

**MINUTES OF THE ZONING BOARD  
SPECIAL ADMINISTRATIVE MEETING, HELD  
TUESDAY, FEBRUARY 18, 2014, 7:00 P.M., 7<sup>TH</sup>  
FLOOR, LAND USE CONFERENCE AREA,  
GOVERNMENT CENTER BUILDING, 888  
WASHINGTON BLVD, STAMFORD, CT 06901**

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

**SPECIAL MEETING**

Chairman Mills called the meeting to order at 7:10 p.m.

Mr. Michelson made a motion to change the order of the agenda to discuss Old Business, seconded by Ms. McManus and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski).

**OLD BUSINESS**

1. **APPL 210-16 – Amendment of General Development Plan and Final Site Plan – GATEWAY, Washington Blvd, (Site Plan Modifications).**

Mr. Michelson asked about leased space prior to modifying the garage and displacing tenants.

Mr. Cole said any construction to return to the original design shouldn't displace the 500 commuters.

Ms. McManus stated that with the snow, the top level of the State garage is closed off and said there's a need for more commuter parking.

The Zoning Board discussed revisions to the draft conditions.

Ms. Gwozdzowski made a motion to approve the draft resolution dated February 14, 2014 as modified, seconded by Ms. McManus and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski). The conditions read as follows:

Ms. McManus made a motion to change the order of the agenda to discuss item 5 under Pending Applications, seconded by Ms. Gwozdzowski and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski). The conditions will read as follows:

1. *This approval is granted to authorize the Building Department to issue a partial certificate of occupancy to allow occupancy only of Level 1 (P1) of the parking garage for use of not more than 500 commuter parking spaces. Access to all other parking levels to be blocked.*

2. *Applicant will complete the landscaping and fencing as shown on the plan entitled "Gateway, Washington Boulevard, Harbor Point, Overall Streetscape Plan LP.1," dated February 3, 2014, excluding any landscaping shown west of the "Phase Line" and adjacent to the Washington Boulevard driveway entrance, as shown on said plan, which is part of a future phase of work and not being bonded or required at this time. The Applicant shall replace the current surety performance bond in the amount of \$100,162 with a new surety performance bond in an amount not less than \$160,000, subject to approval of form by the Office of Legal Affairs and approval of amount by the Land Use Bureau Chief and City Engineer, which will be held by the City until the required landscaping and related improvements are complete. The Applicant shall complete the required landscaping in the spring of 2014, as weather permits.*
3. *Applicant shall file a landscape maintenance agreement with the City insuring that landscaping and fencing is maintained in good condition.*
4. *Automobiles parking in the garage shall enter and exit the garage through the Pulaski Street driveway entrance only. The Washington Boulevard driveway entrance shall remain closed to all traffic, entering or exiting, until further action by the Zoning Board.*
5. *The Zoning Board is granting this approval and allowing use of the garage and the Pulaski Street entrance subject to a full reservation of its rights to review and render a decision regarding amendments to the approved General Development Plan (Appl. 210-15) and approved Phase One Final Site & Architectural Plans (Appl. 210-16) including but not limited to modifications to the design of the Washington Boulevard driveway entrance. The Zoning Board will schedule a public hearing to consider the revised Washington Boulevard driveway entrance in connection with applications filed to amend the General Development Plan and the Phase One Final Site & Architectural Plan approval for the property.*



6. *Temporary Crosswalk markings with  sign must be installed on the centerline of all approaches to the intersection of Washington Boulevard @ Henry, if pedestrians are directed from the garage to this intersection.*
7. *Install large number of conspicuous way-finding signs to direct pedestrians to Station Place exit to access the Train Station.*
8. *Implement an access management plan to direct and control traffic using the reversible middle lane at the Pulaski Street driveway, subject to approval of the City Traffic Engineer. Signage will restrict the middle lane to "Entrance" only in the morning and "Exit" only in the evening. The City Traffic Engineer may also require placement of movable cones to control traffic entering and exiting the garage.*
9. *At the discretion of the City Traffic Engineer, hire a police officer to direct traffic at the Pulaski Street driveway to maintain safety and mitigate traffic congestion. A police*

*officer shall be on duty to manage garage traffic specifically during the AM peak period and at such other times as deemed necessary by the City Traffic Engineer. The City Traffic Engineer shall determine if additional police officers are needed at other locations in the vicinity until familiarity of the use of garage is established. Manual traffic control shall be maintained as long as congestion persists at the entrance to the garage, until the Washington Boulevard entrance is open to access the facility.*

