STAMFORD PLANNING BOARD
REGULAR MEETING MINUTES # 3724
TUESDAY, DECEMBER 6, 2011
7TH FLOOR LAND USE CONFERENCE AREA
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chairperson, Roger Quick, Dudley Williams, Claire Fishman, Jay Tepper and Zbigniew Naumowicz. Present for staff was Todd Dumais.

Mrs. Dell opened the meeting at 7:35pm. She announced that Jay Tepper would be seated as a voting member for the first two agenda items and Zbigniew Naumowicz would be voting on the third agenda item.

Regular Meeting

Zoning Board Referrals:

ZB Appl. 211-31 – Text Change, BBSF, LLC to Amend Article III, Section 9 with respect to the duration of an Approved General Development Plan in the TCDD Zone by extending the validity of an approved GDP to seven years from the date of approval with the opportunity for three additional, one-year extensions.

Mrs. Dell read the introduction to the application and a letter submitted by the applicant for the opportunity to speak to the Board.

William Hennessey, attorney for the applicant, introduced the development team. He explained that the application relates to the TCDD zone but really relates specifically to the Metro Green Project. Malkin and Jonathon Rose Companies co-developed the properties, seeing a positive referral for this requested text change. This is a boring technical change but the project is exciting and this is a critical component for the project continuing to go forward. Mr. Hennessy then described the project as a five acre site east of the Metro Center Building which has a history before all the Boards in 2007 for land in a TCDD Zone. He explained the process of the TCDD Zone, Staff, GDP and Final Plan approvals. There are four buildings, Metro Tower with 325,000 sf office building and the other buildings A, B + C with a free standing garage for the residential portion. He noted that the 2007 final plan approved for Building C, 2010 for Building B, Building A does not yet have a final plan approval yet but it does include private and public open spaces being constructed. Building C is built all affordable, Building B is almost done and will be occupied in February 2012; this project has progressed in this very challenging environment. They've studied the time limits about Zoning Permits and when they expire, TCDD language tracks DW-D language but the words require that the project is completed; our case in TCDD says permit is for 5 years and two one-year time extensions. We think that there should be a 10-year time horizon on an approval 7 years, extendable for up to three one year increments. For example, CT legislature passed legislation to extend time periods on applications to nine years plus 5 years. Applicant is asking to clear up language completed versus building permit and add additional time to an approval period.

Attorney Hennessey said their concern is with the Zoning Board. The cost of approval in this zone is enormous and they feel the request for a time extension is for a good reason.

Mr. Quick had a question about the completion schedule. Attorney Hennessey said this is a trigger to obtaining a building permit; it's more difficult to control the Certificate of Occupancy. Mr. Quick asked if they were talking building permit versus project completion?

Mrs. Dell suggested they say to the Zoning Board some additional language; get seven years but only qualify for extensions if a permit has been pulled. Attorney Hennessey said that doesn't hurt them at all and that they could work out language to that effect.

Mrs. Dell asked the applicant to work with staff on the exact wording provided that a building permit has been obtained in the first seven years.

Mr. Tepper moved to recommend approval of the text change. Mr. Williams seconded the motion and it passed unanimously with amended language with the eligible members present voting, 5-0 (Dell, Williams, Fishman, Tepper and Quick).

ZB Appl. 211-33 – Text Change, BBSF, LLC to Amend Article III, Section 9.BB.5.a(2) to add an additional F.A.R. exemption for parking garages which utilize rainwater harvesting systems and have a minimum solar reflective index of 29.

Again representing the Applicant, Attorney Hennessey described this as the more interesting application and that it was a perfect fit to the adopted sustainable amendment to the Master Plan from a year ago. He discussed green roofs on parking garages which are healthy and reduce heat island affects but that the reality is that most green roofs are not used as open space. This garage is isolated and not being used as proposed in the development and that it was bad site planning and they began to think about alternatives. They'd like to install a system to harvest and reuse rainwater and the ability in the text to create two paths to exempt parking garages from FAR. Rainwater harvesting used on this site can reduce heat island affect through use of solar reflectors and green screens compared to traditional green roofs.

