

Memorandum

To: Virgil de la Cruz & Charles Pia, Co-Chairs
Land Use/Urban Redevelopment Committee

CC: Matt Quinones, President, Board of Representatives
Susan Nabel, Clerk, Board of Representatives
Kathryn Emmett, Corporation Counsel

From: Valerie T. Rosenson

Date: 01/30/2019

Re: LU30.025 & LU30.026 – REVISED Verification of Petition for Appeal of Amendments to the Master Plan for B&S Carting Site (Planning Board Master Plan Applications MP-432 & MP-433) (B&S Carting Site) pursuant to Charter §C6-30-7

The Board of Representatives has received a referral from the Planning Board, pursuant to §C6-30-7 of the Charter, objecting to two proposed amendments to the Master Plan Map based upon Applications MP-432 and MP-433. Both amendments propose to change a portion of properties located in Categories 4 (Residential – Medium Density Multifamily) and 6 (Commercial – Neighborhood) to Category 5 (Residential – High Density Multifamily). The subject properties for Application MP-432 are commonly known as 707 Pacific Street; 5, 9, 17, 21, 23, 25, 29, 39 & 41 Woodland Avenue; and 796. The subject properties for Application 433 are commonly known as 701 & 705 Pacific Street; 13 & 43 Woodland Avenue; 0, 784 & 804 Atlantic Street; and 12, 18 & 20 Walter Wheeler Drive.

Under the Charter, a petition objecting to any proposed amendment to the Master Plan must meet certain requirements:

1. The petition must be filed with the Planning Board within ten days after the official publication of the decision on the application; and
2. The petition must be signed by either twenty percent or more of the owners of the privately-owned land in the area included in the proposed amendment or the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment.

Based upon advice of Corporation Counsel, because the proposed amendments are the result of two separate applications to the Planning Board made by two separate parties

and each proposed amendment was approved by the Planning Board separately, the referral must be addressed separately as to each amendment.¹

As discussed below, based upon my analysis, I determined that the petition does not meet the requirements of Charter §C6-30-7 for Application MP-432 and does meet the requirements of Charter §C6-30-7 for Application MP-433.

The petition, attached as [Exhibit A](#), was received by the Planning Board on January 18, 2019 and contains 39 signatures, with 27 different addresses, as follows:

Last Name	First Name	Property Address
Tomas	Carmelo	701 Pacific St
Tomas	Carmelo	705 Pacific St
Tomas	Carmine	701 Pacific St
Tomas	Carmine	705 Pacific St
Tomas	Elisabeth	701 Pacific St
Tomas	Elisabeth	705 Pacific St
Tomas	Maria	701 Pacific St
Tomas	Maria	705 Pacific St
Adams	Mac	773 Atlantic St
Adams	Terry	195 Henry St
Adams	Clayton	773 Atlantic St
Adams	Terry	761 Atlantic St
Adams	Terry	199 Henry St
Adams	Terry	79 Henry St
Adams	Terry	15 Lipton Pl
Snell	Robert	175 Henry St
Radesky	Thomas	14 Lipton Pl
Radesky	Thomas	24 Berkeley St
Adams	Gloria	191 Henry St
Adams	Gloria	189 Henry St
Adams	Gloria	195 Henry St
Adams	Eric	14 E. Walnut St
Hunter	Sandra	56 Ludlow St
Anwar	Rafiquil	759 Atlantic St
Kole	Sabina S	759 Atlantic St
Cruz	Milton	756 Atlantic St
Rosario	Gina	10 Woodland Ave
Rosario	Romejio	10 Woodland Ave
Edwards	Johnnie	15 Woodland Pl
Ruffin	May	40 Ludlow St
Turkvan	Eldridge	13 Lipton Pl

¹ See [Minor Email dated 1/30/2019](#)

Last Name	First Name	Property Address
Barney	Sheila	74 Ludlow St
Barney	Sheila	66 Ludlow St
Barney	Sharonnie	66 Ludlow St
Koziol-Cal	Genevieve	274 Washington Blvd
Twal (Pawlik)	Monika	780-784 Atlantic St
Patchett	Melanie	18 Walter Wheeler Dr
Swiatowicz	Nancy	20 Remington St
Halpern	Susan	30 Elmcroft Road

In addition, the following individuals signed a letter sent to Ralph Blessing and Matthew Quinones on January 8, 2019, a copy of which was included with the petition, stating that the South End NRZ Initiative was working on a petition of appeal. Some of these individuals did sign the petition later, but others did not. The letter states “this 10 day notice of appeal after the zoning decision representing 20% of the adjacent property owners surrounding the B&S Carting site is hereby being signed as a formal petition to Appeal to the Stamford Board of Representatives.”

