

**PRESENTATION FEB. 4, 2019 - BOARD OF REPRESENTATIVES**

**INTRODUCTION.**

- **SPEAKING FOR MYSELF TO ASSIST SO. END PROPERTY OWNERS & NRZ, I'VE BEEN ASKED TO MAKE COMMENT ON TONIGHT'S APPLICATION AMENDMENTS TO THE 2015 MASTER PLAN — THE 'SIGNATURE CONFIRMATIONS' REQUIRED TO SPEAK DIRECTLY TO FULL BOR FOR YOUR VOTE TO 'REJECT' A DECISION BY PLANNING BOARD.**
- **THERE ARE TWO APPLICATIONS MP #432 AND MP #433 IN YOUR PACKAGE NOTES AS (*EXHIBIT A (MAP FOR 433 AND EXHIBIT B (MAP FOR #432).*)**
- **IT'S IMPORTANT TONIGHT FOR APPLICATION AMENDMENT MP # 433 THAT YOU 'VOTE TO CONFIRM' THE AUTHENTICITY OF SIGNATURES OF 20% PROPERTY OWNERS ON SITE, COLLECTED WITHIN 10 DAY TIME FRAME, FOR WHICH YOUR LAND USE COMMITTEE APPROVED BY UNANIMOUS VOTE.**
- **THIS CONFIRMATION ALLOWS THE SO END TO SPEAK DIRECTLY TO YOU FOR A VOTE TO "REJECT" A DECISION CHANGING ZONING 'MAP' REGULATION CATEGORIES FROM 4 AND 6 TO 5 IN THE 2015 MASTER PLAN.**
- **POINT OF INFORMATION: THERE WERE OVER 30% SIGNATURES OF LAND OWNERS WHO SIGNED PETITION IN THIS SO END MASTER PLAN AREA.**
- **HOWEVER, IN AN UNFORESEEN TWIST OF EVENTS, IT TURNS OUT THAT A CRITICAL DETAIL MAY HAVE BEEN OVERLOOKED. A MISINTERPRETATION MAY HAVE OCCURRED. WE ASK THAT OUTSIDE, OBJECTIVE LEGAL COUNSEL MAKE A FINDING IF BOTH MP# 433 AND MP #432 FILINGS ARE LOCATED IN THE ONE, MASTER PLAN AREA (*EXHIBIT A & B* ) .**
- **BOTH APPLICATION AMENDMENTS # 432 AND 433 APPEAR TO BE LOCATED 'WITHIN' THE SAME DESIGNATED 'AREA' OF 2015 STAMFORD MASTER PLAN.**
- **\*\*\*AS SUCH, IT MEANS THAT "20% OF THE PROPERTY OWNERS ON THE SO END SITE", ALREADY APPROVED, HAVE THE ABILITY TO SPEAK DIRECTLY TO THE BOARD OF REPS ON BOTH AMENDMENT APPLICATIONS #432 – AND #433.**

• **\*\*\*1. THIS POINT IS SUPPORTED BY THE TWO (2) MAPS (A & B) PUBLISHED AS PUBLIC NOTICE ON JANUARY 9, 2019 IN THE STAMFORD ADVOCATE AS NOTIFICATION BY THE ZONING BOARD- DEFINING THE GEOGRAPHIC 'AREA' OF THE MASTER PLAN PARCEL FOR BOTH AMENDMENTS**

**\*\*\*2. THIS IS FURTHER SUBSTANTIATED BY STAMFORD CHARTER'S CODE OF ORDINANCES SEC C 6-30-7 : (*EXHIBIT C*)**  
" ..EITHER...TWENTY (20) PERCENT OR MORE OF THE OWNERS OF THE PRIVATELY OWNED LAND 'IN THE AREA' INCLUDED IN ANY PROPOSED AMENDMENT TO THE MASTER PLAN...MAY FILE....OBJECTING TO THE AMENDMENT... AND THEN THE MATTER SHALL BE REFERRED TO BOARD OF REPRESENTATIVES".

