

MINUTES OF PLANNING BOARD REGULAR  
MEETING #3385 TUESDAY, FEBRUARY 24, 2004  
7<sup>th</sup> FLOOR CONFERENCE ROOM, 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.

The Chairman, Mr. Hill, opened the meeting at 7:30 PM.

Correspondence:

**Supplemental Capital Appropriation Childcare Learning Center HVAC \$50,000** Jane Norgren and Sandy Dennies presented the request. After discussion, Mrs. Dell moved to recommend approval. Mrs. Grosso seconded the motion and it passed unanimously with those present voting.

**Lease Agreement between City & Stamford Emergency Services** for properties known as 684 Long Ridge Rd. & 80 Fairfield Ave. After discussion, Mrs. Dell moved to recommend approval. Mrs. Grosso seconded the motion and it passed unanimously with Mr. Hill, Mrs. Grosso and Mrs. Dell voting (Mrs. Fishman recused herself).

Master Plan Amendment:

**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. Mr. Stein reviewed the presentation from the public hearing. After discussion, Mrs. Dell moved to approve the change. Mrs. Fishman seconded the motion and it passed unanimously with those present voting.

Subdivision:

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

Mr. Stein reviewed the testimony from the public hearing. He stated that the proposed layout meets the subdivision and zoning requirements. He added that with the additional open space provided, the application meets the concerns of the Environmental Protection Board. Mr. Stein stated that the city enforces subdivision and zoning regulations but does not enforce restrictive covenants between private parties. He added that the application did include information on

steep slopes and soil erosion control. Mr. Stein also reviewed the reports from the Health Department and Engineering Department. He also reviewed the concerns expressed by those speaking in opposition to the subdivision.

The Board discussed the claim that the lots were erratic in shape and thus violated Section 5.2.5 of the Subdivision Regulations. The Board members agreed that the approved layout did not violate that Section of the Subdivision Regulations.

Mr. Stein then discussed a list of possible conditions. Mrs. Dell suggested that the Board add a condition requiring that the driveway to lot 27A be setback at least ten feet from the southern boundary and landscaping be provided to screen the property to the south.

After further 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 0.77 acres and is shown in color on a map dated revised October 3, 2003, 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) The development of lot 27A shall require a permit from Environmental Protection Board (note to appear on final map).
- 4) The driveway and associated parking area serving lot 27A shall be located at least ten (10) feet from the southern boundary of said lot and landscaping shall be provide to screen the driveway from the residence to the south. (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 Acting Director of Health and Social Services to the Land Use Bureau Chief dated September 4, 2003 (note to appear on final map).
- 7) Submission of a streetscape and landscaped screening plan for review and approval by the Environmental Protection Board staff.

- 8) Approval by the City Engineer as to drainage.
- 9) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 10) 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).
- 11) In accordance with CGS 8-26c, approval shall expire on February 27, 2009, 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.

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

**Subdivision #3862 Scott Kaluczky** for subdivision of property into 2 parcels located on the west side of Upland Road (42 Upland Road). Mr. Stein reviewed the testimony from the public hearing and the reports from the Environmental Protection Board and Engineering. After discussion, Mrs. Dell moved to approve subject to the following conditions:

- 1) Final streetscape shall be subject to the approval of the Executive Director of the Environmental Protection Board and shall include plantings shown on a plan dated 2/18/04. (Note to appear on final map).
- 2) Approval by the City Engineer as to drainage.
- 3) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 4) 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).
- 5) In accordance with CGS 8-26c, approval shall expire on February 27, 2009, 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).
- 6) Subdivision reference number to be placed on final map.

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

Zoning Board of Appeals Referrals:

**ZBA #004-04 Estate of Nancy Cassone** requesting variance to allow 16.8' accessway in lieu of 25' required in order subdividing property at 166 Hubbard Ave. Mr. Redniss presented for the applicant and stated that the property overlooks the Golf Course and would not impact abutting properties. Mrs. Gross stated that the proposed subdivision would lead to two separate lots with separate driveways and thus impacts the neighborhood. After discussion, Mrs. Dell moved to recommend denial. Mrs. Grosso seconded the motion and it failed on a two to two vote. Mrs. Grosso and Mrs. Dell supporting the motion to deny and Mr. Hill and Mrs. Fishman voting against the motion.

**ZBA #010-04 James & Patricia Catino** requesting variances of coverage, front and rear setbacks in order to construct a second story addition to a home at 56 Maitland Rd. After discussion, Mrs. Grosso moved to recommend approval. Mrs. Dell seconded the motion and it passed unanimously with those present voting.

**ZBA #017-04 Jose & Elci Sanches** requesting variances of coverage, front & side yard variances in order to construct an addition (garage) to a home at 25 Ranson St. . After discussion, Mrs. Dell moved to recommend approval. Mrs. Grosso seconded the motion and it passed unanimously with those present voting.

Zoning Board Referral:

**Zoning Board referral 203-42, Special Exception, UB Stamford L.P. Health Club at the Ridgeway Center.** The Board agreed that a parking management plan-requiring employee parking in the garage should be considered by the Zoning Board. Mrs. Grosso moved to recommend approval. Mrs. Fishman seconded the motion and it passed unanimously with those present voting.

Correspondence:

**Letter from Gilberte Fine** requesting an extension of time to file a subdivision map (245 Riverbank Road). Mrs. Grosso moved to recommend approval. Mrs. Dell seconded the motion and it passed unanimously with those present voting.

There being no further business, the meeting was adjourned at 9:15 PM.

Respectfully submitted,  
Marggie Laurie, Secretary

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