

**MINUTES OF THE ZONING BOARD  
PUBLIC HEARING & REGULAR MEETING,  
MONDAY, OCTOBER 26, 2015, AT 6:00 P.M., AT  
TURN OF RIVER SCHOOL AUDITORIUM,  
117 VINE ROAD, STAMFORD, CT**

Present for the Board: Thomas Mills (Chair), Barry Michelson (Secretary) arrived at 6:15pm, Rosanne McManus, William Morris, David Stein 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 6:10 pm. Mr. Mills seated Ms. Gwozdzowski in Mr. Michelson's absence until 6:15pm.

**PUBLIC HEARING**

1. **Application 215-31 – RICHARD W. REDNISS, Text Change**, requesting a change to the existing definition 67.3 Museum and to add a new definition 67.5 Museum Complex as a permitted use by Special Exception approval of the Zoning Board in the RA-2 District (*continued from October 19, 2015*).
2. **Application 215-32 – STAMFORD MUSEUM AND NATURE CENTER, 39 Scofieldtown Road**, Special Exception and General Development Plan, requesting approval to construct in 6 phases, new and improved structures on a Museum Complex located at an existing 100 acre site in an RA-2 zone, as well as related parking and site improvements at 39 Scofieldtown Road. Applicant requests approval of a General Development Plan from the Zoning Board. Separate application filed for text change for Museum Complex and a new definition 67.5 (*continued from October 19, 2015*).

Richard Redniss explained a meeting was held with Rick Talamelli (Environmental Planner EPB) and Susan Kiskan (P.E. Engineering) to explain GDP would not affect EPB or Engineering Department reviews. Mr. Killeen distributed revised draft text language and draft conditions and explained the changes.

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

Tom Lombardo, President of the North Stamford Association, spoke in support of the amendments and conditions.

Mr. Mills closed the Public Hearing on these applications at 6:35pm.

**REGULAR MEETING**

**PENDING APPLICATIONS:**

1. Application 215-29 – WESTSIDE DEVELOPMENT PARTNERS, LLC, Text Change
2. Application 215-30 – WEST SIDE DEVELOPMENT PARTNERS, LLC, 1937 West Main Street (Lot B-2), Application for Special Exception and Site Plans/Requested Uses

Mr. Mills asked Staff if Engineering reviewed the neighbor's complaint?

Mr. Stein moved to table discussion of these applications to the next meeting, seconded by Mr. Michelson and the motion passed 5:0 (Mills, Michelson, McManus, Morris and Stein in favor).

3. Application 215-14 – RICHARD W. REDNISS, Text change

Mr. Mills seated Ms. Gwozdzowski.

Mr. Mills read a description of the application.

Mr. Michelson said he supported the Planning Board recommendation of language 5 years and 5 years of extension.

Mr. Morris said 10 years seemed acceptable. Ms. McManus said 10 years seemed acceptable.

Mr. Mills summarized by saying the consensus of the Board was that 10 years was okay. Mr. Killeen read some changes to the text language. Mr. Stein replaced the reference to paragraph “N” with words from paragraph “N” and wanted to clarify that all repair payments have been made to the Repair and Replacement Fund, including vacant parcels.

Mr. Morris moved to approve application 215-14 as amended, seconded by Mr. Stein and the motion passed 5:0 (Mills, Michelson, Stein, Morris and Gwozdzowski in favor). The language will now read:

***Amend Article III, Section 9-N by adding subparagraph 1 to the end of 9-N, to read as follows:***

1. *Notwithstanding the above, in the case of R-D developments of twenty (20) units or more where such units are designed as single-family detached residences situated on individual limited common element parcels, each not less than 10,000 square feet, the right to obtain a building permit for any such parcel shall not expire until ten (10) years after other extensions have expired, provided that:*
  - a. *All required offsite improvements and Below Market Rate housing and/or fee-in-lieu payments have been satisfied;*
  - b. *All onsite common elements, including public and private roads, utilities, drainage facilities, community septic systems, community clubhouses or pool houses, associated common landscaping, and other improvements depicted on an approved site plan for the common use of unit owners, have been completed within three (3) years after the date of approval of the zone change to R-D, or within three (3) one-year extensions of the period.*
  - c. *The Water Pollution Control Authority confirms, per Section 9-A-2g-3(c) of these Regulations, that conditions of any operation and maintenance agreement are being satisfied, and that all payments into the Repair and Replacement Fund have been made (i.e. the Fund is fully funded for all remaining vacant parcels).*

4. Application 215-31 – RICHARD W. REDNISS, Text Change

5. Application 215-32 – STAMFORD MUSEUM AND NATURE CENTER, 39  
Scofieldtown Road, Special Exception and General Development Plan

Mr. Mills seated Ms. Gwozdzowski.

