

**MINUTES OF THE ZONING BOARD REGULAR
MEETING ON MONDAY, JUNE 3, 2013, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CONNECTICUT 06901**

Present for the Board: Thomas Mills, Bill Morris, Harry Parson, Barry Michelson, Audrey Cosentini and Kathleen Donahue. Present for staff: David Killeen, Associate Planner

PUBLIC HEARING

Mr. Mills called the meeting to order at 7:12 p.m. Mr. Mills noted there would be a change in Board Members after this meeting and acknowledged Mrs. Cosentini's 16 years of service and thanked both Mrs. Cosentini and Alternate Kathleen Donahue for their contributions. After some applause and acknowledgment of these members by the Board, staff, and members of the audience, the meeting continued.

1. **Application 213-12 – Richard Redniss – Reckson Signage, Text change**, to Amend Article III, Section 13, Paragraph G-6 and H-6 to authorize one ground sign per street frontage in the C-L, C-I, C-G, C-S, CC-N and CC-S districts.

Chairman Mills read the legal notice into the record.

Mr. Michelson read the Planning Board referral letter approving the Reckson Signage and stating it is consistent with the Master Plan.

Richard Redniss, for the Applicant, described the proposed text amendment. He explained that the current regulations allow signs on walls of buildings along all street frontages based on the length of the building. Meanwhile, only one ground or pole sign is allowed per property no matter how large the property is, how many street frontages it possesses, or how long the street frontage is. Mr. Redniss explained that the proposed text amendment would allow for more than one ground or pole sign for properties in the C-G or the CC-N District that are at least one acre or more in size.

After consulting with staff, the applicant has proposed more restrictive language to limit additional signs under this amendment to ground signs only, separated by a minimum distance of ten feet and subject to administrative design review by the Zoning Board or through the Architectural Review District requirements.

As an example, Mr. Redniss showed a sample sign for a property at the corner of Washington Boulevard and Division Street. For that location, there would be a proposed monument/ground sign of 35 s.f. and the existing sign which is 4.25 feet x 7 feet or 30 s.f. The applicant could place multiple large signs along the building façade, but the owner prefers to identify business tenants at street level, which would give a more harmonious appearance. The proposed amendment would allow the owner an additional ground sign, which they would like to face towards

Division Street for enhanced visibility. Since both signs would be faced to the same street, staff felt there needed to be a design review to assure reasonable placement of these signs.

Board Members Morris and Cosentini stated they were looking for information on other properties that could be affected by this proposal. Mr. Redniss referred to a Zoning Map of the downtown area and highlighted areas within the C-G and the CC-N District.

Mr. Redniss also showed the boundaries of the City's Architectural Review Districts, pointing out where that district overlaps the C-G and CC-N District. It was noted that some sections of the C-G District are located outside of the Architectural Review District. The Board raised a number of issues:

- Mr. Redniss reported that the CC-N District was added to this amendment at the recommendation of the staff. Board members asked if this amendment could be limited to the C-G District only.
- Could this amendment be limited to the area within the Architectural Review District only for consistent administration?
- The Board members were concerned about the potential for too many ground signs being located in the downtown. Could this be limited to one additional sign only, rather than one sign for each street frontage?

Mr. Redniss offered to draft some revised language and present it to them this evening.

Mr. Mills asked if anyone from the Public would like to comment on this public hearing item. There was no one that spoke in favor or against the proposed text change. Mr. Mills temporarily closed the Public Hearing on this item and noted the Board would discuss it further later in the meeting.

2. **Application 213-13 – Richard Redniss – Edgehill Sr Housing, Text change**, to Amend Article II, Section 3-A, definition #92.1 regarding building height and floor area ratio for Senior Housing and a Nursing Home Facility Complex.
3. **Application 213-14 – EDGEHILL PROPERTY CORP, 62 & 122 Palmers Hill Road, Special Exception and Site and Architectural Plans** requesting Special Exception Approval and Site & Architectural Plan Approval to facilitate the addition of approximately 33,000 square feet primarily for a new memory care unit and 50 additional parking spaces for their existing 333,000± square foot Senior Housing and Nursing Home Facility Complex on a 22.4± acre site in the R-10 zoning district. The properties subject to the applications are commonly referred to as 62 and 122 Palmers Hill Road.

