

MINUTES OF PLANNING BOARD REGULAR
MEETING #3367 TUESDAY, JULY 8, 2003
7TH FLOOR CONFERENCE ROOM, GOVERNMENT
CENTER, 888 WASHINGTON BLVD., STAMFORD,
CT.

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

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

Correspondence:

Letter from Mayor Malloy requesting \$2,000,000 supplemental appropriation (grant) for improvements to the Bartlett Arboretum. Sandra Dennies, Grants Director and Jack Dillon, Executive Director of the Bartlett Arboretum presented the request and explained the capital improvements plans for the Arboretum. After discussion, Mr. Garnjost moved to recommend approval. Mrs. Grosso seconded the motion and it passed unanimously with all members present voting.

Pending Subdivisions:

SUBD. Appl. #3850 of Sunset Holdings LLC for subdivision of property into 6 parcels on the east side of Sunset Road 500' south of West Trail and Sunset Road intersection and 1100' north of Skyline Lane. Mr. Stein reviewed the testimony received at the public hearing and the reports from the city agencies. After discussion, Mr. Grosso moved to approve 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 53,680 S.F. and is on a map titled "Preliminary Subdivision map prepared for Sunset Holdings, LLC" dated January 8, 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) Development of the subdivision roadway and drainage shall be subject to a permit from the Environmental Protection Board prior to the start of any site activity (note to appear on final map).

- 4) The development of all individual lots, including appropriate screening, shall be subject to site plan review by the Environmental Protection Board prior to the start of any site activity (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 to the Land Use Bureau Chief dated March 24, 2003 and re-issued May 28, 2003 (note to appear on final map).
- 7) Submission of a "Landscape Maintenance Agreement" to ensure the success of plantings in the Open Space Areas (note to appear on final map).
- 8) Submission of a drainage facilities maintenance agreement (note to appear on final map).
- 9) Final streetscape plans shall be shall be subject to the approval of the Executive Director of the Environmental Protection Board (note to appear on final map).
- 10) Approval by the City Engineer as to road construction and drainage.
- 11) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 12) 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).
- 13) Filing of a performance bond to ensure full and proper completion of the subdivision road, drainage structures, streetscape and other mitigative measures.
- 14) In accordance with CGS 8-26c, approval shall expire on July 11, 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).
- 15) Subdivision reference number to be placed on final map.

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

Subdivision. APPL. #3844 of 111 Overbrook LLC for subdivision of property into 2 parcels on the east side of Overbrook Drive 1, 100' +/- north of

Toms Road. Known as 111 Overbrook Drive. Mr. Stein reviewed the written and oral testimony from the public hearing and the reports from the Transportation Planner and Environmental Protection Board. The Board members expressed concern that the builder had begun construction of a dwelling and therefore compromised the lot layout. After further discussion, Mrs. Grosso moved to approve 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 7,082 S.F. and is shown on a map dated revised June 24, 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) Delineation of a new highway right-of-way on Overbrook Drive which is to be measured 25' from the center line of Overbrook Drive; and running continuously parallel to the center line of Overbrook Drive for the full length of the property that is adjacent to the roadway (the existing highway line).
- 4) Submission of a right-of-way agreement for future highway purposes involving that portion of the property lying between the existing highway line and the new highway line (as noted above).
- 5) Provide a paved 18' wide turnout along the front of the property whose location and length shall be approved by the City of Stamford Transportation Planner.
- 6) Final streetscape and appropriate screening shall be subject to the approval of the Executive Director of the Environmental Protection Board (note to appear on final map).
- 7) Submission of a "Landscape Maintenance Agreement" to ensure the success of plantings in the Open Space/Streetscape areas (note to appear on final map).
- 8) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 9) Filing of a performance bond or other form of surety acceptable to Corporation Counsel for drainage and landscape improvements.

10) In accordance with CGS 8-26c, approval shall expire on July 11, 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).

