Land Use-Urban Redevelopment Committee – Board of Representatives

Harry Day, Chair

Notice of Meeting

Date: Wednesday, August 24, 2011
Time: 7:30 p.m.
Place: Republican Caucus Room, 4th Floor, Government Center

The Land Use-Urban Redevelopment Committee met as indicated above. Present were Chair Day and Committee Member Reps. Summerville, Raduazzo and Kaufman. Excused were Committee Member Reps. Lombardo and McGarry. Also present were Reps. Adams, Heaphy, Uva and Zelinsky; Rachel Goldberg, Esq., URC; Jack Condlin, Robert Strada, Frank Fedeli, Stuart Sobel, Jeffery Saunders, Mike Pensiero and Ray Redniss of the Harbor Commission; Sgt. Peter Wolff of the Stamford Police Marine Division; Michael Taylor, Harbor Master; and Laura Labosky and Ann Brown to speak on the Stamford Urban Transitway.

Chair Day called the meeting to order at 7:40 p.m., stating that in the absence of any objections, he would change the order of the agenda to accommodate members of the public.

Item No.	Description	Committee Action
4. LU28.030	REVIEW; matter of Brewer's Yacht Haven West being forced to shut down on October 31, 2011.	**REPORT MADE**

Chair Day stated:

- The Harbor Commission has noticed a meeting for tonight, although it will not be called to order.
- This is not a public hearing. The BOR does not have direct jurisdiction in this matter, however, because it is of great interest to a large number of people, the matter will be reviewed and followed by the BOR.
- The matter is properly before other boards, including the Zoning Board and the Harbor Commission, and possibly the Planning Board.

Norman Cole spoke first:.

- This was originally the HELCO/Northeast Utilities property; later it became Yacht Haven.

- In 1980 Stamford implemented coastal management regulations, and a 3-year study of the area to develop a municipal coastal program for Stamford was undertaken (via a DEP grant). Mr. Cole then read from a special segment that was added to the Master Plan during that time.
    - "The lower 14 acres take on special importance to the CT Coastal Management Act … requires that water-dependent uses shall not be displaced … support preservation and maintenance of existing boating facilities."

- In 2002 the Master Plan was updated and re-committed to the same coastal plan. Mr. Cole, reading from it, stated:
    - "… protect and promote water-dependent uses and boating …Yacht Haven is Stamford's last remaining ship service facility … it should be maintained … and its integrity should not be compromised in any redevelopment scheme of the property …".

- In 2007, Antares requested a zoning change for 60 acres, known as "Harbor Point." The Zoning Board deliberately included the boatyard in the re-zoning because it felt that by placing it within the zone, it could impose conditions that expressly endorsed the previously-mentioned policies. In July of 2007 a change of zone was created, and the entire area was zoned as a new South End Redevelopment Zoning District. The Zoning Board also approved the general development plan, which sets forth rules and general parameters for development. Mr. Cole read from Condition No. 7 of the approval:
    - "Phase I final plan submittal shall include conceptual plans to improve and ensure continued operation of the boatyard … and full service marina. Unless specifically approved by the Zoning Board … there will be no reduction in services … ensuring a continued operation of this important water-dependent use."

Mr. Cole added that, in his opinion, the land use boards have consistently described the boatyard as the highest water-dependent use of the property.

In 1985 the Commissioner of the DEP stated that DEP considered the boatyard as the highest water-dependent use of the property under the CT Coastal Management Act for the entire State.

In response to Mr. Day's question as to whether the discontinuance of the operation of the boatyard was a violation, Mr. Cole said that the Zoning Board felt strongly that approval was conditioned upon preserving the boatyard and its operating capacity. He added that remediation plans should include Zoning Board approval so as to maintain the operation of the facility during such remediation.

Mr. Condlin of the Harbor Commission spoke next, stating:

- In March of 2009, the Commission submitted a plan that includes the boatyard facility.
- The matter was discussed at the Commission's meeting last week, and as a result of that meeting, the Commission has a meeting with the Mayor and Mr. Freeman tomorrow (August 25th). The Mayor's goal is to try and get all parties to work together to solve this matter. Pending the meeting, Mr. Condlin could not add more to this topic.

Chair Day called on Peter Wolff, Police Department marine police supervisor, who stated:

- Being able to remove disabled boats quickly from the water is vitally important to prevent/reduce pollution episodes.
- Brewer's is used as an emergency services evacuation point for medical emergencies (it has adequate ambulance access and dock space for personnel).
- The loss of on-land storage will contribute to the occurrence of damage to boats that are kept in-water throughout the winter, increasing the numbers of sinking boats.
- Alternate boat haul-out locations are at least 90 minutes to two hours away.

Chair Day asked Mr. Freeman to respond.

- Extensive remediation needs to be done on this site.
- The decision to not renew the lease was arrived at within the last month.
- BLT owns at least another 300 boat slips in Stamford, and it is willing to make some of its space available.
- At this point, no decisions have been made by BLT as to the future use of the property.

Chair Day stated that it is of the utmost importance that a cooperative effort move forward to try and solve this issue. Rep. Summerville added that she was impressed with the comportment of everyone involved, especially everyone in the audience, and that she is confident everyone will work together to come to a solution.

2. LU28.029	RESOLUTION; reauthorizing the acquisition by negotiation or eminent domain of rights of way for Phase II of the Stamford Urban Transitway Project Group A and Group B Properties.	**COMMITTEE APPROVED 4-0-0**

This resolution was approved by the BOR in June of 2007. State statute requires that the acquisitions be completed within six months of the date of the resolution. Because the administration halted the project in order to conduct a review, the six months has expired, and the resolution needs to be re-approved by the BOR.

Ms. Goldberg has come to a negotiated settlement on almost all of the properties.

Upon motion duly made and seconded, the resolution was approved by a vote of 4-0-0.

3. LU28.028	RESOLUTION; memorializing the adoption of Deer Meadow Lane and other streets as accepted city streets.	**COMMITTEE APPROVED 4-0-0**

Chair Day stated that this was a routine recordkeeping matter. Upon motion duly made by Rep. Summerville and seconded, the resolution was approved by a vote of 4-0-0.

1. LU28.025	REVIEW; Mayor's Governance Task Force Report recommendations re: eliminating the Urban Redevelopment Commission.	**REPORT MADE & HELD IN COMMITTEE**

Ms. Goldberg distributed a three-page financial summary (see attached) in response to a request made at last month's meeting. The Committee reviewed the summary, and Chair Day asked Mr. Raduazzo to review the URC finances in more detail and report back to the Committee.

A discussion between Mr. Arnone (of the Mayor's Governance Task Force) and Ms. Goldberg, relating to the Corcoran-Jennison property, did not result in a meeting of the minds.

Chair Day stated that this was not the appropriate forum to hold this (or any similar) debate. Chair Day stated that abolishing the URC is a very complicated matter, and this discussion will continue for many months. Due to the lateness of the hour, the matter will be held and taken up again next month.

Respectfully submitted,

Harry Day, Chair/
Annie Summerville, Clerk

This meeting is available on video