



Land Use-Urban Redevelopment Committee – Board of Representatives

Harry Day, Co-Chair

David Kooris, Co-Chair

Committee Report

Date: Tuesday, July 29, 2014

Time: 7:30 p.m.

Place: Republican Caucus Room, 4th Floor, Government Center

The Land Use-Urban Redevelopment Committee met as indicated above. In attendance were Co-Chairs Day and Kooris and Committee Member Reps. Fountain, McNeil, Okun, Reeder, Ryan and Summerville. Absent or excused was Committee Member Rep. McGarry. Also present were Dr. Reverend Tommie Jackson and Rachel Goldberg, Esq., URC; and Kathy Emmett, Esq., Corporation Counsel.

Chair Day called the meeting to order at 7:35 pm.

Item No.	Description	Committee Action
11. LU29.002	REVIEW; construction work at Star Meadow Ranch, Erskine Road. 01/28/14 – Report Made & Held in Committee 02/27/14 – Report Made & Held in Committee 03/25/14 – Report Made & Held in Committee 04/22/14 - Report Made & Held in Committee 05/27/14 – Held in Committee 07/01/14 – Report Made & Held in Committee	REPORT MADE & HELD UNTIL SEPTEMBER MEETING

Ms. Emmett provided an update:

- Attorney Ernie Abate has been assisting Lee Rizzuto as a friend and is trying to help resolve outstanding issues
- They have met with City attorneys
- As to 678 Erskine Road, the City negotiated monetary compensation to be paid for the EPB violation prior to the lifting of the Cease and Desist Order on which all conditions have been met, including a \$10,000 contribution to the Ferguson Library and a \$5,000 fine to the City to be put in a park-related account, which were paid.
- As to 579 Erskine Road, there is one unresolved legal issue regarding the front yard setback and Mr. Abate and Mr. Rizzuto are seeking a legal opinion on this.
- Mr. Rizzuto has appeared in the pending lawsuit; the LLC has not and has defaulted. The next step would be to move for judgment against the LLC, but that won't be done unless they can't resolve the outstanding issues.

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- The ordinance permits a maximum daily penalty. This settlement may be a penalty as large as a court would have imposed.

This item will be held and considered again at the September meeting.

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| 2. LU29.007 | REVIEW; use of property by Finnochio Bros. at 49 Liberty Place and effects on surrounding neighborhood.
01/28/14 – Report Made & Held in Committee
02/27/14 – Report Made & Held in Committee
03/25/14 – Report Made & Held in Committee
04/22/14 - Report Made & Held in Committee
05/27/14 – Held in Committee
07/01/14 –Held in Committee | HELD IN
COMMITTEE |
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This item will be held to be considered on August 12.

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| ² 3. LU29.008 | REVIEW; enforcement of the notice and delay provisions of the Demolition Permit ordinance.
01/28/14 – Report Made & Held in Committee
02/27/14 – Held in Committee
03/25/14 – Held in Committee
04/22/14 - Held in Committee
05/27/14 – Held in Committee
07/01/14 – Report Made & Held in Committee | REPORT MADE &
HELD IN
COMMITTEE |
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Ms. Emmett and the Committee reviewed the most recent draft of the ordinance:

- Building should not be removed as a defined term, because it is used in the ordinance (it needs to be deleted from §88-4), and because the state demolition statutes do contain the building or structure language. Given that the authority for this ordinance comes from the State statute, the language should probably remain in, but the definition should be clarified
- If stone walls are not included in the State statute, they should not be included in this demolition ordinance Stone walls may be included in the Zoning Rules
- In 88-4.a. – changing the assumption regarding the age of a building to “undocumented or in dispute” rather than “unknown”
- 88-2.A.10 is broader than the State notification requirements and applies to all building demolition, not just historic properties.
- The State statute sets the parameters for building demolition permits and a City ordinance that goes beyond this might not be permissible. State statute permits an extended delay period.
- The ordinance could have different notice requirements for older buildings
- The language regarding the tax abatement should be clarified that the tax abatement is only for the period of the delay
- In Section 88-6, the Statute authorizing the Historic Preservation Advisory Commission does not give it the authority to institute actions; moreover there is no budget provision for this

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- Requiring the property owner to maintain the property during the delay period is not in the State statute and could be a taking in some circumstances but there may be some kind of reasonableness standard which could be included. The suggestions was to change the language to “take reasonable steps to protect the structure from deterioration”
- There is nothing in the State statute which contains the idea of “demolition by neglect” and this may not fall within the definition of demolition. The suggestion was made that this be deleted.
- Modifications in 88-6.B.1 may include modifications to protect the building and should be deleted.
- In Section 88-6.C this is the penalty section for building permits. The demolition section is 29-414 and it only permits a total penalty of not more than \$500 or imprisoned for not more than one year.

Ms. Emmett stated that Jim Minor in the Corporation Counsel’s office can work on this.

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| 4. LU29.021 | REVIEW; Proposed Master Plan.
04/22/14- Submitted by Co-Chairs Day & Kooris
05/27/14 – Held in Committee
07/01/14 – No action taken | HELD IN
COMMITTEE |
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This item was held to be considered on August 12, 2014.

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| ³ 5. LU29.025 | REVIEW; of the Urban Renewal Plan for the Southeast Quadrant (Extended) Urban Renewal Project, Conn. R-43.
05/28/14 – Submitted by President Skigen | REPORT MADE &
HELD IN
COMMITTEE |
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Co-Chair Day explained that this is the decennial review of the Southeast Quadrant. Ms. Goldberg explained that the Board is required to review the plan under State statute, but is not required to vote on it.

Ms. Goldberg stated that

- The boundaries of the Southeast Quadrant are the north side of Broad Street on the North, Elm Street on the East, North State Street on the South, and Atlantic Street on the West, along Washington Boulevard up to Broad Street. UBS is not part of the Quadrant. She will provide the office with a map
- The plan provisions have been met as to all buildings built since the 1970s. There are no more takings contemplated by this plan. Trinity is well underway with Phase 2 and will start Phases 3 and 4 in the next few years. That will complete the development of Block 9. Block 8 development is completed. The new development in Block 9 is private development. They don’t anticipate any near-future acquisitions.
- She is presenting an RFP for reuse parcel 36 to the URC Board in the next weeks (corner of Greyrock and Main Street). They will ask several City and

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elected officials to serve on that selection committee. This is the last parcel the URC owns in this project area to be developed. The Plan could remain in place for design or zoning controls

- The URC does have other projects and is responsible for selecting affordable housing sites.
- She is in favor of a TIF district in order to finance pedestrian improvements and improvements of Veteran's Park
- There has been discussion of establishing parallel parking on Tresser Blvd. and the possibility of residential townhouse development on the street frontage where the office buildings have large setbacks.

The Committee discussed the use of the TIF structure and the Mill River Park. Ms. Reeder stated that there is a report on TIF financing prepared by the Board of Finance.

Ms. Goldberg stated that she would provide the committee with maps of the plan as well as an outline of what has been done and what needs to be done.

Co-Chair Day adjourned the meeting at 9:20 p.m., to be continued at 7:30 pm on Tuesday, August 12th.

Respectfully submitted,
Harry Day, Co-Chair

This meeting is on [video](#).