

**MINUTES OF THE ZONING BOARD  
PUBLIC HEARING & REGULAR MEETING,  
MONDAY, JUNE 6, 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, Vineeta Mathur, Associate Planner

Chairman Mill called the meeting to order at 7:10pm

Ms. McManus moved to take meeting items out of order, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, Stein, Gwozdzowski, Morris, McManus).

**OLD BUSINESS**

1. **CPSR – 765 – STAMFORD SAILING FOUNDATION, SOUTHFIELD PARK**  
Install temporary mobile trailer units with associated shared deck area, along with chain link fencing to contain sailboats and some equipment.  
*(Modification of temporary facilities supporting a sailing-education program, to add one trailer (20'x8') and a 24' x 24' tent canopy.)*

Lee Shemitz, Executive Director of Soundwaters, explained their proposed changes to the temporary facilities.

After a brief discussion, Ms. McManus moved to approve the modification, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 ( Mills, McManus, Stein, Gwozdzowski, Morris).

Ms. McManus moved to return to the regular agenda, seconded by Ms. Gwozdzowski and carried on a vote of 5 to 0 (Mills, McManus, Stein, Gwozdzowski, Morris).

**PUBLIC HEARING (continued from May 16, 2016)**

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.
3. **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.

4. **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.
5. **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.
6. **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.
7. **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.
8. **CSPR-978 – WATERFRONT MAGEE, LLC, 205 Magee Avenue**, to provide winter boat storage on 3.5 acres in M-G zone.

Cynthia Reeder, Sound keeper Member, read a letter from Attorney Reed Super noting that Joanna Gwozdzowski, (alternate) and Sandra Dennis cannot vote because they were not properly seated.

Chairman Mills stated that Ms. Gwozdzowski participated in most hearings and has reviewed the record of the two meeting she missed.

Charles Weiner - 25 Forest Street, spoke in opposition stating that BLT illegally tore down the boatyard and hasn't paid their fines.

David Michell – 46 Nelson Street, testified that they should rebuild the boatyard on the 14 acres.

Bob Bayer, Greenwich resident, said tht BLT illegally tore down the boatyard and has accrued \$6 million in fines. Their applications will diminish boatyard services and capacities. 205 Magee Avenue has already failed as a boat storage yard. Painting and engine work can't be done outside at Davenport Landing due to dust from O & G. He called for the Board to turn down the applications.

Peter Quigly, Greenwich resident, spoke in opposition and said that the Planning Board and Harbor Management Commission have both denied the applications. Water dependent uses should be preserved.

Carol Ann McClean spoke in opposition and said that Governor Malloy has given BLT \$16 million for remediation and that the Zoning Board should have access to the details of this funding.

Gary Silberberg asserted that BLT cannot forecast market demand for office development and boatyard services. Offices are downsizing and moving out. He said that BLT can't forecast boating demand, and should put the boatyard back on the 14 acres.

Melissa Bontemps said that BLT has been slow to develop a plan for the boatyard.

Attorney John Freeman, BLT General Counsel, said that there are no fines accruing, and that the boat market is declining, with a trend toward smaller power boats. Both DEEP and ACOE have approved the Davenport Landing boatyard plan.

Chairman Mills asked if the Fire Marshall has approved the plans, and Attorney Freeman answered yes.

Attorney Freeman said that the text amendment to increase SRD-S commercial FAR to 0.23 would be limited to the 14 acre parcel and would not be used for a hotel.

Mr. Morris asked that Att. Freeman respond to the comment that the Davenport site, zoned DWD, doesn't protect water dependent uses as well as the SRD-S zone. Attorney Freeman said that both zones protected water dependent uses and were subject to the same CAM policies. He said that to provide additional protection, BLT would post a bond to insure completion of the boatyard and also enter into an agreement with the City to let City lease and run the boatyard for \$1.00 in the event that the boatyard and boat storage yard are not being actively run by an operator. He said the agreement would run for 15 years and would cover both the Davenport Landing site and the 205 Magee property. The City would assume the terms of lease, with extension privileges. BLT would own all equipment at both sites so the City could assume operation of a complete facility.