10. *The City Traffic Engineer reserves its rights to require additional mitigation measures or improvements or changes to be implemented by the owners of the property/development at their cost, when and as approved by the City. Additional mitigation measures include but are not limited to additional signage, and/or pavement markings.*
11. *The pedestrian countdown signal head on the west side of the Washington Boulevard at Station Place shall be reinstalled, prior to any use of the garage.*

**PENDING APPLICATIONS:**

5. **Application 213-39 – 467 GLENBROOK ROAD, LLC Site & Architectural Plans and/or Requested Uses and Special Exception,** proposes to construct a 17 unit residential development on 0.31 acres in a VC zone with site improvements and landscaping.

Ms. McManus expressed concern with parking but said she liked the building and was not concerned with train noise.

Mr. Morris felt the project was good for the neighborhood which supports the project.

Ms. Gwozdzowski said she liked that they have designed the building to allow future conversion of ground floor to commercial.

Mr. Michelson was in favor of the project.

After a brief discussion about the draft conditions, Mr. Michelson made a motion to approve the application with the draft conditions including revisions to Condition #1, seconded by Ms. McManus and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski). The conditions will read as follows:

***NOW THEREFORE BE IT RESOLVED*** that the Zoning Board approves Application 213-39, as follows:

*Final approval of the Special Exception Permit and Site Plan applications are hereby granted for the project as shown in the application materials described above and supplemented at the public hearing, subject to the following conditions:*

**SITE SPECIFIC CONDITIONS:**

1. *The Board authorizes the waiver of parking standards in Article IV, Section 12(B)(1) to allow placement of parking within 3 ft. of a property line and; Article*

*IV, Section 12(B)(4) to allow parking extending beyond the building lines of a building; and Article IV, Section C to allow off-street parking within ten (10) feet of a street line, as proposed in the approved plans.*

2. *All work shall conform to the above referenced Building and Site Plans.*
3. *The applicant will submit final specifications of exterior architectural designs, materials samples, and colors, subject to final approval by Zoning Board staff, consistent with the character of the building and site plans, architectural elevations and illustrative renderings constituting the record of the application, prior to the issuance of a building permit.*
  - a. *Color Scheme to be approved by the Zoning Board administratively. (Completed 2/18/2014).*
  - b. *For treatment of the under-surface of the building located above the driveway, the applicant shall use a drywall treatment with recessed lighting.*
  - c. *Design and materials to be used for the fence along the sides and back of the subject property.*
4. *The applicant will submit final lighting design and details for approval by Zoning Board staff prior to issuance of a building permit.*
5. *No significant mechanical equipment, in addition to that depicted on the building and site plans, shall be installed within view of any public street without proper screening and prior approval of Zoning Board staff. As presented at the public hearing, mechanical equipment will be screened to the extent feasible.*
6. *Safe sightline at the driveway curb cut onto Glenbrook Road shall be demonstrated to the satisfaction of the City Traffic Engineer, prior to the issuance of a building permit.*
7. *Prior to the issuance of a Certificate of Occupancy, the Applicant shall record on the Stamford Land Records an Affordability Plan, in accordance with the standards of Section 7.4 of the Zoning Regulations, permanently establishing on-site two (2) BMR units, subject to approval of the final Affordability Plan by the Zoning Board Staff*
8. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a trash management plan related to the residential and commercial components of this plan, subject to approval by Zoning Board staff.*

9. *Since the Village Commercial District encourages mixed-uses for this area, applicant is encouraged to monitor market fluctuations for this property to work towards converting the two units on the lower level to retail/commercial space in the future, when market conditions warrant it.*

STANDARD CONDITIONS:

10. *A Street Opening Permit shall be required for any and all work within the City of Stamford street right-of-way.*
11. *The applicant will submit drainage plans, subject to final review of design specification and construction plans by the Engineering Bureau, as specified in the memo of P.E. Susan Kisken dated January 7, 2014 prior to the issuance of a building permit.*
12. *Erosion and Sedimentation Control Plans shall be subject to EPB staff approval prior to the issuance of a Building Permit*
13. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Drainage Maintenance Agreement subject to approval by Land Use Bureau staff and the City Engineer.*
14. *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.*

Ms. McManus made a motion to change the order of the agenda and to discuss the items backwards, seconded by Ms. Gwozdzowski and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski).

