, to consider an amendment to the Stamford Master Plan upon application of:

Procurement, LLC 808-826 High Ridge Road and 11 Maplewood Place, to amend a portion of the Master Plan. From Master Plan Land Use Category 2- Residential – Low

Density Single-Family to proposed Master Plan Land Use Category 7- Commercial – Arterial for the following described properties:

All that certain parcel of land situated in the City of Stamford, County of Fairfield and State of Connecticut, said parcel of land being more particularly bounded and described as follows:

Beginning at a point on the centerline of High Ridge Road, located approximately 75 feet measured northerly along said centerline from its intersection with the extended centerline of Maplewood Place, then bounded as follows:

Southerly, 277 feet, more or less, by High Ridge Road, land of Benitez, now or formerly, and land of Procurement LLC, now or formerly, each in part;

Westerly, 130 feet, more or less, by land of Yablon, now or formerly;

Northerly, 36 feet, more or less, and Westerly, 127 feet, more or less, by land of Tehrani, now or formerly;

Northerly, 226 feet, more or less, by other land of Procurement LLC, now or formerly, and High Ridge Road, each in part;

Easterly, 261 feet, more or less, by the centerline of High Ride Road.

Containing approximately 1.5 Acres of land

Block #: 359

At the above-named time and place, all person interested will be given an opportunity to be heard.

The meeting place is accessible to the physically impaired. Deaf and hearing impaired persons wishing to attend this meeting and requiring an interpreter may make arrangement by contacting the Department of Social Services Administration office at least five working days prior to the meeting.

Mr. Hill next introduced the members of the Planning Board and of the Land Use Staff to the public and proceeded to explain the procedures by which the Public Hearing portion of the meeting would be conducted. Mr. Hill stated that the hearing for Master Plan application 405 would begin by a reading of the staff report, followed by questions or comments from the public wishing to speak in favor of, in opposition to, or neither in favor of nor opposition to the application and finally a last round of questions from the Board.

Mr. Stein read the following staff report into the record:

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 7 (Commercial – Arterial), for four lots (812-826 High Ridge) and portions of two other lots (808 High Ridge and 11 Maplewood Pl), comprising an area of approximately 1.25 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. Attached aerial photos show existing development of the affected properties and surroundings, and current Master Plan and Zoning designations. Attached photos of the site and adjoining properties are also

attached for reference. Note that the southerly boundary of the affected area is more accurately shown on the sketch and legal description provided with the application, and actually cuts through a portion of the southerly property (n/f Benitez, 808 High Ridge). A portion of the northerly most lot is used as commercial parking for the adjoining commercial use (Nagi Jewelers), while the five other affected lots are developed for residential use.

In discussions with the applicant, staff has consistently discouraged any change in the Master Plan to extend the existing commercial master plan and commercial zoning farther south along High Ridge Road. The southerly limit of the commercial Master Plan Category 7 and of the corresponding commercial C-N zoning district has remained virtually unchanged along this portion of High Ridge Road for more than fifty years. This issue was tested repeatedly for property on the east side of High Ridge Road, extending from Merriman Road to Donata Lane. The property owner (Sandolo), beginning in 1987 (MP-301) submitted a series of applications requesting change in the Master Plan from Category 2 to Category 6 (commercial). The proposed extension of commercial development was strongly opposed by surrounding residential property owners, and was denied consistently by the Planning Board. In 2001, the attempt to extend commercial was finally abandoned. The developer won neighborhood support by building two new single family homes on the corner of Donata Lane to cut off any threat of commercial sprawl, and the Planning Board approved a Master Plan change to Category 3 (low density multi-family) for the balance of the property. Subsequently, the property was rezoned RM-1 and developed as an attractive 10-unit townhome project, with site and architectural control provided by the Zoning Board.

