



Land Use-Urban Redevelopment Committee – Board of Representatives

Harry Day, Co-Chair

David Kooris, Co-Chair

Committee Report

Date: Tuesday, February 24, 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 Kooris, Co-Chair Day and Committee Member Reps. Fountain, McNeil, Okun, Ryan and Summerville. Absent or excused was Committee Member Rep. Reeder. Also present were Rep. Franzetti; Kathryn Emmett, Corporation Counsel; Lou Casolo, Engineering; Ernie Orgera, Director of Operations; Robert DeMarco, Building Official; David W. Woods and Anne Goslin, Historic Preservation Advisory Commission (HPAC); Wes Haynes, Historic Neighborhood Preservation (HNP) and Jesse Ward.

Co-Chair Kooris called the meeting to order at 7:34 p.m.

Item No.	Description	Committee Action
11. LU29.002	REVIEW; construction work at Star Meadow Ranch, Erskine Road. 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	Report Made & Held until April meeting

Ms. Emmett distributed an updated timeline. She explained that the lawsuit is now scheduled for a pretrial conference on April 8th in Superior Court. Ernie Abate has appeared on behalf of the defendants. Some issues have been resolved – permits to fill in the wetlands and demolition permits have been obtained. There has been a proposed text change submitted for the building permits which is before the Zoning Board. The road opening permit issue remains open. Ms. Emmett will provide more detail about this item. Co-Chair Kooris stated that the Committee would want another update after the pre-trial hearing.

¹ Video Time Stamp 00:00:40

2. [LU29.008](#) REVIEW; enforcement of the notice and delay provisions of the Demolition Permit ordinance. Report Made & Held in Committee
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

Co-Chair Kooris stated that this had been sent to the HPAC for comments. Mr. Woods stated that the HPAC as a commission supports having a better demolition ordinance and recommended the following changes on behalf of the HPAC:

88-2.A.7. – They generally request all 4 elevations be provided and that photographs of adjacent buildings and a streetscape be provided

88-2.A.10. – They are confused about this because 88-3.A requires a 500 foot radius. Ms. Emmett stated that the State statute only requires notice to adjacent property owners, so this may be an artifact from that. He feels that 500 feet in 88-3.A may be excessive and that 100 feet is reasonable. Ms. Emmett agreed that 100 feet would be more reasonable.

88-2.C – They believe this section should include something about hazardous materials, such as friable asbestos (this is in the application form for the permit). Ms. Emmett said that demolition of a building with hazardous materials is covered under state statutes, while rodents are not. Mr. DeMarco stated that before any demolition, the Health Department must sign off as to lead and asbestos.

88-3 – Certified mail is better than registered mail because it takes too long to get the receipt back. Mr. DeMarco said they do use certified mail. There is no requirement that the certifications be provided to the City or be available for inspection. Mr. DeMarco says they do require that the receipts be provided. The ordinance should state that the receipts should be provided to the City at the time of application.

88-4.B – “certified mail with return receipt” is redundant. The “with return receipt” should be deleted

88-5.A&B – the language is ambiguous and suggests 2 180-day delay periods. Ms. Emmett says that this would be inconsistent with State statute. The ordinance needs to clarify this.

² Video Time Stamp 00:08:15

The Commission is concerned that someone can file for demolition without having a plan for the property. The Committee recognizes this concern, but there is nothing that can be done about it.

Ms. Emmett stated that she will modify this draft ordinance for next month.

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

Mr. Casolo stated that at this time he does not recommend approval of this resolution. He provided an update on the status of the proposed demolition:

- The demolition notice was put out in October
- HNP issued a request to hold the demolition for 180 days in October
- The State HPO also became involved
- He has invited Todd Levine, an environmental person from the State HPO to come down with Wes Haynes, but the person was ill on the scheduled date

Wes Haynes explained that the two caretaker cottages are all that is left of the series of estates that used to be in the area. The north cottage has been remodeled and is in better condition. The south cottage has more architectural integrity and is virtually unchanged from 1870 other than a patio. It has gotten some moisture inside, but it is plumb and is a good example of an 1870s building, of which few remain in Stamford. He believes this building is valuable and worthy of saving. The North building is less valuable and is perhaps worthy of saving.

A motion to hold this item until April was made, seconded and approved by a vote of 7-0-0 (Reps. Kooris, Day, Fountain, McNeil, Okun, Ryan and Summerville in favor.)

