

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
HELD MONDAY, OCTOBER 20, 2014, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CT 06901**

Present for the Board: Barry Michelson, Rosanne McManus, William Morris and David Stein. Joanna Gwozdziowski arrived at 8:40pm. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner.

Mr. Michelson (acting Chair in Thomas Mills' absence) called the meeting to order at 7:09 PM.

REGULAR MEETING

Organizational Meeting – Election of Officers

Mr. Michelson asked for a motion to postpone the election until all regular members were present. Mr. Stein moved to postpone the election to the next scheduled meeting of October 27, 2014 at 7:00pm in the 4th floor cafeteria, seconded by Ms. McManus and the motion was unanimously approved 4 to 0 (Michelson, Morris, McManus and Stein).

PUBLIC HEARING

1. **Application 214-16 – THIRD STREET DEVELOPMENT, LLC., Final Site & Architectural Plans and Special Exception**, requesting approval to construct four 4-story buildings totaling 11,055 sf building area consisting of 23 residential units with associated parking and site improvements for property located at 16, 20 & 24 Third Street and 53 Fourth Street in an RMF District with 1,949 sf of open space. Special Exception request for BMR bonus density and BMR fee-in-lieu payment.

Mr. Michelson read a description of the application into the record and Mr. Stein read the Planning Board referral letter.

John Pugliesi, P.E. introduced the application and explained the location and adjacent uses and proposed site. He distributed a revised site plan and architectural plans and submitted an exterior materials sample board. He reported that the Historic Preservation Advisory Commission has recommended that vinyl siding be replaced with natural materials. He submitted a sample board that proposed hardiplank (fibre cement board) to replace vinyl siding.

Ms. McManus asked where the 2 BMR units were. Mr. Pugliesi answered units 4C and 4D.

Mr. Stein asked how they selected the BMR units and Mr. Pugliesi said one HCP ground floor and one townhouse unit; each of comparable size to the market value units.

Mr. Michelson asked if anyone from the public wanted to comment.

Representative John Zelinsky spoke, raising concerns about traffic congestion and parking constraints on adjoining streets. He suggested that a traffic study be provided and he asked whether the Applicants would provide relocation assistance to existing tenants that could be displaced.

Phil Poulos, 58 4th Street, commented that parking problems have become serious in the last 10 to 15 years in this area and he is concerned about the potential impact of this proposed development on the power grid

Leon Hanna, 61 4th Street raised concerns about the circulation of snow removal and garbage trucks on this property and a concern that these vehicles would impact on Fourth Street.

Mr. Pugliesi responded to Mr. Zelinsky and other public comments that vinyl windows would be used. He noted that the parking will fully comply with the Zoning Regulations and that the proposed use will generate less traffic than existing uses.

Mr. Michelson closed the Public Hearing on this application at 8:40pm and took a brief recess, resuming at 8:53pm. The Board left the record open for the Applicant to document the history of uses of the property and rent rolls and to receive comments from the Historic Preservation Advisory Commission.

At this point, Ms. Gwozdzowski arrived.

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

4. **Application 214-07 – WEST SIDE DEVELOPMENT PARTNERS, LLC, 1937 West Main Street**, Applicant requests approval of a Special Exception under Section 7.5 to permit Large Scale Development, and Site and Architectural Plans to reconfigure and add 121 new parking spaces for a total of 307 parking spaces at Cytec located at 1937 West Main Street in an M-L district. Realignment of the parking areas, islands and traffic signals will facilitate improved traffic circulation for the proposed development and construction of an 183,493 s.f. flex-industrial building and smaller building on an adjoining parcel (*continued from October 6, 2014*).
5. **Application 214-08 – WEST SIDE DEVELOPMENT PARTNERS, LLC, 1937 West Main Street LOT B-2**, Applicant requests approval of a Special Exception under Section 7.5 to permit Large Scale Development and Site and Architectural Plans requesting approval to construct an 183,493 s.f. flex-industrial building and a smaller (6,124 s.f.) building to be used for retail and/or industrial/flex purposes with associated parking (*continued from October 6, 2014*).

Mr. Michelson read a description of the applications into the record.

Attorney William Hennessey, for the Applicant, requested that the Public Hearing be continued to October 27, 2014. Mr. Michelson agreed to the request and asked Staff to place the items on the next agenda.

2. **Application 214-22 – CENTURY PLAZA INVESTOR ASSOCIATES, LLC and SEABOARD RESIDENTIAL, LLC, Text change**, to Amend Article IV, Section 10-H-2, to allow the Zoning Board to authorize a reduction in the number of parking spaces serving the Downtown Core to one space per dwelling unit of one bedroom or less.
3. **Application 214-23 – CENTURY PLAZA INVESTOR ASSOCIATES, LLC & SEABOARD RESIDENTIAL, LLC, 100 Prospect Street, Special Exception and Site Plan/Requested Uses request**, requesting modification to approved application (Appl. 207-07/08) to permit a reduced residential parking requirement to 1space for each dwelling unit with one bedroom or less with Zoning Board approval.

Mr. Michelson read a description of the applications into the record and Mr. Stein read the Planning Board referral letter.

