

January 3, 1956

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The regular meeting of the Board of Representatives of the City of Stamford was held on Tuesday, January 3, 1956, at the Walter R. Dolan Jr. High School Cafeteria, Toms Road, Glenbrook. The meeting was called to order by the President, Mr. George V. Connors, at 8:15 P.M.

INVOCATION was given by Rev. W. Lee Baxter, Pastor, Faith Temple Baptist Church, 16 Greyrock Place.

ROLL CALL was taken by the Clerk. There were 35 present and five absent. The absent members were: Irving Snyder, William Murphy, Helen Peatt, John DeForest and John Lilliendahl.

ACCEPTANCE OF MINUTES - Meeting of December 12, 1955.

Mr. Kaminski called attention to page 1014 of the Minutes, 12th line from bottom, the word "approved" to be changed to "considered".

Mr. Nolan called attention to page 1014 "Business on the Calendar" where the vote was taken "unanimously". He stated that he had made a request to abstain from voting on this question. He was informed that permission had to be obtained by a vote of the members present and that he had failed to request this permission. He asked that a vote be taken at this time on his previous request to abstain from voting on this matter, and, upon motion of Mr. Fredericks, seconded by several voices, it was CARRIED unanimously.

REPORTS OF COMMITTEES

Steering Committee:

Mr. Connors, Chairman, read the Minutes of meeting held December 19, 1955:

STEERING COMMITTEE REPORT

The Steering Committee of the Stamford Board of Representatives met in the Mayor's office, City Hall, at 8:15 P. M. The Chairman, Mr. George Connors, being absent, the Clerk, Mr. John Macrides, presided.

The following members were present: Alanson Fredericks, Joseph Milano, Rutherford Huizinga, Joseph Iacovo, Norton Rhoades, William Kaminski, George Georgoulis, John Macrides, Irving Snyder, Stephen Kelly and Paul Plotkin. The absent members were: George Connors, Chairman and Robert Lewis.

The following Communications were read:

1. Letter dated December 13, 1955, from L. A. Feck, Cincinnati, Ohio, addressed to the "City Fathers of Stamford, Conn." relative to an article published in the New York Times, circulated to other newspapers and re-printed by the "Cincinnati Enquirer" relative to birds nesting in the City Hall clock, causing the clock to run slow. The Secretary was ordered to answer the letter and refer it to the Public Works Department.
2. Letter dated December 16, 1955, from Mr. Joseph T. Greany,

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Chairman, Board of Tax Review, notifying the Board of Representatives of their January meetings for the purpose of receiving applications for revisions of assessments on the List of September 1, 1955. Placed on File

3. Letter dated December 8, 1955, from Mr. Walter Wachter, Planning and Zoning Director, in regard to application of J. Michael Cantore, Michael Stolfi, Samuel P. DeLeo, Rocco J. Conetta and John J. Carlo, petitioning the Zoning Board for a change in the zoning map of property located at corner of Bedford and Hoyt Streets, from present RMF multi-family residence district to C-L Limited Business District, and disapproved by the Zoning Board. Application also presented to Planning Board for change in Master Plan and approved by that Board. This application was heard jointly by the Planning Board and the Zoning Board on September 28, 1955. Referred to Legislative & Rules Committee.
4. Letter dated December 14, 1955, from Mr. Walter Wachter, Planning and Zoning Director, in regard to application of the First Stamford Corporation, petitioning the Planning Board for a change in the Master Plan and signed by 20% or more of the owners of privately owned land within 500 feet of the property described in the application, located on Blachley Road (formerly known as the Schuyler-Merritt Estate). This application was heard jointly by the Planning Board and the Zoning Board on September 28, 1955. Approved by Planning Board November 22, 1955. Referred to Legislative & Rules Committee.

In regard to No. 3 and 4 above, Mr. Plotkin suggested that the Planning and Zoning Committee have a joint meeting with the Legislative and Rules Committee; that they ask the interested parties involved and the Planning and Zoning Board to submit written arguments in support of their petitions and that the joint committees submit their findings to the Board of Representatives at their January 3, 1956 meeting. Mr. Plotkin's suggestion met with unanimous approval of the Committee and was adopted.

Upon motion of Mr. Fredericks, seconded by Mr. Huizinga, the Committee adjourned at 9:55 P. M.

