

STAMFORD PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING MINUTES
TUESDAY, SEPTEMBER 3, 2013
7TH FLOOR LAND USE CONFERENCE AREA, GOVERNMENT CENTER
888 WASHINGTON BLVD. STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chairperson, Claire Fishman, Roger Quick, Zbigniew Naumowicz, and Jay Tepper. Present for staff was Erin McKenna, Associate Planner.

Mrs. Dell called the regular meeting to order at 7:05 p.m. and announced that Alternates Mr. Tepper and Mr. Naumowicz would be seated as regular voting members for absent Regular Members Michael Totilo and Dudley Williams.

Request for Authorization:

1. **Lease between the City of Stamford and Sacred Heart University** for a proposed five-year lease of approximately 110 sf of space located on the 10th floor of the Government Center.

Ernie Orgera, Director of Operations, explained that this would be a 5-year lease for space renting for \$18.23/sf, in the amount of \$1,728 a year – an amount typical of the other lease rents in the building for Congressman Himes, SWRPA, and the Credit Union (this one is actually less). The space would be used by the WSHU (1400) radio station to broadcast, which would be a particular asset to the City for broadcasting during emergencies.

After further discussion, Mr. Tepper moved to approve the lease agreement. Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

Mrs. Dell asked for a motion to move the following capital items to the agenda. Mr. Naumowicz moved to approve. Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

2. **Capital Project Closeout Recommendations & Request for Capital Appropriation**, to close out C36668 (Westhill HS Infrastructure) in the amount of \$600,000 & CPB690 (Northeast School Renovation) in the amount \$500,000, for a total of \$1,100,000, to be applied towards C5B629 (Dolan School Renovations).

Lou Casolo, the City Engineer, explained that \$1,100,000 was needed to do a complete window and brick shelf replacement at Dolan School. While the closeout projects are still viable, they are in design while the Dolan project is out to bid and ready to go. The brick were evidently damaged because of a moisture problem. Mr. Quick asked how they would be installed to avoid the same problem from happening again. Mr. Casolo said that while formerly the bricks were applied directly to concrete block, this time there would be mounted with an air gap to avoid degradation caused by moisture.

After further discussion, Mr. Tepper moved to approve the capital project closeouts. Mrs. Fishman seconded the motion, and it passed unanimously with eligible members present voting,

5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper). Mr. Quick moved to approve the request for the capital appropriation. Mrs. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

3. **Capital Project Closeout Recommendation & Request for Capital Appropriation**, to close out CP3807 (Drywell Connection – Stamford Center for the Arts) in the amount of \$60,000, to be applied towards CP3806 (Restore North Wall and Parapet).

Michael Moran, Executive Director of the Stamford Center for the Arts (SAC), explained that the closeout amount is no longer necessary as the drywell connection will be made by the developer of the adjacent property. Mr. Casolo said that the developer of the Residence Inn by Marriott, did demolition work that revealed damage to the north wall and parapet of the SAC. This is a very time sensitive project, given that the space to make the repairs is temporary as the construction of the Residence Inn will begin soon. Mrs. Dell asked what the nature of the repair is. Mr. Casolo replied that they will be doing a stucco repair. Mr. Tepper asked what the width between the buildings will be after the Residence Inn is complete. Approximately 6 inches at its narrowest. Mrs. Dell asked about snow build-up, collection of debris, and access for future repairs. Mr. Casolo said that he did not know about the snow build-up. Future repairs would have to be made from the inside. Mrs. Dell asked that the difficulty of making future repairs be mentioned in the referral letter, and that staff writes directly to the Zoning Board and the Building Department to notify them of the matter.

After further discussion, Mrs. Fishman moved to approve the capital project closeout. Mr. Naumowicz seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper). Mr. Quick moved to approve the request for the capital appropriation. Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

Zoning Board Referrals:

4. **Application 213- 26 – Stamford Hospital and Stamford Health System, Inc., Text Change** to amend Article III, Section 9-L-5-d of the Hospital Complex Design District (HCDD) Zoning Regulations to increase maximum building height from 75 to 100 feet.
5. **Application 213- 27 – Stamford Hospital and Stamford Health System, Inc., Amend General Development Plans** for approval of an amendment to the General Development Plan (GDP) for property located at 80 Shelburne Road, in a Hospital Complex Design District (HCDD). This amendment will authorize an increase in the size and scale of a new medical office building (Integrated Care Pavilion), which was part of the original GDP.

