

30TH BOARD OF REPRESENTATIVES CITY OF STAMFORD

President
MATTHEW QUINONES

Clerk of the Board
SUSAN NABEL

Majority Leader
RODNEY PRATT

Minority Leader
MARY L. FEDELI

25, 18

RESOLUTION NO. 4055 FINAL AUTHORIZATION OF THE ACQUISITION BY NEGOTIATION OR EMINENT DOMAIN OF PROPERTY LOCATED AT 4 PULASKI STREET, 21 PULASKI STREET, 256 WASHINGTON BLVD., AND 274 WASHINGTON BLVD. IN CONNECTION WITH THE WASHINGTON BLVD. AND PULASKI STREET WIDENING PROJECT

WHEREAS, the City of Stamford has recognized that there is a need for the improvement of **WASHINGTON BLVD. AND PULASKI STREET**; and

WHEREAS, the City of Stamford Bureau of Transportation, Traffic and Parking has proposed the widening of Washington Blvd., between Henry Street and Atlantic Street, and Pulaski Street between Washington Blvd. and the Pulaski Street Bridge (the "Project") to facilitate the completion of a long-range plan to improve transportation and traffic operations around the Stamford Transportation Center, within the Southend and connect to the City's \$5+ million investment in roadway improvements in the Waterside neighborhood; and

WHEREAS, the benefits of the Project include improved safety and roadway operations, the creation of one continuous and uniform roadway cross-section on Washington Blvd. south of the Stamford Transportation Center to Pulaski Street, the addition of roadway capacity south of Pulaski Street, the lengthening of turn-bays on the Pulaski Street approach to Washington Blvd., and accommodations for all roadway users as required by the City's Complete Streets Ordinance; and

WHEREAS, the City has recognized that this Project will require real property acquisitions, including full acquisition of 21 Pulaski Street and 274 Washington Blvd., and partial acquisitions of 4 Pulaski Street and 256 Washington Blvd. (collectively referred to as the "Properties"); and

WHEREAS, on April 8, 2020, the Planning Board approved the Project; and

WHEREAS, on January 9, 2020, and April 7, 2020, the Board of Finance considered the Project and thereafter on June 23, 2020 approved the Project; and

WHEREAS, after publication of the Public Hearing Notice and Resolution No. 4047 in the *Stamford Advocate* on May 15, 2020, on May 27, 2020, the Board of Representatives held a public hearing on the Project; and

WHEREAS, on June 1, 2020, the Board of Representatives approved Resolution No. 4047 "Authorizing the Acquisition by Negotiation or Eminent Domain of Property

INSTR # 2020010098
VOL 12401 PG 1
RECORDED 07/09/2020 11:14:59 AM
LYNN RUIJTER
CITY & TOWN CLERK
STAMFORD, CT



Located at 4 Pulaski Street, 21 Pulaski Street, 256 Washington Blvd., and 274 Washington Blvd. in Connection with the Washington Blvd. and Pulaski Street Widening Project;" and

WHEREAS, thereafter, the Mayor directed the Department of Operations to prepare a report (the "Mayor's Report") which contains the preliminary engineering, surveys, plans, profiles, specifications, and cost estimates, which report (on file in the Traffic Engineering Bureau) was submitted to the Interim Director of Administration; and

WHEREAS, the Interim Director of Administration published Notice of the date, times, and place for each person interested in the Properties to be heard on the estimated benefits and damages (the "Notice of hearing") and gave public notice of the Mayor's Report, Board of Representatives Resolution No. 4047, and estimated benefits and damages for each piece of property three times in the *Stamford Advocate*; and

WHEREAS, copies of the Notice of hearing, Board of Representatives Resolution No. 4047, Mayor's Report, and Interim Director of Administration's estimate of benefits and damages were sent by registered mail to each person named in the Notice of hearing published in the *Stamford Advocate* and were published on the City of Stamford's website; and

WHEREAS, the Interim Director of Administration caused hearings to be conducted with each property owner and each person affected who wished to be heard with respect to the assessed benefits and damages for each piece of property; and

WHEREAS, the Interim Director of Administration has issued a Final Report stating the compensation for each property or portion thereof, and the name of the property owner, which report is attached hereto, which report will be updated by the Interim Director of Administration to reflect the compensation for each piece of property as close in time as possible to the date of filing a Statement of Compensation in the Superior Court in compliance with law.

