Planner’s Memorandum

To: Members, Planning and Zoning Commission
   K. Moynihan, Selectman (via email)
   K. Devereaux, Selectman (via email)
   N. Williams, Selectman (via email)
   I. Bloom, Town Attorney (via email)
   T. Mann, Director of Public Works (via email)

From: Lynn Brooks Avni, AICP Town Planner

Date: Meeting Memo July 23, 2020

There are two (2) public hearing items:

New & Continued Applications:

1. **102 Park Street** – Upon application of Tamera Slupchynskyj, Core Burn Pilates, Authorized Agent for Caroline Realty, LLC, owner, for a Site Plan approval of Section 4.4.C.1 and 4.3.C.9 to allow a change in use from retail to personal services, for property in the Business A Zone at 102 Park Street (Map T, Block 44, Lot 915).

   **Discussion:**
   This is an application to allow a personal services establishment in the Business A Zone (Sect. 4.4.C.1 and 4.3.C.9). The location at 102 Park Street was formerly L’Armoire, a retail establishment, the new tenant, Core Burn Pilates, is proposing a Pilates studio for this space. This location is setback from the sidewalk and the building front is framed with red brick arches which provide a canopy that limit a direct view into the establishment from the sidewalk. This storefront is sandwiched between the Berkshire Hathaway real estate office and the Merril Lynch office. It is located across the street from the bank and is easily within view of the train station. Park Street which runs generally in a north easterly direction towards its intersection with Main Street and southwest until its intersection with Old Stamford. This block is a busy thoroughfare, in the heart of the downtown, with Elm Street to the north and Cherry Street to the south. The subject location is closer to Cherry Street.
The use the applicant has proposed is permitted with site plan approval. Though not required by the Regulations, the Applicant is proposing to utilize the Retail A Zone guidelines which note the retail component needs to be located along the street frontage. According to the plan submitted, the Applicant proposes to make the first 12 feet of the store the retail area. The location is set back from the sidewalk where most pedestrians walk. The building has a parking lot with access off of Cherry Street which this tenant and their customers will be able to utilize. Additionally, the Park Street municipal lot is a short two (2) block walk up the street.

2. Discussion and consideration of the request of Jacqueline O. Kaufman, Carmody, Torrance, Sandak & Hennessey, LLP, Authorized Agent for Thomas A. Sanseverino owner, 8, 10, 12 and 14 Husted Lane and Lynn Corson owner, 16 Husted Lane, Petition for Change in Zoning Boundary, pursuant to Section 8.2.D for properties currently in the B Residence Zone to the Retail B Zone for 8 Husted Lane (Map T, Block 211, Lot 877 ), 10 Husted Lane (Map T, Block 211, Lot 843), 12 Husted Lane (Map T, Block 211, Lot 880), 14 Husted Lane (Map T, Block 211, Lot 874), 16 Husted Lane (Map T, Block 211, Lot 879) as well as Husted Lane.

**Discussion:**

This application is a request for a map change for 8, 10, 12 and 14 Husted Lane from B Residential to Retail B Zone. The Commission will recall that the Applicant gave a pre-application presentation before the Commission at the May 2019 meeting. At the time the Applicant was debating whether a text change to the B Residential Zone Regulations was advisable or whether or more prudent route might be a Map Change. This property is located near the intersection of Main Street and Heritage Hill Road. It is essentially one of the first properties immediately outside the downtown, business and retail zones. This parcel is located at a confluence of zoning districts. It immediately abuts the Apartment Zone to the north; it is zoned B Residential Zone and abuts other B Residential Zones to the east and the Retail B Zone to the south where it abuts the Town’s Locust Street parking lot. Additionally, within one (1) block of the site are the Retail A Zone and the Business A Zone. This parcel is currently improved with five (5) properties: two (2) single family dwellings, one (1) two family dwelling, and two (2) multi-family dwellings. The multifamily dwellings are legally non-conforming.

Husted Lane appears to be a private road that comes off Heritage Hill Road in such a way that the two streets form a letter “y.” There is a total of five (5) lots on Husted Lane; two of the lots have direct frontage on Husted Lane and three (3) of the lots appear to be rear lots with an access drive that has frontage on Husted Lane. The street dead ends at the access drive. Husted is not a through street and one likely wouldn’t drive down Husted
unless they lived there or planned to visit someone on the street. It should also be noted that for a small stretch Heritage Hill Road and Husted Lane run parallel to each other. Additionally, even though the streets run parallel at points there is an elevation change between Heritage Hill Road and Husted Lane. Husted Lane has a lower elevation and is buffered from Heritage Hill Road by some existing landscaping that runs adjacent to the sidewalk on Heritage Hill Road.