Mrs. Dell said that the PB would consider both applications together.

Mr. William Hennessey Jr., of Sandak, Hennessey & Grecco, presented the applications. He explained that the text change is only to change the building height limit from 75 to 100 feet (although the Zoning Regulations allow any HCDD zoning district, greater than 16 acres, one building up to 210 feet high). Mr. Hennessey said that the General Development Plan (GDP) is a conceptual plan, and that when it was developed, they did not accurately estimate the needed size of the medical office building, or "Integrated Care Pavilion." They had conceived of an 80,000 sf building, 75-feet high, with four levels of parking and four levels of office space. After market analysis, the applicant ultimately realized that it should be 97,400 sf, with four and half levels of parking and 3 levels of office space, with a building height less than 100-feet. There

will also be a glass enclosed bridge over a stormwater detention basin connecting the Integrated Care Pavilion to the new tower, with the utility building to the south. Mrs. Dell asked why there was so much parking. Mr. Hennessey replied that this is a 30-acre campus, so parking is necessary at the various facilities. Also, the large parking facility they anticipated locating on the west side of the campus probably will not be built – an update about which Mrs. Dell was not aware. The applicant generally seeks to develop parking on the south side of the campus. Mr. Hennessey reminded the Board that the applicant would return to them with the detailed plans eventually.

After further discussion, Mr. Quick moved to recommend approval of ZB Appl. 213-26. Mrs. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper). Mr. Tepper moved to recommend approval of ZB Appl. 213-27. Mr. Naumowicz seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

Subdivision:

Mrs. Dell asked for a motion to move consideration of Subdivision #4007 to the agenda. She announced that Mr. Naumowicz was not eligible to vote on the subdivision, because he was not present at the public hearing on 8/27/13. Mr. Tepper moved to approve the addition to the agenda. Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Quick, and Tepper).

1. **Subdivision #4007, Boris & Helen Miloslavsky**, for subdivision of the property into four parcels on Berrian Rd.

The Board members reviewed the concerns of the neighbors discussed during the 8/27/13 public hearing including the small size of the lots, the drainage, and the screening issues. Mr. Quick reiterated the issue of the extension of the utility easement across Lot C to Lot B.

After further discussion, Mr. Quick moved to approve the subdivision. Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 4-0 (Dell, Fishman, Quick, and Tepper). Ms. McKenna read the conditions derived from the Environmental Protection Board and Engineering Bureau staff reports, which included the specific mention of the utility easement across Lot C to Lot D to appear on the final map, and that the screening between Lot D and the adjacent Janice Rd. properties be installed at the time of development of Lot D.

Zoning Board of Appeals Referrals:

2. **ZBA Appl. 044-13 – 73 Maltbie Avenue**, a variance of Article III, Section 6 A. to allow the expansion of a non-conforming, accessory structure in the front yard with a front yard setback of 23.0' in lieu of 40.0' required and a front street centerline setback of 48.0' in lieu of the 65.0' required in the R-20 Zoning District.

The applicant would like to add a two-story addition to an existing two-story, non-conforming garage (accessory structure) in the front yard and connect it to the main house via a “deck bridge” spanning the 7-foot elevation change from the garage floor elevation down to a new entrance on the 2nd floor of the main house. The deck bridge is not part of the variance. The addition will introduce plumbing to the structure: two sinks and a toilet. Mr. Tepper noted that the garage addition poses less of an encroachment into the setbacks than the existing garage.

After further discussion, the Board decided that it was in favor of the addition, and understood the necessity of the lavatory, although Mrs. Dell and the other members noted that the cabinetry, island, and the sink in the main room give the addition the potential to become an accessory apartment.