Chairman Mills read the legal notice into the record. Mr. Michelson read the Planning Board referral letter approving the text changes and site plan and special exception applications and stating they are consistent with the Master Plan.

Attorney William Hennessey, for the Applicant, submitted the notification to abutting neighbors into the record and introduced his team. He provided an overview of the location and

surrounding uses in the neighborhood. He gave an overview of the proposed additions and showed on the plans where the former United Way building would be removed to enable the creation of an "auxiliary parking lot" with most of the existing parking within the primary building site. This development was built under definition 92.1 with a wooded area and conservation district around the perimeter to serve as a neighborhood buffer and to manage adjacent wetland areas in a natural state. The new development is for a Memory Care Unit and they are asking for an increase of approximately 33,000 s.f. or 10% of the existing building area.

Mr. Mills took a brief recess at 8:10pm and resumed the Public Hearing at 8:25pm.

The Board discussed the text amendment and the issue of a height limitation of three stories with no specific height specified in feet. There were questions from Mr. Mills and Mr. Michelson about controlling the overall height of a building and expressing concern about limiting height just by the number of stories. Atty. Hennessey referred to graphic representations of the proposed additions for the subject property and illustrated how the topography of the subject property made it difficult to apply the City's current height restrictions without changing the appearance of the building with the additions being proposed. Edgehill would like to maintain the overall existing appearance of the existing development to the extent possible. Revised text amendments provided to the Board would establish the height at three stories but also require the final height to be approved by the Board through its review of architectural plans and elevations.

Richard Redniss reviewed the proposed series of additions and the parking area on a site plan of the area. He explained that three entrances into the site were designed to distribute traffic around the neighborhood. He noted that he and the project team have been working carefully with the neighborhood to assure that the development would fit in. He described a continuous sidewalk that exists from the proposed parking lot to the entry of the complex. He also referred to some of the concerns that had been raised during the Planning Board review concerning pedestrian safety (lighting, sidewalks, etc.), especially for employees that would utilize the parking lot. Mr. Redniss described a parking management plan and lighting along the sidewalk.

Mrs. Cosentini said the proposal seems to work because the building was originally designed with a large buffer area around it and the new additions appear to be located within the center of the existing building, hidden from view.

The Board discussed the mix of occupants with an estimate of 20-30% of the population being classified with some form of dementia. There will be a total of 22 memory units added; there are none now. They are asking for a total of 290 units which is below the 296 initially approved. Mr. Parsons commented on the need to have systems in place to prevent patients with dementia and Alzheimer's from wandering away from the facility. Mr. Cook, representing Edgehill, discussed the overall operation of the Center with the new mix of units and talked about access controls GPS bracelets utilized by the facility to keep patients of this unit within an area and, if they escape, to be able to locate them.

Deliveries would be made to and from the private road, Dorr Oliver and would be approximately the size of Sysco food trucks.

Mr. Mills announced that the hearing on these applications (#213-13 and #213-14) would be continued to the next Public Hearing scheduled for June 10, 2013 at 7pm in the 4th floor cafeteria, Stamford Government Center.

Mr. Mills took a brief recess at 9:15pm and reconvened the Public Hearing at 9:30pm. Board Member Michelson was absent at the beginning of the resumed hearing. Alternate Donahue was seated in his place.

Mr. Mills asked Attorney Hennessey to comment on SWRPA notification of Zoning Board Applications and notifying the Town of Greenwich regarding the previous application. He asked that staff look into the notifications made and report to the Board.

1. **Application 213-12 – Richard Redniss – Reckson Signage, Text change**, to Amend Article III, Section 13, Paragraph G-6 and H-6 to authorize one ground sign per street frontage in the C-L, C-J, C-G, C-S, CC-N and CC-S districts.

Mr. Mills reopened the discussion of Application 213-12 and the sign text change.

Mr. Redniss discussed modifications made to the text amendment at the request of Board Members including the addition of staff review under Architectural Review District and submitted draft language accordingly, for the Board's consideration.

Mr. Mills asked for a motion to close the Public Hearing on this application.

