

**MINUTES OF THE ZONING BOARD  
PUBLIC HEARING & REGULAR MEETING,  
MONDAY, NOVEMBER 16, 2015, AT 7:00 P.M., ON  
THE 4<sup>th</sup> FLOOR, CAFETERIA, GOVERNMENT  
CENTER BLDG, 888 WASHINGTON BLVD.,  
STAMFORD, CT**

Present for the Board: Thomas Mills (Chair), Barry Michelson (Secretary), William Morris 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 7:07 pm. Ms. Gwozdzowski was seated for Ms. McManus.

**PUBLIC HEARING (items continued from November 9, 2015)**

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 the description of the applications into the record and noted that the Public Hearing was a continuation from November 9, 2015. He said he'd call names from the sign-up list of those from the public who wanted to comment and allow anyone else to speak afterwards.

William Krasnor, 4 S. Sagamore Lane, Stamford, spoke opposing the applications. Stamford will not get Yacht Haven West patrons to return. The proposed boatyard needs to be larger in order to provide full service. BLT has violated the rules and Board approval will set a bad precedent. He asked the Board to put the boatyard back on the 14-acre site. This is a regional issue.

Ms. McManus arrived at 7:21pm.

Rives Potts, Brewers Boatyard, responded to comments by Pam Lenzion of MarineTec. The Stamford market remains large sailboats. Connecticut doesn't have a luxury tax. Connecticut sales tax isn't relevant to this market study. Brewer's Yacht Haven West (BYHW) was viable and profitable. Inside storage is a key to New England boatyard/marinas. The proposed rack system will be hard to build and operate. Hinckley wasn't involved in the boatyard design and will not build it. The statement that 5 – 6 boats an hour can be hauled is way too high. O&G dust will impact maintenance work. Marina slips at the 14-acre site will need a new wave attenuator. The Davenport site is too small, minimal slips and next to a cement plant. We stored about 600 boats (2007). 62 boats inside. We supported racing teams. 80% were sailboats in 2007. More power boats now, but still strong sailing demand.

Mr. Morris asked what the mix is at Yacht Haven East? Mr. Potts said probably more power boats, but its only slips, no service.

Mr. Mills asked what services are provided at BYHW that Hinckley is not including in their proposal? Mr. Potts said they have 15 employees; Brewer's had 75. Also, carpentry shop, rigging, sail maker, electronics, etc. were services that Brewer's provided. Mr. Mills asked Mr. Potts to provide for the record a detailed summary of marina and boatyard services that were

previously provided on the 14-acre parcel, so that the Board could compare the former operation with the current applications.

Mr. Michelson asked what Brewer's profit centers were. Mr. Potts said service, storage and slips.

Mr. Morris noted that a representative of the Marine Trades Association cited that the boat market is small power boats. Ms. Potts said this average doesn't reflect boats that want to use YHW. The real demand is for boats over 40 feet (unmet demand). Mr. Potts was on the board of the Connecticut Marine Trades Association for twenty (20) years.

Carol Ann McLean, read from a letter in opposition to the applications.

Gary Silberberg, of Greenwich, CT, read from a letter in opposition of the applications. He stated that he has been keeping his boat in Stamford for years and used to be a customer of Yacht Haven. The fuel dock (Mercedes) has been removed and the marina is vacant. 333 Ludlow Marina (BLT) is poorly maintained. Docks are in poor condition. Mr. Silberberg read condition #7 of the GDP. Hauling boats greater than 8-1/2' wide on public roads requires a ConnDOT permit. Why would a boat on a trailer be stored at 205 Magee when it could be stored at home? Mr. Silberberg submitted a series of photos into the record.

Todd Kosakowski, Sign of the Whale in Stamford. Attorney Amy Souchuns read a letter of support from Mr. Kosakowski.

Regina Canfield, 47 Spring Hill Lane East, Stamford and owner of a 43' sailboat, spoke in opposition. She stated she would submit a written statement to follow-up on her comments.

Maureen Boylan, 61 Seaview Avenue, Stamford, read a letter from Ernest Laug of 33 Vincent Avenue, Stamford, in opposition. There's no water to fight a fire at 205 Magee. The animal shelter would be at risk. Ms. Boylan also provided additional comments against the applications and raised a concern that the soil remediation work on the 14-acre parcel had been funded by the State.

