

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, AUGUST 13, 2024
REGULAR MEETING
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

ZOOM WEBINAR

<https://us02web.zoom.us/j/86006443409>

Webinar ID: 860 0644 3409

Passcode: 090279

Stamford Planning Board Members present were: Voting Members: Jay Tepper, Vice Chair; Ravi Subramanian, and Prasad Tunga. Alternates: Chester Salit. Absent: Jennifer Godzeno, Secretary & Voting Member and William Levin, Alternate. Present for staff: Vineeta Mathur, Principal Planner and Lindsey Cohen, Associate Planner.

Mr. Tepper called the meeting to order at 6:30 p.m.

Mr. Tepper introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEMBERS' FAREWELL:

Theresa Dell, Chair; Michael Totilo, Voting Member and Stephen Perry, Alternate are stepping down and will address the Planning Board with their final good-byes.

Ms. Dell, Mr. Totilo and Mr. Perry each made comments and left the meeting.

PLANNING BOARD MEETING MINUTES:

June 25, 2024: As there was not a quorum of members present who attended the meeting, the draft minutes for June 25, 2024 were **TABLED** to the August 27, 2024 meeting.

Mr. Tepper began to introduce the Request for Authorization item, but Ms. Cohen asked Mr. Tepper if election of Chair had been announced.

Mr. Tepper stated he wanted to wait until the full Board was in attendance. Mr. Tepper also asked about approval for the draft minutes and suggested Mr. Cohen check with Legal on how to get them approved. Ms. Cohen stated she would ask and get back to Mr. Tepper.

Ms. Cohen stated she would provide brief comments about each item on the agenda before discussion and began by making some comments about the item below.

REQUEST FOR AUTHORIZATION:

1. GENERAL SERVICES ADMINISTRATION, PUBLIC BUILDINGS SERVICE LEASE AMENDMENT by and between THE CITY OF STAMFORD (“LESSOR”) and THE UNITED STATES OF AMERICA (“EPA”): The US Government (EPA) leases approximately 1,380 sq. ft. of office space on the 9th floor of Government Center. The original lease was executed in March 2009. The original Term of the Lease was ten (10) years. The City amended that Lease in May 2010 by way of a Supplemental Agreement (1st Amendment) that extended the end-date to October 31, 2019. A 2nd Amendment was executed in September 2019 that gave the EPA an additional 5-year option and set the annual rent at \$66,373.31 with CPI escalations. The current lease term expires on October 30, 2024.

This proposed third Amendment:

- Gives the EPA a second 5-year option (to October 30, 2029);
- Removes the annual adjustments and sets the annual rent at \$71,191.45 - Year 1; \$73,327.19 - Year 2; \$75,527.00 - Year 3; \$77,792.81 - Year 4 and \$80,126.60 - Year 5. (Equates to a 3% increase each year); and
- Adds certain additional Federal Acquisition Regulation (FAR) and General Services Administration Acquisition Regulation (GSAR) clauses for lease renewals.

Josie Carpanzano, Deputy Director of Operations, was in attendance and answered questions from the Board.

After a brief discussion, Mr. Subramanian recommended *approval* of the General Services Administration, Public Buildings Service Lease Amendment by and between the City of Stamford (“Lessor”) and the United States of America (“EPA”). This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Tunga seconded the motion and passed unanimously with eligible members present voting, 4-0 (Tepper, Salit, Subramanian and Tunga).

ZONING BOARD REFERRALS:

1. **ZB APPLICATION #224-24 - STAMFORD ZONING BOARD - Text Change:** The purpose of this Text Change is to amend the Below Market Rate (BMR) Housing regulations in the Stamford Zoning Regulations (Section 7.4) to increase the supply of affordable units by increasing the affordable housing requirements and other measures.

The changes include increasing the percent set aside if BMR units are provided on-site, increasing the area subject to fee-in-lieu (FIL) payment for partial BMR units and BMR units not provided on-site, creating BMR incentives for smaller developments, making the FIL option as-of-right, adjusting the income limitation for rental units. Please refer to the meeting materials on this application for a comprehensive discussion of the proposed changes.

The proposed Text Change is aligned with other City plans and policies. The Planning Board approved the Housing Affordability Plan at its May 10, 2022 public hearing. Many strategies for increasing availability of affordable housing outlined in the Plan are implemented with this Text Change. The Mayor issued an Executive Order (EO) on Housing Affordability on June 30, 2023. This Text Change application is one way the City is fulfilling the Mayor’s EO.