The reasons cited by the Planning Board in denying these previous applications to change similar property from Category 2 to Category 7 remain valid for the current application. Quoting from the staff reports on MP-349, the third of five Master Plan changes denied by the Planning Board, the following five issues were identified:

1. What conditions have changed to warrant the Master Plan change?
2. The Master Plan policy of restricting neighborhood and local business centers.
3. The Master Plan policy of protecting residential neighborhoods.
4. The impact on traffic and safety of adding 11,000 square feet of commercial use and 45 parking spaces at this location.
5. The danger of setting a precedent that invites land speculation and additional requests for commercial rezoning along High Ridge Road and other major arterial roads.

The current Master Plan application is indistinguishable from this previous series of unsuccessful applications for property on the opposite side of High Ridge Road, with the exception that it would generate even greater commercial development (16,300 square feet of commercial, with 65 parking spaces), that new single family and multi-family residential development has occurred on the east side of High Ridge Road, and that the zoning on the opposite side of High Ridge Road is R-10 and not C-N, as was the case with the Sandolo property.

The Master Plan policies cited above regarding restricting commercial development to established neighborhood and local business centers and protecting residential neighborhoods, are retained in the 2002 Master Plan. The City Beautiful Chapter recommends establishment of PDD (Preservation and Design District) for High Ridge Road with the intention to create a landscaped boulevard quality and to protect its residential character along most of its length (Strategy B4.2). This same goal is restated

in the Neighborhood Plan for Newfield-Turn of River-Westover, focusing on reinforcing the residential quality of life, and coming to grips with traffic, land use and design issues along the Ridge Roads. Traffic calming measures are recommended to reduce traffic impacts on neighborhood roads. The Neighborhood Plan discourages increased commercial development outside of the Downtown, with the following statement:

“There is significant market support for office and retail development in these neighborhoods, owing to Long Ridge Road’s and High Ridge Road’s tremendous visibility and accessibility, especially proximate to the Merritt Parkway. Significant commercial development would, however, drain energy from Downtown; and it should generally be rejected. The only exceptions should be for in-fill office development, to accommodate existing single-tenant users on their campuses; and retail redevelopment that leads to improvements in the physical character of existing corridors without significant increases in the retail inventory.”

In previous discussions, the applicant has provided preliminary site and architectural plans illustrating how a commercial development of the property might buffer adjacent residential properties with landscaped setbacks and how parking could be screened from view and traffic limited to one new curb cut. However, a Master Plan change and even a zone change to C-N cannot be conditioned on a particular site and architectural plan, and C-N zoning standards are as-of-right, allowing pavement up to a property line with no requirement for landscape buffers to protect residential properties. C-N development of at least 40,000 square feet of property does require issuance of a special exception by the Zoning Board and a modicum of design control. But there is no guarantee that the property will be consolidated and that special exception approval by the Zoning Board will be required. In fact, it appears impossible to consolidate the property into a single parcel matching the proposed Master Plan boundary because the land remaining along Maplewood Place is too small to support even one R-10 lot.

In summary, staff finds that the current application is indistinguishable from the “Sandolo” applications previously denied by the Planning Board, and in fact has less merit because the “Sandolo” property could at least point to the fact that the property on the opposite side of High Ridge Road was already zoned commercial.

John Leydon, attorney for the applicant introduced the development team. He presented the application noting that it has outstanding community support and that it was not an out-of-town land use swapper but a is a family that has run a successful business in Stamford for many years and would like to build this development. Attorney Leydon added that this Master plan application would set the stage for the future rezoning of these properties in to C-N neighborhood commercial by changing the Master Plan land use category from category one to category seven, which supports the proposed commercial zone.

Do Chung, Project Architect, explained the proposed architecture of the development. He commented that High Ridge Road is an interesting hodge-podge of indistinguishable one-story retail, and residential and that a well designed mixed-use commercial development with residential above would help preserve the neighborhood. The proposed new building would reflect an Italian hybrid styling similar to Mr. Osta’s existing building. Mr. Chung added that the overall scale of the design fits nicely on the site and into the neighborhood.