Mr. Mills read a description of the application.

Mr. Morris said that since the applicant met with EPB and Engineering staff and made necessary revisions to the text, he is satisfied with this proposal. Mr. Michelson and Mr. Stein agreed.

Mr. Morris moved to approve application 215-31 as amended, seconded by Ms. Gwozdzowski and the motion passed 5:0 (Mills, Michelson, Stein, Morris and Gwozdzowski in favor). The new language will read as follows:

***Amend Article II, Section 3-A (Definitions) by revising Definition 67.3 adding a new Definition #67.5, and amending Appendix A, Table I to allow Museum Complex by Special Exception approval of the Zoning Board in the RA-2 District:***

***Article II, Section 3-A (Definitions) will now read as follows (Definition #67.3 and Definition #67.5):***

*67.3 Museum: A non-profit institution, which is exempt under Section 501(c)(3) of the Internal Revenue Code, that is essentially educational in nature, devoted to the procurement, care, and display of objects of lasting interest, open to the public a minimum of three days a week year round.*

*67.5 Museum Complex: A parcel of land not less than 50 acres, in single ownership at the time of adoption of these regulations, containing multiple existing museum buildings, which may be expanded, developed and/or redeveloped in phases, pursuant to a public hearing and General Development Plan approval by the Zoning Board, subject to the following standards:*

- a. For the purposes of this definition #67.5, a General Development Plan (GDP) shall mean a conceptual plan and accompanying information depicting the approximate size and location of all existing and proposed structures and site improvements, the construction of which may be implemented in phases over a period of up to twenty (20) years from the date of approval, and up to two (2) extensions of up to five (5) years each, subject to the approval of the Zoning Board. Each specific element of a GDP shall be subject to final review and approval by the Land Use Bureau Chief, or designee, or the administrative review of the Zoning Board, only after proposed improvements have received all necessary permits, approvals, and endorsements from other local, state, or federal agencies having regulatory jurisdiction over the proposed improvements. Plans and designs submitted as part of a GDP application and/or subsequent Building Permit review by the Land Use Bureau Chief, or designee, should adhere to the application requirements of Section 7.2-C and the standards and conditions of Sections 19-3.2a through 19-3.2c.*
- b. Permitted Uses: Permitted uses may include educational programming related to matters of natural history, agriculture, animal husbandry, astronomical studies, marine biology, and art history; cafe; day care; summer day camp; retail food shop; picnic pavilions; trails; nature center; gift shop; playground; temporary community retail booth (e.g. bake sales, farmers market, etc.); recreation area; camp grounds;*

*parking of vehicles for educational and community programs; and onsite housing for museum staff.*

- c. Existing Non-Conforming Structures: Existing buildings and structures that do not conform to the yard requirements shall be allowed to remain and may be extended, expanded or changed, subject to approval of the Zoning Board provided that such changes do not result in any nonconforming setback being further reduced and are part of an approved General Development Plan.*
- d. Improvements: Minor changes and minor expansions of existing structures, parking areas, paddocks, gardens, or similar approved uses, including new structures or driveways, may be allowed, subject to review and approval of the Land Use Bureau Chief or designee, or administrative review of the Zoning Board, provided that said improvements are consistent with an approved General Development Plan or set back at least 100' from any street or residential property, and result in no substantial increased impact to parking or traffic demand or other public infrastructure.*
- e. Accessory Structures: Accessory buildings and structures shall be subject to the same building height story, and setback limitations as principle structures.*
- f. Notwithstanding special standards of this Definition 67.5 herein, any Museum Complex shall comply with the standards of Section 19-3.2e, subsections (2) and (3) for floor area ratio and ground coverage.*
- g. Signage: A Museum Complex shall be permitted to provide the following signage:*
  - i. One (1) ground/wall sign within the front yard setback at the primary entrance to the Museum Complex to ensure visibility from the street not to exceed forty (40) square feet in area and one (1) secondary entrance sign not to exceed twenty (20) square feet in area.*
  - ii. At the primary entrance to the complex up to seventy-two (72) square feet of temporary banners announcing specific seasonal or special activities open to the general public, not to exceed ten (10) feet in height or width, may be allowed onsite within the front yard setback, provided any such sign location is consistent with an approved General Development Plan.*
  - iii. Way-finding, directional, educational, exhibit, temporary tent signs, and/or individual building signs, provided said signage is suitably screened from exterior streets, shall be approved by the Land Use Bureau Chief, or designee, or as part of an approved General Development Plan.*
- h. Where any proposed General Development Plan activity requires approval from the Environmental Protection Board, Engineering Bureau and/or Health Department, said approvals shall be obtained prior to the start of site activity or the issuance of a building permit for said activities.*

