

**MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
MONDAY, MAY 16, 2016, AT 7:00 P.M.,
4th FLOOR, CAFETERIA, GOVERNMENT CENTER
BLDG., 888 WASHINGTON BLVD., STAMFORD, CT**

Present for the Board: Thomas Mills (Chair); David Stein (Secretary), Joanna Gwozdzowski, William Morris, Roseanne McManus and Sandra Dennies (Alternate). Present for Staff, Norman Cole, Land Use Bureau Chief,

Chairman Mills called the meeting to order at 7:12pm

PUBLIC HEARINGS

1. **Appl. 216-03 - SOUTHFIELD PROPERTY LLC, Text change**, to Amend Article III, Section 9AAAA (4) (g) to modify the front yard setback requirements in the DWD zone
2. **Appl. 215-02 – THE STRAND/BRC GROUP, LLC, Text change**, to Amend SRD-S regulations to increase permitted non-residential (FAR) from 0.20 to 0.23.
2. **Appl. 215-03 – THE STRAND/BRC GROUP, LLC, Washington Blvd./Bateman Way, Amend GDP**, to amend the General Development Plan (GDP) for Harbor Point 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 amending the wording of Condition #7.
3. **Appl. 215-04 – SOUTHFIELD PROPERTY, LLC, Text change**, to Amend DWD 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**, to amend the Zoning Map to change from CWD to DWD for 8.15 acres of property known as Stamford Landing and identified as 46, 62, 68 and 78 Southfield Ave.
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**, to construct 261 units of housing and boatyard and marina with public access uses on 13.4 acres in a DW-D zone.

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**, to construct 261 units of housing and boatyard and marina with public access 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.

Chairman Mills opened the hearing on applications including Appl. 216-03. Chairman Mills asked Attorney John Freeman, BLT General Counsel to focus on changes in applications, and also notified public speakers of a 5 minute time limit.

Attorney Freeman presented application Appl. 216-03, a new text amendment regarding front setback requirements in the DWD zoning district.

Mr. Stein read the Planning Board referral on application Appl. 216-03 into record.

Chairman Mill called for reading of the Harbor Management Commission referral.

Mr. Cole replied that there was no HMC referral comment in record.

Damian Ortelli, Chairman of the Harbor Management Commission said that the application had not been referred to HMC.

Mr. Cole stated that the file contained a copy of the referral letter to HMC.

Chairman Mills said that the Board would proceed to hear the application but would leave the hearing open to receive HMC comments.

Mr. Stein read the Planning Board referrals on the remaining applications continued from March 28, 2016.

Att. Freeman pointed out that the Planning Board referral comments were not unanimous and were all approved on a vote of 3 to 2. He said that the Planning Board had no objection to Zoning Board's list of 23 deficiencies. He said that Chairman Terri Dell wanted all the housing removed from the Davenport site, and that they have reduced it as much as possible to 218 units, only about half of which are located on the Davenport site. He said that the May 10, 2015 memo from the Planning Board says that the applicant must meet all 26 conditions, but that the Planning Board's actual statement was that they "did not object" to the list. He submitted a marked up copy of the Planning Board memo and recommended that it be revised.

Att. Freeman then proceeded to summarize the changes in the various applications. He resubmitted letters of support from 600 plus persons and submitted new letters of support. He explained that public access has been restored along the waterfront of the Davenport Landing site, with a different alignment and stopping at the southeast corner of the building.

He said that Hinckley would run the 205 Magee boat storage yard under a 30 year lease, an initial 10 years with two 10 year renewal options.

Chairman Mills asked, under the terms of the lease, who owns the equipment.

Att. Freeman replied that he would have to check, but thought that BLT would own the building and installed equipment like boat storage racks and a paint booth.

Att. Freeman said that a major public destination would be provided at the 14 acre site, and that they already provide more than 15% open space. He said that they would accept a condition requiring that they provide a “major public destination” subject to Zoning Board approval of design details and uses. He said that they do not agree to provide a fuel dock at the 14 acre site. There is already a fuel dock at Seaview Avenue and one required to be reinstalled at 860 Canal Street, and historically there has always been only one fuel dock in West Branch of the Harbor. He said Hinkley feels there is not enough demand to support two fuel in West Branch.

Mr. Stein asked Att. Freeman to share Hinckley’s market analysis of fuel docks with the Board

Attorney Freeman replied OK, that he would request this information.

Att. Freeman said that they do agree to provide a pedestrian connection between the 14 acre site and Kosciuszko Park.

Att. Freeman said that they do not agree to provide \$1.75 million for road improvements adjacent to the Davenport site. He explained that they have already pledged to contribute \$750,000 for Waterside infrastructure improvements, although with the reduction in housing floor area they need less FAR bonus and could reduce the \$750,000 significantly.