Mr. Morris moved to close the Public Hearing on this application. Seconded by Ms. Donahue and approved, 5 to 0 with the eligible members voting (Mills, Cosentini, Morris, Parson and Donahue).

REGULAR MEETING

Mr. Mills noted there were members of the public present to speak on the Harbor Point plan and asked for a motion to take the agenda items out of order. Mr. Morris moved to take the posted agenda items out of order. Seconded by Mr. Parson and approved, 5 to 0 with the eligible members voting (Mills, Cosentini, Morris, Parson and Donahue).

3. **Application 213-12 – Richard Redniss – Reckson Signage, Text change**, to Amend Article III, Section 13, Paragraph G-6 and H-6 to authorize one ground sign per street frontage in the C-L, C-J, C-G, C-S, CC-N and CC-S districts.

After a brief discussion, Ms. Donahue moved to approve the text change application as modified. Seconded by Mr. Parson and approved, 5 to 0 with the eligible members voting (Mills, Cosentini, Morris, Parson and Donahue). The text change will read as follows:

To Amend Article III, Section 13 (Sign Regulations), paragraph G-6, to read as follows:

G. In any C-L Limited Business District, C-G General Commercial District, C-I Intermediate Commercial District and C-S Shorefront Commercial District, on-site signs are authorized on each plot under the following conditions:

...

6. One (1) ground sign or pole sign may be erected on a plot in addition to all other signage permitted in this subsection 13-G. Such ground sign or pole sign shall not exceed sixty (60) square feet in area, and no side of the sign face shall exceed ten (10) feet in length, nor shall such pole sign exceed twenty-one (21) feet in height. In the C-G District on lots of one (1) acre or larger with multiple street frontages within the Architectural Review Design District, one (1) additional ground sign may be erected provided that all such signs are separated by a distance of not less than ten (10) feet and two signs facing a single street frontage may only be allowed pursuant to the review procedure of Section 7.6-E.

OLD BUSINESS

1. **APPL. 208-05 ANTARES HARBOR POINT**, General Development Plan, Condition #7, 14 Acre Working Boatyard and Full Service Marina status updates, Cease & Desist Order and requested items.

Mr. Mills asked William Buckley, for BLT, to give a report on the status of remediation efforts for the site. Mr. Buckley described the cleaning, filling and dewatering would continue for two more weeks. A new road has been added over the remediated portions of the site. They will remove the remainder of the contaminated soil in the northwest area. Dust control is on-going. They are working on an "irrigation system" to keep soil moist and dust to a minimum. Contaminated material has been taken offsite. Clean material has been compacted and stone crushed to fill the area between over-sheeting and the bulkhead site. The bulkhead will remain in place and cut down by about 5 feet.

Mr. Morris expressed concern that some docks were removed beyond the authorized areas under the COP issued from the CT DEEP. So far, he has not heard a complete response to that concern.

Mr. Buckley distributed a series of photos of the project site and some historical aerial photographs that showed the site in 1934. He discussed changes that have occurred since that time.

Board Member Michelson returned to the meeting at 9:55pm.

Attorney John Freeman gave an update on the cultural institutions: New Haven arts groups and the Loft Artists.

Lisa Cuscuna, Loft Artist Association, said they had found 7,000 sq. ft. of space at 575 Pacific Street, and she'd like to see this space used as meeting some of the cultural requirements for the BLT developments. The space would need to be renovated to accommodate their use, but overall the Loft Artists believe it could serve their needs for

the long run. BLT has agreed to consider fitting out the space for the Loft Artists at this location if it would satisfy their requirement to provide cultural space requirements. The Loft Artists are considering a 10 year lease with two 5-year extensions.

Attorney Freeman noted that BLT would only consider such an arrangement if it enabled them to permanently comply with 7,000 square feet of their cultural institution requirements for the South End Redevelopment Districts. Under this proposal, the Loft Artists would be required to pay the rent for this space on an ongoing basis, and if they were to default for some reason in the future or change their minds about the space, BLT or the owners of the properties at that time, should not be required to create new space at that time. Attorney Freeman asked that the Board agree that this arrangement meets the cultural requirement up front. The Loft Artists have to take responsibility for the future.

Mr. Mills asked if the Board could have a copy of the Lease?