Attorney Hennessey provided an overview of the surrounding neighborhood and discussed how the proposed parking arrangement would work with 545 Bedford Street.

Mr. Michelson closed the Public Hearing on these applications at 9:40pm.

REGULAR MEETING

APPROVAL OF MINUTES:

Minutes of September 29, 2014

Ms. McManus moved to approve the minutes as submitted, seconded Mr. Stein and the motion was approved 4:0:1 (Michelson, McManus, Stein and Gwozdzowski approving; Morris not voting).

Minutes of October 6, 2014

Mr. Michelson made some suggested changes to the minutes on page 2. Mr. Stein moved to approve the minutes as amended, seconded by Mr. Morris and the motion was approved 4 to 0 (Michelson, Morris, Stein and Gwozdzowski approving; McManus not voting).

PENDING APPLICATIONS:

Ms. McManus and Mr. Morris reported on the record that they had listened to the audio recordings of the meetings they had missed.

1. **CSPR-960 – DOLPHIN COVE CLUB CORPORATION, 181 Dolphin Cove Quay**, restoration and improvement to storm damaged wave mitigation formation to prevent further erosion due to storms on approximately 0.3 acres in an R-7.5 coastal flood area.

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

1. *Work shall comply with the following plans and correspondence:*
 - *“Existing Site Plan,” “Rehabilitation Plan,” “Sections,” Realign and Raise Riprap Along Northern Property of Dolphin Cove Club, Dolphin Cover Club Corporation, prepared by Ocean and Coastal Consultants, dated June 11, 2014.*
 - *Correspondence from Ocean and Coastal Consultants, Inc., (Ludwig, PF endorsed CO and signed card dated June 6, 2014)*
 - *Correspondence from Dolphin Cove Club, (Nord, dated June 18, 2014).*
 2. *Upon the completion of the construction, submission of a final as-built plan in the form of an “Improvement Location Survey” is required, and a Connecticut registered professional Engineer shall submit written correspondence certifying (signed and sealed) that the rip rap construction and final stabilization measures have been fully and properly completed per the approved plans and permit.*
2. CSPR-966 – TRILLIUM ARCHITECTS/ELIZABETH DISALVO, 224 Dolphin Cove Quay, seeking approval to add three additions totaling approximately 300 s.f. to an existing home of 2,100 s.f. in an R-7-1/2 district within the CAM boundary.

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

1. *Work shall comply with the following plans and correspondence:*
 - *“Site Development Plan,” 224 Dolphin Cove Quay, Stamford, CT, Plan Prepared for Curt and Lorraine Anastasio, prepared by McChord Engineering Associates, Inc., dated July 11, 2014, revised September 10, 2014.*
 - *“Title Sheet/Site Plan,” “Demolition Floor Plans,” Demolition Elevations,” “Proposed Plan First Floor,” “Proposed Roof Plan,” “Proposed Elevations,” “Building Section,” “Electrical Plan,” “New Ceiling and Roof Framing Plan,” Anastasio Residence, 224 Dolphin Cove Quay, Stamford, CT 06902, prepared by Trillium Architects LLC, dated May 12, 2014.*
 - *“Improvement Location Map,” prepared for Curt Anastasio & Lorraine Anastasio, Stamford, Connecticut,” prepared by Moody & O’Brien, LLC, dated September 1, 2014.*
 - *“Landscape Plan,” Anastasio Residence, 224 Dolphin Cove Quay, Stamford, CT, 06902, prepared by Hines & Associates, dated May 12, 2014, revised September 27, 2014.*
 - *“Drainage Analysis,” 224 Dolphin Cove Quay, Stamford, CT,” (McChord to Talamelli, July 11, 2014).*

- *Flood Evacuation and Preparedness Plan, Prepared for 224 Dolphin Cove Quay, Stamford, CT, dated revised 9/10/14.*
2. *Submission of a performance bond, certified check or other acceptable form of surety to secure the timely and proper performance sediment and erosion controls, landscaping protection, drainage, landscaping, and professional supervision/certification and other engineered elements. A detailed estimate of these costs must be supplied to EPB Staff for approval prior to the submission of the performance surety. The performance surety shall be submitted to EPB Staff prior to the start of any site activity and issuance of a building permit.*
 3. *Work areas, including the limits of the coastal velocity Zone, shall be staked in the field by a Connecticut licensed surveyor prior to the start of any site activity.*
 4. *Sediment and erosion controls and tree protection 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.*
 5. *All disturbed areas shall be stabilized in accordance with the approved erosion control plans prior to the issuance of a final certificate of occupancy.*
 6. *Upon the completion of the construction, submission of a final as-built plan in the form of an "Improvement Location Survey" is required, and a Connecticut registered professional Engineer shall submit written correspondence certifying (signed and sealed) that the drainage, septic system, grading and final stabilization measures have been fully and properly completed per the approved plans and permit.*
 7. *All landscaping shall be installed under the supervision of a qualified landscaping professional with written certification submitted to EPB Staff prior to the issuance of a final certificate of occupancy and release of the performance surety.*
 8. *Final review by EPB staff of Flood Evacuation and Preparedness Plan.*
 9. *Upon completion of construction and prior to the issuance of a certificate of occupancy and return of surety, a Connecticut land surveyor shall complete a standard "National Flood Insurance Program Elevation Certificate."*
 10. *Prior to the receipt of a final certificate of occupancy, transfer of title and return of surety, the applicant shall file a standard notice on the Stamford Land Records disclosing the following information:*
 - *The Subject property lies, in part, within known flood hazard areas described as Zone VE, Elevation 15 feet NAVD-88, as depicted on Flood Insurance Rate Map 09001C0518G, dated July 8, 2013.*

