

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
THURSDAY, SEPTEMBER 28, 2015, AT 7:00 P.M.,
ON THE 4th FLOOR, CAFETERIA, GOVERNMENT
CENTER BLDG, 888 WASHINGTON BLVD.,
STAMFORD, CT**

Present for the Board: Thomas Mills (Chair), Barry Michelson (Secretary), Rosanne McManus 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 7:10 pm.

PUBLIC HEARING

1. **Application 215-26 – SHD GLENBROOK GARDENS, LLC & JOSEPH GALLUZZO & MARIA ISABELLA GALLUZZO, Text Change**, propose to amend Article III, Section 4-AA-11.3-h for the Village Commercial District by adding language to exclude basement space for ground floor commercial use not exceeding FAR of .1 from maximum floor area ratio calculation (*continued from September 21, 2015*).
2. **Application 215-27 – SHD GLENBROOK GARDENS, LLC & JOSEPH GALLUZZO & MARIA ISABELLA GALLUZZO, 504 Glenbrook Road, Special Exception and Final Site & Architectural Plans**, requesting approval of Special Exception and Site & Architectural Plans to construct a mixed-use building with 2,251 sf of ground floor commercial space and 44 residential units with site and parking improvements and 5 BMR units, in a Village Commercial District (*continued from September 21, 2015*).

Chairman Mills read the description of these two applications into the record and announced the public hearing was a continuation from September 21, 2015.

Attorney William Hennessey distributed revised architectural drawings and described the proposed exterior architectural materials. He presented fencing specifications for the north and south property lines. Attorney Hennessey described the units with dens; there are (2) 87 sf units with windows and (2) 145 sf units with no windows. Ms. McManus asked if there could be a restriction on advertising to limit these units as 1-bedroom units? Attorney Hennessey said yes.

Mr. Killeen asked if they could make the pergolas wider than 4 feet. Eric Raines said the pergola will be cantilevered inward and on top of a wall. Its depth won't be that apparent. They could have it return to follow the wall.

Mr. Mills asked why only two street trees? Mr. Raines said a crosswalk and utility pole interfere south of the driveway and fire-hydrant to the north. They will study possibly replacing the light with a tree.

Ms. Gwozdzowski asked for an explanation of signage. Nigel Marsh pointed out the signage band over the retail façade. Jerry Kiley said they plan to market the space to a restaurant tenant. Ms. Gwozdzowski asked if there would be retail parking on the street? Attorney Hennessey

said yes. Mr. Cole asked if restaurant tenants could park at the train station? Attorney Hennessey said yes.

Mr. Mills asked if more tandem parking could be added at spaces 55 and 56? Mr. Cole said they have maxed the number of tandem spaces allowed in V-C. If needed, the Zoning Board could amend the V-C regulations to allow more tandem parking.

Mr. Michelson said the V-C parking standards are too low and will cause congestion on the street. Mr. Cole said this is the same standard as all the Avalon-type buildings and these buildings don't make full use of their parking. Attorney Hennessey added they are also not as close to a train station.

Mr. Mills closed the public hearing on this application at 8:00pm.

REGULAR MEETING

PENDING APPLICATIONS:

Ms. McManus made a motion to change the order of the agenda to take #3, then #4, seconded by Mr. Michelson and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor).

3. Application 215-24 – GRADE A MARKET COMMERCE ROAD LLC AND TWO HUNDRED – 240 SHIPPAN AVENUE, LLC, Text change

Chairman Mills read the description of the application into the record. Ms. Gwozdzowski was seated for Mr. Stein in his absence.

After a brief discussion, Ms. McManus made a motion to approve application 215-24, seconded by Ms. Gwozdzowski and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor). The text change will read as follows:

To add a new definition 74.3 for Personal Wireless Communication – Retail and add this use to Appendix A Table II as a permitted use as number 145.1 in the C-N, C-B, C-L, C-G, CC-N, C-I, C-S, CC-S, M-L and M-G zones. The text change reads as follows:

To Amend Article I, Section 1, Definitions, by Adding the following new Definition:

74.3 Personal Wireless Communication – Retail – A retail Establishment not exceeding 4,000 square feet of retail floor space, whose primary purpose is the sale, rental and service of personal and corporate communication services and products including, but not limited to, cell phones, tablets and other voice, data, imaging, internet, and information devices and related accessories that are capable of being used on any wireless communication network and the lawful activities ancillary thereto. There shall be no tower or transition facilities on the premises.