NOW, THEREFORE, BE IT RESOLVED BY THE 30TH BOARD OF REPRESENTATIVES THAT:


Pursuant to Charter Sec. 8-60-7, that it accepts the Final Report of the Interim Director of Administration and that the public necessity, safety, health and welfare require that the Washington Blvd. and Pulaski Street Widening Project go forward, and

That the Board of Representatives hereby exercises its powers under Charter Sec. 8-60-1, *et seq.*, and instructs the City to proceed with the Washington Blvd. and Pulaski Street Widening Project in a manner consistent with the Mayor's Report and the Final Report of the Interim Director of Administration for the full acquisition 21 Pulaski Street and 274 Washington Blvd., and the partial acquisition of 4 Pulaski Street and 256 Washington Blvd., of which report the Interim Director of Administration shall update to reflect the compensation for each piece of property as close in time as possible to the

date of filing a Statement of Compensation in the Superior Court in compliance with law and Connecticut General Statutes §§ 48-6(a) and 48-12.

This resolution was approved by a Roll Call Vote of 24-12-1 at the Regular Meeting of the 30th Board of Representatives held on Monday, July 6, 2020.


Matthew Cumones, President
30th Board of Representatives


Susan Nabel, Clerk
30th Board of Representatives


Approval – Mayor David R. Martin
July 9th, 2020

cc: Mayor David R. Martin
Thomas Madden, Director of Economic Development
Kathryn Emmett, Esq., Law Department
Lyda Ruijter, Town & City Clerk
Jay Fountain, Director of OPM
Mark McGrath, Director of Operations
Sandra Dennies, Director of Administration
Ted Jankowski, Director of Public Safety, Health & Welfare
Jim Travers, Bureau Chief, Transportation, Traffic and Parking Bureau

Mayor
DAVID R. MARTIN



INTERIM DIRECTOR OF
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SANDRA L. DENNIES

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CITY OF STAMFORD
OFFICE OF ADMINISTRATION
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Date: June 20, 2020

To: The Board of Representatives

From: Sandra L. Dennies, Interim Director of Administration *Sandra L. Dennies*

Re: Final Report: Estimate of Damages and Assessment of Benefits for Property Acquisitions required for the Washington Boulevard and Pulaski Street Widening Project involving 4 Pulaski Street, 21 Pulaski Street, 256 Washington Boulevard, and 274 Washington Boulevard.

With respect to the above referenced project and properties, on June 17, 2020, pursuant to Charter § C8-60-4, I conducted a hearing for the purpose of allowing each person appearing of record as an owner of property affected and each person appearing of record as a holder of any mortgage, lien, assessment or other encumbrance on such property or interest therein to appear and be heard in respect to the price of land proposed to be taken or in respect to any assessment for benefits of damages.

OVERVIEW

The City of Stamford Bureau of Transportation, Traffic and Parking has proposed the widening of Washington Boulevard, between Henry Street and Atlantic Street as well as Pulaski Street, between Washington Boulevard and the Pulaski Street Bridge (the "Project") to facilitate the completion of a long range plan to improve transportation and traffic operations around the Stamford Transportation Center, within the Southend and connect to the City's \$5+ million investment in the Waterside neighborhood.

The benefits of the Project include improved safety and roadway operations on Washington Boulevard between Henry Street and Atlantic Street, the creation of one continuous and uniform roadway cross-section south of the Stamford Transportation Center to Pulaski Street, the addition of roadway capacity south of the Pulaski Street, the lengthening of turn-bays on the Pulaski street approach to Washington Boulevard. The widening of both roadways will include accommodations for all roadway users as required by the City's Complete Streets Ordinance.

