

From: [Minor, Jim](#)
To: [Rosenson, Valerie](#)
Cc: [Emmett, Kathryn](#)
Subject: re: petition to BoR for MP 432, 433
Date: Wednesday, January 30, 2019 2:04:52 PM

Valerie

This email is written confirmation of the Law Department advice as to the following issues:

- 1) Can signatures be added after the time to file a petition has expired?

No. Sec. C6-30-8 is the Charter section that applies to any referral to the Board of Representatives by opponents of an amendment to the Master Plan, and there is a time limit of ten days after the official publication of the MP decisions on MP 432, 433. Any attempt to add signatures after the time limit is void. See Zoning Regulations, other than the zoning Map, after the effective date of the master plan. Colby Associates v. East Have Planning and Zoning Commission 1993 WL 224989 (husband signed protest petition, and wife, a co-owner did not; after the cut off date, the wife stated that she ratified his signature to apply to her as well; the court rejected this as untimely).

- 2) Is the letter dated 1.29.19 from Lisa Feinberg (Carmody Torrance Sandak Hennessey LLP) correct that the two petitions MP 432 and 433 must be analyzed separately as opposed to as one amendment?

Yes. There were two separate MP applications, MP 432 (The Strand/BRC Group LLC and others) and MP 433 (the City). Both were advertised in the Stamford Advocate before and after adoption as separate applications. Since both were separately filed and approved, they must be analyzed under C6-30-7 separately to see if the signatures meet the requirement for jurisdiction.

Call if questions.

Jim Minor
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