



South Western Regional Planning Agency
Stamford Government Center
888 Washington Boulevard, 3rd Floor
Stamford, Connecticut 06901
203 316 5190 Phone
203 316 4995 Fax
www.swrpa.org

REPORT OF THE REFERRALS COMMITTEE

January 29, 2008

Committee Chairman Jack Halpert called the meeting to order at 2:00 p.m. Also in attendance were Committee members Paul Settemeyer, Margaret Wirtenberg, Nathan Snyder, Leigh Grant, Michael Stashower and Rob Young. Floyd Lapp, Executive Director and Benjamin Henson, Regional Planner of SWRPA were also present. Paul Settemeyer abstained from voting on recommendations. The Committee recommends the following actions related to the referrals reviewed at the meeting which was adjourned at 3:00 p.m.:

Referral No. 08-01 – Text Amendment, Zoning Regulations, Stamford

**The tentative January 24, 2008 hearing is scheduled prior to the Housing Committee and SWRPA Agency meetings. This prevents SWRPA from providing Stamford with comments and recommendations for the hearing.*

Referrer: Stamford Zoning Board, Land Use Bureau

Applicant: Redniss & Mead, Inc.

Received: December 26, 2007

Hearing: January 24, 2008

Contact: Norman Cole, Principal Planner

Authority: 8-3b

Proposal: Text amendment to the Stamford Zoning Regulations Article II, Section 7-R.

Description: The proposed text amendments are shown below. The stricken text is removed and the underlined text added.

~~Any existing building or complex of public housing buildings~~ Property within the R-5 and/or RM-F districts ~~constructed to be developed, redeveloped or rehabilitated, in whole or part~~ with the use of mortgage assistance or financing, insured, procured or guaranteed through local, state or federal housing assistance programs may utilize the following special standards, permitted uses and review procedures subject to issuance of a Special Exception from the Zoning Board, ~~provided.~~

a) The minimum land area is three (3) acres, inclusive of public and private rights-of-way, where applicant ownership exists on both sides of said rights-of-way. Proposed lots where home ownership is available shall be no less than 2,000 square feet. Residential density shall be governed

by the standards of the R-5 and/or R-MF Districts, including applicable Below Market Rate and bonus density requirements, provided that R-5 density may be increased to 25 dwelling units per acre.

e) Usable open space shall be provided ~~at a rate of not less than 500 square feet per dwelling unit, subject to approval of location, dimensions and design on site, in an amount consistent with the requirements of Section 7-Q, provided that the design, location and dimensions of open space shall be subject to determination~~ by the Zoning Board

Staff Comments & Recommendation: The proposed changes allow for a public housing development within the R-5 districts to apply for a special exception from the Zoning Board that would grant a maximum density of 25 units/acre. This is in line with this site's underlying Master Plan Category 3. A previous application was submitted to change the site's category from Category 15 (General Industrial) to Category 3 (Residential-Low Density Multifamily). Land use Category 3 calls for a maximum density of 17 units/acre which can increase to 25 units/acre via Special Exception. A request to rezone 300 Stillwater Ave., Lot 2A from M-L (Light Industrial) to R-5 (Multiple Family Medium Density Design) is pending.

The other effect of this amendment is to drastically reduce the amount of open space required. Currently, 1,000 sq ft of open space per dwelling unit is required for R-5 residential developments using public funding. The proposed change utilizes the open space requirements for *non*-publicly funded R-5 developments. The applicant is proposing ± 250 sq ft of usable open space per dwelling unit, representing a 75% reduction in open space. SWRPA very strongly supports the development of affordable housing units, but not necessarily at the expense of limiting open space opportunities. Staff recognizes that in this particular case, there is a large park in the vicinity. Lionel Park is just across the street. However, this amendment affects *all* R-5 districts in Stamford where public housing developments may occur. There are multiple instances where R-5 districts abut neighboring Greenwich and Darien. Due to this potential inter-municipal impact, SWRPA staff **does not recommend approval of Referral No. 08-01** to the Stamford Land Use Bureau.

Referral No. 08-02 – Text Amendment, Zoning Regulations, Stamford

Referrer: Stamford Zoning Board, Land Use Bureau

Applicant: Stamford Zoning Board, Land Use Bureau

Received: January 8, 2008

Hearing: February 25, 2008

Contact: Norman Cole, Principal Planner

Authority: 8-3b

Proposal: Text amendment to the Stamford Zoning Regulations Article III, Section 9-A R-D Designed Residential District, Subsection 2.e Area and Yard Requirements (1).

Description: The proposed text amendment is shown below (underlined).

The placement of all principal buildings shall provide for a safe, efficient and harmonious grouping as well as adequate privacy by providing adequate front, side and rear yards subject to the approval of the Zoning Board. Every dwelling unit shall have direct vehicular access to a highway, right-of-way, or service drive, giving access to a public highway. Named service drives may be designated on the site plan, provided that density does not exceed one dwelling unit per acre and all units are fully

detached, and the names of such service drives and associated addresses are approved by the City Engineer and are recorded on the Stamford Land Records.