TO SUMMARIZE:

**#1. THE CITY'S LAND USE DEPT AND PLANNING BOARD BY THEIR OWN PUBLISHED NOTIFICATIONS SHOW THE MASTER PLAN AREA, IN QUESTION, IS ONE PARCEL - AND THAT 20% OF THE SO END PETITIONERS CAN SPEAK TO BOTH AMENDMENTS ONE 'AREA'.**

**AS SUCH.....**

**#2. ...BY STAMFORD CHARTER SECTION C6-30-7 THE APPROVED 20% OF LAND OWNERS MAY PETITION DIRECTLY BOR TO SPEAK FOR BOR TO REJECT A AMENDMENT VOTES ON BOTH OF THE PROPOSED AMENDMENTS.**

**#3. LAND USE COMMITTEE HAS UNANIMOUSLY CONFIRMED AUTHENTICATION.**

**TONIGHT -**

**1. WE NEED A VOTE TO SUPPORT LAND USE UNANIMOUS VOTE TO SPEAK TO AMENDMENT APPLICATION ON MP #433**

**AND -**

**2. WE ASK THAT AMENDMENT APPLICATION MP #432 BE MOVED TO YOUR OUTSIDE, OBJECTIVE LEGAL COUNSEL TO MAKE A RULING ON WHETHER TO 'ALLOW PROPERTY OWNERS TO SPEAK TO BOTH #432 AND 433'...MAY BE THIS ITEM MAY BE PULLED OUT OF COMMITTEE FOR THAT EVALUATION.**

**THANK YOU.**

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**ATTACHMENTS: EXHIBIT A – 2015 MASTER PLAN MAP FOR APPLICATION MP 433  
EXHIBIT B – 2015 MASTER PLAN MAP FOR APPLICATION # MP 432  
EXHIBIT C – STAMFORD CHARTER ORDINANCE SEC C6 - 30-7**


**RESPECTFULLY SUBMITTED,  
PETER J. QUIGLEY  
FEBRUARY 4, 2019**

Exhibit A

**FOR PUBLICATION: THE ADVOCATE**

**ONE INSERTION: WEDNESDAY, JANUARY 9, 2019**

**BILL TO:** City of Stamford  
Planning Board  
888 Washington Boulevard  
Stamford, CT 06904  
(203) 977-4718

  
TOWN CLERK, CITY OF STAMFORD

**FILED: JAN 09 2019**

For Questions Call: Mary Judge  
Stamford Land Use Bureau  
(203) 977-5704

**LEGAL NOTICE  
PLANNING BOARD - CITY OF STAMFORD**

**APPL. MP-433** – Notice is hereby given that the Planning Board of the City of Stamford, CT on **Wednesday, January 2, 2019 Adopted** an amendment to the City of Stamford Master Plan Map to change a portion of properties currently located in Category 4 (Residential - Medium Density Multifamily) and Category 6 (Commercial - Neighborhood) to Category 5 (Residential - Medium Density Multifamily). The subject properties are commonly known as 701 & 705 Pacific Street; 13 & 43 Woodland Avenue; 0, 784 & 804 Atlantic Street and 12, 18 & 20 Walter Wheeler Drive and are further described as follows:

**Area A - Land to be changed from Category 4 to Category 5:**

Property fronting on the south side of Woodland Avenue, known as 43 Woodland Avenue

**Area B - Land to be changed from Category 4 to Category 5:**

Property fronting on the south side of Woodland Avenue, known as 13 Woodland Avenue  
Property fronting on the east side of Atlantic Street, known as 0, 784 & 804 Atlantic Street  
Property fronting on the north side of Walter Wheeler Drive, known as 12, 18 & 20 Walter Wheeler Drive

**Area C - Land to be changed from Category 6 to Category 5:**

Property fronting the east side of Pacific Street, known as 701 & 705 Pacific Street

The premises with respect to which this application has been made are shown and delineated on the sketch set forth below:



