

**MINUTES OF THE ZONING BOARD  
PUBLIC HEARING & REGULAR MEETING,  
HELD MONDAY, JANUARY 12, 2015, 7:00 P.M.,  
4<sup>TH</sup> FLOOR, CAFETERIA, GOVERNMENT CENTER  
BUILDING, 888 WASHINGTON BLVD,  
STAMFORD, CT 06901**

Present for the Board: Thomas Mills, Rosanne McManus, William Morris, Barry Michelson and David Stein. Present for staff: David Killeen, Associate Planner.

Mr. Mills called the meeting to order at 7:05 pm

**PUBLIC HEARING**

1. **Application 214-33 – HIGH RIDGE REAL ESTATE OWNER, LLC, Text change,** to Amend Article II, Section 3A Definition 98.1 (Surgery Center/ Out Patient) to clarify the term “gross floor area” and that authorization of special exceptions for said use exceeding 15,000 s.f. rests with the Zoning Board; amend Article III, Section 9, BBB 2 to allow Surgery Center/Out Patient as a permitted use in the C-D District with a limitation of six (6) operating rooms/surgical suites; amend Section 9, BBB 3 to exempt emergency generators not exceeding eight feet in height, set back a minimum of 23 feet from the property line and adequately screened, from the calculation of non-porous surface area coverage, and amend Section 9 BBB 3 to require that emergency generators in the C-D District have a minimum 23 feet set back from the boundary line of a residential district (*continued from January 5, 2015*).
  
2. **Application 214-34 – HIGH RIDGE REAL ESTATE OWNER, LLC, 0 Turn of River Road, Final Site & Architectural Plans,** Applicant requests approval of Final Site plans for change of use from general office use of 14,147 s.f. to a Surgery Center/ Out Patient facility on the third floor of Building 5 and to install an emergency generator with landscaped screening in a C-D district (*continued from January 5, 2015*).

Mr. Morris commented that he viewed the videos from the previous hearing on this matter, December 8 and December 16, 2014 and was prepared to participate in this application.

Mr. Killeen read into the record correspondence from Attorney Ted O'Hanlan dated January 9, 2015, requesting continuation of the hearing for Applications 214-33 and 214-34, to allow the Applicant to present additional information to the Planning Board.

Mr. Mills noted that the Applicant was not present. He asked for input from the Board concerning the Applicant going back to the Planning Board. Mr. McManus felt that was in the Planning Board's jurisdiction to decide.

Mr. Morris questioned the reasons for the requested continuation. It didn't seem the Planning Board denied the application because it was inconsistent with the 2015 Master Plan.

Mr. Michelson submitted a copy of the pertinent Section of the City Charter and questioned whether the Planning Board has the authority to reconsider its earlier vote. The Board discussed the issue of whether the new application met the test of being substantially changed. Mr. Killeen reported how the City Attorney and Land Use Bureau Chief reached the conclusion that this could be a substantially changed application based on their years of experience in Stamford. The revised language places a restriction on the total number of surgical suites that would be allowed in the CD District. The previous language had no such limits. Mr. Killeen commented that it is a courtesy to the Applicant to allow them to present all evidence for their application. The ultimate decision will be made by the Zoning Board. Further discussion ensued concerning whether the Planning Board should be allowed to change their vote. Mr. Mills asked for a roll call vote as to whether the hearing should be continued. Ms. Minus said she was okay with continuing the public hearing and did not want to open the hearing without the attorneys. Mr. Morris said he was undecided one way or the other. Mr. Michelson indicated he was opposed to continuing the hearing and wanted to close the hearing tonight. Mr. Stein had recused himself on this application. Mr. Mills said he was not opposed to continuing the hearing but he doesn't know if it's in the best interest of the Applicant to go back to the Planning Board. Mr. Mills announced the hearing would be continued to Monday, January 26, 2015 at 7:00pm in the 4<sup>th</sup> floor Cafeteria.

3. **Application 214-35 – THE HOUSING AUTHORITY OF THE CITY OF STAMFORD (d/b/a CHARTER OAK COMMUNITIES), Stillwater Avenue and Merrell Avenue, Final Site & Architectural Plans** requesting approval to construct Phase II of onsite revitalization along Stillwater Avenue and Merrell Avenue. Construction of 78 apartments in a 5-story mixed use building with 23,000 s.f. of ground floor commercial space along with site improvements, 47 BMR units, 179 parking spaces, landscaping and amenities on 1.89 acres in an R-MF district.

Mr. Mills opened the Public Hearing on this application and read a description into the record.

Richard Redniss presented this application on behalf of the Applicant, Charter Oak Communities. Mr. Redniss introduced his team which included Architect Ken Boroson.