Staff Comments & Recommendation: The proposed language allows a named service drive to be recorded in the same fashion as a street and addresses assigned to the units it serves, provided they are detached units at 1 unit/acre. Condominium developments are the most likely to be affected by this change. This change is clerical in nature and will not affect development patterns in any way. No inter-municipal impacts are anticipated. SWRPA staff recommends **approval of Referral No. 08-02** to the Stamford Land Use Bureau.

Referral No. 08-03 – Text Amendment, Zoning Regulations, Norwalk

Referrer: Norwalk Planning Commission

Applicant: Norwalk Zoning Commission

Received: January 9, 2008

Hearing: February 20, 2008

Contact: Dori Wilson, Senior Planner

Authority: 8-3b

Proposal: Text amendment to the Norwalk Building Zone Regulations Article 80, Section 118-830 – Special Uses (A).

Description: The proposed text amendments are shown below. The stricken text is removed and the underlined text added.

Bus shelters and accessory operational facilities shall be permitted in any district, subject to the approval of the Commission. The Commission may, consistent with public health, safety and welfare, waive, in whole or in part, the setback and height requirements for such ~~a~~ structures.

Staff Comments & Recommendation: The proposed language allows undefined accessory operation facility uses to be constructed anywhere in the City of Norwalk with no restrictions of height or setback. The lack of a definition for the proposed use creates the potential to classify almost any structure or use as such. Allowing such an ambiguously defined use to locate anywhere in the city and further eliminating setback and height restrictions may not be in the best interest of Norwalk or its neighbors. Norwalk is bordered by Darien, New Canaan, Westport and Wilton. This change does pose potential inter-municipal impacts. SWRPA staff **does not recommend approval of Referral No. 08-03** to the Norwalk Planning Commission.

Referral No. 08-04 – Coastal Site Plan Review, Darien

**SWRPA received this referral on January 24, 2008, two business days prior to the Referrals Committee meeting and 20 days prior to the hearing date. An Environmental and Coastal Impact Assessment was not included in the referral package. SWRPA will comment on the potential for inter-municipal impacts, but has not been afforded the time to draw conclusions concerning the impact of the development upon the site.*

Referrer: Darien Zoning Board of Appeals

Applicant: Darien Pak & Recreation Commission

Received: January 24, 2008

Hearing: February 13, 2008
Contact: Robert Woodside, Code Compliance Officer
Authority: 8-3b

Proposal: Applicant is requesting a variance of *Section 820 – Flood Damage Protection* of the Darien Zoning Regulations and has submitted a Coastal Site Plan for review.

Description: In June 2006, a master plan to upgrade and expand existing facilities at Weed Beach Park was approved by the Town of Darien. The park is 24 coastal acres lying southwest of Brush Island Rd. and Nearwater Ln. The site plan calls for:

1. Relocation of the existing gate house to allow for widening of the drive
2. Renovation of the existing sailing building to provide handicap accessibility. The on-site septic system will be vacated and a new sanitary line installed to service the building. All utility poles will be removed and all electric lines placed below ground.
3. Replacement of the existing bath house with a new facility that will include a detached concession stand. The structures will be connected via a covered plaza and both accessed by a boardwalk surrounding the facilities. The boardwalk will be handicap accessible. A variance from the Zoning Regulations is requested for this facility.
4. Construction of a warming hut to house the platform court attendant and provide storage.
5. Construction of a permanent picnic pavilion.
6. Creation of pervious walking trails throughout the site.
7. Designation of a light craft (boat) launch.
8. Reconstruction of the surface parking lot. The existing lot has 250 spaces. The proposal calls for removing enough pavement so that there will be 141 paved spaces and 81 overflow spaces utilizing turf pavers. This will reduce the site's impervious surface cover.
9. Placement of all utilities underground. The site will be served by electric, telephone, cable, water and sanitary services.

The applicant is requesting a variance from *Section 820 – Flood Damage Prevention* of the Zoning regulations to allow the construction of the new bath house use. The proposed finished floor elevation is 10.5 ft. The Regulations require an elevation of 14 ft. The application states that meeting this requirement would “require the structure to be considerably higher than the surrounding areas and would impact the vista and accessibility that is required at this site”. The applicant also points out that the existing building that is being replaced currently sits at an elevation of 9 ft.

Staff Comments & Recommendation: The proposed site plan was submitted by the Town of Darien's Parks and Recreation Commission. It represents an attractive and needed upgrade of the site and facilities at Weed Beach Park. Constructing the proposed bath house at a finished grade elevation of 10.5 ft. instead of the required 14 ft. may not be in line with the local Zoning Regulations, but does not pose potential inter-municipal impacts. SWRPA staff is not able to comment on the site plan's environmental and coastal impact. SWRPA staff recommends **approval of Referral No. 08-04** to the Darien Zoning Board of Appeals. Additional consideration should be granted to the City of Stamford concerning this redevelopment.