**LEGAL NOTICE**  
**PLANNING BOARD - CITY OF STAMFORD**

**APPL MP-433** - Notice is hereby given that the Planning Board of the City of Stamford, CT on **Wednesday, January 2, 2019** Adopted an amendment to the City of Stamford Master Plan Map to change a portion of properties currently located in Category 4 (Residential - Medium Density Multifamily) and Category 6 (Commercial - Neighborhood) to Category 5 (Residential - Medium Density Multifamily). The subject properties are commonly known as 701 & 705 Pacific Street; 13 & 43 Woodland Avenue; 0, 784 & 804 Atlantic Street and 12, 18 & 20 Walter Wheeler Drive and are further described as follows:

**Area A - Land to be changed from Category 4 to Category 5:**

Property fronting on the south side of Woodland Avenue, known as 43 Woodland Avenue

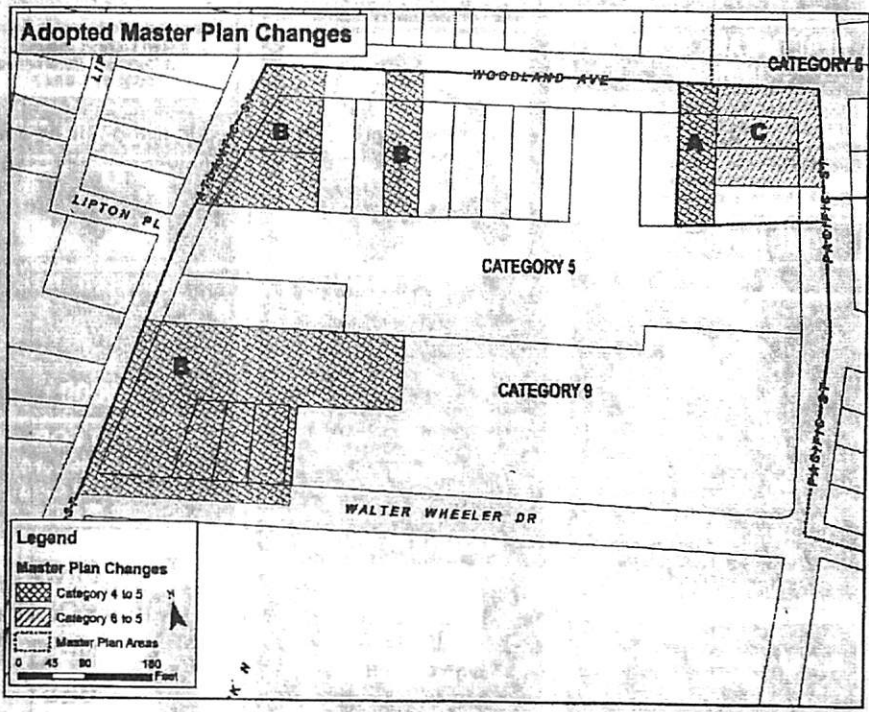
**Area B - Land to be changed from Category 4 to Category 5:**

Property fronting on the south side of Woodland Avenue, known as 13 Woodland Avenue  
Property fronting on the east side of Atlantic Street, known as 0, 784 & 804 Atlantic Street  
Property fronting on the north side of Walter Wheeler Drive, known as 12, 18 & 20 Walter Wheeler Drive

**Area C - Land to be changed from Category 6 to Category 5:**

Property fronting the east side of Pacific Street, known as 701 & 705 Pacific Street

The premises with respect to which this application has been made are shown and delineated on the sketch set forth below:



The effective date of this **APPROVAL** is January 21, 2019.