Mr. Redniss provided an overview of the project, which is part of a phased revitalization of Vidal Court housing development. He explained the history of the approval process. He reviewed the project in relation to the Staff Report. He pointed out the conditions of approval from the GDP and reviewed areas of zoning compliance. He then reviewed the proposed parking. 98 spaces are required for residential, 110 will be provided. 69 parking spaces are being provided for the commercial uses, which are planned for medical office use. The Staff Report pointed out that the Applicant's proposal is based on parking demand of 3 parking spaces per 1,000 s.f. Retail is generated at a rate of 4 parking spaces per 1,000 s.f. The Applicant does not want to be restricted to medical office as a condition.

Mr. Stein asked how this would be addressed. After further discussion, it was agreed that there could be a condition limiting total retail use or, ultimately, the Applicant will have to address future uses with the ZEO.

Mr. Redniss then discussed trash management. Residential trash would be hauled to a dumpster used for the Merrell Avenue residential development. Commercial trash would be hauled from the upper parking deck that connects with Stillwater Avenue. Mr. Redniss reviewed plans for onsite storage and removal of snow. Snow would collect only on the upper deck and could be pushed onto the lawn area to the north and south. When snow blocks available parking spaces, it would be hauled away as necessary. There would be no impact on neighbors.

Mr. Redniss reviewed the streetscape plans. Mr. Mills asked for confirmation that granite curbs would be installed per the Rail Trail design. Architect Ken Boroson confirmed granite curbs and mantels would be used along Stillwater and Merrell Avenues and concrete curbs on interior parts of the site. Mr. Redniss then referenced comments from the Engineering Department and wanted to discuss 4 conditions which the Applicant feels are not appropriate.

After discussion, the Zoning Board clarified that the Applicant will need to respond to the Engineering Department memorandum. The Applicant questioned items #2, 4, 11 and 8 in that memorandum.

Architect Ken Boroson and Project Manager Brian Stone provided perspective sketches of the proposed building. They have modified the building so it bends in the middle and includes further setbacks to increase shadows. Mr. Mills asked them to show the original plan in relation to the proposed plan, which they did. Mr. Boroson and Mr. Stone provided an overview of the architectural materials that would be used. They indicated they would use limestone on the base with brick and multi-colored EIFS siding. Mr. Stein asked if it would be real limestone. They indicated yes, they would use natural limestone though they were impressed how similar a look they were able to achieve with pre-cast stone. They might have to change that material if costs are too high. They acknowledged they would need Zoning Board approval if that's the case. The architect showed the Marvin windows they planned to use. Initially, they thought there would be a curtain wall for the windows but instead they will use multiple windows. They showed a clay model of the proposed aluminum ornament that would separate the windows. Awnings would be aluminum with a standing seam. The architects reviewed the other building materials proposed.

Next, they reviewed the proposed signage. Commercial signage would be located along the cornice lintel above the storefronts and would be backlit or internally illuminated. Mr. Manus asked about residential signage. They indicated there would be residential signage at the main entrance at the rear of the building at the lower level near the courtyard and at the other end of the building at the lower level, plus a secondary entrance off the parking deck near the Stillwater entrance. The mechanicals will be on the roof, set back from the edge of the building and hidden by the parapet.

Mr. Mills opened the hearing for Public comment.

Panela Koprowski, representing Stamford Hospital and as Vice President of the Westside NRZ, spoke in favor of this plan noting the neighborhood is anxious to see it move forward.

After further discussion, Mr. Mills closed the Public Hearing on this application.

## **REGULAR MEETING**

### **APPROVAL OF MINUTES:**

Minutes for Approval: January 5, 2015

After a brief discussion, Mr. Stein moved to approve the minutes as submitted, seconded by Mr. Morris and the motion was approved 5:0 (Mills, Michelson, Morris, Manus and Stein).

### **PENDING APPLICATIONS:**

1. Application 214-24 – TWO YALE & TOWNE, LLC, 115 Towne St

Mr. Mills continued discussion of this application until Monday, January 26, 2015 at 7:00pm on the 4<sup>th</sup> Floor Cafeteria.

2. Application 214-33 – HIGH RIDGE REAL ESTATE OWNER, LLC, Text change
3. Application 214-34 – HIGH RIDGE REAL ESTATE OWNER, LLC, 0 Turn of River Road, Final Site & Architectural Plans

The public hearings on these applications were continued until Monday, January 26, 2015 at 7:00pm on the 4<sup>th</sup> Floor Cafeteria.

4. Application 214-35 – THE HOUSING AUTHORITY OF THE CITY OF STAMFORD (d/b/a CHARTER OAK COMMUNITIES), Stillwater Avenue and Merrell Avenue, Final Site & Architectural Plans

The Board discussed draft conditions presented by Mr. Killeen who noted that the Board had just completed the review of the GDP for this project in September 2014, and all conditions were being addressed within this current application.

