

MINUTES OF PLANNING BOARD PUBLIC  
HEARING AND REGULAR MEETING #3419  
TUESDAY, APRIL 5, 2005, 7<sup>TH</sup> FLOOR  
CONFERENCE ROOM, GOVERNMENT CENTER,  
888 WASHINGTON BOULEVARD, STAMFORD, CT

Present for the Board were: Duane Hill, Chairman; John Garnjost; Rose Marie Grosso; Theresa Dell; and Jeffrey Curtis. Present for staff: Robert M. Stein, Jr., Land Use Bureau Chief.

Mr. Duane Hill, Chairman, opened the Public Hearing at 8:05 PM.

**Subdivision Application #3890 of C & T Partners** for subdivision of property into 3 parcels at 61 and 81 Blueberry Drive.

Mr. Richard Redniss presented the application (no court recorder was present but the applicant agreed to proceed without the court recorder). Mr. Redniss Stated that the application complies with the regulations. A number of neighbors spoke in opposition. They stated that the proposed houses, one already under construction, were excessive in size and would destroy the neighborhood character. There were also concerns expressed about the removal of trees on the property. Mr. Redniss responded that the lots exceeded the R-20 area requirements. He added that they would be willing to add landscaping. There being no further comments, the Chairman closed the public hearing.

**Regular Meeting:**

**Subdivision Appl. #3887 James R. Adelson** for subdivision of property into 2 parcels located at 348 high Ridge Road. Mr. Stein reviewed the application and reports received. Mrs. Dell stated that the proposed subdivision could set a precedent for rear lots in the R-10 District. Mr. Garnjost said that the Planning Board had previously taken a position in opposition to the proposed application (referral comments to the Zoning Board of Appeals). Mr. Hill asked staff to provide information on prior related applications. The Board agreed to defer action pending receipt of additional information.

**Subdivision Appl. #3888 Roger Quick** for subdivision of property into 2 parcels located at 42 Saddle Hill Road. Mr. Stein reviewed the application and referral comments. The Board agreed to include the Fire Marshall's concerns as a condition. Mr. Stein explained that the application needed a waiver of Section 5.1.4, due to topography, to allow six dwellings (five existing) to be served by a common driveway.

Mrs. Dell moved to approve the waiver under Section VIII of the Subdivision Regulations. Mrs. Grosso seconded the motion and it passed unanimously with

those present voting. Mrs. Grosso moved to approve the subdivision subject to the following conditions:

- 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; the area so designated is 58,043 square feet and is shown on a map dated revised November 19, 2004 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 at all property boundaries and turning points of the easement boundary.
- 3) Driveway easement serving lots 43A and 43B shall be delineated on the final map and vehicular ingress and egress to be restricted to said easement. The common driveway shall be as show on a map dated April 5, 2005 and is approved by the Long Ridge Company Fire Marshal.
- 4) The development of lot 43B shall be subject to site plan review by the Environmental Protection Board staff (note to appear on final map).
- 5) Significantly sized trees and stone walls shall be preserved to the greatest extent feasible (note to appear on final map).
- 6) Conditions set forth in a letter from the Director of Health and Social Services to the Land Use Bureau Chief dated February 14, 2005 (note to appear on final map).
- 7) Submission of a "Landscape Maintenance Agreement" to ensure the success of plantings in the Open Space Areas.
- 8) Submission of a "Drainage Facilities Maintenance Agreement."
- 9) Approval by the City Engineer and Fire Marshal as to common driveway construction and approval by the City Engineer as to drainage.
- 10) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 11) Site development shall not begin until a soil erosion and sedimentation control plan is approved by the Environmental Protection Board and those control elements scheduled for installation are in place and functional (note to appear on final map).

- 12) Under Section VIII of the Subdivision Regulations, the Board granted a waiver of Section 5.1.4, due to topography, to allow six dwellings (five existing) to be served by a common driveway.
- 13) In accordance with CGS 8-26c, approval shall expire on April 8, 2010, 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).
- 14) Subdivision reference number to be placed on final map.
- 15) Variance granted by the Zoning Board of Appeals on March 18, 2004 by the Zoning Board of Appeals shall be depicted on final map.

Mrs. Dell seconded the motion and it passed unanimously with those present voting.

**Subdivision #3891 Mike Thornton & Joanne Hubbard** for subdivision of property into 2 parcels located at 1616 Long Ridge Road.

Mr. Stein reviewed the application and the referral comments. He also reviewed testimony from the prior public hearings. Mr. Garnjost recused himself from participating in the discussion or vote, since he had not attended the public hearing.