***Amend Appendix A, Table I, to add new use # “28.5 – Museum Complex (67.5)” marked with a “B” under the RA-2 column.***

After a brief discussion, Mr. Morris moved to approve application 215-32 with the conditions discussed and approved, seconded by Ms. Gwozdzowski and the motion passed 5:0 (Mills, Michelson, Stein, Morris and Gwozdzowski in favor). The conditions will read as follows:

1. *The General Development Plan (GDP) is a conceptual master plan showing the general location, size and use of new structures, facilities and site improvements, but does not entitle the property to final approval of any specific structure, facility or improvement. Final zoning approval shall be issued by the Land Use Bureau Chief only after the proposed improvements have received all necessary permits and endorsements from the EPB, Engineering Bureau, WPCA, Health Department, and Fire Department, as applicable, and any other local, state, or federal agency that has regulatory oversight of the proposed improvements, whose review and analysis shall be independent from this Zoning approval.*
2. *General Development Plan (GDP) Approval is granted for new buildings and additions resulting in a total floor area not to exceed 90,000 square feet, with associated parking, driveways, landscaping, open space, and related site improvements, as generally depicted on plan(s) submitted by the applicant < insert list of plans >.*
3. *Prior to the issuance of a Building Permit, applicant shall submit detailed site and architectural plans, satisfying the standards of Section 7.2 and Section 19.3.2, depicting any building and/or site improvements being sought under such Building Permit, for review and approval by the Land Use Bureau Chief, or designee, to ensure consistency with the approved GDP and conformity with the standards of Definition 67.5 and other applicable Zoning Regulations. Such details shall include, as may be applicable, architectural plans and elevations or renderings, specification of proposed building materials and colors, proposed grading, drainage, sedimentation and erosion controls, landscaping, lighting, signage, and existing and proposed zoning data.*
4. *Plans submitted for building permit shall be generally consistent with the location, scale, organization, and setback of all proposed buildings, parking and drives, as shown on the approved General Development Plan. Minor changes to the size and location of proposed building and drives, within the Area of Development, as depicted on the approved GDP, may be permitted by the Land Use Bureau Chief, or designee, or administratively by the Zoning Board, provided that the approved floor area for any proposed building or addition is not increased by more than 10% and the approved total floor area of 90,000 square feet is not increased by more than 5% (i.e. 4,500 sf), and that all other conditions of this approval are met. Changes in the GDP deemed by the Land Use Bureau Chief, or Zoning Board administratively, to not be minor may require amendment of the GDP by the Zoning Board, pursuant to a public hearing.*
5. *Unless approved by the Zoning Board pursuant to a public hearing, areas outside of the Area of Development, as depicted on the approved GDP, shall remain generally undisturbed, except for ongoing use and maintenance of existing hiking trails and other forest management.*
6. *Prior to the issuance of a building permit relating to the Bendel Mansion, the proposed potential design, renovation, and construction of improvements to the Mansion shall be reviewed with the Historic Preservation Advisory Commission and their recommendations submitted to the Land Use Bureau Chief for consideration in approving related site/architectural plans.*