- *A Permit (224 Dolphin Cove Quay, CSPR-952, 10/14) has been issued by the Zoning Board of the City of Stamford to allow additions and the installation of drainage and other related improvements on a waterfront property that supports the coastal resources identified as “Coastal Flood Hazard Areas,” “Developed Shorefront,” “Shorelands,” and “Coastal Waters.”*
- *Acknowledge the existence of the final “Flood Preparedness Plan.”*

11. A Standard Landscape Maintenance Agreement to be filed on the Stamford Land Records;

12. A Standard Drainage Maintenance Agreement to be filed on the Stamford Land Records;

3. Application 214-12 – RICHARD W. REDNISS, Text Change
4. Application 214-13 – BELPOINTE CAPITAL, LLC, Map Change
5. Application 214-14 – BELPOINTE CAPITAL, LLC, General Development Plan and Special Exception Requests, 112 Southfield Avenue
6. Application 214-15 – BELPOINTE CAPITAL, LLC, Final Site & Architectural Plans and Coastal Site Plans, 112 Southfield Avenue

Members discussed a number of aspects of the proposed development. Mr. Morris commented that if a boat launch is provided, it should be at an additional cost to the Applicant, not part of the public improvement contribution of \$800,000. A number of members noted they were satisfied with the proposed setback of 111’ from the waterfront. Mr. Michelson questioned the overall size of the project.

A vote on these applications was tabled to the next meeting scheduled for Monday, October 27, 2014.

7. Application 214-22 – CENTURY PLAZA INVESTOR ASSOCIATES, LLC and SEABOARD RESIDENTIAL, LLC, Text change
8. Application 214-23 – CENTURY PLAZA INVESTOR ASSOCIATES, LLC & SEABOARD RESIDENTIAL, LLC, 100 Prospect Street, Special Exception and Site Plan/Requested Uses request

The Board discussed these applications and considered draft conditions provided by Staff.

After a brief discussion, Ms. McManus moved to approval the text change application as modified, seconded by Mr. Stein and the motion was unanimously approved 5 to 0 (Michelson, Morris, McManus, Stein and Gwozdzowski). The text will read as follows:

To Amend Article IV, Section 10 Non-Conforming Uses, Subsection H-2 to read as follows:

2. The number of parking spaces provided shall satisfy the standards of Section 12 of these Regulations provided that the Zoning Board may authorize a reduction in the number of spaces in accordance with the standards of Section 12-D-1(b), and such spaces may include any parking

space originally serving the commercial use including offsite spaces within 500 feet of the site, and spaces that are nonconforming. The Zoning Board may reduce the required parking in the Downtown Core to one (1.0) space per dwelling unit of one bedroom or less.

After a brief discussion, Ms. McManus moved to approval the Special Exception application subject to Condition #3 as recommended by Mr. Cole, seconded by Ms. Gwozdzowski and the motion was unanimously approved 5 to 0 (Michelson, Morris, McManus, Stein and Gwozdzowski). The condition will read as follows:

Prior to the issuance of a Certificate of Occupancy for the garage connection with 545 Bedford Street, the Applicants shall submit a final Parking Management Plan subject to final approval by Zoning Board Staff. Said plan shall ensure at least one parking space is provided to each apartment unit and provide details of all parking users and any proposed shared parking arrangement. All parking spaces shall be reserved for the use of occupants of the building, visitors, and building employees, unless otherwise approved by the Zoning Board.

OLD BUSINESS

1. **Application 213-30 - BBSF, LLC and Affordable Housing Development Company, LLC** requesting Approval of Site Plans/Requested Uses and Coastal Site Plan Review to construct a new 11.5-story, 131 unit residential building; a new 2.5 story, 24 unit residential building and the remaining 3 levels of the residential garage as well as other related site improvements on the property described below. The subject development, known as Metro Green, is located on a 5.32 +/- acre site zoned Transportation Center Design District (*extension of time request*).

After a brief discussion, Mr. Morris moved to approve the time extension, seconded by Ms. McManus and the motion was unanimously approved 5 to 0 (Michelson, Morris, McManus, Stein and Gwozdzowski).

2. **Application 213-47 - TR Eastview, LLC - GDP, FSP and Special Exception**, “infill” development that includes the construction of a new six (6) story residential building with 82 residential apartments (*administrative review of parking plans*).

After a brief discussion, the Board members requested more time to consider the plan.

There being no further business, the meeting adjourned at 10:30 p.m.

Respectfully submitted,

Barry Michelson, Acting Chair
Stamford Zoning Board