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

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

SUBDIVISION APPL. #3847 of 313 West Broad Street LLC for subdivision of property into 2 parcels on the north east side of Stillwater Avenue and West Broad Street. Known as 313 West Broad Street. Mr. Stein reviewed the testimony from the public hearing and the reports received from the Environmental Protection Board and Transportation Planner (it was noted that a traffic report submitted by the applicant was received after the Transportation Planner's report). He said that the proposed common drive serving an existing home plus the two proposed lots had adequate sight distance and would result in a reduction of curb cuts on West Broad Street. He added that the driveway with very poor sight line was across the street (390 West Broad St.) and should not be impacted by the location of the new proposed driveway.

Mr. Stein stated that he had discussed the issues raised regarding errant golf balls from the adjacent golf course with Assistant Corporation Counsel Jim Minor. Mr. Minor had stated that the Planning Board could condition approval of this application with a note holding the city harmless for any property and/or personal damage caused by activities at the E. Gaynor Brennan Golf Course.

Mr. Hill suggested a review of the West Broad Street intersections at Stillwater Road and Westover School be undertaken by the city. Mrs. Laurie suggested that the traffic safety improvement study be commissioned and that the applicant contribute to the study. 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 15' in width parallel to the northern property boundary and is to include additional plantings to screen property from golf course as shown on a map dated 3/10/03, on file at 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) A note on the final plan and deed holding the City of Stamford harmless for any property and/or personal damage caused by activities at the adjacent municipal golf course. Final wording to be approved by Corporation Counsel.
- 4) Driveway easement serving lots 1, 2 and B-R shall be delineated on the final map and vehicular ingress and egress to be restricted to said easement.
- 5) Significantly sized trees shall be preserved to the greatest extent feasible (note to appear on final map).
- 6) Conditions set forth in a memo from the Assistant City Engineer to the Environmental Planner dated May 28, 2003 (note to appear on final map.)
- 7) Submission of a "Landscape Maintenance Agreement" to ensure the success of plantings in the easement/streetscape areas.
- 8) Submission of a drainage facilities maintenance agreement (note to appear on final map).
- 9) Submission of a shoulder maintenance agreement (note to appear on final map).
- 10) Final streetscape and conservation easement landscaping shall be subject to the approval of the Executive Director of the Environmental Protection Board (note to appear on final map).
- 11) In-ground fuel tanks shall be prohibited (note to appear on final map).
- 12) Filing of a performance bond or other form of surety acceptable to Corporation Counsel for drainage, common driveway construction and landscaping.
- 13) Fair share contribution to the City of Stamford, not to exceed \$10,000, for a traffic safety improvement study of West Broad St. between Stillwater Ave. and Westover School.
- 14) In accordance with CGS 8-26c, approval shall expire on July 11, 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).
- 15) Subdivision reference number to be placed on final map.

Mr. Garnjost seconded the motion and it passed unanimously with those members present voting.

Zoning Board of Appeals Referrals:

APPL.Appl. #098-03 Friendship Baptist Church of Stamford requesting a special exception to construct a church at 145 Lawn Ave. After discussion, Mr. Garnjost moved to recommend approval with the proviso that appropriate screening is provided. Mrs. Dell seconded the motion and it passed unanimously with those members present voting.

ZBA APPL. #100-03 William & Marilyn Foster requesting a variance of building coverage to construct a 3-car garage at 2267 Shippan Ave. After discussion, Mrs. Laurie moved to recommend approval. Mrs. Dell seconded the motion and it passed unanimously with those members present voting.

Minutes for Approval:

The Planning board passed the following sets of minutes:

- #3358 March 11, 2003
- #3359 March 25, 2003
- #3360 April 8, 2003
- #3361 April 29, 2003
- #3362 May 12, 2003
- #3363 May 27, 2003

New Business:

Mr. Garnjost mentioned plans to construct a bikeway along the Merritt Parkway. Mr. Stein explained that the first proposed section of the bikeway would be between Newfield Avenue and High Ridge Road. He added that the State DOT was opposed to the concept but had agreed to further study.

There being no further business the meeting was adjourned at 10:30 PM.

Respectfully submitted
Maggie Laurie, Secretary

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