

**ZONING BOARD OF APPEALS
CERTIFICATE OF DECISION**

I, JAMES J. LUNNEY III, Zoning Enforcement Officer for the City of Stamford, in compliance with Special Act No. 379 of the 1951 General Assembly, hereby certify that on January 9, 2008, a hearing was held by the Zoning Appeals Board on the application of:

WATERSIDE POWER

APPL. #005-08

for a Special Exception of 19(3) and Appendix A, Table 11, use no. 154 "Public Utility Generating Plant" as defined by Article 11, Section 3, definition 81 of the Zoning Regulations in order to be permitted to replace the five (5) existing liquid fuel storage tanks totaling 100,000 gallons with two (2) 126,000 gallon fuel storage tanks to be located on the south western boundary of the site; to be permitted to replace the existing 1,250 kW blackstart generator with a 1,000 kW generator; to be permitted to place sound attenuation walls adjacent to each combustion turbine unit to mitigate any potential noise impacts; to allow the three (3) auxiliary trailer enclosures, which were approved as part of Modified Special Exception #060-07, be moved approximately ten (10) feet south of their originally approved locations and that the special permit expiration date of June 2009 be removed,

and that the land affected is owned by and located
on the following streets:

<u>NAME</u>	<u>LOCATION</u>
Waterside Power	17 Amelia Place

and that the following is a statement of its findings
and approval or rejection:

January 24, 2008

THE BOARD FINDS:

In rendering the decision, the Board finds that the proposed use or structure or the proposed extension or alteration of an existing use or structure is in accord with the public convenience and welfare after taking into account, where appropriate:

1. The location and nature of the proposed site including its size and configuration, the proposed size, scale and arrangement of structures, drives and parking areas and the proximity of existing dwellings and other structures.

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2. The nature and intensity of the proposed use in relation to its site and the surrounding area. Operations in connection with special exception uses shall not be injurious to the neighborhood, shall be in harmony with the general purpose and intent of these Regulations, and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration, artificial lighting or other potential disturbances to the health, safety or peaceful enjoyment of property than the public necessity demands.
3. The resulting traffic patterns, the adequacy of existing streets to accommodate the traffic associated with the proposed use, the adequacy of proposed off-street parking and loading, and the extent to which proposed driveways may cause a safety hazard, or traffic nuisance.
4. The nature of the surrounding area and the extent to which the proposed use or feature might impair its present and future development.
5. The Master Plan of the City of Stamford and all statements of the purpose and intent of these regulations.

The Board **GRANTS** a Special Exception of 19(3) and Appendix A, Table 11, use no. 154 "Public Utility Generating Plant" as defined by Article 11, Section 3, definition 81 of the Zoning Regulation to replace the five (5) existing liquid fuel storage tanks totaling 100,000 gallons with two (2) 126,000 gallon fuel storage tanks to be located on the south western boundary of the site; to replace the existing 1,250 kW blackstart generator with a 1,000 kW generator; to place sound attenuation walls adjacent to each combustion turbine unit to mitigate any potential noise impacts; to have three (3) auxiliary trailer enclosures, which were approved as part of Modified Special Exception #060-07, be moved approximately ten (10) feet south of their originally approved locations and that the special permit expiration date of June 2009 be removed, subject to the following restrictions:

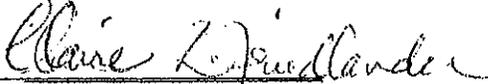
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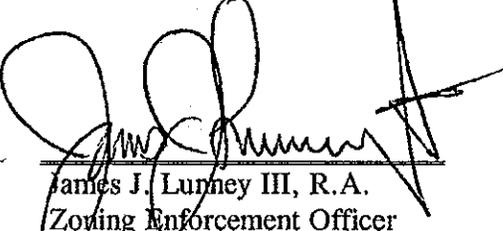
1. The above approvals modify Applications #055-03, #049-04, #035-06 #076-06 and #060-07.
2. The location, size, and appearance of the building and improvements shall be as per plan depicted on **SITE IMPROVEMENT PLAN, 20.01 and 21.01, dated revised October 26, 2007** copies of which are on file in the office of the Zoning Board of Appeals.

The applicant is allowed one year from the effective date of approval in which to obtain a building permit.

Dated at Stamford, Connecticut this 24th day of January 2008.



Claire D. Friedlander, Chair
Zoning Board of Appeals



James J. Lunny III, R.A.
Zoning Enforcement Officer

The land hereby affected lies in Block #0035
ref. 010908