4. **Application 213-10A – SEABOARD HOTEL LTS ASSOCIATES, LLC, 23-25, 35, and 37 Atlantic Streets, Special Exception and Site and Architectural Plans** requesting approval of a special exception and site plans to construct an additional story and 25 additional guest rooms. If approved, the new Residence Inn will be 8 stories with 156 guest rooms and requisite increased parking.

The Board had a brief discussion and reviewed the draft conditions and the options of #10, 11 or 12 which a consensus of option #11 paving from curb to centerline and crosswalk to crosswalk (approximately 320 feet).

Mr. Michelson made a motion to approve the application with the draft conditions as modified, seconded by Mr. Morris and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski). The conditions will read as follows:

*SITE-SPECIFIC CONDITIONS:*

- 1. All work shall substantially conform to the above referenced Building and Site Plans unless otherwise approved by the Zoning Board.*
- 2. Prior to issuance of a Building Permit, a Consolidation Map, combining 23-25, 35, and 37 Atlantic Street, shall be filed on the City of Stamford Land Records.*
- 3. Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural plans, landscaping and lighting 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.*
- 4. The addition of an eighth story for a total of 156 guest rooms and 134,000± square feet is approved provided that architectural design, details, exterior materials, and treatments of building facades shall remain consistent with plans originally approved pursuant to Approval #213-10 prepared by Jonathan Nehmer & Associates, dated 5/22/13 and consisting of "East (Atlantic Street) Elevation", "Broad Street Elevation", "West Elevation", and "South Elevation".*
- 5. 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.*
- 6. Prior to the issuance of a Building Permit, the Applicant 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 and the Director of Operations.*
- 7. Prior to the issuance of a Certificate of Occupancy, the Applicant shall submit a Parking Management Plan, subject to final approval by Zoning Board staff, to*

*include details of the valet operations within the garage and vehicle operations on site.*

8. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit signage plans subject to review by the Zoning Board administratively.*
9. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit to the Zoning Board staff evidence of all legal documentation required (i.e. easements, agreements, etc.) to implement the approved valet parking plan. Such documents shall be subject to the review of the City's Director of Legal Affairs.*
10. *The Applicant has agreed to replace approximately 165 ft. of an 18" RCP pipe located within Atlantic and Main Streets with a 24" PVC pipe, and repave the surface of the road from curb to centerline between the two adjacent crosswalks, a distance of approximately 320 feet. This work represents the full extent of the Applicant's "fair share" contribution to the offsite improvements requested by the City of Stamford Engineering Department and shall replace the Applicant's prior offer to contribute the sum of \$55,000. Final details shall be coordinated with the City Engineering Department and work shall be completed prior to reconnecting the site to the City drainage system.*

**STANDARD CONDITIONS:**

11. *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. Applicant shall address comments of Susan Kiskin, P.E. in her memorandum dated January 6, 2014 (except that no additional offsite improvements shall be required other than those referenced in Condition # 10 above. Therefore, applicant is not required by this approval to address the "Note" at the bottom of page 1 or recommended condition #2 on page 2 of Ms. Kiskin's memorandum. The Applicant, as a condition of this approval, is expected to repave from curb to centerline within the disturbed area described in recommended condition #11 on page 2 of Ms. Kiskin's memorandum.)*
12. *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.*
13. *Prior to the issuance of a Certificate of Occupancy, the Applicant shall submit a Trash Management Plan, subject to final approval by Zoning Board staff.*

*14. Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Drainage Maintenance Agreement, subject to approval by the Environmental Protection Board staff.*

*15. 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.*

Mr. Mills called a brief recess at 9:13pm and resumed at 9:25pm.

3. **Application 213-40 – Final Site & Architectural Plan, STAMFORD EXIT 9, LLC & CHELSEA PIERS CONNECTICUT, LLC**, Requesting Final Site and Architectural Plan approval to reuse approximately 38,800 s.f. of existing industrial floor area and the addition of approximately 23,225 s.f. of new mezzanine floor area for use as an athletic club (total of ±62,000 s.f.) within the existing CPCT facility and add an additional 49 parking spaces. The site is part of the existing 32.7 acre Chelsea Piers facility in an M-D district.

The Board had a brief discussion and reviewed the draft conditions. Ms. McManus discussed parking and agreed the additional 49 spaces should not be built unless the parking study showed they were close to capacity.