7. *There shall be no outdoor storage of materials or equipment or any exterior lighting outside of the Area of Development, as depicted on the approved GDP.*
8. *Exterior lighting of buildings, parking lots, and driveways shall be designed and landscaped to mitigate light spillage onto neighboring properties.*
9. *Proposed lighting for the northwest (Scofieldtown) and southeast (High Ridge) parking lots should be designed as minimally needed for safety. Prior to a Building Permit for the for each lot a photometric analysis shall be submitted and reviewed by the Land Use Bureau Chief, or designee, to ensure no light spillage onto neighboring properties. Such lighting shall be turned off within one-half hour after any event requiring the parking lots to be lit.*
10. *The two (longest) parking aisles in northwest lot shall be broken up with at least two tree wells in each aisle.*
11. *During typical operation, excluding special events, the northwest gates along Scofieldtown Road shall be closed from dusk to dawn.*
12. *The proposed "ring road" and parking lots shall be appropriately screened from public view by changes in topography, fencing, and/or landscaped buffers.*
13. *Public events where the expected attendance is in excess of one thousand (1,000) people per day shall be limited to twelve (12) days a year between the hours of 10AM and 6PM.*
14. *This GDP approval shall expire after twenty (20) years from the effective date, subject to not more than two (2) extensions of five (5) years each, with good cause shown, and pursuant to the review and approval of the Zoning Board.*

#### **OLD BUSINESS**

1. Application 214-08 - West Side Development Partners, LLC - Site Plan/Requested Uses and Special Exception approval in accordance with Stamford Zoning Regulations Section 7.5 (Large Scale Development) related to the construction of an ± 184,000 square foot flex-industrial building and ± 6,200 square foot retail/industrial/flex building with associated parking and site improvements. The subject property is located in the M-L zone with an address of 1937 West Main Street (Lot B-2) (*request for time extension*).

Mr. Mills seated Ms. McManus.

After a brief discussion, Mr. Michelson moved to approve the extension of time for application 214-08, seconded by Ms. McManus and the motion passed 5:0 (Mills, Michelson, McManus, Morris and Stein in favor).

#### **APPROVAL OF MINUTES:**

Minutes for Approval: October 5, 2015

A correction was noted on page 3 and 4 by Ms. Gwozdzowski.

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

Minutes for Approval: October 19, 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).

Mr. Mills adjourned the meeting at 6:58pm.

**PUBLIC HEARING (7:00PM OCTOBER 26, 2015)**

Present for the Board: Thomas Mills (Chair), Barry Michelson (Secretary), William Morris, Rosanne McManus, David Stein 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 7:22 pm.

1. **Appl. 215-02 – THE STRAND/BRC GROUP, LLC, Text change**, to Amend Article III, Section 9(J)(5)(b) of the SRD-S District to increase permitted non-residential floor area ratio (FAR) from 0.20 to 0.23.
2. **Appl. 215-03 – THE STRAND/BRC GROUP, LLC, Washington Blvd./Bateman Way, Amend GDP**, requesting approval to amend the General Development Plan (GDP) for Harbor Point, originally approved as Application 206-57, by: 1) removing the note on the plan stating “maintain existing boat storage operation” and adding a note to read “Block P7 Permitted Uses: Office and Retail, Public Access, Marina, Parking” and 2) deleting the language of approval Condition #7 and replacing it with “Subject to SRD regulations, any future final site plan application, for full development of the 14 acre site, shall include a marina and public access improvements which shall be subject to review and approval of the Zoning Board.” in the SRD-S district, and to seek Coastal Site Plan Review of these amendments.
3. **Appl. 215-04 – SOUTHFIELD PROPERTY, LLC, Text change**, to Amend Article III, Section 9AAAA DWD Designed Waterfront Development District standards regarding maximum building height, minimum front setback, retention of existing structures and exemption of Water Dependent Uses from the calculation of building coverage, ground coverage, public access, preservation of visual resources and landscaping.
4. **Appl. 215-05 – WATERFRONT OFFICE BUILDING, LP, Map Change**, requesting approval to amend the Zoning Map to change from CWD to DWD for approximately 8.15 acres of property known as Stamford Landing and identified as 46, 62, 68 and 78 Southfield Avenue, Block #25.
5. **Appl. 215-06 – SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, 78 Southfield Avenue, and 2 Selleck Street, Special Exception, General Development Plans and Coastal Site Plan Review**, requesting approval of special exceptions and General Development Plan to construct 261 units of housing and a full service boatyard and marina with public access to the waterfront and water-dependent uses on approximately 13.4 acres on Southfield Avenue in a DW-D zone. Special Exceptions being requested for proposed uses and development of the

project and to establish a DWD district and to provide residential, retail and office and a boatyard/marina use and general public access.

