



Land Use-Urban Redevelopment Committee – Board of Representatives

Virgil de la Cruz, Co-Chair

Bradley Michelson, Co-Chair

Committee Report

Date: Wednesday, June 30, 2021
Time: 7:00 p.m.
Place: *This meeting was held remotely.*

The committee met as indicated above. In attendance were Co-Chairs Michelson and de la Cruz and Committee Member Reps. Cottrell, Florio, Lion and Sherwood. Absent was Committee Member Rep. Graziosi and excused were Committee Member Reps. Lee and Summerville. Also present were Lou Casolo, City Engineer; Ralph Blessing, Land Use Bureau Chief; Susan Halpern, Sheila Barney, Barry Michelson, and Carmine Tomas, South End Historic District Study Committee; and Daria Opolski, and Jaroslaw Rokicki, Holy Name Athletic Club.

Co-Chair Michelson called the meeting to order at 7:00 p.m.

Item No.	Description	Committee Action
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The Committee first considered Item Nos. 3 and 4.

3. LU30.055	REVIEW; Quarterly Report of the South End Historic Study Committee. 06/13/21 – Submitted by Rep. Michelson	R. Blessing S. End Study Committee
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Mr. Blessing reviewed the Board's approval of [Resolution No. 4085](#) Creating a South End Historic Study Committee (SEC):

- The SEC is tasked with preparing a report for the potential creation of a local historic district. Once created every change to buildings or structures within a local historic district would have to be approved by the district committee. There are several steps to the creation of a local historic district: a study, the creation of a report, approval of the report by the Board of Representatives; a vote of the property owners who would be affected by the creation of a district approving the creation of the district by 2/3 of the property owners.
- The time period granted in the resolution is coming to an end. The pandemic made things difficult for the committee, but in limiting the committee to 6 months, the Board was mindful of the uncertainty created for property owners by the SEC.
- He has concerns about the transparency and conduct of the meetings. The SEC is made up of volunteers who may not be familiar with what is required under FOIA as to meeting notices, minutes, votes and resolutions. SEC work has been hindered by forces outside of their control; it has been hard to access SHPO during the pandemic.
- He will work with the SEC members to ensure they understand their FOIA obligations and assist with technology solutions
- He has suggested that the SEC create a webpage on the City website, which will also be a useful tool for reaching out to neighbors

The committee continued the discussion with Mr. Blessing and the members of the SEC:

- Most of the SEC's time has been spent filling out the grant application. They have been told that the application will be considered at the August meeting.
- The SEC has not met since February. Their contacts have been by email and by phone; they will put together the emails so that they can be included in the SEC's record
- Until the grant is approved, they can't spend money on the consultant or mailing because they won't be reimbursed
- There are currently no plans to hold meetings and no timeline for reaching out to property owners
- The SEC would receive the grant from SHPO, which would be managed by the City; since the SEC is created by the Board of Representatives, it is subject to the purchasing ordinance

Co-Chair Michelson noted that the SEC should be providing the Board with quarterly reports. This report was late and the next one would be due on August 1st followed by reports due on November 1st, and if this amendment is approved by the full board, February 1st, and the final report on May 1st.'

4. [LU30.054](#) RESOLUTION; Amending [Resolution No. 4085](#) **Approved, as amended, 6-0-0**
 Creating a South End Historic Study Committee to
 Extend the Date by which the Study Committee Shall
 Submit its Report.
 05/24/21 – Submitted by Rep. Michelson

A motion to amend the resolution to extend the date by which the Study Committee shall submit its report by 6 months was made and seconded. That motion was then amended to nine months, and then was amended to provide for a date certain: May 1, 2022 as follows:

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

The Study Committee shall submit its report to the State Historic Preservation Office, the Planning Board and the Board of Representatives on or before May 1, 2022 within _____ months of the approval of this Resolution. The Board of Representatives may extend this period upon request by the Study Committee and cause shown.

The motion was approved by unanimous voice vote (Reps. Michelson, de la Cruz, Cottrell, Florio, Lion and Sherwood in favor).

A motion to approve the resolution, as amended, was made, seconded, and approved by unanimous voice vote (Reps. Michelson, de la Cruz, Cottrell, Florio, Lion and Sherwood in favor).

1. [LU30.051](#) REVIEW; Commons Park South Extension. **Report Made**
 12/09/20 – Submitted by Rep. Sherwood
 12/30/20 – NO ACTION TAKEN
 01/04/21 – Held by Committee, 7-0-0
 01/27/21 – Held by Committee
 02/24/21 – Held by Committee 5-0-0
 03/24/21 – Report Made and Held by Committee 7-0-1

Ms. Opolski and Mr. Rokicki discussed the flooding issues the Holy Name Polish Athletic Club is having and their desire to get help from the City with the Committee and invited guests:

- Ms. Opolski stated that the club did not have any flooding issues until the ground level was changed by BLT, the Commons Park extension, the dog park and increased

vibration. They have spent \$1000s to repair the water issues. They can no longer use the basement space for rental of storage spaces. They have added 5 sump pumps to address the water issues.

- The club will provide the committee with the actual revenue lost due to flooding and the expense of installing and running the pumps.
- The club should contact the building official to determine the soundness of the structure if there is water intrusion
- Is the building zoned for the rental of basement space?

Committee members discussed this item with the invited guests:

- Mr. Casolo reviewed the [cross-section drawings](#) he had provided earlier in the day.
- This is a dispute between private landowners and is not within the City's purview, since the flooding is not attributed to something the City created
- Jim Lunney had mentioned that there were water lines from the building impacted when the dog park was created
- BLT did provide a drainage agreement, which was not acceptable to the club
- The club is 150 feet from the roadway; the flooding is not in connection with the street opening permit
- These changes are made by the developer and do not require City involvement.
- Aquarion can be asked to check the integrity of the lines
- For much of the activity on the site that BLT owns, there are no permits required from the City
- Stormwater management has only been regulated for the past year; if the work were happening now, a permit would be required
- The City could issue stop work orders for work being done without a permit, but could not do anything about damage caused by the work to a 3rd party
- Most of the flooding is during storms

Committee members discussed asking for a legal opinion regarding the City's powers to address property damage between two property owners.

Rep. Sherwood asked under the FOIA that Mr. Casolo and Mr. Blessing provide her with all documents relating to changes and permitting over the past 7 years for the block of Pacific, Woodland, Walter Wheeler and Atlantic to her City email address, with copies to Reps. Adams and Coleman.

2. LU30.022	REVIEW; Feasibility of Enacting an Ordinance to Regulate Short-Term Rentals of Private Dwellings. 12/04/18 – Submitted by Reps. Pratt and Zelinsky 01/02/19 – Report Made & Held in Committee 01/14/19 – Moved to Pending 01/27/21 – Held by Committee 02/24/21 – Report Made & Held by Committee 5-0-0 03/24/21 – Held by Committee 8-0-0	HELD
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Co-Chair Michelson adjourned the meeting at 9:24 p.m.

Respectfully submitted,
Bradley Michelson, Co-Chair

This meeting is on [video](#).