



Land Use-Urban Redevelopment Committee – Board of Representatives

Bradley Bewkes, Chair

Nina Sherwood, Vice Chair

Committee Report

Date: Thursday, May 19 2022
Time: 7:00 p.m.
Place: *This meeting was held remotely.*

The Land Use – Urban Redevelopment Committee met as indicated above. In attendance were Chair Bewkes, Vice Chair Sherwood and Committee Member Reps. Adams, Campbell, de la Cruz, Florio, Grunberger, Matheny, Mays, Summerville, and Tomas. Also present were Reps. Baxter, Boeger, Miller, and Morson; Ralph Blessing, Land Use Bureau Chief; Doug Dalena, Corporation Counsel; and Barry Michelson, Stamford Neighborhood Coalition. Rep. Adams left the meeting at 8:00 p.m.

Chair Bewkes called the meeting to order at 7:04 p.m.

Item No.	Description	Invitee(s) or Designee(s)
1. LU31.016	RESOLUTION; Recognizing Fairfield Avenue from Richmond Hill to West Main Street with the Honorary Name of "Dr. Joyce Yerwood Way". 05/04/22 – Submitted by Reps. Adams, Baxter, Campbell and Summerville	Approved 11-0-0

Committee members discussed whether or not to hold this item, given the late submission of the text of the resolution. It was noted that by approving it tonight, the resolution could be part of the Juneteenth Celebration.

A motion to approve Item No. 1 was made, seconded, and approved by unanimous voice vote (Reps. Bewkes, Sherwood, Adams, Campbell, de la Cruz, Florio, Grunberger, Matheny, Mays, Summerville and Tomas in favor).

2. LU31.015	REJECTION <u>and public hearing</u> ; Appeal of Approval of ZB Appl. 222-01: Omnibus Text Changes Clean-Up 3. 04/04/22 – Submitted by Zoning Board 04/21/22 – Report Made & Held by Committee 8-0-0	Approved 7-2-0
-----------------------------	---	-----------------------

Chair Bewkes opened the public hearing at 7:18 p.m.

- Kieran Edmondson spoke about the members of the Board of Representatives proposing ideas to the Zoning Board for construction boundaries.
- Adam Cowing spoke in opposition to the repeal of the proposed text changes because it would make it more difficult to operate childcare in Stamford. Specifically, the amendment expands the number of districts where licensed group childcare is permitted, without going through the special permit process, which takes a long time and involves

significant cost. This amendment eliminated red tape and would permit more needed childcare providers.

- Stephen Garst stated that there was little public awareness or input into the text changes, specifically the change permitting conversion of commercial properties to residential properties “as of right”.
- Paula Waldman stated that there was no public hearing for the follow-up text changes after the public hearing was held and commented on the destruction of nature in the City.
- Davette Stephens spoke about her difficulty in switching from a home daycare provider to a group daycare provider because of the current special permit process.
- Nichelle Waddell spoke about her difficulty in switching from a home daycare provider to a group daycare provider because of the current special permit process and in favor of the proposed text changes.
- John Testin stated that the proposed text changes make it easier to rezone for residential development with little public input. He would like to see development of more retail and restaurant space or open areas such as parks and not multifamily developments.
- Peter Quigley stated that the proposed text changed encourage high rise overdevelopment and the Board of Representatives should exercise oversight of the Land Use Boards
- Jeanette Bilcznianski spoke about the length of the proposed changes and requested that future proposals be of a digestible length and that the Zoning Board should have left the application open for future comments.
- Elizabeth McCauley read a portion of the following statement into the record (she did not have time to complete them):

I am Elizabeth McCauley, a prior long time resident of Stamford and a current property owner of a home in the South End that has been in our family for close to 100 years. I support the petition that was filed against the text clean up for Application 222-01 as pertains to multifamily development. (which by the way was very confusing to follow).

