

STAMFORD PLANNING BOARD
PUBLIC HEARING & REGULAR MEETING MINUTES
TUESDAY, AUGUST 14th, 2007
4TH FLOOR CAFETERIA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Jeffrey Curtis, Theresa Dell, Claire Fishman, John Garnjost, Duane Hill. Todd Dumais attended for staff.

Public Hearing:

The Chairman, Mr. Duane Hill, opened the Public Hearing at 7:30 PM. The Mrs. Fishman, read the legal notice.

Subdivision Application #3959 of Annette K. and Emmanuel K. Zibolis. For subdivision of property into 2 parcels. Property is located at the west side of Cowan Avenue; having an address of 37 Cowan Avenue.

Mr. John Leydon, attorney for the applicant, presented the application. As his first order of business, Mr. Leydon presented the Board with a copy of the required Certificate of Mailing and also provided a copy petition of support signed by two neighbors. Using a poster board with photographs of the site (*Exhibit A*), Mr. Leydon described the current conditions of the site. He further described the site as an oversized lot for both the zone and neighborhood, having just under 12,000 s.f. of land illustrating this through the use of (*Exhibit C*): a large copy of the tax assessor's map of the area. Mr. Leydon further explained that the site is currently a two-family home and if approved a portion of the existing structure would be removed and a new single-family home would be constructed on the new lot. Mr. Leydon then commented that the proposed subdivision conformed to the frontage definition at the time of submittal, however since that time; the Zoning Board changed the definition of which the current proposal does not comply. He stated that under Connecticut General Statute 8-28a, this subdivision was covered by the existing Zoning Regulations at the time in which it was submitted and therefore complies.

Mr. Garnjost asked where the locations of the curb cuts were going to be.

Mr. John Pugliesi, civil engineer for the applicant, answered that the proposal would maintain the site's existing curb cuts and that the existing driveway width would be reduced to 12' at the property line.

The Chairman, Mr. Hill, asked if there was anyone wishing to speak in favor of, in opposition to, or neither in favor of or opposition to the application. There were no members of the public present wishing to speak in favor of the application.

The Chairman, Mr. Hill, asked if there was anyone wishing to speak in opposition to the application. Mrs. Anna Mosa of 45 Cowan Avenue spoke for all of the residents of Cowan Avenue who signed the petition in opposition to the application which was submitted to the Board. She described the applicant's proposal as "shoehorned" into the site and that the additional dwelling unit on the site would create a bad condition. Mrs. Mosa stated that this application did not conform to section 5.2.5 of the Subdivision regulations because it contained tortured lot lines and was out of character with the existing neighborhood.

Mrs. Angela Pancero of 29 Cowan Avenue submitted photographs of the neighboring properties and stated that she opposed the proposal because it is out of character with the rest of the neighborhood.

Mr. Tom Pancero of 29 Cowan Avenue stated drainage concerns and building height concerns if a new single-family home was built.

A resident of 34 Cowan Avenue expressed traffic concerns.

Mr. Pugliesi answered the concerns of the neighbors by stating there would be no increase in runoff to any adjoining properties. The proposal calls for the installation of an in ground retention system. He then described the water flow on and off the current and proposed site.

Members of the Board then expressed their concerns over the exaggeration of the lot lines, the orientation, specifically the location of the garage on the proposed home and an overall increase in impervious surface area.

Mr. Leydon then referenced back to (*Exhibit C*), stating that this is the only essentially double-sized lot in the neighborhood. He stated that the proposed lot lines do not constitute tortured lot lines and that the addition of a single-family home would not have any negative traffic impacts.

The Chairman, Mr. Hill, asked if there was anyone wishing to speak in favor of the application. There being none present, Mr. Hill asked if there was anyone wishing to speak in opposition to the application. Mr. Tom Pancero of 29 Cowan Avenue spoke in opposition of the application stating that there would not be enough parking spaces for the proposed condition.

Mr. Leydon stated that the existing two-family home contained three parking spaces a condition which is grandfathered.

Mrs. Mosa addressed the Board a second time stating that the whole neighborhood was against this application.

There being no additional members of the public wishing to speak, Mr. Hill closed the public hearing on subdivision application #3959.

Regular Meeting:

Subdivision Application #3962, Ruth & Lawrence Schmidt. 2 lots, southwest corner of Hope Street & Deep Spring Lane.

