

STAMFORD PLANNING BOARD
PUBLIC HEARING AND REGULAR MEETING MINUTES #3550
TUESDAY, MAY 12th, 2009
7TH FLOOR CONFERENCE AREA
888 WASHINGTON BLVD., STAMFORD, CT

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

Regular Meeting

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

Supplemental Capital Project Appropriation Requests:

Mill River Improvements for \$145,000. Mr. Dumais explained that the request was for the removal of the Main Street (Mill River) dam and Mill River improvements and was covered by a NOAA grant.

Mr. Tepper moved to recommend approval of supplemental capital project request. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

Environmental Compliance / Storm-water Management at the Toquam School for \$10,648. Mr. Dumais explained that this was also a grant funded request for storm drainage improvements at the Toquam School.

Mr. Raduazzo moved to recommend approval of supplemental capital project request. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Raduazzo)

Master Plan Map Amendment:

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.

Mr. Hill asked Mr. Dumais to summarize the application as presented at the public hearing. Mr. Dumais explained that the applicant proposed a change in 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 Place), comprising an area of approximately 1.25 acres. He said that 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. Mr. Dumais then highlighted several key points raised in the Staff Report, which he added was overall critical of the proposal.

Mr. Dumais next explained that during the public hearing the applicant cited many examples of strategies and goals from the Master Plan which they felt this project furthered. He said that Attorney Leydon argued that this application was consistent with the Master Plan because it furthered the strategy of creating Gateways along the east-west roads of High Ridge Road; that this application would not create a precedent

because it was the only split commercially zoned / master planned block along High Ridge Road; that the Master Plan called for the need to create a boulevard along High Ridge Road and the creation of new parks. He added that the Master Plan's strategy to focus large scale retail downtown was not violated by this application because of the development's relatively small development.

Mr. Dumais then summarized the public comments delivered at the hearing. He stated that Attorney Leydon submitted a petition of support signed by 24 property owners, 9 on Bradley Place, 11 on Maplewood Place and 4 from High Ridge Road and that 7 people spoke in support of the application. Mr. Dumais added that the reasons for support included the need to fix the dilapidated homes on High Ridge and the corner of Maplewood; the attractiveness of the proposed development and the character of the applicant.

Mr. Dumais then summarized the comments from the members of the public who spoke in opposition to the application. He stated that 12 people spoke in opposition to the application, including two attorneys representing commercial property owners in the City. He added that reasons for opposition included long term consequences of expanding commercial down High Ridge Road; the Master Plan's policy to keep commercial in the downtown; negative traffic impacts; that the need to fix three dilapidated homes does not warrant a MP change; the DSSD's opposition to the expansion of commercial into residential neighborhoods and the need to restrict further commercial development along High Ridge.

Mr. Tepper said two things concern him about this application. He explained that the argument was entered that since the applicant is a nice man and valued member of the community it should give support to the Master Plan amendment. Mr. Tepper added that this does not have any relevance to the merits of deciding on a Master Plan amendment. Second, Mr. Tepper stated that he was concerned that the replacement of dilapidated homes argument for a Master Plan change was not applicable and could potentially set a dangerous precedent.

Mrs. Fishman stated that many stores along High Ridge Road are currently empty so why should we place more land into a commercial category. She added that she was opposed to further commercial development on High Ridge Road.

Mrs. Grosso commented that she was concerned with setting a precedent along High Ridge Road.

Mrs. Dell stated that she did not see how dilapidated homes could be used as a reason to change the Master Plan and added that if we allow this, we will see more development down High Ridge Road.

Mr. Hill explained that the Master Plan is a complex document and requires a higher threshold for establishing reasons to amend versus other land use applications. He stated that he asked staff to look at what Master Plan changes the Board has approved over the past five years. Mr. Hill explained that there were significant changes made but the underlying theme is that the Plan calls for more residential development and the conversion of residential to commercial would have to be backed by extraordinary circumstances. He added that the following quote from the Master Plan was instrumental in making his decision on the project:

“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.”

Mr. Hill explained that there have been approximately 17 changes to the Master Plan Map since 2005 and all but two were to place lands into residential or mixed use categories. He added that he does not believe this application meets the threshold requirements for a Master Plan amendment.

Mr. Tepper moved to disapprove Master Plan Map Amendment 405. Mrs. Dell seconded the motion and it carried unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

Subdivision:

Subdivision Application #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.

Mr. Dumais summarized the application. He explained that the application sought the Board’s permission to subdivide an existing 3.6 acre parcel into three lots with all lots conforming to zoning being served by septic systems and wells. He added that the proposal would provide a total of 38.5 % of the combined lot areas into conservation easement area. Mr. Dumais stated that during the hearing three people commented on the application. He said their comments related to ensuring no negative drainage impacts to adjoining property owners; no negative impact on water quality to the pond and on wells and septic systems; concern about the driveway location along the edge of the wetland.

After a short discussion, Mrs. Dell moved to approve of subdivision application #3986 subject to thirteen conditions of approval. 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:

February 24th, 2009 Mr. Raduazzo moved to approve the 2/24/09 meeting minutes. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper and Raduazzo)

March 3rd, 2009 Mrs. Fishman moved to approve the 3/3/09 meeting minutes. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Fishman, Grosso, Tepper and Raduazzo)

March 31st, 2009 Mrs. Dell moved to approve the 3/31/09 meeting minutes. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Dell, Grosso, Tepper and Raduazzo)

April 7th, 2009 Mr. Raduazzo moved to approve the 4/7/09 meeting minutes. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper and Raduazzo)

April 14th, 2009 Mr. Raduazzo moved to approve the 4/14/09 meeting minutes. Mr. Tepper seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Grosso, Tepper and Raduazzo)

April 28th, 2009 Mrs. Fishman moved to approve the 4/28/09 meeting minutes. Mrs. Grosso seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

Old Business

Subdivision 3980, 91 Barrett Avenue: Request for 90-day extension of time to file record final subdivision map.

Mr. Tepper moved to approve the 90-day extension of time request. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso, and Tepper)

Subdivision 3982, 51 Pakenmer Road: Request for 90-day extension of time to file record final subdivision map.

Mr. Raduazzo moved to approve the 90-day extension of time request. Mrs. Dell seconded the motion and it passed unanimously with the members present voting, 5-0. (Hill, Dell, Fishman, Grosso and Raduazzo)

New Business

None

There being no further business to discuss, Mr. Hill adjourned the meeting at 8:05 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.