It is very concerning that this text cleanup (and many similar ones) pass through Land Use and Zoning with the expected rubber stamp without any regard for or adjustment to proposed zoning changes based on the public voice. I am not in favor of exchanging green space for density and for every parcel to be maxed out as seems to be the trend. We need to turn things around and build to some level of neighborhood character and stable, healthy human living proportions of low and medium density housing in keeping with the 2015 Master Plan. Doing so will protect surrounding property values, lessen traffic congestion which is already beyond its peak and alleviate dangerous challenges to infrastructure.

It is also concerning that additional zoning changes of substance (more than a clean up) were made after the close of the public session, namely, "Commercial Buildings Conversion to Residential AS A Right" allowing existing office buildings in some residential and C-D districts under certain circumstances to be made into higher density residential dwellings, some in traditional single family neighborhoods, as well as the permitting of modifications of certain zoning requirements without a public hearing or public input to do what they refer to as “streamlining” the approval process.

We, the property owners and residents of Stamford, of course, recognize the need for more housing and the opportunity that the properties of existing office buildings can offer, but it cannot be the approach of building higher with less parking requirements to begin the cycle of excessive density all over again such as has happened in the South End where there is minimal open space,

more cars than expected and serious challenges of overcrowding of people and cars with more coming.

I want to affirm that I and others who have signed the petition are in favor of housing in those areas, but not of the high density type that this text change will allow on the properties. Land Use has repeatedly misinterpreted the petition saying we are against developing office buildings into housing which is not the case. We have consistently emphasized the need for affordable home ownership opportunities with balanced and thoughtful development. Further, conversions should not take place as right but should be presented with due notice to residents with a chance for their voice to be heard. We rightly expect full transparency and even a better notification process.

Last week, there was a Charter Revision public session which was well advertised on the city website, in the public notice section of the Stamford Advocate and also as a front page article, all of which is better outreach than what occurs for the Planning and Zoning topics as many people in the City are not aware enough of the process to stay on top of the topics on a timely manner and are shut out of the process until they read about the decisions the next day on the front page. I do thank Ralph Blessing for accepting the request of neighborhood groups to get informed about map and text changes and to do walk arounds in advance of public hearings as it leads to a better understanding and more informed residents. More of this type of outreach is needed and appreciated.

In closing, all voices matter and all petitions should receive the respect and attention that they deserve as presented by long time tax paying residents looking to protect their neighborhoods. Zoning officials need to give consideration to valid concerns, not just listen and nod.

Zoning and Land Use have obligations to not consistently only 'chase the money' but to protect the land with appropriate projects which conform to zoning rules, not the other way around of changing at the whim of any applicant who comes along and to benefit developers.

We look forward to working together and establishing trust in the days to come as to hear but not act - is to not listen or care and the people of Stamford deserve to be represented in these important decisions with concessions made in favor of the people.

- Susan Bell stated that she is concerned about overdevelopment in the City and too much water use and that all elected officials should be required to live in Stamford.
- John Pace stated that he is concerned about the proposed changes permitting commercial buildings to be converted to residential buildings without any public input.
- Michael Battinelli stated that the City is adding developments without adding to emergency services or schools.
- Kerry Safir asked that the following comments be read into the record:

Thank you for the opportunity to submit my sentiments to you for consideration.

It seems a bit deceitful to suggest a clean up of regulations and not engage the public in that review process. Not only are the regulations near impossible to navigate the legal jargon, but they appear to be for the benefit of developers.

As such, my issues with this process are as follows:

1. Lack of resident input: In Stamford, there are several very active and capable Neighborhood Associations that would be willing to engage in a dialogue to provide the perspective of the residents who live here. It is OUR community, and we deserve to be represented and heard when it comes to changes like the

ones you are proposing. It is your JOB to do this work, so your perspective is skewed toward getting that job done. To allow the Zoning Board full authority to approve/deny conversions is ridiculous. You are all employees of the City of Stamford, which is in part funded by the residents who live here. This is OUR City.

2. Residential buildings: To allow the continued development of residential dwellings in Stamford is obscene. We have witnessed, in the last 15+ years 65 new apartment buildings with 15,000 rental units. Is that not enough? Residents have seen little or no benefit to the education system, except further over-crowding. It's also causing congestion, parking issues and overdevelopment. Don't be greedy. We want to grow in the RIGHT way because once it's done, it can't be undone.

