

MINUTES OF PLANNING BOARD REGULAR
MEETING #3364 JUNE 3, 2003, 7TH FLOOR
CONFERENCE ROOM, GOVERNMENT
CENTER, 888 WASHINGTON BLVD.,
STAMFORD.

Present were Duane Hill, Chairman; John Garnjost; Marggie Laurie; Rose Marie Grosso; Theresa Dell; Claire Fishman. Present for staff: Robin Stein, Land Use Bureau.

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

Pending Subdivisions:

Subdivision Appl. #3845 Louise A. DeMarco for subdivision of property into 3 lots, northwest corner of Bouton St. West & Minivale Rd. (#139 Bouton St. West, parcel C). Mr. Hill stated that he had listened to the tapes of the public hearing and was familiar with the record. Mrs. Laurie suggested that an open space buffer be included along the rear of the property. After discussion, Mrs. Laurie 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 2,170 square feet and is shown in color on a map titled "Preliminary grading and subdivision map prepared for Louise A. DeMarco" dated June 13, 2002 on file in the Planning Board office.
- 2) Open Space is to include an appropriate planted buffer.
- 3) 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.
- 4) Final streetscape shall be subject to the approval of the Executive Director of the Environmental Protection Board (note to appear on final map).
- 5) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 6) 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).

7) In accordance with CGS 8-26c, approval shall expire on June 6, 2008, 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).

8) Subdivision reference number to be placed on final map.

Mrs. Grosso seconded the motion and it passed unanimously. Voting were Duane Hill, John Garnjost, Marggie Laurie, Rose Marie Grosso, and Theresa Dell.

Subdivision Appl. #3846 Milton B. & Betty Ruth Hollander for subdivision of property into 2 lots on the east side of Stamford Ave. (#400 Stamford Ave.) Mr. Stein reviewed the testimony received at the public hearing. He stated that he had discussed the matter of the private deed restrictions with Assistant Corporation Counsel and had been advised that the Board should not base their decision on private covenants that did not directly involve the city. He then reviewed the correspondence from the Executive Director of the Environmental Protection Board as well as the prior decision of the Planning Board relating to this property in 1988. The Board members expressed concerns over the failure of the proposed subdivision to comply with the provisions of the CAM Act and the potential for flooding of the area. After further discussion, Mrs. Grosso moved to disapprove the subdivision for the following:

The Planning Board took this position because in the Board's view the proposed subdivision failed to adequately meet the requirements of the Connecticut Coastal management Act. Specifically the subdivision proposal does not meet the water dependency requirement of the act. In addition the applicant has failed to show that the placement of the proposed houses, including the existing stone structure located at the seawall, meets the CAM policies regarding the minimization of flood hazards and the protection of views to the water. In addition the issues relating to flood hazards and the adverse impacts on water views adversely impact the health, safety, and welfare of the future residents of the proposed subdivision and therefore this application fails to comply with Section 4.1 of the Subdivision Regulations.

Mrs. Dell seconded the motion and it passed unanimously. Voting were John Garjost; Rose Marie Grosso; Theresa Dell; Marggie Laurie; and Claire Fishman. (Mr. Hill, who was not at the public hearing, did not participate in the discussion or vote on this matter.)

Zoning Board Referrals:

_RE: Comprehensive Amendments of the Stamford Zoning Regulations to establish Incentives and Uniform Standards for Below Market

Rate (BMR) Housing in Multi-Family and Commercial Zoning Districts, including the following:

Appl. 203-08 BMR Standards and Procedures, Article III, Section 7.4

Appl. 203-09RM-1 Multi-Family Low Density Design District, Article III, Section 9-E-8

Appl. 203-10R-5 Multi-Family Medium Density Design District, Article III, Section 9-F-5

Appl. 203-11R-H Multiple Family High Density Design District, Article III, Section 9-D-5-c

Appl. 203-12 Footnote 4 of Appendix B, residential development in Commercial Districts

Appl. 203-13MXD-B Mixed Use Development District, Article III, Section 9-AAA-3 (n)

Appl. 203-14R-MF Multi-Family Design District, Article III, Section 9-G-5

Appl. 203-15MRD Mill River Design District, Article III, Section 9-I-5

Appl. 203-16P-D Planned Development District, Article III, Section 9-AA-3

Appl. 203-17MXD-A Mixed Use Development District, Article III, Section 9-AAA-3

Appl. 203-18DW-D Designed Waterfront Development District, Article III, Section 9-AAAA-4

Appl. 203-19TCD-D Transportation Center Design District, Article III, Section 9-BB-5

Appl. 203-20C-D Designed Commercial District, Article III, Section 9-BBB-4

The Board discussed the issues previously reviewed with Norman Cole. Mr. Garjost explained the comments received from SWRPA, which supported the overall concept but suggested careful monitoring of the inclusionary program and asked what department would have that responsibility. Mr. Stein reviewed the City's Housing Development Fund and its success in leveraging housing developments. Mrs. Dell moved to recommend approval of the proposed zoning amendments with the inclusion of the SWRPA comments and the recommendation that consideration be given to including the single family zones at some future date. Mrs. Grosso seconded the motion and it passed unanimously. Voting were Duane Hill; John Garnjost; Marggie Laurie; Rose Marie Grosso; and Theresa Dell.

There being no further discussion, the meeting was adjourned at 9:00 PM.

Respectfully submitted
Marggie Laurie, Secretary

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