

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
THURSDAY, OCTOBER 5, 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, William Morris and David Stein. Joanna Gwozdzowski arrived at 7:40pm. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner.

Mr. Mills called the meeting to order at 7:12 pm.

PUBLIC HEARING

1. **Application 215-14 – RICHARD W. REDNISS, Text change**, to Amend Article III, Section 9-N by adding a paragraph 1 to allow the time period within which to obtain building permits for residences in certain developments in R-D Designed Residential Districts to extend in perpetuity provided several conditions are met: a) BMR requirements have been satisfied, b) common elements have been completed and c) WPCA conditions have been satisfied.

Chairman Mills read the description of the application into the record and noted the timeframe for referral to the Planning Board and continued the Public Hearing on this application to October 19, 2015.

2. **Application 215-29 – WEST SIDE DEVELOPMENT PARTNERS, LLC, Text Change**, requesting a change to the existing definition 45.2 Home Center and to add Home Center as a permitted use by Special Exception approval of the Zoning Board in the M-L District.
3. **Application 215-30 – WEST SIDE DEVELOPMENT PARTNERS, LLC, 1937 West Main Street (Lot B-2)**, Application for Special Exception and Site Plans/Requested Uses, requesting Special Exception and Site Plan approval to construct an 115,420+/- sf building for use as a “Home Center” with a 28,118 sf garden center as well as a smaller 7,605 sf retail/industrial/flex building with associated parking and site improvements. The subject property is located in the M-L zoning district with an address of 1937 West Main Street (Lot B-2). Specific Special Exception requests include approval of a “Home Center” in the M-L zoning district (Appendix A, Table II, as amended by the proposed text amendment), a new non-residential structures with gross floor area over 20,000 sf and the creation of over 100 parking spaces (Section 7.5 Large Scale Development) as well as approval of a pole sign of no more than 100 sf (Section 13-I-6).

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

Attorney William Hennessey submitted a Certificate of Mailing into the record and introduced his development team and applicants. He described the manufacturing history of American

Cyanamid, now Cytec. The site still needs remediation. Stop & Shop developed on the western part, leaving a vacant 19 acre lot identified as Lot B-2. Last year, the Zoning Board approved a 189,000 s.f. flex industrial building for Lot B-2. Attorney Hennessey described the history of the Home Center definition. This application proposes a 115,000 sf store with a 28,000 sf garden center. The store will be 25 feet high compared to the 45 foot flex building. 25% of the site will be a conservation area and parking at 4 spaces per 1,000 sf. Exterior architectural materials were presented to the Board.

Ms. Gwozdzowski arrived at 7:40pm.

Attorney Hennessey described the realignment of the site driveway with Harvard Avenue with a new traffic signal. He also described lane re-designations on West Main and the proposed redesign of West Avenue/West Main intersection.

Mr. Stein asked what's the timing of the West Avenue intersection improvement and building the Home Center? Attorney Hennessey said the intersection is a \$2.5 million project. He said the Applicant contribution to the intersection work should be done by Spring 2017.

Mike Gallante, Fredrick P. Clark Associates, Project Traffic Engineer said this intersection is a major traffic generator and will require a certificate from O.S.T.A. He described the measurement of existing traffic volumes.

Mr. Cole asked where the project was in State review and how long would it take to receive a certificate? Mr. Gallante said they are just at the beginning of state review which will take 9 – 12 months to receive State approval. Mr. Gallante described the distribution of traffic and the 20% allowance for pass-by traffic. He explained the levels of service.

Mr. Mills took a brief recess at 8:55pm and returned to the Public Hearing at 9:07.

Mr. Stein asked if they explored a second access driveway? Steve Wise said they looked at Acosta and Catoona Lanes and both roads will be closed.

Mr. Morris asked how many parking spaces are lost at the West Avenue/West Main intersection? Mr. Gallante said they are removing about 6 spaces.

Ms. McManus asked how the lighting plan changes? Attorney Hennessey said they will use dimmable LED fixtures.

Wayne Violette, Landscape Architect BL Companies, said there will be 27 foot poles, full cut-off, no light spillage onto adjacent properties. A 40 foot wide conservation easement along the east property line will be enhanced with more trees. The north property line will be eastern white pine.