3. Zoning and Land Use responsibilities: The purpose of these departments is to protect our communities. Any and all considerations with regard to (re)development should always consider populations density, congestion, impact on public services and infrastructure, and conserving the value of our properties. The changes negate the responsibilities of these departments; however, it is precisely where the community can help evaluate the REAL impact of your decisions.

4. Transparency and City Communications: The communication that comes from the city is so poor it's next to never. Many of us have day jobs and aren't looking for the nuance changes being snuck under residents' radar. It is the job of the City to make us aware of these significant changes BEFORE they happen so we can weigh in. For some time, we have been living in a high-speed communications era where information can be shared with a few clicks of a mouse. What are the tangible and intangible benefits to those of us who pay taxes to the City?

In closing, there is absolutely no clear benefit of these changes to residents. This feels a little like "taxation without representation."

Thank you for your time.

- Karen Camporeale spoke about lack of public input into land use decisions and the need for affordable housing while keeping the character of surrounding residential neighborhoods. She spoke in opposition to the text changes and in support of the more childcare facilities
- Sven Erlandson spoke in opposition to the text changes as being surreptitious
- Frank P. Macchio asked that the following comments be read into the record:

One area I am particularly concerned with is the area of Zoning and over-development. In recent years, we have seen an influx of attempted Zoning changes in single family neighborhoods. The community is worried that our neighborhoods are being sold to the highest bidders. And I am sure these big business construction conglomerates are eager to continue over-developing our community and giant construction companies will own two thirds of our housing. The homeowners of Stamford will be left to deal with the collateral damage of it all. The purpose of zoning is to "determine the most appropriate use of land, regulate population density, lessen traffic congestion on streets, and provide adequate infrastructure for the community in transportation, water, sewage, schools, parks, and other public requirements." This is achieved by zoning regulations such as height, size, and use of buildings and how they fit into the community as a whole. Development should conform to Zoning Regulations and not subject to change by every applicant for purpose of increasing density, decreasing parking, and reducing open space. Sacrificing of open space penalizes residents and rewards developers. We want infrastructure that is sufficient and can support new development before the

development is approved. Zoning should respect existing home ownership and create incentives for new affordable ownership opportunities that are compatible with existing neighborhood character.

- Cynthia Bowser spoke in opposition to the proposed text changes and overdevelopment
- Maureen Boylan asked that the following comments be read into the record:

I am opposed to the Zoning Board's Omnibus Clean Up 3 for several reasons, the one most damaging is how we have a paid employee by the name of Ralph Blessing making text changes to a document that favors developers and continues to ignore the very people that pay his salary, the residents of Stamford! To add insult, the public comment section regarding these changes ended, and yet pages and pages of substantial changes takes place without further public comment. Where is the transparency in all this?

I oppose AS of Right Conversion of commercial buildings to residential because these are dramatic changes that benefit developers. No one in this city's zoning or planning is giving any regards to the quality of life in neighborhoods let alone listening to homeowners. Attorneys are giving opinions that favor developers, they try and manipulate petitions, what has happened to property rights of home ownership. These dramatic changes are not in the best interest of the city or homeowners, and the lack of transparency is paramount. This so called clean up changes favor developers and would hope the Land Use will vote this down!