Leonard D’Andrea, surveyor for the applicant, explained that this section of High Ridge Road lacks meaningful green space and that this development proposal would establish

greenery along front and edges of property. He added that the project was designed to minimize the amount of driveway pavement and explained how traffic-flow on site works. Mr. D'Andrea explained further that the proposal was to create a neighborhood park to serve as a green buffer to residential neighbors to the south on Maplewood.

Ms. Dell asked if the smaller building is the existing Nagi building, the way it's configured, and if the parking going to also be reconfigured? Mr. D'Andrea answered the question by stating that the building was the Nagi building and that the parking was nonconforming and eliminated to provide green space.

Ms. Grosso asked if there was a parking garage and if so, how many parking spaces? Mr. D'Andrea answered yes. The parking would be tucked under the building.

Ms. Grosso asked how many square feet the building would be. Mr. D'Andrea said 14,800 sf of retail plus six apartments above and contained 94 parking spaces.

Mr. Hill addressed that applicant stating that the Planning Board was considering a Master Plan amendment to change the Master Plan Land Use category and not addressing specific building and site plan issues.

Mr. D'Andrea said it is very conceptual, but client is willing to provide many things for the neighborhood.

Mr. Stein echoed Mr. Hill's comments stating that this is a Master Plan application and we haven't heard any comments relating to the Master Plan but have only heard illustrative comments about the site plan. He added that this discussion is not relevant to the Master Plan changes since the Planning Board can't condition a change on this illustrative site plan.

Attorney Leydon said their intention was to begin with a brief synopsis of the proposed development and that the Master Plan issues would be answered later in the presentation. Attorney Leydon stated that the applicant has a number of neighbors in support of their plan which is different from the Sandolo application.

John Landsidel, homeowner 14 Cedar Heights Road, commented that Mr. Osta is trying to become an asset for the neighborhood and that growth should be allowed in the neighborhood.

Attorney Leydon then distributed highlighted sections of the Master Plan which he felt supported this application for a change in the Master Plan. He added that he believes that concluding quote of the Staff Report makes the applicant's case. Attorney Leydon further stated that the Master Plan does not say anywhere that there is a bar or restriction on commercial development on High Ridge Road and that if approved the applicant will hold the zone change application with site plan so it would be effectively conditioned.

Mr. Hill stated that he preferred to have neighbors comment during public comment period and not as part of the applicant's presentation.

Attorney Leydon explained that the applicant was attempting to create gateways where appropriate along High Ridge Road and that traffic is an issue and a traffic light could be installed on Bradley Place. He added that the Master Plan refers to streetscapes and streetscape landscaping along the boulevard, identifying B4.3 and how this application will provide a fountain at the corner of Bradley Place and will serve as a gateway.

Attorney Leydon added that on pages 67 and 68, D2.7 key policy to deny applications that drain energy from downtown does not apply to this application because one cannot claim that this 15,000 square foot development drains activity from existing 1.7 million square feet of retail in the downtown. He further explained that the questions posed with respect to the Sandolo application do not apply. He addressed the Staff report question of what conditions have changed to warrant a Master Plan change by stating that the economy is not good and this will help tax base; that if approved, will hire only Stamford contractors and get all materials from Stamford suppliers; and that the proposal would improve traffic, reduce curb-cuts and eliminate nonconformities.

Attorney Leydon stated that precedent is a big concern and that the claim that if you approve this have to approve something else and eventually High Ridge Road will look like Route 1 in Norwalk is not true. He added that in the Sandolo application approval the same argument was made that single family residential was ok and any multifamily would set a precedent. He emphasized this application fits the Master Plan.

Mr. David Sullivan, Milone McBroom, traffic engineer explained that a traffic feasibility study was conducted and that a new traffic light at the intersection of High Ridge Road and Bradley would improve traffic and safety.

Ms. Dell asked why should the Board change this zone to commercial. She commented that the applicant says there's no precedent, what's to say more commercial applications won't come in further down High Ridge Road.