Respectfully Submitted,

George V. Connors,
Chairman
Steering Committee

Mr. Killeen MOVED the Committee report, as read, be accepted. Seconded by Mr. Topping and CARRIED unanimously.

Fiscal Committee:

Mr. William Kaminski; Chairman, read the Minutes of meeting held

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December 19, 1955:

REPORT OF FISCAL COMMITTEE OF THE BOARD OF
REPRESENTATIVES, CITY OF STAMFORD, CONN.

December 19, 1955

A meeting of the Fiscal Committee was held at 5:00 P. M. in the Mayor's office, City Hall, on December 19, 1955. All members present.

The Fiscal Committee considered all items given approval by the Board of Finance at their meeting held December 12, 1955.

- (1) Amendment to the 1955-1956 Capital Project Budget for the inclusion of \$21,000 to cover the cost of straightening, widening and deepening the channel to the boat basin and harbor at Cummings Park.

Your Committee was unanimous in approving this item, with the following resolution:

BE IT RESOLVED, that the Board of Representatives amend the Capital Project Budget of 1955-1956 by the amount of \$21,000 to cover the cost of straightening, widening and deepening the channel to the boat basin and harbor at Cummings Park.

- (2) Request for additional salary appropriations for the Public Works Department, to cover certain changes in grade and classification.

Your Committee was unanimous in requesting your approval of the following:

Code 413.1	Bureau of Parks	\$1,290.00
Code 413B.1	Division of Trees	450.00
Code 412B.1	Tree Climber-Highway	150.00
Code 412D.1	Tree Climber Highway	150.00
Code 416.1	Building Bureau	<u>570.00</u>
		\$2,610.00

- (3) Your Committee decided to request that the two items of \$2523.78, General Election Expense, July 26, 1955, Registrars of Voters, Code #100.53 and \$2591.22, General Election Expense, August 30, 1955, Registrars of Voters, Code #100.53, portions of which were approved at our December 12, 1955 meeting, leaving balances of \$524.78 and \$592.22 still unapproved, remain in Committee in order that clarification on the question of whether or not we can act on the remainder can be obtained.

- (4) Elm Street School - Special appropriation of \$2,000 to maintain the Elm Street School Building.

Your Committee requests that we send this item back to Committee, pending an answer to a letter sent to the Mayor by the Fiscal Com-

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mittee, requesting the Mayor to advise us of the disposition or use of this building.

- (5) \$12,00 appropriation for installation of Fire Hydrants, Dept. of Public Works, Code 441.12.

Your Committee was unanimous in requesting that we approve this appropriation of \$12,000, new fire hydrants, Code 441.12.

- (6) Pension, Mark O'Brien, Mechanical Supervisor.

Your Committee was unanimous in requesting that we approve the appropriation of \$1,866.03 to cover pension of Mark O'Brien.

- (7) Your Committee was unanimous in requesting that we approve the appropriation of \$50.00 for account PP 424.5 Damage to Domestic animals.

- (8) Your Committee was unanimous in requesting that we approve the appropriation of \$1,500 for the former Stamford Museum Building maintenance.

- (9) Your Committee was unanimous in requesting that we approve the appropriations for the Planning Board, as follows:

Code 520	Overhauling Typewriter	\$125.00
Code 520.10	Subscriptions & Misc.	200.00
Code 550.3A	Stenographic Services	350.00
		<u>\$675.00</u>

- (10) By unanimous vote your Committee recommends approval of the Fire Department request for the following appropriations:

Account 440.3	Stationery-Postage	\$ 150.00
Account 440.5	Telephones	200.00
Account 440.6A	Flags	104.00
Account 440.6C	General Supplies	2,500.00
Account 440.17	Gas, Oil & Tires	1,357.65
Account 440.7	Janitors Supplies	200.00
Account 440.19	Tools	100.00
Account 440.22	Beds & Equipment	250.00
Account 440.22A	New Equipment	200.00
Account 440.26	Laundry	500.00

- (11) Your Committee by unanimous vote recommends the approval of \$7,500 for installation and cost of fire hydrants for the Fire Department.

- (12) Your Committee, by unanimous vote, recommends the approval of \$200.00 for typewriter and \$175.00 for filing cabinet, Code 800; and \$1,564.00 Salaries, Code 800.1, City Court.

- (13) Your Committee recommends that the item of \$150.00 for the office of Commissioner of Finance, Code 480.1, salaries, remain in Committee, pending confirmation of the classification or grade change by the personnel Commission.