Regards

- Dora Ramos spoke in support of the proposed text changes permitting the expansion of home day care to group day care.
- Yazmin Iglesias spoke about that the proposed text changes would make it easier to operate needed childcare in the City because of the slow and expensive current process, but that it is disappointing that the needed childcare changes are all lumped together. Process has been manipulated because they are all lumped together with unfavorable changes. Not in favor of the overdevelopment of Stamford nor for broad stroke changes. Wants to meet concerns of petitioners and help childcare. Zoning Board should be elected.
- Bianca Shinn spoke in support of the proposed text changes specifically for removing barriers to providing childcare in the community.
- Gladys Contreras spoke about the current difficulty of expanding from family day care to group day care and in support of the proposed text changes.
- Zachary Oberholtzer spoke in favor of the proposed text changes, stating that reusing land would reduce traffic. Repurposing unproductive commercial buildings to housing is environmentally friendly; building more densely allows for more public and green space. Office buildings currently provide no affordable housing. He stated that "as of right" means that you may use your property in ways that conform to existing building codes and zoning rules. Promoting walkable dense neighborhoods would reduce parking.
- Kathy Klinger stated that the Zoning Board needs more input from the Board of Representatives and the community. The City needs to focus on green space and affordable housing.
- Martin Vahsen spoke in opposition to the text changes, stating that there need to be more public hearings.
- Edith Presleoy of Stamford Cradle to Career spoke in support of the text changes, stating that Stamford needs more affordable housing so that students have stable housing and do not need to move from school to school.
- Francis Lane spoke about the need for affordable housing
- Monika Twal spoke about the need for neighborhoods to have input into development.
- Robert Grant spoke in opposition to "as of right" language.

- Carmella Dallas spoke in opposition to the text changes, stating they the Board of Representatives should have communicated with residents.
- Jim Locker spoke in opposition to the proposed text changes.
- Beth Conrad questioned what “as of right” means and stated she would like more discussion about this.

There being no further speakers, Chair Bewkes closed the public hearing at 8:53 p.m.

Mr. Blessing responded to the public comments and petition as follows:

- there were misstatements in the petition and in the public comments tonight. Specifically, with regard to the notification requirements, there was a public hearing noticed twice in the paper; and only two people who wanted to speak at the public hearing, who both had the opportunity to speak. There were also information sessions held.
- “as of right” is a normal zoning process so you can go to the building department and get a building permit for work that conforms to the code; the only change in the text change is that it will apply to a very limited set of circumstances, when existing office buildings are being converted
- The density and set backs were not changed in a single district
- There were no changes to districts
- All members of the Zoning Board are required to live in Stamford
- The Zoning Board has done many things that protected and still protect the citizens of Stamford, including: reducing the densities in the VC districts (with the involvement of the Stamford Neighborhood Coalition); adding buffer requirements between the VC district and neighboring single family housing; prohibiting drive-thru’s in all districts other than manufacturing districts; increasing residential parking requirements throughout the City; prohibiting parking in front yards; creating buffer requirements between industrial and residential zones; increasing BMR requirements and closing loopholes; introducing a BMR requirement for substantial renovations; and recently approving a senior housing development on Long Ridge Road that will created 201 units of senior housing and generate \$1.75 million for the city’s affordable housing trust fund that will be used for affordable senior housing
- There were 3 petitions submitted in the last months that all oppose the production of housing in districts where there is no single family housing; the CD district is a commercial district;
 - One petition was against a change that allowed for office parks that are half empty, that are not tax producing, to have residential uses at densities that are not higher than the commercial densities that are allowed there.
 - Another petition was against senior housing, which does not produce school children and is much lower in intensity than any commercial use that is allowed in the CD district, and now the petitioners are against the conversion of empty office buildings into residential space.
 - This one is against the conversion of empty office buildings into residential space
- Under the proposed change the office buildings cannot be expanded, if they are expanded, the developer has to come to the to the Zoning Board and get special permit and there has to be a hearing. In the last five years, Section 10-H has been used twice. Moreover, the other layers of regulation and review would mean that a property that qualified for as-of-right conversion under Section 10-H would most likely have to have a public hearing before the Zoning Board anyway.
- The Zoning Board has introduced a sustainability scorecard which gives letter grades to all new larger developments; a stormwater management manual which requires much

stricter management of stormwater runoff on properties all through town; and a mandatory tree planning requirement; and put in regulations about mandatory electric vehicle parking and bicycle parking

- He finds the narrative that the Zoning Board or the Land Use Bureau being in the pockets of the developers personally offensive.
- What is before the Board now is a limited petition concerning the as-of-right conversion of exiting vacant office buildings into residential spaces, which most of the speakers did not address, but the changes also make group childcare facilities as of right. Not having them as of right creates huge burdens for operators of those facilities.