Attorney Leydon stated that we think we are obliged to follow the Master Plan, what is unique is our block is split between commercial and residential. Important to note that applicant didn't create this. He added that the Sandolo site was flat; this site drops down and allows us to green more; site will be attractive and fits with scale and is not a precedent setter.

Next, Attorney Leydon submitted a petition of neighborhood support. The letter was sent out to many neighbors and shows the applicant has significant support.

Mr. Hill asked for comments from the public, asking that they be concise and to the point. He also asked that the public remember they are here to address the Master Plan amendment and not a site and architectural approval. Mr. Hill then asked if there were any members of the public wishing to speak in favor of the application.

Bonnie Yablon, of 23 Maplewood Place, the neighbor behind the proposed development stated that at first she wanted to be against the application but Mr. Osta has been honest with neighborhood; willing to come and make property better for his family and my neighborhood and that she is 100% for development.

Carol Waggaman, of 378 Pepper Ridge Road stated that he has no material interest in property but that a change in the Master Plan would be of great benefit to that part of High Ridge Road. He added that Mr. Osta is a man of highest integrity and that the project looks good and will freshen up the area. Mr. Waggaman stated that it is not destructive competition to downtown and that the proposed changes do no harm to downtown.

Steve Arvan, of 27 Bradley Place added that a traffic light would be great. He said that the existing homes are eyesores; that the green space would be great; and that the Master Plan is changed for everyone else in the City and should be okayed for Nagi.

Mario Terranton, of 23 Maplewood Place stated that the homes on corner of Maplewood are in terrible condition and that this neighborhood along High Ridge needs to be revitalized.

Michelle Krepak, of 571 Roxbury Road commented that she was excited about this project and that beautification of this area is important.

Christopher Brecciano, of 28 Maplewood Place stated that he was in favor of project and that the Board is here to protect rights of people in the area. The people want this application to be approved.

Jeffery Ost, of 812 High Ridge Road stated that the existing buildings are disgusting and that there were no parks nearby. He as in favor of application.

Mr. Hill asked if there were any member of the public wishing to speak in opposition to the application.

Philip Berns, Board of Reps 16th District, was concerned not with Mr. Osta who is a good and decent man but once the changes are made, any future owner could make changes that don't have neighborhood support. He added that there is a long term vision for the area and that we must plan for the long term and look at the strategic desires for the community. Mr. Burns further added that a long term consequence to this decision is that we could end up with more commercial development along High Ridge Road. Asking, where are we going to hold the line?

Anna Soave, of 32 Vine Place stated that the neighborhood is the target for commercial development and that the previous Sandolo applications were denied. She asked how is it that there's been no commercial zoning along Long Ridge Road in the past 30 years? The Master Plan makes sense to keep commercial development in Downtown which allows surrounding neighborhoods to remain vibrant and that the Board is being asked to do something which hasn't been granted in over 30 years. She urged greater support to community homeowners and to deny application.

Bernard Simpkin, of 11 Bel Aire Drive commented that we are losing sight of much here in talking about a piece of the plan that's protecting neighborhoods. Traffic flow and emergency services will be negatively impacted. He further stated that the proposed change is not warranted and negatively impacts the entire city of Stamford.

Marie Cairo, of 38 Mclean Avenue stated that a Master Plan change to solve the three disgusting homes along High Ridge Road is not a warranted reason to change the Master Plan.

Jon Rontolo, of the DSSD submitted a letter stating DSSD's opposition to the application. He said that it has been of the DSSD to discourage commercial development in a residential zone.

Yvette Scaturchio, of 795 High Ridge Road commented that she didn't see this proposed change as beneficial. She stated that the goals of the Master Plan are promote the vitality of downtown district area and retain integrity of no more commercial development along High Ridge Road.

Cynthia Reeder, of Old North Stamford Road opposed the plan. She said there is too much development in too small a space and commented that there are other ways to solve neighborhood problems. Cynthia added that Mr. Osta owns these properties and

doesn't have to have this zone change to fix them. She encouraged the Board to deny the application.