Last Name	First Name	Property Address
McCauley	Estelle	18 Walter Wheeler Dr
Katchko	Robert	43 Woodland Ave
Tomas	Carmine	701 Pacific St
Tomas	Carmine	705 Pacific St
Brown - Neighborhood Housing	Nydia	11 Woodland Ave
Brown - Neighborhood Housing	Nydia	692 Pacific St

The signatures on both the letter and the petition are included in this analysis.

A. MASTER PLAN APPLICATION MP-432

Based upon my review, the petition was not validly filed as to Application MP-432. Although the petition was filed in a timely manner, it was not signed by either twenty percent or more of the owners of the privately-owned land in the area included in the proposed amendment nor was it signed by the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment.

1. Verification of Filing Date for Application MP-432

In order to verify the petition, I first determined whether the petition was filed within 10 days of the public notice. The public notice of the Planning Board decision on MP Appl. 432 was published in the *Stamford Advocate* on January 9, 2019. (The page from the *Stamford Advocate* is on file in the Board office.) The date stamp on the petition reflects that it was filed with the Planning Board on January 18, 2019, within the ten day limit. The petition was filed within 10 days of the public notice.

2. Verification of Signatures for Application MP-432

I then determined whether or not the petition was signed by either twenty percent or more of the owners of the privately-owned land in the area included in the proposed amendment or the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment.

a. Verification of Signatures within 500 foot buffer for Application MP-432

I first determined whether or not the petition was signed by the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment.

I obtained an abutter's list from the Tax Assessor's office, listing the owners of all of the property within the 500 foot buffer. This list did not, however, determine how much area of each parcel was included within the 500 foot buffer. A copy of the list of each of the owners is attached as [Exhibit B](#).

I then obtained a 500 foot buffer map from GIS, with designation of all of the privately owned land within the 500 foot buffer. GIS calculated the total area of the privately owned land within the 500 foot buffer as 1,287,248.62 square feet. 20% of this value is 257,449.72 square feet. I provided GIS with all of the street addresses included in the petition and GIS calculated the area within the buffer of all of these properties as 143,545.52 square feet or 11.15% of the area of the privately owned land within the 500 foot buffer zone. The GIS Map, with the data calculated, is attached as [Exhibit C](#).

Based upon the abutters list and the buffer map, I determined that the following 6 properties listed in the petition are not within the 500 foot buffer:

Property Address
189 Henry St
191 Henry St
195 Henry St
199 Henry St
24 Berkeley St
30 Elmcroft Road

These properties were not included in the following review of the signatures for the properties within the 500 foot buffer.

I then compared the list of signatures and addresses in the petition to the ownership records for the properties listed in the petition. First I searched the tax assessment database by address to confirm that the petitioners matched the owners on record for each of the properties listed in the petition. I then checked each address included on the abutters list. If the ownership did not match or if the records reflected that there were multiple owners, I searched the land records in the Town Clerk’s office to determine ownership.

This search revealed the following ownership results for each property (as well as the area of each property) listed in the petition located within the 500 foot buffer):

Property Address	Property Owner Search Results	Signature(s)	Square Footage
701 Pacific St	699 Pacific Street LLC (per State records, this LLC was dissolved and the principal & registered agent for this LLC was Harold F. Bernstein). ²	Carmelo Tomas; Carmine Tomas; Elisabeth Tomas Maria Tomas	4554.573
705 Pacific St	Carmelo Tomas 51%; Carmine Tomas 25%; Maria Tomas 12%; Elisabeth Tomas 12%	Carmelo Tomas; Carmine Tomas; Elisabeth Tomas Maria Tomas	5373.806
773 Atlantic St	Adams Terry B & Clayton L Adams	Mac Adams & Clayton Adams	7573.445

² Petitioners have sent an email stating that they have a warranty deed confirming that all 4 signers are the owners, but I could not find that ownership reflected in the Assessor’s records or the Town Clerk’s records. The inclusion of this property would not change the conclusion.