- ⁴4. LU29.028 REVIEW; Plans for Main Street Bridge. Report Made
10/09/14 – Submitted by Reps. Reeder and Franzetti

Mr. Casolo explained that he has been working with the Administration for plans to preserve the West Main Street Bridge. Currently, the plan is to restore the structure as a pedestrian crossing. There was a big interest in preserving the trusses as structural elements and they can be repurposed. A structural preservationist has determined that it appears feasible to do this. There is a federal grant of \$850,000 with a 20% City match and a \$1.3 million grant. The second grant requires the money to be obligated by August of this year, including a design. This will be difficult to accomplish because of DOT and DEEP permitting requirements. The Mill River is a partner in this process.

Rep. Franzetti stated that the intention when the bridge was shut down was for it to be available for emergency vehicles. Mr. Casolo stated that the design will accommodate emergency vehicles.

³ Video Time Stamp 00:33:30

⁴ Video Time Stamp 00:44:43

- ⁵5. LU29.031 REVIEW; City Land Use Department Official Procedure, or Lack Thereof, for the Closing of, and/or the Mitigation of, or the Form of Municipal Relief, if any, Available for a Non-Single Family Residential Dwelling (i.e. two-family or more) Residence Owner, or a Condominium Unit Owner, in a Circumstance whereby an Aged Open Certificate of Occupancy (open CO) exists, specifically, on such Non-Single Family Residential Dwelling or such Condominium Unit. Report Made
12/03/14 – Submitted by Rep. Ryan

Rep. Ryan stated that this is a narrow question regarding open COs only for multi-family houses and condominiums, because the State statute only covers single family dwellings with open COs that are more than 6 years old. Mr. DeMarco explained that there is nothing the City can do, but there is an owner's form which permits owners to get a 6 year letter or estoppel letter. This issue does not come up very often. Rep. Ryan will explore options for this situation with Mr. DeMarco and will see what other jurisdictions do.

- ⁶6. LU29.032 REVIEW; Maintenance of the Above Ground Community Septic Systems at Lake Windermere and the Fiscal Responsibilities of the Owners to the City and Residents. Report Made
12/11/14 - Submitted by Rep. Okun

Rep. Okun explained that Mr. Brink provided her with information that testing is not being done by the new developer or homeowners. There is no City agency responsible for notifying homeowners of their responsibilities when they acquire these properties. The homeowners' association had a meeting last night to let owners know of their testing responsibilities. Mr. Brink explained that the WPCA has an agreement with the original developer to oversee the septic system. Homeowners make a \$4500 contribution at the time they purchase their properties and \$600 annual contributions for capital repair which is collected by the homeowners association. The developer is responsible for repairs until 6 more units are sold and then the homeowners association takes over. The WPCA has control of the capital fund, so the WPCA can use the fund to make repairs if the developer fails to. Committee members discussed that it is not within the Board's responsibility to notify homeowners about their responsibilities.

⁵ Video Time Stamp 00:59:30

⁶ Video Time Stamp 01:10:07

- ⁷7. [LU29.033](#) RESOLUTION and Approval of Public Hearing;
Authorizing the Acquisition by Negotiation or
Eminent Domain of Rights of Way for the Atlantic
Street & Henry Street Intersection Improvements
Project (740 Atlantic & 745 Atlantic).
01/21/14 – Submitted by Mayor Martin
01/28/15 – Approved by [Planning Board](#)
02/12/15 – Approved by Board of Finance
- Approved for
Public Hearing
7-0-0

Mr. Casolo explained the proposed acquisition and intersection improvements. There are private contributions in place to support this project and State aid for the intersection improvements. He does not know the cost of the project at this point. A motion to approve this item for public hearing was made, seconded and approved by a vote of 7-0-0 (Reps. Kooris, Day, Fountain, McNeil, Okun, Ryan and Summerville in favor).

- ⁸8. LU29.034 REVIEW; Use of property by Finnochio Bros. at 49
Liberty Place and Effects on surrounding
neighborhood.
02/04/15 – Submitted by Rep. Mitchell
- Held in Committee
until April
7-0-0

Mr. Orgera reminded the Committee of the ongoing issue with employees parking in neighborhood. The City has taken steps to address this. The residents did not want a residential parking permit program. Since then, Finnochio Bros has acquired the property to the west of its property which extends to Fairfield Avenue. It is using this property for employees parking. The City has found no violations at this point. Until the snow is gone, it will be difficult to determine what is going on. Mr. Ward stated that there is no change in the parking issue. A motion to hold this item until April was made, seconded and approved by a vote of 7-0-0 (Reps. Kooris, Day, Fountain, McNeil, Okun, Ryan and Summerville in favor).

Respectfully submitted,

David Kooris, Co-Chair

This meeting is on [video](#).

⁷ Video Time Stamp 01:40:33

⁸ Video Time Stamp 01:46:47