As originally conceived, the Project involved the acquisition of slivers of land fronting the properties at 4 Pulaski Street, 256 Washington Boulevard, and 274 Washington Boulevard, and full acquisition of 21 Pulaski Street (Plan A). As negotiations to acquire the land progressed, it became apparent that acquisition by the City of 274 Washington Boulevard in its entirety would better address the City's needs and the concerns raised by the property owners (Plan B).

Under Plan B, the City will acquire slivers of land fronting 4 Pulaski Street (The Church of the Holy Name - Jesus) and 256 Washington Boulevard (an 18 unit condominium development). The City will also acquire, in full, 274 Washington Boulevard, which contains a vacant 2 family structure on a 12,892 square foot lot, and divide the property between the owners of 256 Washington Boulevard and 4 Pulaski Street. Approximately 6,617 square feet representing the rear half of 274 Washington Boulevard will be conveyed to 256 Washington Boulevard. Approximately 5,676 square feet representing the front half of 274 Washington Boulevard, less the 599 square feet of road frontage needed for the Project, will be conveyed to 4 Pulaski Street. Full acquisition of 21 Pulaski Street is still required under Plan B.

DISCUSSION

4 PULASKI STREET - THE CHURCH OF THE HOLY NAME OF JESUS.

Partial acquisition

Add 5,676 square feet from 274 Washington Boulevard to 4 Pulaski Street.

Acquire 2,658 square feet from 4 Pulaski Street to the City.

1. Plan B addresses the potential loss of development rights at 4 Pulaski Street. Based on information from the owner, who has been engaged in discussions with a developer, and a review of the City's zoning regulations, the acquisition of road frontage under Plan A will likely result in a significant loss of housing units and adversely affect the financial viability of the property's development. The owner has initiated the development process by submitting an application for building permit through the City's Building Department in anticipation of developing the property. Plan B provides the advantage of allowing the City to acquire the street frontage without incurring the cost of potential litigation over the diminution in value of the property due to the potential loss in the number of units that might be built and the corresponding increase in compensation.

2. The City's Bureau of Transportation, Traffic and Parking has indicated that the current ingress and egress to the property, which is located at the corner of the property, are not ideal, given their location relative to the congested intersection of Pulaski Street at Washington Boulevard. The Department would ask the developer to provide an alternative access location should the site be further developed. The addition of approximately 5,676 square feet of property from 274 Washington Boulevard to 4 Pulaski Street would equate to approximately 50 linear feet of additional roadway frontage for 4 Pulaski Street along Washington Boulevard. This would potentially provide an alternative future access drive location should the site be redeveloped, which would be more suitable given the existing access issues.

3. The City intends to restore the site frontage to its existing condition; if not better than it was at the time of acquisition.

21 PULASKI STREET - THREE-FAMILY, OWNER-OCCUPIED STRUCTURE.

Full acquisition

Under both Plan A and Plan B, full acquisition of the property is required. The depth of the road frontage required for the Project locates the widened road within the footprint of the structure.

256 WASHINGTON BOULEVARD - 18 UNIT CONDOMINIUM COMPLEX.

Partial acquisition

Add 6,617 square feet from 274 Washington Boulevard to 256 Washington Boulevard. Acquire 938 square feet from 256 Washington Boulevard to the City.

1. Under both Plan A and Plan B, acquisition of 256 Washington Boulevard's street frontage will render the property nonconforming in terms of front yard setbacks. However, under Plan A the property will also become nonconforming as to density requirements. Because the land swap under Plan B will result in a net gain of square footage to the property, the property will continue to conform to the density requirements. Importantly, the net gain of square footage is also intended to help offset any negative impacts that the roadway widening will create by bringing the road closer to the building.

2. Plan B also addresses a side yard encroachment and parking issue. The owner has added parking spaces by encroaching onto the neighboring property. The addition of the property from the 274 Washington Boulevard will provide the owners with additional land for parking so that the encroachment can be eliminated and the property will comply with side yard setback requirements and its site plan approval.