To Amend APPENDIX A – TABLE II, PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY as follows:

Add a new Line # 145.1 Personal Wireless Communication – Retail (74.3) and insert the letter “x” under the C-N, C-B, C-L, C-G, CC-N, C-I, C-S, CC-S, M-L and M-G Districts to indicate this use is a permitted use by right in those districts.

4. Application 215-25 – CORNERSTONE APARTMENTS PROPERTY OWNER, LLC, 1425-1435 Bedford Street, Special Exception and Final Site & Architectural Plans

Mr. Killeen distributed draft conditions.

After a brief discussion, Mr. Michelson moved to approve application 215-25 subject to the conditions as discussed, seconded by Ms. McManus and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor). The conditions will read as follows:

Site Specific Conditions

1. All work shall conform to the following plans and correspondence:

[INSERT FINAL PLAN SET]

2. Prior to the issuance of a building permit, submission of final specifications of exterior architectural designs, materials samples, and colors for the clubhouse, subject to final approval by Zoning Board staff, consistent with the building and site plans, architectural elevations and illustrative renderings constituting the record of the application.

3. Final construction plans, including site grading and utility plans, shall be subject to approval by the Engineering Bureau prior to the issuance of a building permit.

4. Prior to the issuance of a Building Permit, applicant shall address conditions listed in memorandum of Susan Kiskin, P.E., Engineering Bureau, dated August 19, 2015.

Standard Conditions

1. Applicant shall make best efforts to keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained, and construction debris shall be kept to a reasonable minimum.

2. 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 prior approval of the Zoning Board staff.

3. A Street Opening Permit shall be required for any work within a public street right-of-way.

4. 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.

5. Prior to the issuance of a Building Permit for the proposed structure, Applicant shall submit a Performance Bond, or other acceptable surety, to ensure completion of all

- required landscaping, and sedimentation and erosion controls, in an amount equal to the estimated cost of said improvements, subject to the approval of Director of Legal Affairs as to form and subject to approval of amount by the Zoning Board staff.*
6. *Prior to issuance of a Certificate of Occupancy, the Applicant shall execute and file a Drainage Maintenance Agreement (if required) and Landscape Maintenance Agreement, subject to approval by the Environmental Protection Board staff.*
 7. *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 to take #7, seconded by Ms. Gwozdzowski and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor).

7. **CSPR-989 – ROBERT DETTMER, 52 Sea Beach Drive**, proposal to enclose an 85 s.f. portion of an existing covered porch in front of a residence at 52 Sea Beach Drive on .90 acres in an R-20 zone within the CAM boundary.

Mr. Killeen provided an overview of the application.

After a brief discussion, Ms. Gwozdzowski made a motion to approve the application subject to EPB conditions, seconded by Ms. McManus and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor). The conditions will read as follows:

- 1) *Work shall comply with the following plans and correspondence:*
 - *“Site Development Plan Depicting 52 Sea Beach Drive, Stamford, Connecticut,” Prepared for Dr. Robert Dettmer, by Redniss and Mead, revised September 15, 2015.*
 - *“Flood Evacuation and Preparedness Plan,” 52 Sea Beach Drive, Stamford, Connecticut, prepared for Dr. Robert Dettmer, by Redniss and Mead, dated July 21, 2015.*
 - *“Proposed Site Plan,” “Partial Proposed First Floor,” “Partial Proposed South Elevation,” “Partial Proposed West Elevation,” “Partial Proposed West Section,” and “General Notes,” Dettmer Residence, 52 Sea Beach Drive, Stamford, Connecticut by John Downs, Architect, dated July 14, 2015.*
 - *“Assessor’s Card,” 52 Sea Beach Drive, Robert Dettmer, by Vision, print dated June 8, 2015.*
 - *“Cost Estimate,” 52 Sea Beach Drive, Stamford, Connecticut, Prepared for Jaimee and Robert Dettmer, by Advanced Renovation and Design, dated July 8, 2015.*
 - *Correspondence from Teodoro Milone, P.E, Redniss and Mead, dated July 21, 2015.*
- 2) *Temporary sediment and erosion control and tree protection measures shall be installed as necessary to preserve water quality and resources.*

