

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, FEBRUARY 7, 2023
REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

JOIN ZOOM WEBINAR
Webinar ID: 826 9918 1931
Passcode: 907395

Web & Phone Meeting Instructions

- If your computer/smartphone has mic and speaker then:
Type in, paste or click the following link: <https://us02web.zoom.us/j/82699181931>; **OR**
- If not, then **Call-in** using the **Phone Number & Passcode** provided above.
- Sign-up for Planning Board meeting updates by emailing lcapp@stamfordct.gov.

Web Meeting Ground Rules:

- The meeting shall be recorded and the video shall be posted on the City of Stamford website http://cityofstamford.granicus.com/ViewPublisher.php?view_id=8
- The Planning Board shall moderate the audio for attendees.
- Attendees shall be on mute and will be unmuted when called to speak by the Planning Board members.
- Applicants will have 20 minutes to make their presentation.
- Any applicant wishing to submit written testimony can send it prior to the meeting to lcapp@stamfordct.gov or submit through a Chat message to the Planning Board Chair during the meeting.

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Michael Buccino. Alternates: William Levin and Stephen Perry. Absent: Jennifer Godzeno, Secretary and Michael Totilo, Voting Members. Present for staff: Lindsey Cohen, Associate Planner.

Ms. Dell called the meeting to order at 6:30 p.m.

Ms. Dell introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

January 24, 2023: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of January 24, 2023; Mr. Buccino seconded the motion, and passed unanimously with eligible members present voting, 3-0 (Dell, Buccino and Tepper). (Mr. Levin and Mr. Perry were absent at the January 24, 2023 meeting and ineligible to vote.)

SUBDIVISIONS:

SUBDIVISION #3279 - ESTATE OF CESARE MANGIAPANI - NEWFIELD AVENUE (76 EMERALD LANE): Applicant would like to amend the boundaries of the conservation easement.

On October 30, 1984, the Planning Board approved a 4-lot subdivision, Subdivision #3279, creating an Open Space Preserve on Lots 3 and 4. On September 30, 1986, the Planning Board approved a 2-lot subdivision of Lot 4, Subdivision #3393, creating Lots 4A and 4B. Lot 4A was developed with a single-family dwelling and is known as 76 Emerald Lane. The single-family home was permitted to encroach into the Open Space Preserve at the time of development.

The Applicant would like to install a swimming pool. The Applicant has worked closely with the Environmental Protection Board to amend the boundaries of the Open Space Preserve so the home and the future pool will no longer be in the preserve. The preserve area will be reduced by 5,657 sq. ft. on the northern side of the lot and enlarged by 5,670 sq. ft. of wooded area on the eastern edge of the lot. Staff recommends approval of this amendment to the boundaries of the Conservation Easement as it will bring developed land out of the conservation area and replace it with undeveloped land. The amendment is aligned with the original intent of the subdivision conditions that created the preserve.

Ms. Cohen made a brief statement on the application and answered questions from the Board.

Ms. Dell mentioned Robert Clausi, Executive Director, Environmental Protection Board (EPB), sent an email stating they were in agreement with the changes.

After a brief discussion, Mr. Levin **approved** amending the boundaries of the Conservation Easement associated with Subdivision #3279 and that this request is compatible with the neighborhood and consistent with Master Plan Category #1 (Residential - Very Low Density Single Family); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry, and Tepper).

ZONING BOARD REFERRALS:

- 1. APPLICATION 223-01 - CONTINENTAL FAMILY HOLDINGS, LLC & WINGS MANAGER, LLC - 50 BARRY PLACE - Site & Architectural Plans and/or Requested Uses and a Special Permit:** Applicant is proposing to build a ±35,500 sq. ft. structure on Parcel B that will house an indoor ice rink. Wings Manager, LLC plans to operate youth ice hockey and youth figure skating clinics, educational programs, leagues and tournaments at the venue.

The Applicants request Site Plan and Special Permit approvals to facilitate the development of a ~35,500 sq. ft. structure at 50 Barry Place (the “Property”) that will house an indoor ice skating rink. Separately, in a forthcoming application, the Applicants will be seeking approval from the Planning Board to subdivide the Property into two lots, “Proposed Parcel A” and “Proposed Parcel B.” The subject indoor ice skating rink would be located on Proposed Parcel B. Portions of the existing building on Proposed Parcel A will be removed to accommodate a driveway from Barry Place to Proposed Parcel B, but Parcel A will otherwise remain undisturbed by the proposed project. The proposed building on Proposed Parcel B will be compliant with the regulations of the M-G General Industrial District.

