

**STAMFORD PLANNING BOARD  
REGULAR MEETING  
APPROVED MINUTES, TUESDAY, JUNE 10, 2014  
7th FLOOR, GOVERNMENT CENTER  
888 WASHINGTON BLVD., STAMFORD, CT**

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Stamford Planning Board Members present were: Theresa Dell, Chair, Claire Fishman, William Levin, Zbigniew Naumowicz, Roger Quick, Jay Tepper and Michael Totilo. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner. For the first three agenda items other city officials were present: Mayor David Martin, Michael Pollard, Chief of Staff, Michael Handler, Director of Administration, Robin Stein, Acting Director of Economic Development, representatives of the City Attorney's office, and Board of Education.

Ms. Dell called the meeting to order at 6:30 p.m. and welcomed the Mayor and all of the senior staff in attendance. Ms. Dell asked for a motion to go into Executive Session in order "to discuss the City's purchase of real estate located at 200 Strawberry Hill Avenue, Stamford, CT because to discuss publicity may adversely impact the price, no decisions will be made while in Executive Session." After a brief discussion, Mr. Tepper moved to adjourn the meeting to another room in order for the Board to go into Executive Session; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper). The Board went into Executive Session at 6:40 p.m.

Ms. Dell reconvened at 7:30 p.m. After the Mayor made a brief public presentation, Ms. Dell requested a motion to add Item number 3 – Supplemental Capital Project for Renovation and Construction of a School at 200 Strawberry Hill Avenue. Mr. Tepper made the motion; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

**REQUEST FOR AUTHORIZATION:**

1. **Amendment to Capital Budget:** Mayor's request to amend the Capital Budget for Fiscal Year 2014-2015 by adding an appropriation not to exceed \$10,000,000 for the planning, design, engineering, and acquisition of the purchase of the 10.8 acres of real property located at 200 Strawberry Hill Avenue, Stamford, CT. After a brief discussion, Mr. Tepper moved to approve amending the Capital Budget for Fiscal Year 2014-2015 not to exceed \$10,000,000; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).
2. **Approval of the Resolution to Purchase Property:** Separate from amending the Capital Budget, the Mayor is requesting approval to purchase of the 10.8 acres of real property located at 200 Strawberry Hill Avenue, Stamford, CT. After a brief discussion, Mr. Tepper moved to approve the Resolution to Purchase the Property located at 200 Strawberry Hill Avenue; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

3. **Supplemental Capital Project** for Renovation/Construction of a school at 200 Strawberry Hill Avenue. After a brief discussion, Mr. Quick moved to approved the Capital Project with a Supplemental Capital Appropriation of \$55 million dollars for Renovation /Construction of a School located at 200 Strawberry Hill Avenue; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).
4. **LAZ PARKING:** Request for Approval of Agreement between the City of Stamford & LAZ Parking, LTD for Management of Bell Street, Bedford Street & Summer Street Garages and Parking facilities for the period July 1, 2014 through June 30, 2017 with a City option to extend for one additional year up to a maximum of two successive years. After a brief discussion, Mr. Totilo moved to approve contract for the management of Bell Street, Bedford Street and Summer Street Garages and Parking facilities for the period of July 1, 2014 through June 30, 2017 with a City option to extend for one additional year up to a maximum of two successive years; Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

**SUPPLEMENTAL CAPITAL APPROPRIATION:**

1. **Supplemental Capital Project Closeout and Appropriation** for District Wide Indoor Air Quality to replace HVAC at KT Murphy School Media Center (\$100,000), and to replace ductwork at Davenport School that have collapsed (\$150,000).

**Partial Closeout:**

C5B613	Burner Replacement	\$250,000
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**Appropriation:**

CPB500	District Wide Indoor Air Quality	\$250,000
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After a brief discussion, Mr. Quick moved to approve the partial closing out the \$250,000 under Capital Project Number: C5B613 Burner Replacement and appropriate \$250,000 to Capital Project Number: District Wide Indoor Air Quality, and that the Board reviewed these requests pursuant to Connecticut General Statute Section 8-24 and Section C6-30-13 of the City Charter, and finds them both to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2002 Master Plan; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

**ZONING BOARD REFERRAL [CONTINUED FROM MAY 27TH MEETING]:**

1. **ZB Appl. 214-06 Richard W. Redniss –Text change,** to Amend Article II, Section 3A, Definition 16 (Building, Height of) by adding new paragraph c. to allow five (5) feet to proposed height, or greater than five feet with Special Exception approval by the Zoning Board, when the single family residence is within the Coastal Boundary and meets minimum elevation standards. At the May 27th meeting, Ms. Karen Murphy, Esq., requested a meeting with the Planning Board as per the City Charter prior to the Planning Board rendering an opinion to the Zoning Board, and since Ms. Murphy stated she was not ready to present on the 27th, Ms. Dell and the Board continued this item until the June 10th meeting. Ms. Murphy submitted a seven exhibits for the Board’s consideration and made a lengthy presentation in opposition to this proposed text amendment; specifically, Ms. Murphy was concerned about height, views, excessive size of houses, and that the current requirement to acquire a variance better protects the neighbors for a public hearing requirements. After her presentation and after Ms. Dell rebutted a few of Ms. Murphy’s claims, the Board heard from Mr. Richard Redniss, who is proposing this text amendment to answer some of the questions