- 3) *Upon the completion of all construction activities and prior to the receipt of EPB authorization for a final certificate of occupancy/completion, any disturbed earth surfaces shall be stabilized with topsoil, seed, and mulch, sod, or other suitable alternatives.*
- 4) *Upon the completion of the construction and prior to the issuance of a certificate of occupancy/completion, a Connecticut licensed Land Surveyor shall submit the following:*
 - *An updated improvement location survey (ILS).*
 - *An updated standard "National Flood Insurance Program Elevation Certificate."*
- 5) *Upon the completion of the construction and prior to the issuance of a certificate of occupancy/completion, submission of written correspondence/affidavit from the Contractor or Architect (on letter head and signed) certifying the final project cost.*
- 6) *Upon the completion of construction and prior to the receipt of a final 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, with a projected base flood elevation of 15 feet NAVD-88 and VE, Elevation 15 feet NAVD-88 as depicted on Flood Insurance Rate Map 09001C0519G, dated July 8, 2013.*
 - *A permit (52 Sea Beach Drive, Dettmer, CSPR-989, 9/15) has been issued by the Zoning Board of the City of Stamford to allow construction of a kitchen addition and other related features on a property supporting of the coastal resources identified as Coastal Flood Hazard Zone, and Modified Escarpment.*
 - *References to the flood preparedness plan.*

Ms. McManus made a motion to change the order of the agenda to address the items under Old Business, seconded by Mr. Michelson and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor).

OLD BUSINESS

1. **Greyrock Plaza Condominium Assoc. & 177 Broad Street Owner LLC**: 127 Greyrock Place and 177 Broad Street (*request to terminate public access to the plaza*).

Mr. Cole summarized this proposal, which related to a building approval that occurred before the Zoning Board was approving Special Exception applications.

After a brief discussion, Ms. McManus made a motion to approve the request to terminate public access at the plaza in exchange for public access over sidewalks on the property, seconded by Mr. Michelson and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor).

2. **Application 213-29 – FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, 1101 Bedford Street**, Special Exception and Site and Architectural Plans requesting approval of special exceptions and site plans to consolidate two adjoining parcels currently siting a customary church building and

daycare center into a subdivided 9.7 acre site in an R-H zone in order to construct a new 175 residential unit complex of 6.5 stories, site improvements and parking. Special Exceptions would permit BMR fee-in lieu, professional office use on ground floor, reduced setback on Morgan Street, reduced parking ratio and underground parking (*discussion of Condition #6 regarding fee-in-lieu payment*).

After a brief presentation by Attorney Feinberg, Ms. McManus made a motion to approve the original fee-in-lieu payment contained in the Zoning Board resolution of December 1, 2014, seconded by Ms. Gwozdziowski and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdziowski in favor).

3. **Application 215-18 – JOSEPH POLICASTRO, JR. and FRANK POLICASTRO, and POLICASTRO REALTY, LLC, Site & Architectural Plans and/or Requested Uses and Special Exception**, adaptive reuse of two existing garages and infill construction to create approximately 765 s.f. of new retail space, exterior façade upgrades and improved parking and landscaping to commercial retail shopping center at 59 - 67 Crescent Street on 0.9 acres in the Glenbrook Village Commercial District (*discussion of revised plans*).

After a brief discussion, Mr. Michelson made a motion to disapprove the new exterior design, seconded by Ms. McManus and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdziowski in favor).

APPROVAL OF MINUTES:

Ms. Gwozdziowski moved to continue discussion of the minutes to the next meeting when more members were present and return to the regular order of the agenda, seconded by Ms. McManus and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdziowski in favor).

Mr. Mills took a 5 minute recess and reconvened the meeting at 8:47pm.

PENDING APPLICATIONS:

1. **Application 215-22 – ORCHARD K&G ASSOCIATES, LLC and CNT ASSOCIATES, Map Change**

Mr. Killeen explained the Master Plan category and that the zone change is consistent with the Master Plan.

After a brief discussion, Mr. Michelson made a motion to approve application 215-22, seconded by Ms. Gwozdziowski and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdziowski in favor).

2. **Application 215-23 – ORCHARD K&G ASSOCIATES, LLC, 17 Belltown Road, Special Exception and Final Site & Architectural Plans**

Mr. Killeen distributed draft conditions.