Mr. Stein asked about the memo from Robert Zaitooni, City Traffic Engineer, and Att. Freeman replied that they have agreed to ease the corner to permit trailer movement.

Public Comments

Maggie Murray, 174 Willowbrook Ave. testified that splitting boatyard services into three properties was a bad idea and the BLT should restore the boatyard on the 14 acre property.

Tom Dougherty commented that the split into three locations will impact traffic, and that Southfield Avenue is already a problem. The boatyard and housing at Davenport Landing will cause on street parking problems.

Russell Davis testified that they should keep housing along Southfield Ave. and that he supports the BLT, and that it will stimulate improvements in the Waterside Neighborhood.

William Wagner said that BLT has been disingenuous and that the boatyard plan doesn’t work.

Martin Levine, representing the DSSD, read a letter from Sandy Goldstein, President. The letter stated that DSSD takes no position on the boatyard, but is concerned with increase in the SRD-S

FAR (78,000 sq. ft.). Commercial use in Harbor Point was to be restricted. The DSSD supports increased housing. The letter questioned whether there is any precedent for “transfer” of FAR, and what’s to stop future development of commercial use at 205 Magee Ave.

Paul Norton commented that the BLT proposal is a workable boatyard plan, and that Stamford will become a boating destination.

Don Corbo spoke in support, and said that it’s been 4 years without a boatyard. He said there has always been easy access to fuel with only one gas dock. He commented that there is a soft market for existing boat slips at the Avalon Harbor development.

Chairman Mill called for a recess at 9:06pm and called the meeting back to order at 9:16pm.

Chairman Mill read into record letter of support from Vicky Papson.

Barry Michelson urged the Board to deny the applications. He commented that the 14 acres has long been used as boatyard and that the Stamford Master Plan calls for its preservation. The SRD-S regulations call for preservation of water dependent uses. He said the SRD-S regulations do not allow removal and relocation of a water dependent use. He stated that the DWD zone doesn’t offer the same protection as the SRD-S zone. People are concerned that our Zoning Regulations are not being enforced.

Damian Ortelli, Chairman of the Stamford Harbor Management Commission (HMC) presented the finding of his Commission and said that all of the applications are interrelated. He read the referral letter from HMC making no comment on 215-02 and 215-05, finding 215-03 and 215-04 inconsistent with the Harbor Management Plan, finding that the Commission cannot be favorable on 215-06 and 215-07. Regarding CSPR 978 (205 Magee) the HMC finds it consistent as a stand-alone application. He testified that the applications taken as a single action are inconsistent.

Kevin Dailey stated that the applicant has not produced the required study of the viability of 14 acres to support a water dependent use. He said that there has been interference by the Mayor and Governor. He commented that it was curious how the list of 23 requirements was developed. He said the road improvements recommended by Mr. Stein are not relevant. The proposed size of boatyard buildings are significantly less. There is not enough parking. There will be boatyard conflicts with housing at Davenport Landing. He recommended that the Board review and consider the letter submitted by Reeves Potts. He urged the Board to vote no.

Bill Krasner said that BLT was supposed to maintain the original capacity of the boatyard but that boat storage has been significantly reduced. Off-site improvements can’t compensate for the loss of capacity.

Randy Dinter testified that the boat storage plan is unworkable, that trailers can’t reach some locations. He said he didn’t think the 205 Magee Ave. yard was viable. Their plan doesn’t address sailboats. Three separate properties aren’t “equal to or better” than the original 14 acre facility.

Maureen Boylan said that the Fire Marshall hasn't approved the revised plan. She said the Hinckley facility can't handle large boats as well as the original Yacht Haven West facility. She urged the Board to vote the plan down.

Jack Condlin, President Stamford Chamber of Commerce, testified in support of the applications. He said he was surprised that the Planning Board wanted no housing on the Davenport site. He said the Harbor Management Commission members have prejudiced themselves by joining Save Our Boatyard and publically stating opposition to BLT plans.

Chairman Mills announced that the public hearings would be continued to Monday, June 6, 2016 at 7:00pm, 4th floor Cafeteria.

REGULAR MEETING

APPROVAL OF MINUTES:

Minutes for Approval: May 2, 2016

The board discussed the minutes of the May 2, 2016 meeting. Ms. Gwozdzowski pointed out one correction on page 4. After a brief discussion, motion was made by Ms. McManus to adopt the minutes as corrected. The motion was seconded by Mr. Stein and carried on a 5 to 0 vote. (Mills, Morris, Stein, McManus, Gwozdzowski)

ADJOURNMENT

Chairman Mills adjourned the meeting at 10:33pm

Respectfully submitted,

David Stein, Secretary
Stamford Zoning Board

ZB-PH051616