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MINUTES OF THE ZONING BOARD  
PUBLIC HEARING & REGULAR MEETING,  
HELD MONDAY, JULY 7, 2014, 7:00 P.M.,  
4<sup>TH</sup> FLOOR, CAFETERIA, GOVERNMENT CENTER  
BUILDING, 888 WASHINGTON BLVD,  
STAMFORD, CT 06901**

Present for the Board: Tom Mills, Barry Michelson, William Morris, David Stein and Joanna Gwozdzowski. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner.

Mr. Mills called the meeting to order at 7:16 PM.

**PUBLIC HEARING**

1. **Application 214-06 – RICHARD W. REDNISS, Text change,** to amend the definition of Building Height to measure from the Base Flood Elevation to allow up to a 5 foot increase in building height for residential buildings located within the flood plain and Municipal Coastal Boundary.

Mr. Mills read a description of the application into the record. Mr. Michelson read a copy of the Planning Board referral letter into the record.

Richard Redniss explained the history of the Saddle Rock Road map change in which the Zoning Board approval was overturned by the Board of Reps, citing reasons why the map change would only address the needs of one small neighborhood. The text amendment addresses all residential buildings in the flood plan in CAM. He presented Burwood as an example of a flat roof house elevated without losing a story. This house on Burwood was recently approved as a Coastal Site plan by the Zoning Board aesthetically, a pitched roof would have fit the neighborhood better. He noted that the Applicant would agree to the requirement that setbacks be increased to offset the increased height.

Mr. Mills expressed concern that changes in grading may have adverse impact on neighboring properties.

Mr. Redniss said fill has no impact on coastal flood heights.

The public was asked to provide comments.

Karen Murphy passed out a memo dated July 7, 2014 claiming procedural errors (60 days to start the hearing; web post of Planning Board minutes). She submitted a total of seven memos for the Board's review.

Mr. Mills asked if she thought people should get their homes out of harms way? Ms. Murphy replied yes.

Kathy Murphy described the flooding experienced at her home and is concerned with the fill that the Kirby /Coleman site plans to use and the retaining walls.

Mr. Redniss asked the Zoning Board to incorporate the file of the Murphy's house and how it was built.

Mr. Mills asked if a non-conforming setback house could be elevated under this text change? Mr. Redniss said he believes Attorney Minor testified yes, this would be permitted. Mr. Mills asked Staff to obtain a written confirmation of City Attorney Minor's opinion.

Mr. Mills asked if this text amendment would control increases in building coverage? Mr. Redniss said this is regulated by existing zoning standards.

Mr. Stein asked if Westport regulated height limits to existing homes only? Mr. Redniss said yes, but including new homes is scheduled for an upcoming hearing.

Mr. Mills closed the Public Hearing on this application at 9:56pm. He called a brief recess and resumed the meeting at 10:08pm.

### **REGULAR MEETING**

Ms. Gwozdzowski and Mr. Stein were seated to act on all matters for this meeting.

Mr. Michelson moved to change the order of the agenda, seconded by Mr. Stein and the motion was unanimously approved 5 to 0 (Mills, Michelson, Morris, Stein and Gwozdzowski).

### **PENDING APPLICATIONS:**

1. **CSPR-956 – SANDY MOTLAND, 150 Dolphin Cove Quay**, to construct a 75 s.f. family room addition, new stone patio and site improvements to a single family home.

Mr. Killeen summarized the application and explained the EPB conditions.

After a brief discussion, Mr. Michelson moved to approve the application subject to EPB conditions, seconded by Ms. Gwozdzowski and the motion was unanimously approved 5 to 0 (Mills, Michelson, Morris, Stein and Gwozdzowski). The conditions will read as follows:

1. *Work shall comply with the following plans and correspondence:*
  - *"Plot Plan," Prepared for Sandra Carr Motland, Stamford, Connecticut, by Edward J. Frattaroli, Inc. revised April 21, 2014.*
  - *"Title Sheet," "Basement/First Floor Plan and Windows Detail," "Second Floor Plan," and "Elevations and Wall Section," Addition and Alterations Motland Residence, 150 Dolphin Cove*

*Quay, Stamford, Connecticut Sheets T1.0, A1.0, A2.0 and A3.0, by Paul Hopper Associates, date April 15, 2014.*