Paula Waldman, of 110 Old North Stamford Road asked the Board to please deny application.

Anthony Masciarelli, a Bradley Place Resident stated that this is the domino affect and that changing the Master Plan to intensify commercial development along High Ridge Road is a bad idea.

Mr. Hill called a five minute break.

Mr. Hill continued the meeting asking for members from the public wishing to speak in opposition to the application.

Daniel Benjamin, Benjamin & Gold, PC, Otavione & Terrano, LLC. distributed a compendium to the Board. He described the existing conditions of the site and highlighted many themes from the Master Plan as to why this application was not in conformance with the Plan. He stated that the expansion of commercial use will lead to the elimination of residential districts and that there is no good and sufficient reason to take residential homes and devote them to commercial use. He recommended that the Planning Board deny the requested change. Mr. Benjamin then went through the compendium of exhibits and concluded by asking the Board to deny the current application.

Alex McDowell, Attorney for Lotsien Realty Company, LLC, stated that he agreed with comments in staff report, urging Board not to allow expansion along High Ridge Road.

Josh Brown, of 15 Tallyho Lane, hoped the Board would decline the Master Plan change.

Mr. Hill asked for further Public comments. There were none.

Mr. Hill asked the applicant if wanted to speak.

Mr. Nagi Osta, the applicant, thanked Board for listening; thanked staff for listening to his team and said thanks to friends and neighbors. He explained that he has been in Stamford 32 years and expressed his community support and activities. He added that he is one of best jewelry stores in Connecticut and loves the neighborhood and that he respected his neighbors. Mr. Osta explained that that was his background and this is my vision for the future to try to enhance the neighborhood. He explained that High Ridge Road is a thoroughfare to downtown and that this application would not set a precedent; and that this project will give taxes to the city. He said that change is good, the time is now to change and that it is not the strongest or most intelligent who will survive but those who respond to change.

Attorney Leydon asked the Board to recognize the significant neighborhood support from Bradley Place.

Mr. Hill closed the Public Hearing on application MP 405 at 11:00 pm.

Regular Meeting

Zoning Board Referrals:

ZB 209-12 Stamford Zoning Board, text amendment to add “Community Center” as a permitted use in the VC, Village Commercial District. Mr. Stein briefly described the application, noting that the drafters of the V-C zoning regulations neglected to include this as a permitted use.

After a short discussion, Mrs. Dell moved to recommend approval of application ZB 209-12. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

Zoning Board of Appeals Referrals:

ZBA 027-09, Grace Christian School, special exception reaffirmation to continue the use of church facilities as a school for children at 602 High Ridge Road. Mr. Dumais briefly described the application. After a short discussion, Mrs. Grosso moved to recommend approval of application. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

ZBA 030-09, Michael Kneeland & Roxene Hunter, requesting variances of front yard setbacks and building coverage to construct an attached garage on an existing home located at 320 Stamford Avenue. Mr. Dumais briefly described the application. After a short discussion, Mrs. Fishman moved to recommend approval of application. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

ZBA 031-09 Dario Pallandino, requesting variances of front yard setbacks and building coverage to construct a second story addition to an existing home located at 17 Wells Avenue. Mr. Dumais briefly described the application. After a short discussion, Mrs. Dell moved to recommend approval of application. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

ZBA 032-09 Mary & Wayne Fox, variance of building coverage to construct a one-story addition to a home located at 13 Apple Tree Lane. Mr. Dumais briefly described the application, noting that the Board previously recommended approval on this application. After a short discussion, Mrs. Dell moved to recommend approval of application. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

Approval of Meeting Minutes:

Discussion on approval of all minutes was tabled to a future date.

- February 24th, 2009
- March 3rd, 2009
- March 31st, 2009
- April 7th, 2009
- April 14th, 2009

Old Business

Subdivision 3980, 91 Barrett Avenue: Extension of time request to file final map.
Discussion was tabled on this item until a future date.

There being no further business to discuss, Mr. Hill adjourned the meeting at 11:25 pm.

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.