ATTEST: THERESA DELL, CHAIR  
PLANNING BOARD

Dated at the City of Stamford, CT this 9th day of January 2019

# Exhibit B

## LEGAL NOTICE PLANNING BOARD - CITY OF STAMFORD

APPL. MP-432 - Notice is hereby given that the Planning Board of the City of Stamford, CT at its meeting held on Wednesday, January 2, 2019 APPROVED AS MODIFIED the following amendment to the Master Plan of the City of Stamford, upon the application of The Strand/BRC Group LLC, 5-9 Woodland Avenue LLC, Woodland Pacific LLC and Walter Wheeler Drive SPE LLC to amend the City of Stamford Master Plan Map to change a portion of properties currently located in Categories 4 (Residential - Medium Density Multifamily) and 6 (Commercial - Neighborhood) to Category 5 (Residential - High Density Multifamily). The subject properties are commonly known as 707 Pacific Street; 5, 9, 17, 21, 23, 25, 29, 39 and 41 Woodland Avenue and 796 Atlantic Street and are further described as follows:

### Area I - Land to be changed from Category 4 to Category 5:

**Area:** 4.54± Acres (197,663± SF)

#### Description:

- Northerly: 168'± by Atlantic Street and by land n/f of Estate of Joseph Antoni Pawlik, each in part;
- Westerly: 182'± by said Estate of Joseph Antoni Pawlik and by Woodland Avenue, each in part;
- Northerly: 85'± by the centerline of said Woodland Avenue;
- Easterly: 182'± by land n/f of Neighborhood Housing Services of Stamford, Inc.;
- Northerly: 50'± by said Neighborhood Housing Services of Stamford, Inc.;
- Westerly: 182'± by said Neighborhood Housing Services of Stamford, Inc. and said Woodland Avenue; each in part;
- Northerly: 350'± by the centerline of Woodland Avenue;
- Easterly: 171'± by said Woodland Avenue and by land n/f of Katchko Properties, LLC, each in part;
- Northerly: 99'± by said Katchko Properties, LLC and by land n/f of Woodland Pacific, LLC, each in part;
- Easterly: 141'± by land n/f of Woodland Pacific, LLC;
- Southerly: 145'± by land n/f of Walter Wheeler Drive SPE, LLC (Unit C2);
- Easterly: 29'± by said Walter Wheeler Drive SPE, LLC (Unit C2);
- Southerly: 674'± by said Walter Wheeler Drive SPE, LLC (Unit C2), by land n/f of Special District Unit (SDU#1), by land n/f of Walter Wheeler Drive SPE, LLC, (Unit C1), by land n/f of Holy Name Athletic Club Inc., and by Atlantic Street, each in part; and
- Westerly: 157'± by the centerline of said Atlantic Street.

### Area II - Land to be changed from Category 6 to Category 5:

**Area:** 0.05± Acres 2,098± SF

#### Description:

- Northerly: 45'± by land n/f of Carmelo Tomas, et al;
- Easterly: 45'± by n/f of Woodland Pacific, LLC;
- Southerly: 49'± by said land n/f of Woodland Pacific, LLC; and
- Westerly: 45'± by land n/f of Katchko Properties, LLC.