After a brief discussion, Mr. Michelson moved to approve application 215-23 subject to the conditions as revised, seconded by Ms. Gwozdzowski and the motion passed 4:0 (Mills, Michelson, McManus and Gwozdzowski in favor). The conditions will read as follows:

Site Specific Conditions

1. *All work shall conform to the following plans and correspondence:*

The following plans prepared by AWA Design Group, P.C. revised to 9.18.15:

- *“Site Plan & Zoning Data, A-01;”*
 - *“Proposed Basement and First Floor Plan, A-02;”*
 - *“Proposed Second & Attic Floor Plans, A-03;”*
 - *“Proposed Front & Side Elevations, A-04;” and*
 - *“Proposed Rear & Left Side Elevations, A-05.”*
-
- *“Plot Plan,” prepared by Edward J. Frattaroli, Inc. and dated October 11, 2011 and revised to September 26, 2014.*
 - *“Drainage Plan, Sheet 1 of 2,” prepared by Fairfield County Engineering, LLC, dated July 17, 2014.*
 - *“Detail Sheet, Sheet 2 of 2,” prepared by Fairfield County Engineering, LLC, dated July 17, 2014.*
 - *“Drainage Report,” prepared by Fairfield County Engineering, LLC, dated July 17, 2014.*
 - *Two pieces of correspondence from the Historic Neighborhood Preservation Program, Inc., prepared by Renee Kahn (undated); and Wes Haynes, Executive Director, dated September 1, 2015.*
-
2. *Submission of a final written description with plans and specifications defining the proposed historic restoration measures, subject to approval by Zoning Board staff in consultation with the City’s consultant, Renee Kahn, prior to start of construction and renovations to the historic structure.*
 3. *Applicant shall submit final plans and elevations for administrative review and approval of the Zoning Board, after consulting with the Historic Preservation Advisory Commission on suggested revisions to the design of the new building.*
 4. *Prior to the issuance of a building permit, submission of final specifications of exterior architectural designs, materials samples, and colors, including fencing, subject to final approval by Zoning Board staff, consistent with the building and site plans, architectural elevations and illustrative renderings constituting the record of the application. As presented at the public hearing, the Applicant will provide wood siding on the historic building,*
 5. *Prior to issuance of a Building Permit, final lighting plans shall be submitted for approval by the Zoning Board staff. All wall mounted lighting shall point downward and shall not unreasonably spill onto adjoining parcels.*

6. *Prior to the issuance of a Building Permit, a final Landscaping Plan shall be submitted for approval by the Zoning Board Staff.*
7. *Final construction plans, including site grading and utility plans, shall be subject to approval by the Engineering Bureau prior to the issuance of a building permit.*
8. *Prior to the issuance of a Building Permit, applicant shall address conditions listed in memorandum of Susan Kiskin, P.E., Engineering Bureau, dated July 29, 2015.*
9. *Prior to issuance of a Certificate of Occupancy, submission of final written certification of the historic restoration by the City's consultant, Renee Kahn.*
10. *Prior to issuance of a Certificate of Occupancy, execution of a standard historic facade preservation easement, subject to approval by Zoning Board staff, shall be recorded on the Stamford Land Records with final photo exhibits.*
11. *Prior to the issuance of a Certificate of Occupancy, Applicant shall dedicate a plaque designating the original year of construction on the historic building.*

Standard Conditions

1. *Applicant shall make best efforts to keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained, and construction debris shall be kept to a reasonable minimum.*
 2. *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 prior approval of the Zoning Board staff.*
 3. *A Street Opening Permit shall be required for any work within a public street right-of-way.*
 4. *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.*
 5. *Prior to issuance of a Certificate of Occupancy, the Applicant shall execute and file a Landscape Maintenance Agreement, subject to approval by the Environmental Protection Board staff.*
 6. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Trash Management Plan and Snow Removal Plan, subject to the review of the Zoning Board staff.*
 7. *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.*
5. **Application 215-26 – SHD GLENBROOK GARDENS, LLC & JOSEPH GALLUZZO & MARIA ISABELLA GALLUZZO, Text Change**

The Board discussed the text change and the consensus was that the proposed change was okay. Mr. Mills asked that this item be tabled until the next meeting.

6. Application 215-27 – SHD GLENBROOK GARDENS, LLC & JOSEPH GALLUZZO & MARIA ISABELLA GALLUZZO, 504 Glenbrook Road, Special Exception and Final Site & Architectural Plans

After a brief discussion, Mr. Mills asked the Applicant to investigate adding a third tree, to extend the pergola, provide revised plans to add the rail trail on Glenbrook Road instead of Parker and to return the precast at the driveway and at the north and south building ends. The Board decided they would act on this application at their next meeting on October 5, 2015.

ADJOURNMENT

There being no further business, a motion was made to adjourn the meeting at 9:40pm by Ms. McManus, seconded by Ms. Gwozdzowski and the motion carried 4-0.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board