Mr. Cohen and Vineeta Mathur, Principal Planner, lead a discussion on the protocol of Zoning Board applications and how they come before the Planning Board.

After considerable discussion the Board decided to *TABLE ZB Application #224-24* to the August 27, 2024 when the full Board will be in attendance.

2. **ZB APPLICATION #224-29 - STAMFORD ZONING BOARD - Text Change:** The purpose of this Text Change is to address public concerns about the purpose of Section 1.A of the City of Stamford Zoning Regulations.

At its regularly scheduled meeting on February 27, 2024, the Planning Board recommended approval of a Text Change affecting Section 1.A. The Zoning Board also approved this Text Change. The Text Change aligned the Zoning Regulations with State Statute (Public Act 21-29) by, among other things, removing references to neighborhood character and property values which have been used in the past to justify exclusionary zoning practices and perpetuated inequities. The Zoning Board’s approval of this application was appealed to the Board of Representatives. The Land Use Bureau and the BOR worked together to address public concern and avoid an approval of the appeal. The collaboration resulted in this Text Change that, while not aligning with State statutes, adds back in the stability of property values as a purpose of the Zoning Regulations. The Text Change also serves to clarify references and definitions and adds the provision of open space as a goal of the Zoning Regulations.

After considerable discussion the Board decided to *TABLE ZB Application #224-29* to the August 27, 2024 when the full Board will be in attendance.

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #027-24 - FRANCESCO SCATURCHIO representing ANTHONY SCATURCHIO - 16 COLUMBUS PLACE - Variance of Table III, Appendix B:** Applicant owns a two-family dwelling with a detached two (2) car garage. Applicant is proposing to construct a 25 ft. x 40 ft. 2½-story residential unit where the first level is mostly below grade. Applicant is requesting an 18.5 ft. street line setback in lieu of the 25 ft. minimum allowed and a 43.5 ft. street center setback in lieu of the 50 ft. minimum allowed.

This application was mistakenly introduced into the meeting, having originally been on the agenda and subsequently removed from the agenda and noticed according to State Statute.

2. **ZBA APPLICATION #029-24 - JUAN P. PAREDES, PE, JP ENGINEERING & ARCHITECTURAL SERVICES, LLC representing ANDRZEJ RUTKOWSKI - 68 SPRUCE STREET - Variance of Table III, Appendix B; Section 12.b.1 and Table 12.6:** Applicant owns this parcel of vacant land and is proposing to construct a three-story two-family dwelling (1,348 sq. ft. footprint) with each unit consisting of three (3) bedrooms and two (2) bathrooms in 1,293 sq. ft. of livable space. Each unit will also have a one (1) car garage and one (1) off-street parking space in the front courtyard. Applicant is requesting the following variances:

Table III, Appendix B (Requirements for Area, Height and Bulk of Buildings/Front Street Center Minimum Yard):

- A side yard setback of 3.58 ft. in lieu of the 8 ft. required.
- A side yard setback of 2 ft. in lieu of the 10 ft. required.
- A total side setback of 5.58 ft. in lieu of the 18 ft. required.
- A rear setback of 17 ft. in lieu of the 30 ft. required. (Deck & third story)

Section 12.B.1 (Tandem Parking Permitted in Certain Zoning Districts):

- Tandem parking for two (2) off-street parking spaces; one (1) per each dwelling unit.

Table 12.6 (Location of Parking Areas and Loading Spaces in Yards):

- Two (2) parking spaces in front yard between the building lines.

The property is located in Master Plan Category #4 (Residential - Medium Density Multifamily). The lot is undersized for the Zoning District in which it is located with 4,540 sq. ft. of area where 5,000 sq. ft. is required and 49.6 ft. of frontage where 50 ft. is required. There are also significant topographic changes from front to back. Looking at the surrounding land uses, the Master Plan Category is properly reflected with higher-density multifamily buildings to the north and lower-density multifamily buildings to the south. The fact this parcel is still vacant in a well-developed part of town speaks to the hardship of developing a compliant building. The use of the lot as a two-family dwelling is aligned with the Master Plan. Allowing for the use of the lot as a two-family dwelling requires variances to the setback and parking requirements.