WILLIAM C. KAMINSKI, CHAIRMAN,
Fiscal Committee

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Mr. Kaminski called attention to an item approved by the Board of Finance at their meeting held December 12, 1955, in regard to issuance of Bonds for financing the 1955-1956 Budget. He said this had been inadvertently left out of their report and that he would bring this up later for approval by the Board, as it was a matter that was of utmost importance.

MR. KAMINSKI MOVED for approval of item No. 1 on his Committee report. Seconded by Mr. Kelly and Carried unanimously.

MR. KAMINSKI MOVED for approval of item No. 2 on his Committee report. Seconded by Mr. Kelly.

Mr. Topping stated that in his Committee report of the Public Works Committee, that it was his Committee's recommendation that these items be deferred until the Park Commission has the opportunity to make its recommendation.

MR. KAMINSKI: "I might mention that the prerogative lies in the hands of the Department head to recommend these salary increases - it is up to the Personnel Commission and the department head involved.

VOTE taken on the second item in the Committee report. CARRIED, 30 in favor and 4 opposed.

Mr. Kaminski asked the Corporation Counsel, who was present, to give an opinion in regard to item No. 3 of his Committee report.

MR. HANRAHAN said he could see no reason why the balances still remaining in the request from the Registrars of Voters, partially approved by the Board at the December 12, 1955 meeting, could not be approved at this time.

MR. KAMINSKI MOVED that this request be sent back to Committee.

MR. FREDERICKS: "Am I correct in my understanding that the Moderators were not paid? I wish you would, at our next meeting find out whether the Moderators were or were not paid."

Mr. Topping SECONDED Mr. Kaminski's MOTION.

MR. FREDERICKS called a point of order and called attention to Page 4, paragraph 5 of the Rules.

MR. NOLAN: "Why are we referring this back to Committee?"

MR. KAMINSKI: "At our meeting of December 19, 1955 we did not have the ruling from the Corporation Counsel. If, however, any member of the Board wishes to bring this to a vote, he may do so."

Mr. Lewis said he would prefer a written ruling from the Corporation Counsel and approved that this go back to Committee.

VOTE taken and CARRIED, 33 in favor and 1 opposed, Mr. Nolan voting in the negative.

1592 Elm Street School - \$2,000: MR. KAMINSKI MOVED that this be sent back

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to Committee, pending an answer to a letter sent to the Mayor by the Fiscal Committee, requesting the Mayor to advise the disposition or use of this building. Seconded by Mrs. Zuckert and CARRIED unanimously.

MR. KAMINSKI MOVED for approval of item No. 5 on his Committee report. Seconded by Mr. Hearing and CARRIED unanimously.

MR. KAMINSKI MOVED for approval of item No. 6 on his Committee report. Seconded by Mrs. Zuckert and CARRIED unanimously.

MR. KAMINSKI MOVED for approval of item No. 7 on his Committee report. Seconded by Mr. Iacovo and CARRIED unanimously.

MR. KAMINSKI MOVED for approval of item No. 8 on his Committee report. Seconded by Mr. Topping and CARRIED unanimously.

MR. KAMINSKI MOVED for approval of item No. 9 on his Committee report. Seconded by Mr. Kelly and Carried unanimously.

MR. KAMINSKI MOVED for approval of item No. 10 on his Committee report. Seconded by Mr. Kelly. Mr. Milano gave the report of the Health and Protection Committee, recommending this be approved. CARRIED unanimously.

MR. KAMINSKI MOVED for approval of item No. 11 on his Committee report. Seconded by Mr. Kelly. Mr. Milano gave the recommendation of the Health and Protection Committee that this item be approved.

MR. KAMINSKI MOVED for approval of item No. 12 on his Committee report. Seconded by Mr. Georgoulis and CARRIED unanimously.

MR. KAMINSKI MOVED that item No. 13 on his Committee report be allowed to remain in Committee for further confirmation and clarification. Seconded by Mr. Kelly and CARRIED unanimously. Mr. Kaminski clarified this by stating that a confirmation from the Personnel Commission had not been received at the time of their Committee meeting, as they met at 5:00 P.M. and the Personnel Commission met the same evening at 9:00 P.M. He stated that there were other matters of the same type pending and they did not wish to handle them individually.