Mrs. Fishman moved to approve the variance. Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper). In the referral letter, the PB will recommend that the ZBA not allow the cabinetry, island, and plumbing in the main room.

3. **ZBA Appl. 054-13 – 27 Burwood Avenue**, requesting a variance to renovate a two-family house with three stories in lieu of the 2½ required in the R-6 Zoning District. The total building height, however, shall comply with the 30-foot total building height restriction.

Ms. McKenna explained that this property is in the AE (El. 12) Special Flood Hazard Area, where the minimum elevation standard is one foot above the base flood elevation, which is 13.00 feet NAVD. The renovation will comply with the FEMA requirements that for a dwelling that is substantially renovated (greater than or equal to 50% of the market value of the structure), it meet or exceed this minimum elevation. In addition, enclosed areas below the minimum elevation standard can only be used for the parking of cars or other similar vehicles, building access or limited storage. In this case, one floor will be used for cars, and the two floors above for living space. The distance to the midline of the roof from the average grade will be 27.0' and therefore complies with the height requirement.

After further discussion, Mr. Tepper moved to approve the variance. Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

4. **ZBA Appl. 055-13 – 99 Halpin Avenue**, requesting a variance to install a generator with a front yard setback of 13.6' in lieu of 30.0' required and a front street centerline setback of 38.6' in lieu of 55.0' required in the R-7½ Zoning District.

This is a corner lot with two fronts. Although the proposed location for the generator is considered in the side yard, it still has to meet the front yard setbacks. There is no other place to put the generator unless they put it in one of the front yards or next to the neighbor in the back with zero setbacks. The survey shows that there is an existing propane tank behind the garage, although it does not appear to be the power source for the generator. The Board noted that the generator was sufficiently far enough away from the neighbors.

After further discussion, Mr. Naumowicz moved to approve the variance. Mrs. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

5. **ZBA Appl. 057-13 – 52 Chesterfield Road**, requesting a variance to renovate this corner lot residence with a front yard setback of 13.5' in lieu of 30.0' required and a front street centerline setback of 38.5' in lieu of 55.0' required for the attic renovation, a front yard setback of 14.3' in lieu of 30.0' required and a front street centerline setback of 39.3' in lieu of 55.0' required for the pergola, a side yard setback of 5.6' in lieu of 6.0' required for the roof alteration, and a side yard setback of 3.4' in lieu of 6.0' required for the first floor renovation in the R-7½ Zoning District.

The renovations of the attic (making the roof 3'-4" higher to accommodate the addition of a gable roof with larger dormers, 2 rooms, and a bathroom) and the addition of the pergola will be installed on top of the existing footprint. They are also expanding a closet on the first floor into the rear, existing footprint, which strangely is built-out above and below, but not on the first floor. This is an undersized lot (6,340 sf) in an R-7½ Zone.

After further discussion, Mr. Quick moved to approve the variance. Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Naumowicz, and Tepper).

Planning Board Meeting Minutes:

1. Meeting of 8/20/13

The meeting minutes were not included in the mailing, and therefore will be considered during the September 17, 2013 meeting.

Old Business

- The Planning Board will deliberate on the license agreement between the City and Waterfront Magee LLC and the Strand/BRC Group LLC during their next meeting on September 17, 2013. The people in the audience who have submitted questions may clarify those questions if the PB members ask them to. Otherwise, they may not speak as the public hearings have concluded. Mrs. Dell clarified that all of the PB members must be present for all deliberations, or they will not be eligible to vote on the issue.
- Mr. Tepper reported that the South Western Regional Planning Agency (SWRPA) may be merging with the Housatonic Valley Council of Elected Officials. SWRPA is the only regional planning agency in CT – the rest are all councils of government. He noted that it would make more sense to merge with a region more similar to SWRPA's.
- Mr. Quick and Mrs. Dell said that they would be meeting with the Master Plan Steering Committee on the following day to discuss upcoming workshops.

New Business

There being no further business to come before the Board, Mrs. Dell adjourned the meeting at 8:43 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

Note: These proceedings were recorded and are available for review in the Land Use Bureau located on the 7th floor of Government Center, 888 Washington Boulevard, during regular business hours.