



Land Use-Urban Redevelopment Committee – Board of Representatives

Harry Day, Co-Chair

David Kooris, Co-Chair

Committee Report

Date: Tuesday, April 28, 2015

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-Chair Day and Committee Member Reps. Fountain, McGarry, McNeil, Okun, Reeder, Ryan and Summerville. Absent or excused was Committee Member Rep. Kooris. Also present were Reps. McMullen, Mitchell and Okun; Chris Dellaselva and Kathy Emmett, Law Department; Reverend Tommie Jackson and Rachel Goldberg, URC; Mani Poola, Traffic Engineer; Norman Cole, Land Use Bureau; Michael Bayone, Esq., Special Counsel to the URC; and Jason Klein, Esq., Carmody Torrance Sandak & Hennessey LLP.

Co-Chair Day called the meeting to order at 7:38 p.m.

Item No.	Description	Committee Action
1. LU29.040	RESOLUTION and <u>Public Hearing</u> ; Approving a Purchase Agreement between Paul D. Plotnick and the City of Stamford for property known as 671 Bedford Street, Stamford, CT. 03/25/15 – Submitted by Mayor Martin 03/31/15 - Approved by Planning Board 04/09/15 – Approved by Board of Finance	Approved 6-0-0

Chair Day opened the public hearing. There were no members of the public wishing to speak, but Chair Day kept the public hearing open for possible late arrivals to the meeting.

Mr. Dellaselva explained that this is a straightforward contract for the City to acquire property at 671 Bedford Street in connection with the proposed new police station, and that the City is currently in negotiations to also acquire adjacent property at 713 Bedford Street. In response to questions from the Committee, he stated that there are no title issues, although the City will purchase title insurance. The City knows of no environmental issues and found no reason to do a Phase 1 evaluation. The agreement has been signed by both parties. The property is .17 acres. Mr. Dellaselva explained that the plan is to purchase the other property from the Historical Society. Committee members discussed whether approval of both contracts should be simultaneous; Chair

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Day stated that the City could take the other property by eminent domain if necessary, and Mr. Dellaselva noted the time limit for this transaction and that the price for this parcel is fair. Chair Day closed the public hearing. A motion to approve this Resolution was made, seconded and approved by a vote of 6-0-0 (Reps. Day, Fountain, McNeil, Okun, Reeder and Ryan in favor).

- ²2. [LU29.002](#) REVIEW; construction work at Star Meadow Ranch, Erskine Road. **Report Made & Held in Committee**
 11/20/13 – Submitted by Chair Day
 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
 07/29/14 – Report Made & Held in Committee
 08/11/14 – Held at Steering
 09/23/14 - Report Made & Held in Committee
 10/29/14 – Report Made & Held in Committee
 02/24/15 – Report Made & Held until April

Ms. Emmett reported that a trial date has been set for the first week in October and Mr. Abate and the City are working on a stipulation of settlement. There will be a public hearing in June to consider a zoning change request for the property. There being no objections, this item was held in Committee.

- ³3. [LU29.008](#) ORDINANCE for publication; enforcement of the notice and delay provisions of the Demolition Permit ordinance. **Approved, as amended, 6-0-0**
 12/04/13 – Submitted by Chair Day and Rep. Reeder
 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
 07/29/14 – Report Made & Held in Committee
 08/26/14 – Report Made & Held in Committee
 pending HPAC comments
 09/08/14 – Held in Steering
 10/29/14 –Held in Committee
 02/24/15 – Report Made & Held in Committee
 03/31/15 – Held in Committee

Ms. Emmett reviewed the changes made to the latest draft, which are shown in purple. Committee members discussed whether or not to change the notification distance in order to notify more than abutting property owners. The changes clarify that the total delay is no more than 180 days. The change to the fine is consistent with State law. A

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motion to amend this ordinance to change the 100 ft. requirement in Sections 88-2.A.10 and 88-3.A was made, seconded and approved by a vote of 6-0-0 (Reps. Day, Fountain, McNeil, Okun, Reeder and Ryan in favor). A motion to approve the ordinance for publication, as amended, was made, seconded and approved by a vote of 6-0-0 (Reps. Day, Fountain, McNeil, Okun, Reeder and Ryan in favor).

4. [LU29.029](#) RESOLUTION; Approving demolition of Buildings at 200 Strawberry Hill Avenue Site. **Held in Committee**
10/24/14 – Submitted by Mayor Martin
11/05/14 – 45 day extension by Planning Board
11/13/14 – Held by Board of Finance
02/24/15 – Report Made & Held until April

Co-Chair Day reported that he was informed by Lou Casolo that he is working with HPAC on a solution. There being no objections, this item was held in Committee.