MR. KAMINSKI MOVED for SUSPENSION OF THE RULES in order that another pressing matter could be brought up in regard to authorization for the issuance of bonds in the amount of \$1,276,000 for financing 1955-56 Capital Projects Budget. Seconded by Mr. Fredericks and CARRIED unanimously.

MR. KAMINSKI presented the following resolution and MOVED for its approval. Seconded by Mr. Kelly, and CARRIED unanimously:

RESOLUTION NO. 206

WHEREAS, in accordance with Section 630 of the Charter, as amended, this Board has received a written request from the Mayor, approved by the Board of Finance, to authorize bonds to finance all of the Capital Projects contained in the Capital Budget for the

current fiscal year, except such projects as are to be paid for with funds raised by current taxation or from other designated sources.

NOW THEREFORE BE IT RESOLVED THAT:

1. There be and hereby is authorized, under and pursuant to the Charter of the City of Stamford and any other general or special statute thereto enabling, the issue and sale from time to time of general obligation, coupon serial bonds of the City of Stamford in an aggregate principal amount of One Million Two Hundred Seventy Six Thousand (1,276,000.00) Dollars for the purpose of paying for capital projects, consisting of the several public improvements or other municipal works of a permanent character, all as hereinafter more fully described. Each of said capital projects is included in the duly adopted capital budget for the current fiscal year and reference is hereby made to said capital budget for a more complete description of the particular projects hereinafter designated. The said capital projects and the extent to which they are to be financed with the proceeds of the bonds herein authorized are as follows:

Department of Public Works

Sanitary Sewer Construction

Morgan Street Extension	\$ 158,000.00
Center Street-Scofield Ave. Area	100,000.00
Cove Island	36,000.00
West Broad Street	30,000.00
Nurney Street	20,000.00
Congress St., Carlisle Pl., & Wells Avenue	72,000.00
Roxbury School - Relief	89,000.00
New Incinerator - Shippan Point	20,000.00

Storm Drains Construction

Springdale	50,000.00
North Glenbrook	70,000.00
Woodside Park	23,000.00
Michael F. Lione Park - Sub Drains	5,000.00
McMullen, Owen & James Streets	20,000.00
Magee Avenue - St. Mary's St.	15,000.00
Kensington Road	5,000.00

Highway Construction

Broad Street Extension	100,000.00
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Board of Public Safety

Police Department, New Headquarters Building Office and Service Equipment	\$ 90,000.00
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Board of Education

School Construction

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Burdick School, Reconstruction
and Addition.....\$755,000

Loss adjustment from insurance.. 382,000

Balance

373,000.00

Total

\$1,276,000.00

2. Said bonds shall be issued in the name of and upon the full faith and credit of the City of Stamford and shall be issued as one or more separate bond issues and in the manner and in the principal amount that the Board of Finance may prescribe from time to time.

3. Each of the Capital projects hereinbefore described and contained in the capital budget for the current fiscal year is hereby confirmed as a duly authorized capital project of the City of Stamford.

Legislative & Rules Committee:

Mr. Plotkin, Chairman, presented the following report of a joint meeting of the Legislative & Rules and Planning and Zoning Committees:

REPORT OF JOINT MEETING OF THE LEGISLATIVE AND RULES
AND PLANNING AND ZONING COMMITTEES

January 3, 1956

A joint meeting of the Legislative and Rules and the Planning and Zoning Committees was held Thursday, December 29, 1955 at 8:30 P.M. The meeting was convened in the Mayor's office, City Hall, and it was agreed that Mr. Paul Plotkin would act as Chairman and Mr. Ellis B. Baker as Clerk.

Those of the Legislative and Rules Committee present were Messrs. Plotkin, Paiteri and Baker and Mr. Kelly replacing Mr. Killen by appointment of Mr. Connors. Absent were Messrs. McLaughlin (ill) and Russell.

Those of the Planning and Zoning Committee present were Messrs. Czupka, Murphy and Nolan. Absent were Messrs. McLaughlin and Topping (both ill).

It was stated by the Chairman that the joint meeting had been called to consider two appeals to the Board of Representatives, one from a decision of the Zoning Board and the other from a decision of the Planning Board. The notice of meeting which gives pertinent details, and which was sent in advance to all interested parties, is attached hereto as Appendix #1 and made part of the report. The official notices of referral to the Board of Representatives are attached hereto as Appendices #2 and #3 and made part of this report.