3. The City intends to restore the site frontage to its existing condition; if not better than it was at the time of acquisition.

274 WASHINGTON BOULEVARD - VACANT 2 FAMILY STRUCTURE.

Full acquisition

The property is narrow and deep, with a vacant, 100 year old+, 2 family structure located on it. It does not have a driveway or off-street parking and the structure is so situated on the lot that there is insufficient space between the property lines and the structure to add a driveway to access the rear of the property. Furthermore, on-street parking does not exist today along the site frontage nor is it proposed to exist in the future. The structure is located upland from the road such that creating off-street parking in the front yard, even if permitted under the zoning regulations, would be difficult. Redevelopment of the parcel would be challenging due to its narrow width and the current zoning requirements for side yards, parking, and access. Further, certain density bonuses that otherwise might apply to increase the number of dwelling units on the property are either not available or too speculative given the configuration of the lot and location of the structure. The affordable housing bonus does not apply because the lot has less than 20,000 square feet and the historic preservation bonus, which is contingent upon the structure (or its façade) remaining on the property further limits redevelopment due to the location of the structure on the lot and the lot's narrow dimensions.

ANALYSIS

The City has obtained two appraisals from certified state appraisers, as required by statute, for each property. Giving consideration to the City's appraisals, the Mayor's Report, and the Director of Operations report, together with the comments and documents submitted by interested parties, I have made the following estimates of the value of the land proposed to be taken and of the amount of the benefits or damages which should be assessed against or in favor of each piece of property affected under Plan B. Although 256 Washington Boulevard, and 4 Pulaski Street have an overall net increase in value under Plan B, the Plan reduces litigation risk and zoning nonconformities, and achieves the goal of improved traffic flow generally by improving the access issues at 4 Pulaski Street. It should be noted that the City continues to engage in negotiations with the property owners and that in some cases it has offered to acquire the property for more than the damage estimates below.

CONSTRUCTION COST OF THE PROJECT

NW Corner of Washington Blvd & Pulaski St	\$839,278.97
(Washington Bl. from Henry St to Pulaski St and Pulaski St from Washington Bl to 21 Pulaski St)	
Pulaski St. Bridge to 21 Pulaski St House	\$291,824.59
Washington Bl, from Pulaski St to Atlantic St.	\$851,367.14

Total Construction Cost	\$1,982,470.60
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ESTIMATE OF DAMAGES AND ASSESSMENT OF BENEFITS FOR PROPERTY ACQUISITION

4 PULASKI STREET

Owner: The Church of the Holy Name of Jesus.

Damages for partial acquisition value (street frontage = 2,658 square ft.): \$192,000.

Benefits assessed = \$0 for the reasons discussed above.

21 PULASKI STREET (three family, owner-occupied dwelling)

Owner: Roland Lesperance.

Damages for full acquisition value: \$762,500

The City has offered the owner \$1,000,000 which represents a premium value increase of approximately 30% above the acquisition value, plus \$50,000 to relocate the owner and relocation expenses for the tenants.

256 WASHINGTON BOULEVARD (18 unit condominium complex)

Owners: Condominium Unit Owners at Bridgewater Condominiums.

Damages for partial acquisition value (street frontage = 938 square feet): \$44,500.

Benefits assessed = \$0 for the reasons discussed above.

Severance damages to end unit owners: \$7,944 each to Units 6 and 18.

Because the road will be closer to the end units, additional damage estimates have been calculated to reflect the diminution in value to these units.

274 WASHINGTON BOULEVARD (vacant 2 family structure)

Owners: Genevieve Cal, Alfons Koziol, Anthony Koziol, Joseph Koziol, Josephine Harvey, William Tabola, Estate of Helen Tabola, Susan Twardy, Michael Tabola, Justin Reitmeyer, William Mong, V.

Damages for full acquisition value: \$595,000 (value of road frontage: \$24,500 for 599 square feet).

The City has offered the owners \$810,000 which represents a premium value increase comparable to that offered to the owner of 21 Pulaski Street.