Mr. Michelson made a motion to approve the application with the draft conditions as modified, seconded by Mr. Morris and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdzowski). The conditions will read as follows:

***NOW THEREFORE BE IT RESOLVED*** that the Zoning Board approves Appl. 213-40, as follows:

*Approval of Site and Architectural Plans is hereby granted for the project as shown in the application materials described above and supplemented at the public hearing, subject to the following conditions:*

- 1) *All work shall substantially conform to the above referenced Building and Site Plans unless otherwise approved by the Zoning Board or, for minor modifications, Zoning Board staff.*
- 2) *Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural plans, for final approval by Zoning Board staff, to ensure consistency with the approved plans constituting the record of the application.*
- 3) *Prior to issuance of a Building Permit, applicant shall obtain a discharge permit from the Stamford Water Pollution Control Authority and shall provide information*

*requested in the January 8, 2014 memorandum from Prakash Chakravarti, P.E., Supervising Engineer, and Stephen W. Pietrzyk, Regulatory Compliance Officer.*

- 4) *Prior to any construction activity related to the additional 49 parking spaces in the south parking lot, the Applicants shall:
  - a) *Provide additional parking data justifying the need for such spaces, to the satisfaction of Zoning Board staff. The methodology for this additional analysis must be approved by Zoning Board staff.*
  - b) *Submit sewer and storm drainage plans, subject to final review of design specification and construction by the Engineering Bureau, as further described in the memorandum of Susan Kisken, P.E., dated January 28, 2014.*
  - c) *Submit Erosion and Sedimentation Control Plans, subject to approval by EPB staff.*
  - d) *Submit a Landscape Plan to provide a continuous landscape screening of the southern boundary of the property, along Cove Road, to the satisfaction of the Zoning Board staff.**
- 5) *Prior to approval of any additional uses of this building, the applicant shall provide an updated parking study as defined in Condition # 4 above.*
- 6) *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.*

Mr. Michelson made a motion to change the order of the agenda to the Coastal Site Plan application, seconded by Ms. McManus and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdziowski).

1. **CSPR-948 – ZHAO, 31 Ralsey Road South**, to remove a damaged wooden deck and construct four concrete and bluestone landing and steps on 0.34 acres in an R-10 coastal flood area.

Mr. Killeen read the EPB conditions.

The Board had a brief discussion and reviewed the draft conditions. Mr. Morris made a motion to approve the application with the EPB conditions, seconded by Ms. Gwozdziowski and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdziowski). The conditions will read as follows:

1. *Work is to conform to the referenced plans with written confirmation of the actual costs of improvements documented and provided to staff prior to the issuance of a Certificate of Occupancy.*

2. *Upon the completion of construction, and prior to the issuance of a Certificate of Occupancy, a Connecticut registered professional engineer or architect shall submit a written statement, signed and sealed, certifying that he/she has inspected the completed construction and that the installation of the landing structure has been constructed to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood, as specified in the CSPR application and in accordance with the provisions of Section 7.1 of the Zoning Regulations.*
3. *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 grading and final stabilization measures have been fully and properly completed per the approved plans and permit.*

Ms. McManus made a motion to change the order of the agenda to discuss the Minutes, seconded by Ms. Gwozdziowski and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdziowski).

**APPROVAL OF MINUTES:**

**Minutes of January 27, 2014**

After a brief discussion, Ms. McManus moved to approve the minutes as amended. Mr. Michelson seconded the motion and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdziowski).

**Minutes of February 3, 2014**

After a brief discussion, Mr. Michelson moved to approve the minutes as amended. Ms. McManus seconded the motion and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdziowski).

**Minutes of February 10, 2014**

After a brief discussion, Mr. Michelson moved to approve the minutes as amended. Ms. McManus seconded the motion and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Gwozdziowski).

**PENDING APPLICATIONS:**

2. **Application 213-31 – SEASIDE REAL ESTATE GROUP, LLC, 108, 114, 116 and 118 Seaside Avenue, Site & Architectural Plans and/or Requested Uses and Coastal Site Plan Review**, proposes to construct a 17 residential units (modified to 16 units), 11,459 s.f. development located on properties known as 108, 114, 116 and 118 Seaside Avenue in an R-5 zone covering approximately 0.785 acres. Proposed demo of one existing building and construction of 3 new buildings with site and landscaping improvements.

The Board had discussed in consensus to approve the application including the historic building, if the applicant would agree to use Hardiplank instead of vinyl siding.

Mr. Mills tabled further deliberations on this application to allow Staff to discuss this condition with the Applicant.

Mr. Mills adjourned the meeting at 10:35pm.

Respectfully submitted,

Barry Michelson, Secretary  
Stamford Zoning Board