Mr. Mills asked about the hours of operation. Attorney Hennessey said 6am to 10pm weekdays and Saturdays and 7am to 9pm on Sundays.

Mr. Mills asked if anyone from the public wanted to speak.

John Tucciarone, 516 West Main Street, expressed concern with traffic impacting on residential areas. He said he was concerned with queuing of cars on Harvard Avenue blocking his driveway.

Vin Tufo, Charter Oak Communities – Westwood (90 units) borders the northern property line. The previous flex industrial project had agreed to a visual and sound buffer. These features are still in the current plan but there will be far less truck traffic so they support the project. West Avenue/West Main Street is a high priority based on recent west-side transportation studies. They support the application.

Pam Koproski, representative from Stamford Hospital, said the Hospital supports the applications, particularly the improvement to the West Avenue/West Main Street intersection.

Mr. Cole asked the Applicant to please address, at the continued hearing on October 19, 2015, how improvement of West Avenue/West Main Street will be linked to the opening of the Home Center and will OSTA address this.

Mr. Mills continued the public hearing on these applications to the next scheduled meeting of October 19, 2015 at 7:00pm in the 4th floor cafeteria.

REGULAR MEETING

PENDING APPLICATIONS:

1. **Application 215-26 – SHD GLENBROOK GARDENS, LLC & JOSEPH GALLUZZO & MARIA ISABELLA GALLUZZO, Text Change**

After a brief discussion, Ms. McManus made a motion to approve application 215-26, seconded by Ms. Gwozdziowski and the motion passed 5:0 (Mills, Michelson, McManus, Morris and Gwozdziowski in favor). The text change will read as follows:

To Amend Article III, Section 4-AA-11.3-h the V-C Village Commercial District regulations by adding the language underlined below:

11. V-C VILLAGE COMMERCIAL DISTRICT

11.3 Development Standards.

The following standards shall apply to the development of property within the V-C District:

h. Floor Area Ratio: Building floor area shall not exceed a ratio of 1.50, defined as the total gross floor area of all uses including dwelling unit area contained within buildings, divided by the area of the lot, but excluding from such calculation portions of a building housing mechanical equipment and the gross floor area of parking structures below-grade or fully enclosed within the building behind solid facades, or with roof or upper-deck not more than five (5) feet above average finished grade measured at the perimeter of the parking structure, suitably enclosed and/or landscaped to the satisfaction of the Board. Basement space dedicated exclusively to ground floor commercial uses, not to exceed a

Floor Area Ratio of .1 or the floor area of the ground floor commercial use, whichever is less, may also be excluded from the maximum Floor Area Ratio calculation.

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

Mr. Killeen distributed draft conditions.

After a brief discussion, Mr. Michelson moved to approve application 215-27 subject to the conditions as discussed, seconded by Ms. McManus and the motion passed 5:0 (Mills, Michelson, McManus, Morris and Gwozdzowski in favor). The conditions will read as follows:

[Insert Final Plan Set]

SITE-SPECIFIC 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, by Zoning Board staff. Applicant shall ensure that the cast stone material along the first floor elevation shall return around the southern and northern walls of the building and along the walls adjacent to the entrance driveway. The pergolas shall be redesigned to be widened and/or to return along the property lines. Applicant shall submit lighting details for the area of the building over the driveway for approval of the Zoning Board Staff.*
2. *Signage plans shall be subject to Zoning Board staff approval.*
3. *Prior to the issuance of a Certificate of Occupancy, the Applicants shall record on the Stamford Land Records an Affordability Plan, subject to the approval of the Zoning Board staff, in accordance with the standards of Section 7.4 of the Zoning Regulations, permanently establishing on-site a total of five (5) BMR units, subject to Zoning Board staff approval. One of these units must be designed to serve a household/family making no more than 80% of the Area Median Income, and four of the units must be designed to serve households/families making no more than 50% of the Area Median Income.*
4. *Tandem parking spaces shall be assigned to residents in two-bedroom units only.*
5. *Applicant shall be required to advertise the one bedroom units with dens as one bedroom units only and not as having potential to be utilized as two bedroom units.*
6. *Applicant shall submit a final plan showing the location and details for a six (6) foot high white or green vinyl fence that shall be erected along the property boundaries connecting with the proposed wall system, subject to approval of the Zoning Board staff. Any change to the fencing color or material must first be approved by Zoning Board staff.*