Property Address	Property Owner Search Results	Signature(s)	Square Footage
761 Atlantic St	Adams Terry B	Terry Adams	4085.23
79 Henry St	Adams Terry B	Terry Adams	5011.55
15 Lipton Pl	Adams Terry B	Terry Adams	5344.526
175 Henry St	Snell Robert Sr	Robert Snell	5450.498
14 Lipton Pl	Radesky Thomas George III	Thomas Radesky	4142.942
14 E. Walnut St	Adams Eric T & Gloria A. Adams	Eric Adams	4979.531
56 Ludlow St	Hunter Sandra D	Sandra Hunter	7703.221
759 Atlantic St	Anwar Rafiqui & Sabiha S. Koli	Rafiqui Anwar & Sabiha S. Koli	4623.432
756 Atlantic St	Zoila Cruz	Milton Cruz	5942.816
10 Woodland Ave	Rosario Gina E & Rosario Romejio	Gina Rosario & Romejio Rosario	6726.128
15 Woodland Pl	Edwards Johnnie	Johnnie Edwards	4967.104
40 Ludlow St	Ruffin May (Lu) & Tamika Cope	May Ruffin	7217.479
13 Lipton Pl	Turkvan Eldridge	Eldridge Turkvan	6074.091
74 Ludlow St	Barney Sheila	Sheila Barney	5400.414
66 Ludlow St	Barney Sheila	Sheila Barney & Sharonnie Barnie	7138.781
274 Washington Blvd	Koziol Izydor Est Ann E Koziol 1/2	Genevieve Koziol-Cal	1593.769
780-784 Atlantic St (Includes 784 & 0 Atlantic St on Abutters List)	Pawlik, Joseph Est of	Monika Twal (Pawlik) ³	8917.197 5888.208
18 Walter Wheeler Drive	McCauley, Estelle, Melanie Jane Patchett, Michael Bogdanski, Michelle Morin	Estell McCauley, Melanie Patchett ⁴	4384.159
20 Remington St	Swiatowicz Nancy	Nancy Swiatowicz	113.518

³ This signer did not indicate any authority to sign on behalf of the estate. The inclusion of this property would not change the conclusion.

⁴ The signatures of Michael Bogdanski and Michell Morin were provided to the Planning Board on January 28, 2019, well after the cut-off date for the filing of the petition and too late for consideration here. [See Minor email dated 1/30/2019](#). The inclusion of this property would not change the conclusion.

Property Address	Property Owner Search Results	Signature(s)	Square Footage
43 Woodland Ave	Katchko Properties LLC	Robert Katchko (per State records, Robert Katchko is President of Katchko Properties LLC. He did not identify herself in this capacity in the petition)	7221.479
11 Woodland Ave (According the Assessor's office, 13 Woodland Ave is sometimes given the address 11-15 Woodland Ave)	Neighborhood Housing Services	Nydia Brown, Neighborhood Housing (per State records, Nydia Brown is Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition.)	7070.828
692 Pacific St	Neighborhood Housing Services	Nydia Brown, Neighborhood Housing (per State records, Nydia Brown is Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition.)	6046.801

Total area

143545.52

If all of these signatures were valid, they would constitute the signatures of the owners of 11.15% of the total area of the privately owned land within the 500 foot buffer.

Removing the properties which were not properly signed by the owner(s) of the property, below is the list of the properties in the petition which correspond to properties within the buffer, signed by the owner(s), and the area of the property located within the 500 foot buffer.