Mr. Dumais described the application to the Board. He described both the existing and the proposed conditions of the site and stated that the WPCA, Engineering Bureau and EPB have no objections to the proposed subdivision. Mr. Dumais then passed out a list of conditions of approval if the Board should choose to approval the application. He then read through each condition as follows;

- 1) Delineation of "Open Space Preserve/Conservation Area" - to be maintained in a natural state except as may be authorized by the Environmental Protection Board (EPB); the area so designated is 7,109 square feet and is shown on a map dated revised July 17, 2007 on file in the Planning Board office.

- 2) Filing of a conservation easement to include the area designated as "Open Space Preserve/Conservation Area." At the time of filing of the final subdivision map, this Area shall be field staked with iron pipes and EPB approved signage at all property boundaries and turning points and at intervals no less than 100 feet along continuous stretches of the easement boundary (note to appear on final map).
- 3) Significantly sized trees shall be preserved to the greatest extent feasible (note to appear on final map).
- 4) Submission of a "Drainage Facilities Maintenance Agreement" for all drainage improvements as approved by the City Engineer and as depicted on plan entitled "*Development Plan, for 1502 Hope Street, Stamford, CT, prepared by Rocco V. D'Andrea, Inc., Dated July 5, 2007*". The Agreement should be submitted to EPB staff for review and approval, and filed on the Stamford Land Records prior to the filing of the subdivision map.
- 5) All drainage improvements to be completed under the supervision of qualified professionals with certifications of proper completion provided to EPB staff and Engineering Bureau prior to the endorsement of the issuance of Certificates of Occupancy and release of the surety.
- 6) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 7) Site development shall not begin until a soil erosion and sedimentation control plan is approved by the Environmental Protection Board Staff and those control elements scheduled for installation are in place and functional (note to appear on final map).
- 8) Filing of a performance bond or other form of surety acceptable to Corporation Counsel for the installation of erosion controls, drainage improvements, and certifications to be filed with the Planning Board prior to the filing of the final map. An estimate is to be prepared by the developer and submitted to City staff for review and approval.
- 9) In accordance with CGS 8-26c, approval shall expire on August 17, 2012, 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).
- 10) Subdivision reference number to be placed on final map.

Mr. Garnjost moved to recommend approval of the application with the modified conditions. Mrs. Dell seconded the motion and it passed unanimously with the members present voting.

Zoning Board Referral:

ZB 207-36 Congregation Agudath Sholom, map amendment for property currently zoned R-7.5 & R-5 to RM-1 located at 301 Strawberry Hill Avenue.

Mr. Dumais stated that the applicant made a written request to speak to the Board and that the zoning change is wholly consistent with the Board's recent approval of Master Plan Amendment 395.

Mr. William Hennessey, attorney for the applicant, described the zoning change as a chance to put a property which is currently zoned four different designations into a single zone, the RM-1.

Mr. Curtis moved to recommend approval of the request. Mrs. Dell seconded the motion. Mrs. Fishman recused herself from the vote. The application passed unanimously the remaining members of the Board present.

Supplemental Capital Request:

Supplemental Capital Request, Water side Neighborhood Improvements \$10,000.

Mr. Dumais described the request as a Court mandated agreement between ONG and Zoning Board. He stated that the money is already on deposit with the City and as a technicality, the City has to formally accept it. Mrs. Fishman moved to recommend approval of the request. Mr. Curtis seconded the motion and it passed unanimously with the members present voting.

Supplemental Capital Request, Mill River Corridor Development \$20,000.

Mr. Dumais described the request as a Court mandated agreement between ONG and Zoning Board. He stated that the money is already on deposit with the City and as a technicality, the City has to formally accept it. Mrs. Dell moved to recommend approval of the request. Mr. Curtis seconded the motion and it passed unanimously with the members present voting.

Old Business:

Subdivision #3955, 444 High Ridge Road, request for extension of time to file map.

Mrs. Dell moved to recommend approval of the request. Mrs. Fishman seconded the motion and it passed unanimously with the members present voting.

New Business:

None

There being no further business or comments, the Chairman closed the meeting at 8:50 PM.

Respectfully Submitted,
Rose Marie Grosso, Secretary

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.