Attorney Freeman proceeded to review BLT's responses to the Zoning Board's list of concerns. Regarding the 205 Magee property, he said BLT has pledged to contribute \$450,000 to improve the boat ramp at West Beach and to provide a 5,000sf maintenance/storage building. The door to the building would have a clear height of 13 feet and the overall building height would be 16 +/- feet to the peak of the roof. 400 amp service would be provided.

Regarding the Davenport Landing site, Att. Freeman said that the boatyard operator would have the option to relocate the marina parking area. Discussion ensued regarding parking at Davenport Landing and traffic impacts. Att. Freeman continued and said that the boatyard operator would have the option to construct additional buildings, if necessary. He said that they

would correct the alignment of the waterfront boardwalk to eliminate the “kink” as noted in the staff report. Ms. Gwozdziowski asked why not extend the public access to the end of the building? Mr. Stein said that he had the same concern. Att. Freeman replied that there was a security concern. Chairman Mills asked if they intended to put a gate at the end of the public access to limit access.

Regarding the 14 Acres, Attorney Freeman passed out records of fuel sold at their fuel dock and said that the fuel dock at Davenport Landing would have 4 pumps- 2 gas and 2 diesel (one high speed). He read their language requiring a major public destination as part of the final site plan for the 14 acres, and described proposed improvements to Kosciuszko Park, including a fishing pier, kayak rental and launch facility, and improvements to trails and seating. Chairman Mills noted that the Board would need more details regarding the size of the fishing pier and size of proposed buildings. Mr. Morris asked if the improvements to Kosciuszko Park could be completed in advance of approval of a final site plan for the 14 acres? Attorney Freeman replied yes. Att. Freeman concluded by stating that BLT agreed to construct a pedestrian bridge linking the 14 acres to Kosciuszko Park.

Ms. Gwozdziowski asked if DEEP has issued a referral comment on the amendments to the Harbor Point GDP and condition #7. Mr. Cole replied that no comments have been received.

Chairman Mills called a recess at 9:15 pm and resumed the meeting at 9:25 pm.

Attorney Freeman, in response to a question about parking at the Davenport Landing/Stamford Landing site, said there were 300 spaces in garage, 50 on the second level with access only to Southfield Avenue. The remaining garage spaces can access either Southfield Avenue or Selleck Street.

Mr. Morris asked if BLT has addressed the nine outstanding issues for the 14 acre site as identified in the staff report. Attorney Freeman replied yes.

Mr. Stein asked if architectural material had been provided as noted in the staff report? Attorney Freeman replied yes. Has an updated lighting analysis been submitted? Attorney Freeman replied no, but that they would provide this information.

Mr. Cole, in response to a question from Mr. Stein, explained the shared parking analysis.

Chairman Mills asked how BLT intended to insure the viability of the boatyard? Attorney Freeman said that the best guarantee that the boatyard would continue to operate was the agreement allowing the City to take over operation for \$1.00 if the boatyard or boat storage yard are not being actively operated.

Chairman Mills asked if the City takes over the property and finds an operator, can BLT take back control? Attorney Freeman replied yes, if BLT can find an operator to pay the lease they will be able to resume control.

Chairman Mills polled Board members and announced that the he was ready to close the public hearing, leaving the record open until June 27, 2016 to receive comments from the Harbor Commission.

**REGULAR MEETING**

**APPROVAL OF MINUTES:**

Minutes for Approval: May 23, 2016. Following brief discussion, Mr. Morris moved approval of the minutes as submitted, seconded by Ms. McManus and carried unanimously on a vote of 5 to 0 (Mills, Stein, Gwozdzowski, Morris, McManus).

**ADJOURNMENT**

Ms. McManus moved to adjourn the meeting, seconded by Mr. Morris and unanimously approved 5 to 0. The meeting was adjourned at 10:45 pm.

Respectfully submitted,

David Stein, Secretary  
Stamford Zoning Board

ZB-PH060616