Land Use-Urban Redevelopment Committee – Board of Representatives

Harry Day, Chair

Committee Report

Date: Tuesday, August 27, 2013
Time: 7:00 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. Fountain, McGarry, McMullen and Summerville; excused were Committee Member Reps. Lombardo and Kaufman. Also present were Reps. Cerasoli, Mitchell and Velishka; John Gottlieb, Esq., Joe Williams, Esq. and Vin Tufo representing COC; and Richard Freedman representing Garden Homes Management.

Item No.	Description	Committee Action
1. LU28.073	RESOLUTION & **public hearing**; approving the acquisition by the Housing Authority of the City of Stamford d/b/a Charter Oak Communities of the properties known as 195 and 211 Stillwater Avenue by eminent domain. 06/05/13 – Submitted by the Housing Authority of the City of Stamford d/b/a Charter Oak Communities 06/20/13 – Committee approved public hearing 5-0-0 07/01/13 – Returned to Committee 21-13-0 07/23/13 – Committee ratified 6/20/13 action/approved public hearing 5-0-0 08/05/13 – Public Hearing approved-Consent	**COMMITTEE APPROVED 5-0-0**

Chair Day reported that the Committee previously approved a public hearing, but at the board meeting, the item was returned as some members had unanswered questions. It is his understanding those questions have now been answered.

Chair Day opened the public hearing; there was no one present from the public to speak.

Chair Day noted that the attached detailed letter from Charter Oak has been received that assures this Board and the City that all of the actions required to approve this have been taken. Chair Day closed the public hearing, and upon motion duly made and seconded, the item was approved unanimously.

2a. LU28.074	RESOLUTION; initiating the process of discontinuing a portion of Stanley Court. 07/02/13 – Submitted by Laure Aubuchon 07/23/13 – Public Hearing held/approved 5-0-0 08/05/13 – Returned to Committee	**COMMITTEE APPROVED 5-0-0**

Chair Day reported that this item was also returned to Committee to have additional questions answered. Rep. Mitchell stated that she has met with Mr. Freedman, and her questions have been resolved.

Rep. Summerville stated that this project will enhance the area. Mr. Freedman confirmed that his firm will be purchasing the land to be conveyed by the City, at a value to be determined by appraisal.

Upon motion duly made and seconded, the item was approved unanimously.

2b. LU28.075	RESOLUTION & APPROVAL of public hearing; authorizing the sale of city-owned property to Garden Homes Management. 07/02/13 – Submitted by Laure Aubuchon _____ - To be considered by Planning Board _____ - To be considered by Board of Finance 07/23/13 – Report Made/Held in Committee 5-0-0	**HELD IN COMMITTEE 5-0-0**

This item will be held until an agreement has been reached between Mr. Freedman/Garden Homes Management and the City.

3a. LU28.064	RESOLUTION; noticing intent to discontinue a portion of South State Street. 04/03/13 – Submitted by Laure Aubuchon 05/01/13 – Public Hearing Held & Committee approved 3-2-0 05/06/13 – Held in Committee 05/13/13 – Placed on Pending Agenda 07/23/13 – Report Made/Held in Committee 3-0-2	**HELD IN COMMITTEE 5-0-0**
3b. LU28.065	APPROVAL; of an agreement between the City of Stamford and the State of CT to include a portion of South State Street as part of the State Highway system. 04/03/13 – Submitted by Laure Aubuchon 05/01/13 – Report Made 05/06/13 – Report Made & Held in Committee 05/13/13 – Placed on Pending Agenda 07/23/13 – Report Made/Held in Committee 3-0-2	**HELD IN COMMITTEE 5-0-0**

Chair Day reported that the Committee is awaiting an opinion from Corporation Counsel as to whether the State of Connecticut can take this property by unilateral action upon 60 days' notice. He added that the State's position is that it is merely being conciliatory in allowing the City to abandon the street via its own process. Chair Day stated he believed the State probably has the right to take the property, although Mr. Capalbo has indicated he would like to determine the matter with more certainty. The item was held.

4. LU28.069	APPROVAL; of an amendment to a loan agreement between the City of Stamford, the URC and Trinity Stamford, LLC in the amount of $450,000 (6% interest rate) in connection with the 2d Amendment to the Land Disposition Agreement dated 12/21/12. 05/08/13 – Submitted by Rachel Goldberg, Esq. _____ – To be considered by Planning Board (?) _____ – To be considered by Board of Finance 05/23/13 – Held in Committee 06/20/13 – Held in Committee 07/23/13 – Held in Committee	**HELD IN COMMITTEE 5-0-0**

Chair Day reported that Ms. Goldberg was unable to attend tonight's meeting; further, the Mayor has not indicated whether he is in favor of this item. Therefore, the item was held.

5. LU28.067	APPROVAL; of a license and public improvement agreement between the City and Waterfront Magee LLC and the Strand BRC Group, LLC. 05/07/13 – Submitted by Laure Aubuchon 08/13/13 – To be considered by Planning Board _____ – To be considered by Board of Finance 05/23/13, 6/20/13 – Held in Committee 07/23/13 – Held in Committee	**HELD IN COMMITTEE 5-0-0**

Chair Day reported that the Planning Board is holding its 3rd meeting on this item this evening, and has advised that it may consider voting on it at its September 17th meeting. If it is approved by the Planning Board, it then goes to the Board of Finance. Thereafter, it will be taken up by this Committee, with a public hearing to be held as required by the Charter. Rep. Summerville stated she does not believe there is adequate time between now and the end of this Board's term to undertake a meaningful review of this project. The item was held in Committee.

6. LU28.077	REVIEW; damages from construction to property owners - Pulaski Street. 08/05/13 – Submitted by Rep. Coleman	**HELD IN COMMITTEE 5-0-0**

Chair Day stated that he has heard from Rep. Coleman that this appears to be a private dispute which the parties are attempting to resolve, and therefore not a matter for the Committee to take up presently. The item was held in committee.

7. LU28.078	REVIEW; use of property by Finnochio Bros. at 49 Liberty Place and effects on surrounding neighborhood. 08/06/13 – Submitted by Reps. Fedeli, Day, Mitchell and Velishka	**HELD IN COMMITTEE 5-0-0**

Chair Day explained that this parcel is in the least restrictive commercial zone (MG) and it abuts the most restrictive zone, a residential neighborhood. There is a lot of activity on this site. On-site parking for the 40-50 employees appears to have been reduced or eliminated, and they have taken to parking in the adjoining neighborhood. Further, there appear to be unfinished projects, a large pile of dirt, the construction of 20' retaining walls and other activity (see attached pictures).

Chair Day held a preliminary conversation with the Zoning Enforcement Officer who did not feel he could do anything about the parking. Chair Day feels that a meeting must be held with the Director of Operations, the Health Department, the Building and Zoning officials and others to ensure the property owners are conducting activities that are properly permitted and not in violation of zoning laws, and to resolve the issue of parking spillover into the adjoining residential streets.

Mr. Fedeli (a resident of the neighborhood) stated that the biggest problem is the parking. It was suggested that the neighborhood look into the residential parking permit program, though Chair Day stated that the residents should not have to resort to that measure.

Rep. Summerville emphasized including the two district representatives, Mr. Velishka and Ms. Mitchell, in future discussions regarding this property. The item was held in committee.

Submitted by,

Harry Day, Chair

This meeting is on video.