- ⁴5. LU29.034 REVIEW; Use of property by Finnochio Bros. at 49 Liberty Place and Effects on surrounding neighborhood. **Held in Committee**
02/04/15 – Submitted by Rep. Mitchell
02/24/15 – Report Made & Held until April

Rep. Mitchell reported that she and Rep. de la Cruz met with the current owner of Finnochio Bros and discussed problems with street parking, truck noise, the run-off and the appearance of the property and he is working on solutions to these problems. They will be sending him a letter confirming their conversation. There being no objections, this item was held in Committee.

6. [LU29.035](#) RESOLUTIONS; 1) Waiving the Requirements of Section 21-3B of the Code of Ordinances and 2) Naming the West Main Street Bridge the Anthony F.X. Pellicci Memorial Bridge. **Held in Committee**
02/19/15 – Submitted by Rep. DePina and Zelinsky
03/31/15 – Held in Committee

This item was held pending receipt of additional back-up information.

- ⁵7. [LU29.036](#) REVIEW and COMMENT; Text Change to Article III, Section 7-U and Appendix A, Table II of the Zoning Regulations to establish the appropriate location and operation of medical marijuana dispensaries and production facilities in the City of Stamford. **Report Made**
03/24/2015 – Submitted by Norman Cole

Co-Chair Day noted that the Board has no jurisdiction over this item. It is informational only. Mr. Cole distributed the [attached map](#), noting that this proposal was prepared by the Zoning Board after a 14 month moratorium. This proposal would permit special exclusions for Medical Marijuana growing facilities in Zones M-G, M-L, C-B, C-I and C-L

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and for Medical Marijuana dispensaries in Zones C-B, C-I and C-L. Many of the zoning standards echo the State statute. Committee members discussed whether the City needs to provide these zones and whether a failure to do so would be constitutional and the possibility of limiting it to a hospital zone. The State has issued very few permits to date. The Zoning Board is still reviewing this, has circulated it for comment, and will be holding a public hearing.

- ⁶8. [LU29.038](#) RESOLUTION and Approval of Public Hearing; **Approved 6-0-1**
Authorizing the Acquisition by Negotiation or
Eminent Domain of Rights of Way for the Pulaski
Street @ Washington Boulevard Intersection
Improvement Project.
03/30/15 – Submitted by Mayor Martin
04/07/15 – To be considered by Planning Board
04/09/15 – Approved by Board of Finance

Mr. Poola distributed the [attached drawing](#) and explained that the current curb configuration is a danger to pedestrians. The City will be taking 317 ft² in order to move the sidewalk. The property is owned by Holy Name Church, which will agree to a friendly taking for compensation. This is being funded by a private donation from BLT, except the City will pay for the right-of-way. A motion to approve this resolution was made, seconded and approved by a vote of 6-0-1 (Reps. Day, Fountain, McNeil, Okun, Reeder and Ryan in favor; Rep. Summerville abstaining).

- ⁷9. LU29.039 REVIEW; Current and Future Purpose and Role of **Report Made &**
the Urban Redevelopment Commission. **Held in**
04/08/15 – Submitted by Reps. Day, Kooris, Silver, **Committee**
Skigen, Buckman and Zelinsky

Committee Members addressed several questions to Ms. Goldberg and Reverend Jackson which they would like to have answered in writing, expressed frustration that members of the URC Board who said they would attend were not present and noted that the URC Board should attend the next meeting. The requests are:

- A simplified cash flow analysis since FY 2008, particularly the sources of funds and where money was spent (with a description of the major items)
- An evaluation of the present and future role of the URC (including the costs and benefits of operations; how the function served is useful to the City; the cost and implications of eliminating the URC; and any alternatives to continuing the URC as is or eliminating it)
- How the URC Board works and monitors the activities of the URC and the Board's vision for the URC
- The report of the Mayor's Governance Task Force regarding the URC recommendations, with exhibits and back-up documentation; and the URC's response
- The recent changes to the State enabling legislation re: dissolving the URC
- The processes the URC follows to spend money, including how decisions are

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made (Ms. Goldberg stated that there is a preexisting memo regarding the URC's financial controls which the URC can provide)

- Who makes the decisions to spend the URC money
- Where the cash comes from to pay the expenses for the URC
- An evaluation of whether the URC should continue to exist, including the cost of elimination and alternatives
- Availability of less expensive or burdensome alternatives to the current structure, including analysis of whether the URC should be a resource to the City as and when needed
- Plans for the use of the funds to be received by the URC from the sale of its property, including an explanation of how program income can be used
- The projected cash flow of the URC over the next 3-4 years.
- A copy of the URC by-laws

Committee members, Reverend Jackson and Ms. Goldberg also discussed questions raised in previous auditor's reports; that the URC does not receive funds from the City through the budget process; and that the URC is not allowed to own property separately and properties are held in the City's name, although HUD limits the uses of urban renewal program income to eligible program activities. Ms. Goldberg distributed the [attached closing statements and deposit ticket](#) for the transfer of \$370,740.82. Reverend Jackson read the [attached statement](#) into the record.

There being no objections, this item was held in Committee.

Co-Chair Day adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Harry Day, Co-Chair

This meeting is on [video](#).