that were raised during his May 27th meeting. Key points that Mr. Redniss presented to the Board were: 1) a map showing the real impacted areas for this text amendment was in reality seven areas right on the coast, 2) FEMA regulations that the City adopted in 2013, 3) the mechanism for this amendment as an example of an R-20 zone, and 4) changes in the language of the amendment, specifically the last sentence permitting additional height by Special Exception from the Zoning Board, which Mr. Redniss stated would not lessen the impact of the amendment. After considerable discussion, Mr. Quick moved to recommend approval of this text amendment with two conditions: 1) removal of the last sentence that reads “The Zoning Board, by issuance of a Special Exception, may authorize building height to be measured from the Base Flood Elevation where the resulting building height measured from average grade is more than five (5) feet but not more than ten (10) feet greater than the maximum building height permitted in the applicable Zoning District,” and 2) that Zoning Board make every effort to contact the Board of Representative members most affected by this amendment with the request that they notify their constituents; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

### **SUBDIVISION [BOARD DISCUSSION OF PUBLIC HEARING OF MAY 27, 2014]:**

1. **Subdivision Application #4014: 114 Hubbard Avenue Associates, LLC** for subdivision of property into five (5) parcels; the property is located on the west side of Hubbard Avenue southerly terminus of Gulf View Circle. After considerable discussion, the Board added one condition and amended the wording on another for a total of 17 conditions. The Board amended the wording of condition #7 to now read “Submission of a performance surety bond, which will be released in four (4) stages, each upon the Certificate of Occupation of the new home to secure the full and proper completion of building the new roadway and required improvements (not to appear on Final Map).” The new condition #14 reads “An opening to the stone wall for lots 2 and 3 at a minimum of 4 feet for access to the rear yard.” Mr. Quick moved to approve Subdivision #4014 located at 114 Hubbard Avenue with the 17 conditions as amended, and that this subdivision is consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

### **ZONING BOARD OF APPEALS REFERRALS:**

1. **ZBA Appl. 034-14 68 Tall Oaks Road**, the applicant is requesting to add two structures on the front yard: 1) whole house generator, and 2) above ground propane tanks [Note: Section 6A – allows accessory structures to be located in the front yard in an RA-1 zone]. After a brief discussion, Mr. Quick moved to recommend approval of ZBA Application 034-14, and that this application is consistent with the 2002 Master Plan; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).
2. **ZBA Appl. 035-14 1450 Newfield Avenue**, the applicant, King Low Heywood Thomas School is seeking a Modification to its existing Special Exception to permit the construction of pedestrian and vehicular improvements, and associated landscaping, drainage, and utility improvements on campus. After a brief presentation by Ms. Lisa Feinberg of Carmody Torrance Sandak & Hennessey, LLP, attorney for the client and discussion by the Board, Mr. Tepper moved to recommend approval of ZBA Application 035-14 for a Special Exception, and that this application is consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

3. **ZBA Appl. 036-14 1620 Newfield Avenue**, the applicant, Italian Center of Stamford is seeking a Special Exception as authorized by Sections 4AA-1.3(i), and Table I, Appendix A-17 to permit the renovation of its existing gym and wellness facilities; construction of a new addition for expanded gym facilities, and an indoor running track, as well as an additional paddle tennis court. After a brief presentation by Mr. Michael Cacace of Cacace Tusch & Santagata and discussion by the Board, Mr. Tepper moved to recommend approval of ZBA Application 036-14 for a Special Exception, and that this application is consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).
4. **ZBA Appl. 037-14 32 Bungalow Park**, the applicant is requesting a variance of Table III, Appendix B for relief of lot frontage of 50 feet instead of 60 feet required, street line of 26.5 instead of 30 feet required, and street center of 51.5 instead of 55 feet required to allow for the applicant to return to the Planning Board to re-subdivide the lot to the original two as it was in 1919. After a brief discussion, Mr. Tepper moved to recommend approval of ZBA Application 037-14 with the recommended condition that the parking garage be consistent with the neighboring houses, which means to place the garage in the rear not in the front yard, and that this application is consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

**PLANNING BOARD MEETING MINUTES:**

Meeting of 6/3/14: After a brief discussion, Mr. Quick moved to recommend approval of Planning Board Minutes of June 3, 2014; Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick, and Tepper).

**OLD BUSINESS:**

Mr. Tepper suggested that for the next Planning Board meeting that the Board discuss the decision to place boundary of Downtown east of Atlantic Avenue south of I-95 given that if the State wants to build its TOD they should need to come to the City for a Master Plan change. The Board agreed to discuss it on June 17th.

**NEW BUSINESS:**

Given the time needed to discuss the draft Master Plan chapters, which Mr. Woods handed out the Board decided to meet at 6:00 p.m. and to have some food available (either order pizza or get sandwiches and water from Costco).

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 10:45 p.m.

Respectfully Submitted,

Claire Fishman, Secretary  
Stamford Planning Board

**Note:** These proceedings were recorded on tape and are available for review in the Land Use Bureau located on the 7th floor of Government Center, 888 Washington Boulevard, during regular business hours.