

MINUTES OF PLANNING BOARD PUBLIC HEARING
#3384 TUESDAY, FEBRUARY 17, 2004
4TH FLOOR CAFETERIA, GOVERNMENT
CENTER, 888 WASHINGTON BLVD., STAMFORD, CT

Present for the Board were: Duane Hill, Chairman; Rose Marie Grosso; Theresa Dell; and Claire Fishman. Present for staff: Robin Stein, Land Use Bureau Chief.

Master Plan:

Master Plan Amendment MP-278 Grace Realty LLC. To amend Master Plan from Land Use Category 15-Industrial-General to Land Use Category 3-Residential-Low Density Multifamily for property located on the south side of Maple Tree Avenue across from Oakdale Road.

Richard Redniss presented the application. He stated that the property is surrounded by residentially zoned land and its only access is through residential property. They intend to develop the property using the R-5 standards in a phased manner. They will build a fence as per the request from ConnDOT. There being no further speakers, this portion of the public hearing was closed.

Subdivisions:

Subdivision #3861 Alfred Fusco for subdivision of property into 2 parcels located on the northern end of Tall Oaks Court (85 Tall Oaks Court).

Attorney Robert Genuario and John Pugliesi, engineer, presented the application. They reviewed the history of the parcels dating from 1958. They stated that the proposed subdivision complies with both the subdivision and zoning regulations. They further stated that the Environmental Protection Board, Health and Engineering reports offered no objections to the subdivision. Mr. Pugliesi noted that over 35% of the property will be dedicated to open space and that they will have to obtain an Environmental Protection Board permit for development.

Attorney Ed Kweskin spoke in representation of adjacent property owners and the Laurel Ledge association. He presented a packet of material in opposition and stated that 80% of the neighbors opposed the subdivision. He cited the Environmental Protection Board staff report that objected to the application but was overruled by the Board. Mr. Kweskin stated that the application failed to meet the subdivision requirements by not showing slopes over 25% grade, not providing prior deed restrictions and not providing a soil erosion plan. Mr.

Kweskin also argued that the lot lines were erratic with sharp angles and therefore in violation of the Subdivision Regulations.

A number of property owners also spoke in opposition. They cited potential encroachment into wetlands buffer area, impact on wildlife, impact on well yields and potential for other properties to subdivide contrary to the regulations of the Laurel Ledge Association.

Mr. Genuario stated that the Planning Board does not enforce restrictive covenants; however the applicant is willing to abide by the legal requirements of the Association. He added that there are no restrictions on subdividing the property. He said that the applicant had added open space as per Environmental Protection Board staff's request and that the staff no longer objected to the application.

Mr. Pugliesi stated that the steep slopes, soil erosion control plan are shown on the application and that prior deed restrictions are not required to be presented. Mr. Lombardo, President of the North Stamford Association also spoke in opposition citing environmental concerns.

There being no further comments, this portion of the public hearing was closed.

Subdivision #3862 Scott Kaluczky for subdivision of property into 2 parcels located on the west side of Upland Road (42 Upland Road).

Attorney John Leyden presented the application. He stated that both lots were in excess of the R-7.5 standards and that they did have neighborhood support. Mr. Pugliesi, engineer, and Mr. Popp, landscape architect, reviewed the drainage and streetscape plans. One person spoke in support of the application. Two speakers spoke in opposition stating that the proposed development was out of character with the neighborhood.

There being no more speakers the public hearing was closed at 10:00 PM.

Respectfully submitted,
Maggie Laurie, Secretary

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