**Area III - Land to be changed from Category 6 to Category 5:**

**Area:** 0.10± Acres 4,503± SF

**Description:**

**Northerly:** 100'± by land n/f of Carmelo Tomas, et al and by Pacific Street, each in part;

**Easterly:** 45'± by the centerline of said Pacific Street;

**Southerly:** 100'± by said Pacific Street and land n/f of Woodland Pacific, LLC, each in part; and

**Westerly:** 45'± by said land n/f of Woodland Pacific, LLC.

**Area IV - Land to be changed from Category 4 to Category 5:**

**Area:** 0.33 Acres (14,166± SF)

**Description:**

**Northerly:** 100'± by land n/f of Woodland Pacific, LLC and by Pacific Street, each in part;

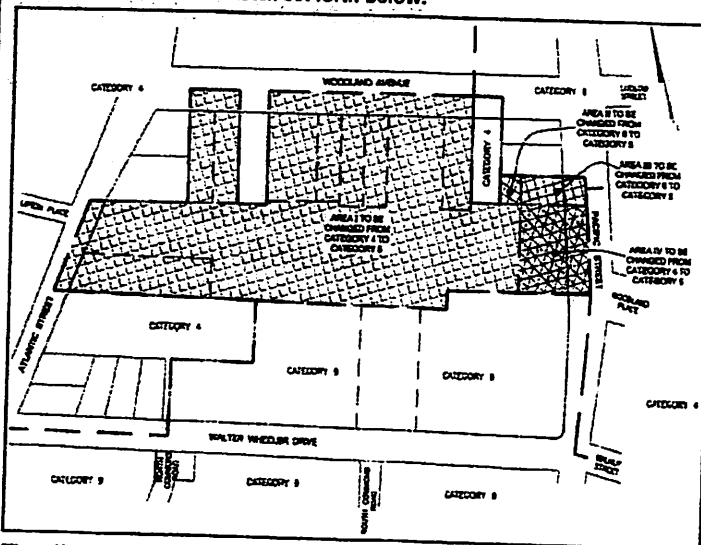
**Easterly:** 141'± by the centerline of said Pacific Street;

**Southerly:** 100'± by said Pacific Street and by land n/f of Walter Wheeler Drive SPE, LLC (Unit C2); each in part

**Westerly:** 141'± by land n/f of Woodland Pacific, LLC.

**Total Area of Combined Change:** 5.02± Acres (218,420± SF)

The premises with respect to which application has been made are shown and delineated on the sketch set forth below:



The effective date of this APPROVAL is January 21, 2019.

ATTEST: THERESA DELL  
CHAIR, PLANNING BOARD  
CITY OF STAMFORD, CT

Dated at the City of Stamford, CT,  
This 9<sup>th</sup> day of January 2019

(S.A. No. 619, 1953)

- **Sec. C6-30-5. - Amendments to Master Plan.**

The Master Plan may be amended by the Planning Board provided, prior to such action, the Board shall hold at least one public hearing, notice of which shall be given as hereinafter provided in Section C6-30-9, which notice shall include a clear and accurate map showing the bounds of any area affected together with the Board's reasons therefor.

(S.A. No. 619, 1953)

- **Sec. C6-30-6. - Petitions for Amendment to Master Plan.**

Any Stamford property owner or governmental agency, Department, Board or Official may file a written petition with the Planning Board for an amendment to the Master Plan. Such petition shall be scheduled for at least one public hearing to be held within sixty (60) days from the date said petition was filed, upon notice as hereinafter provided in Section C6-30-6 which notice shall be accompanied by a clear and accurate map showing the bounds of any area affected. Each petitioner, upon filing a petition pursuant to this Section, shall pay a filing fee in such amount as may be prescribed by the Board and shall leave his or her name and address with the secretary of the Board. A copy of the decision of the Board in such matter, signed by the Secretary or Chairperson of the Board, shall be sent to the petitioner by registered mail at the time of the official publication of such decision.

(S.A. No. 619, 1953; Referendum 11-3-1987)

- **Sec. C6-30-7. - Referral to Board of Representatives by Opponents of Proposed Amendments.**

If twenty (20) percent or more of the owners of the privately-owned land in the area included in any proposed amendment to the Master Plan, or the owners of twenty (20) percent or more of the privately-owned land located within five hundred (500) feet of the borders of such area, file a signed petition with the Planning Board within ten days after the official publication of the decision thereon, objecting to the proposed amendment, then said decision shall have no force or effect but the matter shall be referred by the Planning Board to the Board of Representatives within twenty days after such official publication, together with written findings, recommendations and reasons. The Board of Representatives shall approve or reject such proposed amendment at or before its second regularly-scheduled meeting following such referral. When acting upon such matters the Board of Representatives shall be guided by the same standards as are prescribed for the Planning Board in Section C6-30-3 of this Charter. The failure of the Board of Representatives either to approve or reject said amendment within the above time limit shall be deemed as approval of the Planning Board's decision.