Property Address	Property Owner Search Results	Signature(s)	Square Footage
705 Pacific St	Carmelo Tomas 51%; Carmine Tomas 25%; Maria Tomas 12%; Elisabeth Tomas 12%	Carmelo Tomas; Carmine Tomas; Elisabeth Tomas Maria Tomas	5373.806
773 Atlantic St	Adams Terry B & Clayton L Adams	Mac Adams & Clayton Adams ⁵	7573.445
761 Atlantic St	Adams Terry B	Terry Adams	4085.23
79 Henry St	Adams Terry B	Terry Adams	5011.55
15 Lipton Pl	Adams Terry B	Terry Adams	5344.526
175 Henry St	Snell Robert Sr	Robert Snell	5450.498
14 Lipton Pl	Radesky Thomas George III	Thomas Radesky	4142.942
14 E. Walnut St	Adams Eric T & Gloria A. Adams	Eric Adams ⁶	4979.531
56 Ludlow St	Hunter Sandra D	Sandra Hunter	7703.221
759 Atlantic St	Anwar Rafiqui & Sabiha S. Koli	Rafiqui Anwar & Sabiha S. Koli	4623.432
10 Woodland Ave	Rosario Gina E & Rosario Romejio	Gina Rosario & Romejio Rosario	6726.128
15 Woodland Pl	Edwards Johnnie	Johnnie Edwards	4967.104
13 Lipton Pl	Turkvan Eldridge	Eldridge Turkvan	6074.091
74 Ludlow St	Barney Sheila	Sheila Barney	5400.414
66 Ludlow St	Barney Sheila	Sheila Barney & Sharonnie Barnie	7138.781
20 Remington St	Swiatowicz Nancy	Nancy Swiatowicz	113.518
43 Woodland Ave	Katchko Properties LLC	Robert Katchko (per State records, Robert Katchko is President of Katchko Properties LLC. He did not identify herself in this capacity in the petition)	7221.479

⁵ Terry Adams signed the petition for multiple properties. For purposes of this analysis, I have assumed his signature for 773 Atlantic Street.

⁶ Gloria Adams signed the petition for multiple properties. For purposes of this analysis, I have assumed her signature 14 East Walnut Street.

Property Address	Property Owner Search Results	Signature(s)	Square Footage
13 Woodland Ave (According the Assessor's office, 13 Woodland Ave is sometimes given the address 11-15 Woodland Ave)	Neighborhood Housing Services	Nydia Brown, Neighborhood Housing (per State records, Nydia Brown is Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition.)	7070.828
692 Pacific St	Neighborhood Housing Services	Nydia Brown, Neighborhood Housing (per State records, Nydia Brown is Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition.)	6046.801

Total area

105047.325

These signatures constitute the signatures of the owners of 6.77% of the total area of the privately owned land within the 500 foot buffer for application MP Application 432. Thus the petition did not meet the requirement of Charter §C6-30-7 that the petition be signed by the owners of 20% or more of the privately-owned land located within 500 feet of the borders of the area included in the proposed amendment to the Master Plan.

b. Verification of Signatures within the area included in the proposed amendment to the Master Plan for Application MP-432

I then determined whether the petition met the other standard set forth in Section C6-30-7 - whether it contained the signatures of 20% of the owners of the privately-owned land in the area included in the proposed amendment to the Master Plan.

The following is the list of properties contained in the area of the proposed amendment to the Master Plan for MP Application 432 and the owners of these properties:

Property Owner	Address
Walter Wheeler Drive Spe LLC	796 Atlantic St
Woodland Pacific LLC	707 Pacific St

5-9 Woodland LLC	5 Woodland Avenue
5-9 Woodland LLC	9 Woodland Avenue
Woodland Pacific LLC	17 Woodland Avenue
Woodland Pacific LLC	21 Woodland Avenue
Woodland Pacific LLC	23 Woodland Avenue
Woodland Pacific LLC	25 Woodland Avenue
Woodland Pacific LLC	29 Woodland Avenue
Woodland Pacific LLC	39 Woodland Avenue
Woodland Pacific LLC	41 Woodland Avenue

Based on this list, there are 4 owners of property in the area of this proposed amendment to the Master Plan. None of these owners signed the petition. Therefore there are 0 properties listed in the petition within the area of the proposed amendment to the Master Plan. Thus, the petition does not meet the threshold of the signatures of 20% of the owners of the privately-owned land in the area included in the proposed amendment to the Master Plan for MP Application 432.

3. Conclusion for Application MP-432

Based on all of the foregoing, I conclude that although the petition was filed in a timely manner it does not meet the requirements of Charter §C6-30-7 for Application MP-432. The petition was not signed by 20% or more of the owners of the privately-owned land in the area included in the proposed amendment nor was it signed by the owners of 20% or more of the privately-owned land located within 500 feet of the borders of the land included in the proposed amendment. Thus the petition is invalid as to the proposed amendments to the Master Plan covered by Application MP-432.