Mr. Tepper asked what the cost difference is between traditional and green roof's of this type? Tom Durrells said it was significant compared to building an additional structure.

Mrs. Fishman said she liked the rainwater harvesting better than a green roof.

Mrs. Fishman moved to recommend approval of the text change. Mr. Tepper seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Williams, Fishman, Tepper and Quick).

ZB Appl. 211-39 – Text Change, REDNISS to amend Section 9 M-D Designed Industrial District, BBBB subsection 3-d to permit parking structures, limited in height to 20', to be located at a setback of 50' from all property lines.

Mrs. Dell read the introduction to the application and a letter submitted by the applicant for the opportunity to speak to the Board Member

Richard Redniss representing the Applicant described two M-D zones in Stamford. One being the Clairol site and one on the west side of town at Westies and that the City has only 30 acres of M-D zone. He stated that the zone is an old zone without many of the controls in place for other zone, like FAR calculations or provisions for accessory structures or height limitations. When NBC was thinking of coming to Stamford, they wanted a building to add people and jobs and looked at the Clairol site and decided it fit their needs with a parking garage. Mr. Redniss used an aerial photo to describe the site and said the garage becomes an accessory structure. This text change allows the parking garage height and location on the parcel.

Mrs. Dell questioned screening of the garage for the neighbors. Mr. Redniss said they have the ability to screen it and want the opportunity to meet with the neighbors to see what they want.

Mrs. Dell asked if they had something for them to look at other than surface lot. Mr. Redniss said they welcome the opportunity to come back with plans for an accessory structure.

Mr. Williams questioned reaching out to neighbors. Mr. Redniss said they will continue to dialogue with the neighbors

Mr. Quick asked if there were plans for an administration building on this site? Mr. Redniss said yes.

Mr. Quick moved to recommend approval of the text change. Mr. Williams seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Williams, Fishman, Naumowicz and Quick).

Capital Budget FY 2012/13 & Capital Plan 2014-2019:

Mrs. Dell said asked the Board that as they start looking at projects, the Members should rank each one as they go through starting at page 1 and go through each project ranking them a number 1 to 4 for highest to lowest.

Mr. Quick expressed his thoughts that this year the budget process was going better and suggested an alternative approach to only major agencies receiving all the money. He suggested that the Board give all agencies their number one they requested it and add that up and see where it gets us. The Board could then add additional projects and wouldn't necessarily be establish a system that competes with the agencies priorities.

Mr. Tepper commented that he felt it was the Mayor and Board of Finance's job to set priorities.

Mr. Williams thought they covered this last week and came in at a number. He's for making a pass at the requests, setting priorities for projects going forward.

Mrs. Dell said there was no total number but felt the members should go through each project and rank its importance.

Planning Board Meeting Minutes:

Meeting Minutes of 11/15/11
Mr. Williams moved to approve the minutes as submitted. Mr. Tepper seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Williams, Fishman, Tepper and Quick).

Meeting Minutes of 10/25/11
Mr. Tepper moved to approve the minutes as submitted. Mrs. Fishman seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Williams, Fishman, Tepper and Quick).

Meeting Minutes of 6/28/11
Tabled until a future meeting.

Meeting Minutes of 6/21/11
Mrs. Fishman moved to approve the minutes as submitted. Mr. Williams seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Williams, Fishman, Tepper and Quick).

Meeting of 6/14/11

Tabled until a future meeting.

Meeting of 5/24/11
Tabled until a future meeting.

Old Business

Mr. Dumais updated the Board on the proposed Five Guys restaurant on High Ridge Road. Mrs. Dell added that she visited one of the restaurants and spoke to a manager about the fast food business and how their model is about 70 – 30 to be take out over dine in and all food is delievered in disposable wrappings.

There being no further business to discuss, Mrs. Dell adjourned the meeting at 10:25 pm.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

Note: These proceedings were recorded on tape 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.