3. 8 and 10 Husted Lane – Upon Application of Jacqueline O. Kaufman, Carmody, Torrance, Sandak & Hennessey, LLP, Authorized Agent for Thomas A. Sanseverino, Owner for a Special Permit and Site Plan approval of Sections 4.3, 4.3.D.1, 4.3.D.1.d, 4.8.C, 6.H.1, 8.2.B and 8.2.A to permit a mixed use development containing twelve (12) residential dwelling units and approximately 315 SF of commercial space with associated parking, landscaping, utility and site improvements at 8 Husted Lane (Map T, Block 211, Lot 877) and 10 Husted Lane ((Map T, Block 211, Lot 843) as well as Husted Lane in the proposed Retail B Zone

Discussion:

This is a Special Permit/Site Plan application to construct a twelve (12) unit mixed use development on 8 and 10 Husted Lane. This application is related to the preceding Map Change application. If the Map Change application were successful, the Applicant proposes to construct a twelve (12) unit mixed use building with a small ground floor commercial space of approximately 315 SF. Special Permits are required in the Retail B zone to construct a mixed use development, specifically Sections 4.3.D.1, 4.3.I.d, 4.8.C and 6.H.1.

As noted above, in the Map Change application, this property is located near the intersection of Main Street and Heritage Hill Road. It is essentially one of the first properties immediately outside the downtown, business and retail zones. This parcel is located at a confluence of zoning districts. It immediately abuts the Apartment Zone to the north; it is zoned B Residential Zone and abuts other B Residential Zone to the east and the Retail B Zone to the south where it abuts the Town’s Locust Street parking lot. Additionally, within one (1) block of the site are the Retail A Zone and the Business A Zone. This parcel is currently improved with five (5) properties: two (2) single family dwellings, one (1) two family dwelling, and two (2) multi-family dwellings. The multifamily dwellings are legally non-conforming.

Husted Lane appears to be a private road that comes off Heritage Hill Road in such a way that the two streets form a letter “y.” There is a total of five (5) lots on Husted Lane; two of the lots have direct frontage on Husted Lane and three (3) of the lots appear to be rear
lots with an access drive that has frontage on Husted Lane. The street dead ends at the access drive. Husted is not a through street and one likely wouldn’t drive down Husted unless they lived there or planned to visit someone on the street. It should also be noted that while for a small length Heritage Hill Road and Husted Lane run parallel to each other, there is an elevation change between Heritage Hill Road and Husted Lane. Husted Lane has a lower elevation and is buffered from Heritage Hill Road by some existing landscaping that runs adjacent to the sidewalk on Heritage Hill Road.

The Commission would need to approve the Map Change request in order for them to address the Special Permit application which has some additional specific requests that will need to be addressed. First, the Applicant has requested that the Front Yard Setback be relocated to the Building Line. According to the Regulations (Sect. 2.2) the “Building Line is a line established by the Commission or other competent municipal authority, in back of the street line defining an area between said lines upon which buildings or structures are regulated or prohibited.” The term Building Line seems to refer to the setback and is only used in the commercial and business zones. If the Commission were to look favorably upon the Map Change application this would become a commercial zone (Retail B). In the Residential zone the term Yard Setback (ie. Front, Rear and Side) when referring to the setback areas. Chapter 54 Streets and Sidewalks of the Ordinances and Bylaws of the Town Charter, specifically, 54-3 notes that “until a building line is established in any highway the property line thereon shall be the building line.” Second, the Applicant has requested a modification of the requirement in Sect. 6.H.1 which requires a maximum of ten (10) parking spaces in a row. Instead the Applicant proposes a continuous row of eleven (11) parking spaces with appropriate landscaping. In an effort to avoid locating the parking adjacent to neighboring residential property lines, the Applicant has requested this modification. Additionally, the Applicant has represented that this parking design allows for a greater amount of perimeter landscaping and screening opportunities. A Traffic Access and Impact Study was prepared by Frederick Clarke Associates and dated April 8, 2020. Based on the proposed development the Traffic Engineer recommends that a stop sign and stop bar be provided at both the site access driveway to Husted Lane and at the intersection of Husted Lane and Heritage Hill Road on the westbound approach. Additionally, no parking signs should be installed on both sides of Husted Lane from Heritage Hill Road to the existing roundabout.