A. MASTER PLAN APPLICATION MP-433

Based upon my review, the petition **was** validly filed as to Application MP-433. The petition was filed in a timely manner and was signed by twenty percent or more of the owners of the privately-owned land in the area included in the proposed amendment. (The petition was not signed by the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment).

1. Verification Of Filing Date For Application MP-433

In order to verify the petition, I first determined whether the petition was filed within 10 days of the public notice. The public notice was published in the *Stamford Advocate* on January 9, 2019. (The page from the *Stamford Advocate* is on file in the Board office.) The date stamp on the petition reflects that it was filed with the Planning Board on January 18, 2019, within the ten day limit. The petition was filed within 10 days of the public notice.

2. Verification Of Signatures for Application MP-433

I then determined whether or not the petition was signed by either twenty percent or more of the owners of the privately-owned land in the area included in the proposed amendment or the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment.

a. Verification of Signatures within 500 foot buffer for Application MP-433

I first determined whether or not the petition was signed by the owners of twenty percent or more of the privately-owned land located within five hundred feet of the borders of the land included in the proposed amendment.

I obtained an abutter's list from the Tax Assessor's office, listing the owners of all of the property within the 500 foot buffer. This list did not, however, determine how much area of each parcel was included within the 500 foot buffer. A copy of the list of each of the owners is attached as [Exhibit D](#).

I then obtained a 500 foot buffer map from GIS, with designation of all of the privately owned land within the 500 foot buffer. GIS calculated the total area of the privately owned land within the 500 foot buffer as 1,551,468.79 square feet. 20% of this value is 310,293.76 square feet. I provided GIS with all of the street addresses included in the petition and GIS calculated the area within the buffer of all of these properties as 106,218.01 square feet or 6.85% of the area of the privately owned land within the 500 foot buffer zone. The GIS Map, with the data calculated, is attached as [Exhibit E](#).

Based upon the abutters list and the buffer map, I determined that 9 properties listed in the petition are not within the 500 foot buffer:

Property Address
701 Pacific St
705 Pacific St
195 Henry St
199 Henry St
24 Berkeley St
780-784 Atlantic St
18 Walter Wheeler Dr
20 Remington St
30 Elmcroft Road

These properties were not included in the following review of the signatures for the properties within the 500 foot buffer.

I then compared the list of signatures and addresses in the petition to the ownership records for the properties listed in the petition. First I searched the tax assessment database by address to confirm that the petitioners matched the owners on record for each of the properties listed in the petition. I then checked each address included on the abutters list. If the ownership did not match or if the records reflected that there were multiple owners, I searched the land records in the Town Clerk's office to determine ownership.

This search revealed the following ownership results for each property (as well as the area of each property) listed in the petition located within the 500 foot buffer):

Property Address	Property Owner Search Results	Signature(s)	Square Footage
773 Atlantic St	Adams Terry B & Clayton L Adams	Mac Adams & Clayton Adams	7573.445
761 Atlantic St	Adams Terry B	Terry Adams	4085.23
79 Henry St	Adams Terry B	Terry Adams	5011.55
15 Lipton Pl	Adams Terry B	Terry Adams	5344.526
175 Henry St	Snell Robert Sr	Robert Snell	8610.737
14 Lipton Pl	Radesky Thomas George III	Thomas Radesky	4142.942
191 Henry St	Adams Gloria	Gloria Adams	100.99
189 Henry St	Adams Gloria A	Gloria Adams	1090.046
14 E. Walnut St	Adams Eric T & Gloria A. Adams	Eric Adams	3009.105
56 Ludlow St	Hunter Sandra D	Sandra Hunter	7703.221
759 Atlantic St	Anwar Rafiqui & Sabiha S. Koli	Rafiqui Anwar & Sabiha S. Koli	4623.432
756 Atlantic St	Zoila Cruz	Milton Cruz	5942.816