Peter Quigley, 74 North Street, Greenwich, who is a sailor, spoke in opposition to the applications.

Mr. Mills took a brief recess and resumed the public hearing at 9:04pm.

Victoria Vandamm presented a power-point presentation in opposition to the pending applications and submitted a copy for the record.

Cynthia Reeder, read a letter from Super Law Group, LLC on behalf of the SoundKeeper in opposition.

Brenda Lewis spoke in opposition to the applications.

James Ritman introduced himself as a commercial broker. He said this is a land use issue. The Bridgewater announcement stimulated a lot of interest by other companies that wanted to move to Stamford. The highest and best use of the 14-acre site is a commercial development.

Jack Condlin, President of the Stamford Chamber of Commerce, resident and boat owner, spoke in support of the applications. Stamford wants to see Harbor Point development resume. Save our Boatyard represents less than ½ of 1% of Stamford residents. The boatyard is not a concern of most residents. The City and BLT should negotiate a compromise.

Jack Brewer, Brewer's Boatyard, said they always wanted to stay and invest in the site. BLT kicked them off the property and they want to manipulate the City and State to maximize the development potential of the 14-acre site.

Mr. Mills asked if anyone else from the public wanted to comment on these applications. There was no one else that wanted to speak.

Mr. Mills asked the applicant if they wanted to respond to comments made by the public. John Knuff, attorney for the applicant, indicated that they would like to respond to public comments, but that they would need to assemble their team of experts and would like to respond to each concern raised. He indicated it might take two nights, and he asked what the Board's schedule was like over the next month.

Mr. Mills announced that the Board had completed the public participation portion of its hearing and would now need approximately 2 meetings to complete the hearing with the applicant's response to public comments. He continued the Public Hearing on these applications to the next meeting scheduled for Monday, November 23, 2015 at 7:00pm in the 4<sup>th</sup> floor cafeteria.

Mr. Stein said for the record that he had reviewed the video of the November 9, 2015 meeting.

### **REGULAR MEETING**

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

##### Minutes for Approval: October 26, 2015

Several corrections were noted by Ms. Gwozdzowski.

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: October 27, 2015

Several corrections were noted by Ms. Gwozdzowski.

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

##### Minutes for Approval: November 9, 2015

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

### **OLD BUSINESS**

1. Application 79-034 - Kaskel, Estate of Alfred - Doral Farms, 3 Alfred Lane, Eric Birnbaum requesting deck expansion.

Mr. Cole briefly reviewed the request. After a brief discussion, a motion was made to approve the deck expansion per plans submitted, by Mr. Stein, seconded by Ms. McManus and the motion carried 5 to 0 (Mills, Michelson, Morris, Stein and McManus).

## **NEW BUSINESS**

1. Application 213-44 Rich Cappelli Associates LLC and Louis R. Cappelli Family Limited Partnership II. Development of 650 residential units, ground floor retail, and associated parking and site improvements on 21 properties of approximately 4.4 acres, zoned CC- N (*Quarterly Post Office Marketing Update – Condition 11*).

Attorney Amy Souchuns presented a letter dated October 30, 2015 from SHPO and summarized the marketing efforts to date.

2. Proposed Meeting Schedule for 2016

Mr. Mills asked the Board to review the calendar. Suggestions were made to cancel October 31 and November 7 meetings. Consensus of the Board to submit the calendar with those changes.

3. Discussion of notification signs on properties scheduled for public hearing.

Mr. Killeen reviewed the materials that were sent to the Board, based on research conducted by the staff. The Board discussed the size and location of the proposed signs, the size of the lettering, materials to be used, and how long the signs should remain up. The Board asked Mr. Killeen to draft a regulation about the notification signs, for their consideration.

Ms. McManus moved to adjourn the meeting at 10:47pm, seconded by Ms. Gwozdzowski and the motion passed 5:0 (Mills, Michelson, McManus, Morris and Gwozdzowski in favor).

Respectfully submitted,

Barry Michelson, Secretary  
Stamford Zoning Board