Mr. Mills asked about the lease particulars. He asked if the Loft Artists are being evicted? Ms. Cuscuna said not directly but they could be if they are required to pay the rental amounts sought by BLT. The Board Members asked for more information on this proposed plan. Mrs. Cosentini said she felt this was a good proposal and would meet the cultural requirements. Mr. Parson said he was not sure that BLT needs to provide more cultural space, since he feels the School could satisfy that need. The Board needs more data to clearly understand what they are proposing. Attorney Freeman asked what information is being asked for? The Board agreed a copy of the lease with basic terms would satisfy the questions. Attorney Freeman was given 60 days to come back with a proposal for 15,000 s.f. of cultural space of which 7,000 s.f. would come from the lease to the Loft Artists. Chairman Mills asked that BLT put together some additional information on this cultural requirement.

Mrs. Cosentini left the meeting at 10:35pm. As she was leaving, Mr. Mills noted that he would like to have a dinner for Maria Nakian, Audrey Cosentini and Kathleen Donahue to honor their service to the Zoning Board, and he would contact them to arrange it.

Mr. Mills seated Alternate Donahue in Mrs. Cosentini's absence.

Mr. Mills announced he would put something together on the dinner and get back to the Board Members. He returned to the Regular Meeting agenda items.

APPROVAL OF MINUTES:

Mr. Mills postponed discussion of the minutes from May 6, 2013 until the next meeting.

PENDING APPLICATIONS:

1. CSPR-928 – DELANEY, 389 Ocean Drive West, requesting approval to construct a 1,470 s.f. garage, modify existing driveway and install drainage improvements to an existing residence in an R-20 coastal flood area.

After a brief discussion, Mr. Parson moved to approve the Coastal Site Plan Application as conditioned by EPB letter from R. Talamelli dated May 22, 2013. Seconded by Ms. Donahue and approved, 5 to 0 with the eligible members voting (Mills, Michelson, Morris, Parson and Donahue).

2. CSPR-907 – FOSTER, 77 Weed Avenue, demolish existing dwelling and construct a new two family residence in an R-5 district in a coastal flood hazard area zone at 77 Weed Avenue.

After a brief discussion, Mr. Michelson moved to approve the Coastal Site Plan Application as originally conditioned by the Zoning Board in its initial approval dated March 23, 2012. Seconded by Ms. Donahue and approved, 4 to 0 to 1 with the eligible members voting (Mills, Michelson, Parson and Donahue with Morris abstaining).

4. Application 213-13 – Richard Redniss – Edgehill Sr Housing, Text change
5. Application 213-14 – EDGEHILL PROPERTY CORP, 62 & 122 Palmers Hill Road, Special Exception and Site and Architectural Plans

Mr. Mills postponed further discussion of these applications to the next meeting since the public hearing had been continued to June 10, 2013 at 7:00pm.

OLD BUSINESS

3. **APPL. 211-15 – RMS FRANKLIN, LLC & JFFS REALTY, LLC**, change in exterior architectural materials.

The Board discussed the window material at 163 Franklin Street. Vinyl windows were used instead of aluminum as initially proposed with this application. Attorney William Hennessy reported on the windows being revised during the construction process, and quality replacements had been located. Mr. Mills had become aware of the change when someone had complained of the replacements. He did not feel he had the authority to approve the change since aluminum windows were clearly highlighted in the approval. He wanted to bring it to the Board for their consideration.

Mr. Morris moved to approve the use of vinyl windows as a replacement for originally approved materials submitted by the Applicant. Seconded by Ms. Donahue and approved, 5 to 0 with the eligible members voting (Mills, Michelson, Morris, Parson and Donahue).

2. **APPL. 212-06 THE HOUSING AUTHORITY OF THE CITY OF STAMFORD**, Merrell Avenue; approval of exterior architectural materials.

Staff presented exterior architectural materials for approval to the Board. The Board looked at the sample materials and the approved elevations but questioned why there had been a condition of approval requiring the Board to review color and materials for this building before a building permit could be issued. A discussion followed and the Chair asked that a tape of the meeting

where approval was given on this application be reviewed and a report sent via email to the Board Members for their further consideration.

ADJOURNMENT

There being no further business, Mr. Mills adjourned the meeting at 11:20pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board