Property Address	Property Owner Search Results	Signature(s)	Square Footage
10 Woodland Ave	Rosario Gina E & Rosario Romejio	Gina Rosario & Romejio Rosario	6726.128
15 Woodland Pl	Edwards Johnnie	Johnnie Edwards	4967.104
40 Ludlow St	Ruffin May (Lu) & Tamika Cope	May Ruffin	7217.479
13 Lipton Pl	Turkvan Eldridge	Eldridge Turkvan	6074.091
74 Ludlow St	Barney Sheila	Sheila Barney	7532.039
66 Ludlow St	Barney Sheila	Sheila Barney & Sharonnie Barnie	7333.055
274 Washington Blvd	Koziol Izydor Est Ann E Koziol 1/2	Genevieve Koziol-Cal	3083.273
692 Pacific St	Neighborhood Housing Services	Nydia Brown, Neighborhood Housing (per State records, Nydia Brown is Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition.)	6046.801

Total area

106218.01

If all of these signatures were valid, they would constitute the signatures of the owners of 6.85% of the total area of the privately owned land within the 500 foot buffer.

Removing the properties which were not properly signed by the owner(s) of the property, below is the list of the properties in the petition which correspond to properties within the buffer, signed by the owner(s), and the area of the property located within the 500 foot buffer.

Property Address	Property Owner Search Results	Signature(s)	Square Footage
773 Atlantic St	Adams Terry B & Clayton L Adams	Mac Adams & Clayton Adams ⁷	7573.445
761 Atlantic St	Adams Terry B	Terry Adams	4085.23
79 Henry St	Adams Terry B	Terry Adams	5011.55

⁷ Terry Adams signed the petition for multiple properties. For purposes of this analysis, I have assumed his signature for 773 Atlantic Street.

Property Address	Property Owner Search Results	Signature(s)	Square Footage
15 Lipton Pl	Adams Terry B	Terry Adams	5344.526
175 Henry St	Snell Robert Sr	Robert Snell	8610.737
14 Lipton Pl	Radesky Thomas George III	Thomas Radesky	4142.942
191 Henry St	Adams Gloria	Gloria Adams	100.99
189 Henry St	Adams Gloria A	Gloria Adams	1090.046
14 E. Walnut St	Adams Eric T & Gloria A. Adams	Eric Adams ⁸	3009.105
56 Ludlow St	Hunter Sandra D	Sandra Hunter	7703.221
759 Atlantic St	Anwar Rafiqui & Sabiha S. Koli	Rafiqui Anwar & Sabiha S. Koli	4623.432
10 Woodland Ave	Rosario Gina E & Rosario Romejio	Gina Rosario & Romejio Rosario	6726.128
15 Woodland Pl	Edwards Johnnie	Johnnie Edwards	4967.104
13 Lipton Pl	Turkvan Eldridge	Eldridge Turkvan	6074.091
74 Ludlow St	Barney Sheila	Sheila Barney	7532.039
66 Ludlow St	Barney Sheila	Sheila Barney & Sharonnie Barnie	7333.055
692 Pacific St	Neighborhood Housing Services	Nydia Brown, Neighborhood Housing (per State records, Nydia Brown is Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition.)	6046.801
Total area			89974.44

These signatures constitute the signatures of the owners of 5.80% of the total area of the privately owned land within the 500 foot buffer. Thus the petition did not meet the requirement of Charter §C6-30-7 that the petition be signed by the owners of 20% or more of the privately-owned land located within 500 feet of the borders of the area included in the proposed amendment to the Master Plan.

⁸ Gloria Adams signed the petition for multiple properties. For purposes of this analysis, I have assumed her signature for 14 East Walnut Street.

b. Verification of Signatures within the area included in the proposed amendment to the Master Plan for Application MP-433

I then determined whether the petition met the other standard set forth in Section C6-30-7 - whether it contained the signatures of 20% of the owners of the privately-owned land in the area included in the proposed amendment to the Master Plan.