Mr. Michelson responded to the public comments on behalf of the Neighborhood Coalition and spoke about the petition as follows:

- The Neighborhood Coalition would support the simplification of regulations for group childcare facilities
- They are very concerned about overdevelopment in the City and its effect on infrastructure and neighborhoods
- The way people are informed in this process is inadequate; the circulation of the Advocate is 15,000 subscribers during the week and 25,000 on weekends
- There should be public input at the beginning of the process
- They are concerned about 14 units per acre in CD districts surrounded by residential areas
- They are not saying not to build affordable housing, but that they don't want their neighborhoods negatively impacted by it; they want to maintain a certain ambiance and quality
- Parking is a concern
- Adjustments to the regulations should be consistent with the Master Plan
- The people who have lived in Stamford for 30, 40 or 50 years should have a say in the matter
- There is language about substituting indoor amenity space for outdoor space
- Every project should be looked at in terms of how it relates to the ambiance of the Community
- Corporate complexes provide a unique opportunity for cluster housing with slight density increase considering the surrounding neighborhoods
- The people in the Neighborhood Coalition do not want more apartments
- Opportunities for lower cost housing can be done through zoning

Committee members discussed the proposed changes with Mr. Blessing. Items discussed included the following:

- Many questions from Board members about why all of these changes were clumped together, some small, but some substantive process or policy changes. When the Board changes laws, it is done usually one at a time, not the whole process (which happens similarly in Charter revision, every 10 years)
- These changes allow for any developer to manage short-term (Airbnb) rentals in their buildings, essentially turning them into hotels. A question about renter's rights came up and safety of others in buildings. This was not specifically described in the public notice, but the public notice did refer to the application documents which were available online. Previously only the primary resident could do this with their own apartment. The regulations were changed to not require an owner in higher density zoned areas to live on site for short term rentals; this change was made because if there is a large apartment complex or a company owning an apartment building, there would be no owner on site; there is no short term rental allowed in single family districts; this would not override additional covenants within the building restricting short term rentals; the

current regulations permit apartment hotels in these districts; these changes were described in the narrative

- Questions came up about the legality of some of these changes which affect the coastline. The language regarding waters within or bordering on territorial limits of the City has not been changed; it was only moved. The Harbor Commission been pointed out that this language will need to be changed.
- Questions about the whether the details relayed in the public notices actually represented well some of the more significant changes that were included.
- An application to change the language regarding group daycare centers can be made separately, but that still requires referral to other agencies, a 35-day referral period, two public hearing notices, etc. and will take at least 2 or 3 months
- Mr Blessing said that the Zoning Board has been making text changes for the last 3 years and have grouped things that belong together in individual applications; policy related applications are separate, but the question about what is a policy change vs what is not was discussed.
- This is presented as a cleanup; the section about the conversion of existing office buildings is already there and there are relatively small changes to that section.
- Bunching relatively small things together so they don't have to be noticed separately saves the taxpayers money, but Mr. Blessing mentioned that the issue was not the cost, and transparency would be for the higher good, here.
- If these changes were rejected, Mr. Blessing said that in hindsight he might have done things a little bit differently
- This is one of a series of omnibus text changes, prior ones included parking changes and historic preservation
- These zoning changes are implementing the Master Plan. The Planning Board is the agency responsible for determining if a change is consistent with the Master Plan and all of these changes were referred to the Planning Board which found them consistent with the Master Plan; Zoning is the implementation of the Master Plan. More than 70% of the land area in Stamford, where less than half the population lives, is zoned for single-family housing, so the City does need a variety of different housing types. The Master Plan encourages the conversion of vacant office space to residential use.
- This is the third clean up and contains relatively small changes and technical corrections; when you change one part, that can require the correction of an additional part.
- At the beginning of the process and during the process he did make presentations to various community groups and gave them information about the proposed changes
- Empty office buildings in the CD district are taxed at a lower rate than occupied buildings; the vacancy rate in office parks is about 40%
- The changes for group day care is on page 44 of the [3/11/22 email with updated application](#), and then Appendix A, Table 1 of the [current Zoning Regulations](#) ; the appendix is a list of users and in which districts they are allowed as of right or if a special permit is required; the proposed change replaces the requirement for a special permit as listed in the appendix with an "as of right" use
- The change to pervious service regarding pervious space on page 12 of the [3/11/22 email with updated application](#) has not been changed or eliminated. It has been moved to the table on the top of that page, and the amount of pervious service for some of the VC district has actually increased in certain areas
- The definition of open usable space on page 8 of the [3/11/22 email with updated application](#) has been added to include patios or terraces if 75% of the units have a patio or terrace
- The proposed regulations condensed parts of the regulations to tables in order to make them more readable, for example, 8 pages were condensed into a table