Given the surrounding land uses and existing densities, the requested setback variances appear reasonable and aligned with the Master Plan. The park across the street and commercial uses at either end of the block further supports the use of this underutilized lot as a multifamily residential use.

The Applicant is asking to allow for tandem spaces in an RM-F district. In this scenario, the tandem space would be one garage space and one off-street parking space. This location is a good fit for tandem parking because it provides the required number of spaces in a smaller area on a constrained lot and we know residents that live close to transportation centers may not have two cars per unit and, therefore, may only be using the one garage space.

The final request is for half of the required parking (2 spaces) to be in the front yard. Please see Elevation #2 of the plans that shows why the parking cannot be moved to the back of the lot. Typically, parking in the front yard is to be avoided. It is aesthetically unattractive and detracts from the pedestrian experience and safety. In a time of a housing crisis, in a developed part of town close to a transportation center, in an area zoned and planned for multifamily, the Master Plan policy to develop infill parcels is harmonious with this project.

Juan P. Paredes, PE, JP Engineering & Architectural Services, LLC, made a presentation and answered questions from the Board.

After some discussion, Mr. Salit recommended **approval** of **ZBA Application #029-24** with the recommendation the applicant investigate increasing the size of the setback along the southern lot line and that this request is in general harmony with Master Plan Category #4 (Residential - Medium Density Multifamily); Mr. Tunga seconded the motion and passed unanimously with eligible members present voting, 4-0 (Tepper, Salit, Subramanian and Tunga).

3. **ZBA APPLICATION #030-24 - KEVIN & NATALIE MAGUIRE - 50 LEONARD STREET - Variance of Table II, Appendix B:** Applicant owns a single-family dwelling with a barn used for storage. Applicant is proposing to construct an 18 ft. 6 in. x 19 ft. 10 in. x 7 ft. 6 in. (195 sq. ft.) front porch; a 10 ft. x 10 ft. (120 sq. ft.) back porch and a 14 ft. 8 in. x 19 ft. 1 in. x 5 ft. (212 sq. ft.) addition to be used as a mudroom. Applicant is requesting the following variances:

- A front street line setback of 20.9 ft. in lieu of the 24 ft. required for the front porch on Leonard Street.
- A front street center setback of 40.9 ft. in lieu of the 49 ft. required for the front porch on Leonard Street.
- A front street center setback of 33.5 ft. in lieu of the 49 ft. required for the front porch on Central Street.
- A front street line setback of 13.5 ft. in lieu of the 24 ft. required for the front porch on Central Street.
- A front street line setback of 12.9 ft. in lieu of the 24 ft. required for the back porch on Central Street.
- A front street center setback of 32.9 ft. in lieu of the 49 ft. required for the back porch on Central Street.
- A front street line setback of 22.9 ft. in lieu of the 30 ft. required for the mudroom addition on Central Street.
- A front street center setback of 42.9 ft. in lieu of the 55 ft. required for the mudroom addition on Central Street.

The property is located in Master Plan Category #2 (Residential - Low Density Single-Family). The home is legally nonconforming as it was built prior to enactment of existing Zoning Regulations and is located fully within the required building setbacks. Any addition on the house would require variances to accommodate the house's existing location. The mudroom addition is largely hidden from view from either street. The front porch and back deck add to the single-family character of the home where people can sit on their front porch and are consistent with surrounding single-family homes. As such, the proposal is in general harmony with the Master Plan which calls for a low-density single-family environment in this area.

After some discussion, Mr. Tunga recommended **approval** of **ZBA Application #030-24** and that this request is in general harmony with Master Plan Category #2 (Residential - Low Density Single-Family); Mr. Subramanian seconded the motion and passed unanimously with eligible members present voting, 4-0 (Tepper, Salit, Subramanian and Tunga).

Mr. Tepper asked Ms. Cohen the status of the Bylaws.

Ms. Cohen stated the Bylaws had to be reviewed by the Law Department and will hopefully be on the Planning Board's August 27, 2024 agenda.

Next regularly scheduled Planning Board meetings are:

- August 27, 2024 (Regular Meeting)
- September 10, 2024 (Regular Meeting)
- September 24, 2024 (Regular Meeting)

There being no further business to come before the Board, Mr. Tepper adjourned the meeting at 7:40 p.m.

Respectfully Submitted
August 15, 2024

Jay Tepper, Vice 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