The following is the list of properties contained in the area of the proposed amendment to the Master Plan for Application MP-433 and the owners of these properties:

Address	Property Owner
0 Atlantic St	Pawlik Joseph Est Of
784 Atlantic St	Pawlink Joseph Antoni Estate Of
804 Atlantic St	Holy Name Athletic Club Inc
701 Pacific St	699 Pacific Street LLC
705 Pacific St	Tomas Carmelo Et Al 51% Interest
12 Walter Wheeler Drive	12 WWD LLC
18 Walter Wheeler Drive	McCauley Estelle Et Al
20 Walter Wheeler Drive	Duda Leslaw
13 Woodland Avenue	Neighborhood Housing Serv
43 Woodland Avenue	Katchko Properties LLC

Based on this list, there are 9 owners of private property in the area of the proposed amendment to the Master Plan.⁹

There are 7 properties listed in the petition within the area of the proposed amendment to the Master Plan. I verified whether the signatures for these properties matched the owners of the properties. Again, I searched the tax assessment database by address to confirm that the petitioners matched the owners on record for each of the properties listed in the petition. If the ownership did not match or if the records reflected that there were multiple owners, I searched the land records in the Town Clerk's office to determine ownership. Where the owner was listed as an LLC, I then checked the State database to confirm the names of the principals of the LLC.¹⁰

This search revealed the following ownership results for each property listed in the petition located within the area of the proposed amendment to the Master Plan:

⁹ I considered "Pawlik Joseph Est Of" and "Pawlink Joseph Antoni Estate Of" to be the same owner.

¹⁰ According to the Assessor's Office, 13 Woodland Avenue sometimes uses the address 11-15 Woodland Avenue, so it was accepted for purposes of this analysis.

Property Address	Signature(s)	Property Owner Search results
701 Pacific St	Carmelo Tomas; Carmine Tomas; Elisabeth Tomas Maria Tomas	699 Pacific Street LLC (per State records, this LLC was dissolved and the principal & registered agent for this LLC was Harold F. Bernstein) ¹¹
705 Pacific St	Carmelo Tomas; Carmine Tomas; Elisabeth Tomas Maria Tomas	Carmelo Tomas 51%; Carmine Tomas 25%; Maria Tomas 12%; Elisabeth Tomas 12%
780-784 Atlantic St (Includes 784 & 0 Atlantic St on Abutters List) the Assessor's	Monika Twal (Pawlik)	Estate of Joseph Antoni Pawlink [sic]; Administrator Joseph W. Pawlik; I can find no transfer of the property to Monika Twal (Pawlik)
18 Walter Wheeler Dr	Estelle McCauley, Melanie Patchett	Estelle McCauley, Melanie J. Patchett, Michael Bogdanski and Michelle Moran ¹²
43 Woodland Ave	Robert Katchko	Katchko Properties LLC (State records identify Robert Katchko as president of Katchko Properties LLC. He did not identify himself in this capacity in the petition.)
11 Woodland Ave ¹³	Nydia Brown, Neighborhood Housing	This address is not listed in the land records for the City. However, Neighborhood Housing is shown as the owner of 13 Woodland Ave. (State records identify Nydia Brown as Executive Director of Neighborhood Housing Services of Stamford, Inc. She did not identify herself in this capacity in the petition).

¹¹ Petitioners have sent an email stating that they have a warranty deed confirming that all 4 signers are the owners, but I could not find that ownership reflected in the Assessor's records or the Town Clerk's records. Inclusion of this property would not change the conclusion.

¹² Based on prior guidance from the Law Department, the signatures of all owners of a property must sign on behalf of a property. The signatures of Michael Bogdanski and Michelle Moran were provided to the Planning Board on January 28, 2019, which is beyond the deadline for the petition to be filed and not included. See [Minor Email dated 1/31/2019](#)

¹³ According to the Assessor's Office, 13 Woodland Avenue sometimes uses the address 11-15 Woodland Avenue, so it was accepted for purposes of this analysis.

It appears that the petition was properly signed by 3 of the 9 owners of the private properties within the area of the proposed amendment to the Master Plan. Three owners constitute 33% of the owners of the privately-owned land in the area included in the proposed amendment to the Master Plan. The petition does meet the threshold of the signatures of 20% of the owners of the privately-owned land in the area included in the proposed amendment to the Master Plan for Application MP-433. Thus the petition is valid as to the proposed amendments to the Master Plan covered by Application MP-433.

CONCLUSION

Based on all of the foregoing, I conclude that the petition does not meet the requirements of Charter §C6-30-7 for Application MP-432 and does meet the requirements of Charter §C6-30-7 for Application MP-433. The petition is only valid as to the proposed amendments to the Master Plan covered by Application MP-433.