After discussion, Mrs. Grosso moved to approve the subdivision subject to the following conditions:

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; the area so designated is 75,742 square feet (1.74 acres) and is shown on a map dated revised February 1, 2005 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 at all property boundaries and turning points of the easement boundary.
3. Driveway easement serving lots A and B shall be delineated on the final map and vehicular ingress and egress to be restricted to said easement. The width of the common driveway shall be 18 feet.
4. The development of lots A and B shall be subject to Environmental Protection Board (EPB) site plan review, and any development which encroaches into regulated areas shall require an EPB permit (note to appear on final map).

5. Significantly sized trees shall be preserved to the greatest extent feasible (note to appear on final map).
6. Conditions set forth in a letter from the Director of Health and Social Services to the Land Use Bureau Chief dated September 28, 2004 (note to appear on final map).
7. Approval by the City Engineer and Fire Marshal as to common driveway construction and approval by the City Engineer as to drainage.
8. In-ground fuel tanks shall be prohibited (note to appear on final map).
9. Site development shall not begin until a soil erosion and sedimentation control plan is approved by the Environmental Protection Board and those control elements scheduled for installation are in place and functional (note to appear on final map).
10. Filing of a performance bond or other form of surety acceptable to Corporation Counsel to cover construction of the common driveway.
11. In accordance with CGS 8-26c, approval shall expire on April 8, 2010, 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).
12. Subdivision reference number to be placed on final map.

Mr. Curtis seconded the motion and it passed unanimously. Voting were: Mr. Hill, Mrs. Grosso, Mrs. Dell and Mr. Curtis.

#### **Zoning Board Referrals:**

**ZB - Appl. #204-47 Donsis LLC.** Requesting a map amendment to R-D Designed Residential Development for property at 191-193 Erskine Road. The Board deferred action on this matter.

#### **Zoning Board of Appeals Referrals:**

**ZBA - Appl. #025-05 Roxbury Community Association** requesting variances of Article IV, Section 10 and Section 12D to construct a community center at 427 Roxbury Road and **ZBA - Appl. #026-05 Roxbury Community Association** requesting a special exception and variances to construct a community center at 427 Roxbury Road.

Mrs. Grosso recused herself and did not participate in this matter.

Attorney Michael Cacace, representing the Association presented the matter. He said that they were pursuing the matter via variances and through a companion application (ZBA 026-05) via a special exception. In either case, he said, the proposed community center complies with the Master Plan.

Mrs. Dell expressed concern as to whether the proposed use was commercial in character. Mr. Garnjost questioned the number of proposed uses of the building. Mr. Cacace said that the uses would be similar to those in the past and that the Association was non-profit. Mr. Hill said that the prior community center had been an asset to the community and that the proposed center would continue that tradition.

Mr. Garnjost moved to recommend approval of Zoning Board of Appeals 025-05. Mr. Curtis seconded the motion and it passed 4-0 with those present, except Mrs. Grosso, voting.

Mr. Garnjost moved to recommend approval of Zoning Board of Appeals 026-05. Mr. Curtis seconded the motion and it passed 4-0 with those present, except Mrs. Grosso, voting.

**ZBA - Appl. #034-05 Bert Ventura** requesting variances of setbacks & coverage in order to construct an addition & deck to a dwelling at 560 Webbs Hill Road. After discussion, Mrs. Dell moved to recommend approval of the portion of the building under construction but to recommend denial of the deck as being excessive in size. Mrs. Grosso seconded the motion and it passed unanimously with those present voting.

**ZBA - Appl.#036-05 Capucine & David Gooding** requesting variances of setbacks and coverage in order to construct an addition to a dwelling at 200 Stamford Avenue. After discussion, Mrs. Dell moved to recommend approval. Mrs. Grosso seconded the motion and it passed unanimously with those present voting.

**ZBA – Appl. #039-05 WT Associates** requesting variances of parking in order to utilize an existing building for auto repair at 30 Dyke Lane. After discussion, Mr. Garnjost moved to recommend approval. Mrs. Dell seconded the motion and it passed unanimously with those present voting.

**ZBA – Appl. #041-05 Tracy Schmidt** requesting variances to permit an accessory garage structure in a front yard at 19 Skymeadow Drive. After discussion, Mrs. Dell moved to recommend approval. Mr. Garnjost seconded the motion and it passed unanimously with those present voting.

## **Capital Budget**

The Board discussed the Mayor's proposal to build a second ice rink at Cove Island. The Board was in agreement that prior to any Board action a feasibility study should be completed.

There being no further business the meeting was adjourned at 10:40 PM.

Respectfully Submitted  
Rose Marie Grosso, Secretary

Note: These proceedings were recorded on tape and are available for review during regular business hours.