After discussion, the Board asked that Staff work on revisions to two conditions, one dealing with the BMR requirements and the other one dealing with signage on building #5 and #6. The draft conditions currently read:

*WHEREAS, the Zoning Board makes the following special findings:*

- *The Site & Architectural Plan & Requested Uses, as herein modified, conform to the standards, goals, purposes and specific objectives of the R-MF District and standards contained in the Zoning Regulations and the Stamford Master Plan as well as all of the standards of Sections 7.2 of the Stamford Zoning Regulations.*
- *The application for final approval conforms to the conditions of approval contained in the General Development Plan for this project.*
- *The proposed development will establish appropriate uses, utilize a sensitive design and include a pedestrian-friendly streetscape environment that will help to*

*enliven this important street corner.*

***NOW THEREFORE BE IT RESOLVED*** that the Zoning Board approves Application 214-35 requesting Final Site and Architectural Plan approval, subject to the following conditions:

**SITE-SPECIFIC CONDITIONS:**

- 1) *All work shall substantially conform to the above referenced Building and Site Plans (to be inserted) unless otherwise approved by the Zoning Board or, for minor modifications, Zoning Board staff.*
- 2) *Prior to the issuance of a Building Permit, the Applicants shall submit final site and architectural plans, landscaping and streetscape plans, including specifications for exterior architectural designs, materials, samples and colors, for final approval by Zoning Board staff, to ensure consistency with the approved plans, architectural elevations, and illustrative renderings constituting the record of the application.*
- 3) *Prior to the issuance of a Building Permit, sewer, streetscape, and storm drainage plans shall be submitted and subject to final review of design specification and construction by the Engineering Bureau; and address comments of Susan Kissen, P.E. in her memorandum dated January 9, 2015.*
- 4) *Prior to issuance of a Building Permit, applicant shall obtain a discharge permit from the Stanford Water Pollution Control Authority and shall provide information requested in the December 1, 2014 memorandum from Prakash Chakravarti, P.E., Supervising Engineer, and Stephen W Hetrzyk, Regulatory Compliance Officer.*
- 5) *Prior to the issuance of a Certificate of Occupancy, the Applicants shall record on the Stanford Land Records an Affordability Plan, in accordance with the standards of Section 7.4 of the Zoning Regulations, permanently establishing on-site no less than twelve (12) BMR units, subject to Zoning Board staff approval.*
- 6) *All commercial and residential signage for this property is subject to administrative review by the (Zoning Board) (Zoning Board Staff).*
- 7) *Final approval of the Property Management Plan by Zoning Board staff prior to the issuance of a final Certificate of Occupancy, to include a protocol for screening tenants and establishing appropriate lease provisions.*

**STANDARD CONDITIONS:**

- 8) *Applicant shall make best efforts to keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained and construction debris shall be kept to a reasonable minimum.*

- 9) *Zoning Board staff shall review and approve any significant mechanical equipment installed within the view of any public street and not depicted on the Building and Site Plans submitted with the application.*
- 10) *A Street Opening Permit shall be required for any work within a public street right-of-way.*
- 11) *Lighting plans are approved, subject to review of final construction documents by the Zoning Board staff to confirm that no objectionable trespass lighting will occur.*
- 12) *Prior to the issuance of a Building Permit, the Applicants shall submit a Construction Staging and Management Plan to ensure safe, adequate and convenient vehicular traffic circulation and operations, pedestrian circulation and protection of environmental quality through the mitigation of noise, dust, fumes and debris subject to final approval of the Land Use Bureau Chief or his designee. Such Construction Management Plan shall address, but not be limited to, reasonable restrictions on times when deliveries can be made to the job site, measures to control dust, staging areas for materials and construction worker parking as well as temporary measures requiring the timely removal of construction debris and/or litter from the jobsite and provide for.*
- 13) *Prior to the issuance of a Building Permit, sedimentation and erosion control plans shall be submitted and subject to review by the Environmental Protection Board staff.*
- 14) *Prior to the issuance of a Certificate of Occupancy, the Applicant shall submit a Trash Management Plan and Snow Removal Plan, subject to final approval by Zoning Board staff.*
- 15) *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Drainage Maintenance Agreement and Landscape Maintenance Agreement, subject to approval by the Environmental Protection Board staff.*
- 16) *The Applicant shall have one year from the effective date of this approval within which to secure a Building Permit, subject to Zoning Board approval of three extensions, each not more than one year, upon timely application and good cause shown.*

## **OLD BUSINESS**

### **DOT Presentation**

The Board Members discussed the upcoming presentation by the Connecticut Department of Transportation (CT DOT) regarding the proposed Transit Oriented Development (TOD) Project at the Stanford Transportation Center on January 27, 2015. M. Michelson asked who would be making the presentation. M. Killeen reported that he had relayed the Zoning Board request that the developer not make this presentation. M. McManus stated the meeting should be open to the

public even though the public would not have an option to be heard. Mr. Mills asked who would host the meeting. Mr. Killen responded it would be the Planning Board. Mr. Mills said that would be alright as long as the Zoning Board Members could ask questions.

Mr. McManus moved to adjourn, seconded by Mr. Stein and the motion was approved 5:0 (Mills, Michelson, Morris, McManus and Stein).

There being no further business, the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Barry Michelson, Secretary  
Stanford Zoning Board