7. *Applicant shall submit final streetscape plans showing details for sidewalks, crosswalks, street trees, etc. Applicant will investigate the opportunity to add a third street tree along Glenbrook Road. Final streetscape plans shall be subject to approval of Zoning Board staff.*
8. *When seasonal outdoor furniture is not in use, it shall be stored so as to be not visible from sensitive pedestrian view.*

STANDARD CONDITIONS:

9. *Accumulated plowed snow not able to be safely and adequately stored on site shall be removed from the site. In no event shall snow from the site be plowed or stored on any city street or right-of-way.*
10. *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 Kiskien, P.E. in her memorandum dated August 20, 2015.*
11. *Prior to issuance of a Building Permit, the Applicant shall obtain a discharge permit from the Stamford Water Pollution Control Authority and shall provide information requested in the September 21, 2015 memorandum from Prakash Chakravarti, P.E., Supervising Engineer, and Stephen W. Pietrzyk, Collection Systems Supervisor.*
12. *Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural plans, landscaping and streetscape 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.*
13. *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. Rooftop mechanical equipment shall be designed to be unobtrusive as viewed from nearby buildings.*
14. *A Street Opening Permit shall be required for any work within a public street right-of-way.*
15. *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. Such Construction Management Plan shall address, but not be limited to, reasonable restrictions on times when deliveries can be made to the job site, measures to control dust, staging areas for materials and construction worker parking as well as temporary measures requiring the timely removal of construction debris and/or litter from the jobsite. If deemed necessary in the*

reasonable exercise of judgment of the City Engineer or Chief of police, the applicant or successor shall fund the cost of a police officer to direct traffic at the entrance of the site until such time as the level of construction activity at the site no longer warrants this measure, in the judgment of such City Officials.

16. *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.*
17. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Drainage Maintenance Agreement and Landscape Maintenance Agreement, subject to approval by the Environmental Protection Board staff.*
18. *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Trash Management Plan, subject to the review of the Zoning Board staff.*
19. *Prior to the issuance of Certificate of Occupancy, the Applicant shall submit a Parking Management Plan, subject to review and approval of the Zoning Board staff.*
20. *Prior to the start of any construction activities or the issuance of a Building Permit, whichever comes first, Applicant shall submit a Performance Bond, or other acceptable surety, to ensure completion of landscaping improvements 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.*
21. *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.*
22. *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.*

APPROVAL OF MINUTES:

Minutes for Approval: July 27, 2015

A correction was noted on page 15 by Mr. Michelson.

After further discussion, a motion was made to approve the minutes, with corrections as submitted, by Ms. McManus, seconded by Mr. Stein and the motion carried 5 to 0 (Mills, Michelson, Morris, Stein and McManus).

Minutes for Approval: September 10, 2015

After a brief discussion, a motion was made to approve the minutes, as submitted, by Mr. Morris, seconded by Mr. Stein and the motion carried 5 to 0 (Mills, Michelson, Morris, Stein and McManus).

Minutes for Approval: September 21, 2015

After a brief discussion, a motion was made to approve the minutes, as submitted, by Mr. Morris, seconded by Mr. Stein and the motion carried 5 to 0 (Mills, Michelson, Morris, Stein and McManus).

Minutes for Approval: September 28, 2015

After a brief discussion, a motion was made to approve the minutes, as submitted, by Ms. McManus, seconded by Ms. Gwozdzowski and the motion carried 4 to 0 (Mills, Michelson, McManus and Gwozdzowski; Morris and Stein not present at meeting to vote).

OLD BUSINESS

NEW BUSINESS

The Board discussed possible public hearing dates for boatyard applications. They agreed on October 26 and 27th at the Turn of River School on Vine Road and also discussed the possibility of November 4 and November 9 as backup dates for continuation and for presentation by the City's Consultant if she is available. They asked Staff to verify the school was available.

ADJOURNMENT

There being no further business, a motion was made to adjourn the meeting at 11:15pm by Ms. McManus, seconded by Mr. Morris and the motion carried 5-0.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board