- *Correspondence from WCH Construction, LLC, dated April 10, 2014.*
  - *Correspondence from AT Construction, LLC, dated June 10, 2014.*
  - *Assessor's Card, 150 Dolphin Cove Quay, Stamford, Connecticut, Print dated March 5, 2014.*
  - *"Soil Erosion and Sediment Control Plan," 150 Dolphin Cove Quay, Stamford Connecticut, Prepared for Sandra Carr Motland, Stamford, Connecticut, by Edward J. Frattaroli, Inc., dated June 17, 2014.*
  - *"Flood Preparedness Plan," Prepared for Sandra Carr Motland, 150 Dolphin Cove Quay, Coastal Site Plan Review NO. 956, Stamford, Connecticut by Edward J. Frattaroli, Undated.*
2. *Final flood preparedness plan subject to the review and approval of EPB Staff. Anticipated modifications include verification of spot elevations in NAVD-88, verification of flood depths over the property, uniform depiction of flood boundary data on all attached mapping, directional and turn by turn description of offsite parking and vehicular/pedestrian evacuation routes, additional references to current preparedness press releases, copy of current FIRM as attachment, etc.*
  3. *Construction and sediment and erosion controls shall be installed in the manner and location shown on the permit plans prior to the start of any site activity and approved in writing by EPB Staff.*
  4. *All disturbed earth surfaces shall be stabilized with topsoil, seed, mulch, sod, stone or other suitable alternatives prior to the receipt of a signature authorizing the issuance of a certificate of occupancy. This condition applies not only to disturbed earth surfaces slated for landscaping but also to areas under any exterior decks/porches, stairs, driveway surfaces, gutter outfalls (throughout), etc.*
  5. *Upon the completion of the construction and prior to the receipt of a signature authorizing the issuance of a certificate of occupancy, a Connecticut registered professional land surveyor shall submit: a) an improvement location survey ("as-built plan"— signed and sealed), and b) a revised, standard "National Flood Insurance Program Elevation Certificate."*
  6. *Upon the completion of the construction and prior to the receipt of a signature authorizing the issuance of a certificate of occupancy/return of*

*surety, submission of written correspondence/affidavit from the contractor or architect certifying the final cost of the project.*

7. *Upon the completion of construction and prior to the receipt of a signature authorizing the issuance of a certificate of occupancy, the applicant shall file a notice on the Stamford Land Records disclosing the following information.*
  - *The subject property lies within a known flood hazard area described as Zone AE - 12 feet NAVD-88 and VE – 15 feet NAVD-88, as depicted on Flood Insurance Rate Map 09001C0518G, dated July 8, 2013.*
  - *A permit (150 Dolphin Cove Quay, Motland, 7/14) has been issued by the Zoning Board of the City of Stamford to allow construction of residential additions and terrace on the subject property – a site having the coastal resources identified as “Beach,” “Coastal Flood Hazard Area,” and “Modified Escarpment.”*
  - *Reference to and acknowledge the existence of the flood preparedness plan.*

Mr. Morris made a motion to change the order of the agenda, seconded by Mr. Michelson and the motion was unanimously approved 5 to 0 (Mills, Michelson, Morris, Stein and Gwozdzowski).

### **OLD BUSINESS**

1. Appl. 211-40/41, Tolari/TR Hardy LLC, revised parking layout and unit count

Attorney Jane Freeman, Cacace Tusch Santagata, explained the administrative review of changes to parking and unit count. The original approval was for total parking of 272 spaces, now there are 291 spaces. The unit count was 222 and the proposed is 224. Chris Kelly, FD Rich, explained how changes in structural design impacted the parking and they plan to operate the garage as a valet operation.

Mr. Morris asked if the change in unit mix affected parking demand? Norman Cole said the decreased studio and decreased 2-bedroom units probably resulted in a wash regarding parking.

After a brief discussion, Mr. Stein moved to approve the revised parking layout and unit count, seconded by Ms. Gwozdzowski and the motion was unanimously approved 5 to 0 (Mills, Michelson, Morris, Stein and Gwozdzowski).

### **NEW BUSINESS**

1. Discussion of Train Station Regulations

Mr. Cole stated the argument against proposing a new regulation at this time.

Mr. Michelson stated the argument for proposing a new regulation at this time.

The Board's consensus was to wait until Chairman Mills, Mr. Michelson and Mr. Cole could meet with Kathy Emmett, City Legal Counsel to discuss.

Mr. Mills tabled all other agenda items to the next meeting scheduled for July 14, 2014 at 7:00pm in the 4<sup>th</sup> floor cafeteria.

The meeting adjourned at 11:05 p.m.

Respectfully submitted,

Barry Michelson, Secretary  
Stamford Zoning Board