(S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987)

- **Sec. C6-30-8. - Referral to Board of Representatives by Proponents of Proposed Amendments.**

If more than fifty (50) percent of the owners of the privately-owned land in the area included in the proposed amendment to the Master Plan, or if the owners of more than fifty (50) percent of



2. **ZB #218-47 - MR. & MRS. MATTHEW REINHARD - 32 PULASKI STREET - Site & Architectural Plans and/or Requested Uses, Special Exception and Coastal Site Plan Review:** Applicant is requesting a Special Exception pursuant to Section 7.3 (Bonus for Historic Buildings) to convert the first floor warehouse into residential. Property is located within the R-MF Zone. The applicant is requesting an historic building bonus as per Section 7.3 to convert a first floor warehouse into residential space at 32 Pulaski Street. After a brief discussion, Mr. Tepper recommended approval of ZB Application #218-47 and that this request is compatible with the neighborhood and consistent with Master Plan Category #14 (Open Space - Public Parks); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

**PLANNING BOARD DISCUSSION - MASTER PLAN AMENDMENT:**  
*(Continued from the November 27, 2018 Public Hearing)*

Ms. Dell opened the discussion on Master Plan Amendments #MP-432 (The Strand/BRC Group, LLC; 5-9 Woodland Avenue, LLC; Woodland Pacific, LLC and Walter Wheeler Drive SPE) and #MP-433 (The City of Stamford Planning Board) and explained that this is a continuation from the Public Hearing held on November 27, 2018 where the applicants presented their proposals and the public was allowed to come before the Board. Ms. Dell stated again that the public portion of the hearing was closed at that time and no further input from the public would be allowed and this would be a discussion for the Planning Board only. The Alternates would be included in the initial discussion but once it has been decided no further discussion is required from the entire Board that portion would be closed and any final discussion for rendering a decision would be limited to the five voting members. Dr. Woods made a brief presentation summarizing both applications.

Ms. Dell mentioned stated that at the November 27, 2018 Public Hearing Mr. Robert Katchko, owner of 43 Woodland Avenue (Property A), had requested to remain in Master Plan Category 4. In addition, Mr. Carmine Tomas, owner of the building at 701 & 705 Pacific Street, who had spoken at the November 27, 2018 Public Hearing, and was asked by the Planning Board if he would like to remain in Category 6 or be included in the change to Master Plan Category 5. Ms. Dell asked Mr. Tomas to clarify if he would like to remain in Master Plan Category 6.

Ms. Dell began the discussion on Master Plan Amendments #MP-432 & #MP-433.

➤ The first element the Planning Board discussed was whether to include all of the properties in the Master Plan, which is a 10 year projection, and not omit any of the parcels.

The Planning Board discussed both Amendments as they are companion applications. However, the Board's recommendation for approval was separate.

After approximately two (2) hours of discussion, the Board reached a consensus on the following:

- a. All parcels are included in the block as surrounded by Atlantic Street, Woodland Avenue, Pacific Street and Walter Wheeler Drive. This includes 43 Woodland Avenue and 701 & 705 Pacific Street;
- b. The Board concluded that Master Plan Category 9 (Urban Mixed-Use) with a density of 162 units per acre was too intense for this area where the Board has consistently argued is an area that should have a clear step-down from the Harbor Point development, and
- c. The Board concurred (mostly) that instead of Master Plan Category 5 & 9 for the parcels requested the Board adopted Master Plan Category 5 for all of the parcels and rejected the request by the applicant to amend Parcel V to Master Plan Category 5 from Master Plan Category 9.

Upon completion of the discussion, the Planning Board made two (2) motions of approval; one for each application.

2. **ZB #218-47 - MR. & MRS. MATTHEW REINHARD - 32 PULASKI STREET - Site & Architectural Plans and/or Requested Uses, Special Exception and Coastal Site Plan Review:** Applicant is requesting a Special Exception pursuant to Section 7.3 (Bonus for Historic Buildings) to convert the first floor warehouse into residential. Property is located within the R-MF Zone. The applicant is requesting an historic building bonus as per Section 7.3 to convert a first floor warehouse into residential space at 32 Pulaski Street. After a brief discussion, Mr. Tepper recommended approval of ZB Application #218-47 and that this request is compatible with the neighborhood and consistent with Master Plan Category #14 (Open Space - Public Parks); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

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