- Many of the bonuses were eliminated and the current bonus provisions in 7s that were kept are in a table to clarify which bonus provisions applied to which district
- Mr. Blessing stated that no substantive changes were made after the public hearing was closed
- The current regulations are bad as to definitions, so definitions were added (this is an ongoing process)
- The goal was to make the regulations more user friendly, so that all items that are defined are italicized within the definitions and the standards for them are now included in one section called “definitions and standards”
- Mr. Blessing stated that the new version is under 400 pages, better organized, has a table rather than 8 pages of text, which he believes is more comprehensible and understandable for the lay person
- The historic preservation bonus has been moved to section 7.3
- Under the current regulations there is conversion as of right for commercial buildings to residential buildings in most instances; for example if there is a conforming commercial building in a commercial district and you want to convert that building into a residential building, the commercial district has a residential density attached to it, and if the building meets that residential density then there is currently conversion as of right. The language in the proposed regulations; changes in this section were available to the public for public comment; these changes were not made after the public hearing.
- The [2/15/22 Clean-up 3 document](#) would have been on the website at the time of the public hearing; in the [3/11/22 email with updated application](#) , the yellow changes were made prior to the public hearing and the blue changes not changes made after the public comment period was closed as part of final editing
- In addition to the notice requirements contained in the Charter, the Zoning Board also has an electronic mailing list and all notices are mailed out to people on that list and notices are also posted on the Zoning Board website
- The change to usable open space for a building within 500 feet of a public park only relates to space usable for the residents of the building, not the public; this substitution with indoor amenities is new, but the prior regulations had lower usable open space requirements; a building across from a park may be better served by having indoor amenities, such as a gym, instead of only outdoor space; not all of the space can be indoor before this there was no requirement for a building to provide usable open space to residents.
- The Master Plan encourages the conversion of vacant office space into residential space; an owner with commercial tenants is most likely going to keep those tenants
- The section regarding payments to Mill River was already in the regulations
- Many of the sections are related to one another and it doesn't make sense to change one half and not the other
- The section on murals is a new section
- Mr. Blessing stated that they have not claimed that they weren't making substantive changes, but what the petitioner said was that the substantive changes were made after the public hearing was closed; every text change, whether or not material, requires a public hearing; the changes made do not affect the district regulations, height limits, extend or increase densities in districts or change parking requirements
- The language changes made after the public hearing, which are shown in blue, do not create or take away rights, according to Mr. Blessing.

A motion to hold this item until May 31, 2022 was made, seconded, and failed by a vote of 2-7-0 (Reps. Grunberger and Mays in favor; Reps. Bewkes, Sherwood, Campbell, de la Cruz, Florio, Matheny and Tomas opposed).

A motion to reject the approval of Zoning Board Application 222-01 was made, seconded, and approved by a vote of 7-2-0 (Reps. Reps. Bewkes, Sherwood, Campbell, de la Cruz, Florio, Matheny and Tomas in favor; Reps. Grunberger and Mays opposed).

Chair Bewkes adjourned the meeting at 12:09 a.m.

Respectfully submitted,
Bradley Bewkes, Chair

This meeting is on [video](#).