6. **Appl. 215-07 – SOUTHFIELD PROPERTY LLC and WATERFRONT OFFICE BUILDING, LP, 28, 46, 62, 68, 78 Southfield Avenue, and 2 Selleck Street, Final Site and Architectural Plans & Requested Uses, Special Exception and Coastal Site Plan Review**, requesting approval of Final Site & Architectural Plans, Special Exception and Coastal Site Plan Review to construct 261 units of housing and a full service boatyard and marina with public access to the waterfront and water-dependent uses on approximately 13.4 acres on Southfield Avenue in a DW-D zone.
7. **CSPR-978 – WATERFRONT MAGEE, LLC, 205 Magee Avenue**, to provide winter boat storage on 3.5 acres in M-G zone, temporary parking, no utilities and no equipment storage.

Mr. Mills read a description of the applications into the record. Mr. Michelson read the Planning Board referral letters into the record.

Attorney John Knuff objected to the Planning Board findings. He also said the Coastal Area Management Regulations don't limit waterfront sites only to water dependent uses.

Scott Pollock, Arrowstreet, presented site and architecture plans for Davenport and Stamford Landing sites.

Bill Heiple, P.E. presented the design of the boatyard.

Gerald McDonough, IRR, presented the Market Study.

Mr. Mills took a brief 15 minute recess and resumed the hearing at 9:30pm.

Jim Bronstein, Boatyard Designer, said remote off-site storage is a trend. Service work can be done in-water. Boats crossing the road will have minimal impact on traffic flow. He explained the layout of the repair building. He discussed that the paint shed was sized for maximum boat size of 45 feet which fits the market. Customers could do light work on their own boats.

Mark Vertucci, P.E. explained shared parking. The shuttle service to the train will reduce demand. Traffic off-site improvements are the same as prior Davenport approvals. Level of Service (LOS) of Davenport/Selleck will be improved.

Attorney Knuff presented the applicant's response to the Staff Report and rebuttal of the Planning Board referral comments. They don't want to squander the 14-acre site for boat storage.

Mr. Morris asked Dave Goodwin, Hinckley, CFO if they reviewed the Market Study? What is the length of the lease? Answer: 10 years with two 10-year extensions. What was your market analysis? Answer: we looked at it as a 3.3 acre yard. Did you look mainly at it as a service yard? Answer: yes. What is your service area? Answer: Long Island Sound. What do you think is the target boatsize? Answer: 30 to 40 foot range. How many boats can you haul in a day? Answer: 4 to 5 per hour with T lift. Will you utilize Magee Avenue? Answer: no. How many will you store? Answer: 150. Percentage of sailboats? Answer : about 20.

Mr. Michelson asked how much of the service will be Hinckley? Answer: first come, first serve; about 50% Hinckley.

Mr. Stein asked if they were satisfied with the yard design? Answer: the T-lift maneuvering uses up space. Not sure if fuel tanks are the right size. Would prefer to have a bigger building for more indoor storage.

Ms. Gwozdzowski asked if the lease was standard? Answer: A ten-year lease is not unusual. It lets you evaluate market conditions rather than being tied to a contract ahead of time.

Mr. Mills asked what was the yard minimum size? Answer: more the building size and the minimum would be 20,000 sf. Do you have an indoor rack storage now? Answer: no, this would be our first.

Mr. Morris asked if they could use Stamford Landing slips for staging? Answer: yes, depends on BLT.

Mr. Michelson asked if they had a signed Letter of Intent? Answer: yes, subject to Zoning Board approval.

Due to the lateness of the hour, Mr. Mills tabled discussion of all other matters to the next meeting which will be held on October 27, 2015 at 7:00pm at 117 Vine Road at the Turn of River Middle School Auditorium.

Respectfully submitted,

Barry Michelson, Secretary  
Stamford Zoning Board