The Property is located in Master Plan Category #13 (Industrial - General). Staff believes the request is compatible with the neighborhood, which has a mix of industrial uses co-existing with residential, and is consistent with Master Plan Category #13 (Industrial - General) and Master Plan Policy 7H - Encourage Infill Development.

William Hennessey, Carmody Torrance Sandak & Hennessey, LLP, representing the applicant, made a presentation and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #223-01** and that this request is compatible with the neighborhood and consistent with Master Plan Category #13 (Industrial - General); Mr. Perry seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

Ms. Dell offered congratulations to Mr. Hennessey and his wife for being named the City of Stamford's Citizens of the Year.

OLD BUSINESS:

Ms. Dell stated that the Capital Budget has been submitted to the Mayor. Mayor Simmons called and asked her to express thanks to the Board and to Ms. Cohen.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- February 21, 2023
- March 7, 2023 (Public Hearing - Subdivision #4046 - Intervale & Turn of River Roads)

Ms. Dell asked Ms. Cohen if she had anything else.

Ms. Cohen stated Ida Gheibi, Ahneman Kirby, LLC, was in attendance representing the applicant for 76 Emerald Lane and would like to make some comments.

Ms. Gheibi stated that the figures previously stated for the Conservation Easement were incorrect. There were multiple revisions made with EPB and approval from the Health Department is also required as one of the conditions for the EPB permit. Based on that, there will need to be soil testing and the boundaries may be changed. The final plan to be recorded on the Stamford Land Record will be different than discussed.

Ms. Dell asked Ms. Gheibi if she wanted to state the new figures for the record.

Ms. Gheibi stated the new easement would be 8,888 sq. ft. to be removed and 7,373 sq. ft. to be added.

Mr. Tepper stated since this is a significant change, this item should be discussed again.

Ms. Gheibi stated she asked Robert Clausi, Executive Director, EPB, to send a letter stating the value of the land that is being added is more valuable than the land being removed. The land being removed is mostly lawn and there is a 2-story building within the easement and the portion being added is wooded and better to be preserved.

Ms. Dell stated the Board would need to deny the approval on the original application and have Ms. Gheibi come back and make a new presentation with the updated figures.

Ms. Gheibi stated she spoke with Vineeta Mathur, Principal Planner, about the revisions and submitted an updated site plan last week.

Ms. Dell stated she did receive a letter from Mr. Clausi but it did not mention any revisions.

Ms. Gheibi explained she had discussions with Mr. Clausi and Ms. Mathur about the revisions with regards to receiving the EPB permit.

Ms. Dell stated that all this information should have been presented to Ms. Cohen with the proper numbers before coming before the Board.

Ms. Dell stated she would reopen the Subdivision and vote to Deny without Prejudice so Ms. Gheibi could return to the February 21, 2023 meeting and present the application with the revised figures.

Ms. Cohen stated she would need the revised site plan and an explanation from Mr. Clausi on the value of the land.

Ms. Dell reopened Subdivision #3279 - Estate of Cesare Mangiapani - Newfield Avenue (76 Emerald Lane).

Ms. Dell called for a motion to call back the approval for Subdivision #3279 - Estate of Cesare Mangiapani - Newfield Avenue (76 Emerald Lane) which was firsted by Mr. Levin and seconded by Mr. Perry and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

Mr. Tepper made a motion to call back the approval for Subdivision #3279 - Estate of Cesare Mangiapani - Newfield Avenue (76 Emerald Lane); seconded by Mr. Perry and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

Mr. Tepper stated he felt that the value of the land should not be considered for a Conservation Easement and should only be the specific area. Mr. Tepper further stated the Board should have a discussion about whether an easement should be measured by value vs. area.

Ms. Dell stated that Ms. Cohen should speak with Mr. Clausi advising him the Planning Board does not consider property values for an easement; they are only based on square footage.

After some further discussion, Ms. Dell called for a motion to ***Deny without Prejudice*** Subdivision #3279 - Estate of Cesare Mangiapani - Newfield Avenue (76 Emerald Lane).

Mr. Perry made a motion to ***Deny without Prejudice*** Subdivision #3279 - Estate of Cesare Mangiapani - Newfield Avenue (76 Emerald Lane); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

Ms. Dell requested a letter from Mr. Clausi to the Planning Board and Ms. Cohen confirming the updated square footage and also stating the reasons for increasing the area of the easement.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 7:15 p.m.

Respectfully Submitted
February 9, 2023

Theresa Dell, Chair
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20