It was necessary to invite interested parties in both cases to appear and be heard because there is no verbatim transcript of the proceedings at the hearing before the Planning and Zoning Boards, September

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28, 1955, the Stenotypist reserved for the occasion having been unable to attend at the last minute, due to illness in the family.

Available to the Committees is a copy of the Minutes of the Executive Session of the Zoning Board held November 28, 1955 at which the Board disapproved the application of Michael Cantore et al for a change in zoning from RMF District to a CL Business District. These Minutes cite the Board's reasons for such disapproval. Said copy is attached hereto as part of Appendix #2.

Also available is a copy of the Minutes of the Executive Session of the Planning Board, held November 22, 1955, at which the Board approved a change to the Land Use Category from Residential, Multi-family, Low Density to Residential, Multi-Family, Medium Density on application of the First Stamford Corp. Said copy is attached hereto as Appendix #3 and made a part of this report.

It was decided to consider the matters before the Committees in the sequence listed in the notice of the meeting.

Appearing at the meeting to speak in support of the appeal were Mr. Michael Cantore, Mr. Sydney Kveskin, attorney for the appellants, and Mr. Harry Terhune, attorney representing the First Presbyterian Church. No one appeared on behalf of the Zoning Board. Mr. Walter Wachter, Planning and Zoning Director, attended to assist the Committees in their understanding of the zoning classifications involved.

Mr. Kveskin outlined briefly the reasons for the appeal and for believing the decision of the Zoning Board to be in error. These are set forth in a brief presented to the Committees and attached hereto as Appendix #4 and made a part of this report. Mr. Kveskin stated that plans for improving the property call for a 1 and 2 story building for neighborhood stores and offices with off-street parking for 65 cars.

Mr. Terhune spoke, outlining the position of the First Presbyterian Church in this matter. The appellants and the trustees of the Church have entered into a written agreement concerning the uses to which the property may be put in the event the application for zoning change is approved, this agreement to be binding to perpetuity unless released in writing by the Church. A copy of this agreement is attached hereto and made part of the report, as Appendix #5. The Church consequently fully supports the appellants.

Messrs. Cantore, Kveskin and Terhune then left the meeting.

Mr. Wachter then handed the Chairman a letter from the Zoning Board, setting forth supplemental findings in addition to the formal reasons given in the excerpts from the Minutes regarding the Board's decision on this application. This letter is attached hereto as Appendix #6 and made a part of this report.

Mr. Wachter then left the meeting.

1596 There followed a full review of the remarks and documents presented to the Committees. Baker then moved and Murphy seconded that recommendation be made to the Board of Representatives that the proposed amend-

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ment to the Zoning Map be approved. Unanimously voted.

The Committees then decided to move the meeting to the Court Room because of the large number of people desiring to attend the hearing on the appeal from the decision of the Planning Board.

Appearing in support of the appeal were approximately thirty residents of the area adjacent to the affected property. It was ruled by the Chair that remarks to the Committees would be restricted to those parties who had spoken at the hearing before the Planning Board. Parties who presented such remarks were Mr. Thomas A. Keating, Jr., representing four property owners, Mr. Earl Noblet, Mr. Frank Cawl, President of the Sylvan Knoll Property Owners Association, Mrs. Margaret Maher and Mr. James L. Haggie, Headmaster of Daycroft School.

Speaking on behalf of the applicant, the First Stamford Corp., was Atty. Alphonse C. Jachimczyk.

Desiring to be recorded in support of the appeal, but under the ruling of the Chair not permitted to present remarks, were Mr. J. Toscano, Mr. A. J. Moruko, Mr. D. L. Winsor, President of the Cove Civic Association and Mr. G. V. Connors as 10th District Representative.

Mr. Keating submitted a letter to the Committees presenting his views. This letter is attached hereto as Appendix #7 and made a part of this report.

Mr. Noblet gave to the Committees a copy of his letter of December 1, 1955 to the Chairman of the Planning Board. This copy is attached hereto as Appendix #8 and made a part of this report.

Mr. Cawl presented a written statement on behalf of the Board of Directors of the Sylvan Knoll Property Owners Association listing their reasons for opposing the Planning Board decision. This statement is attached hereto as Appendix #9 and is made a part of this report.

Mrs. Maher submitted a letter to the Committees stating her reasons for opposing the decision of the Planning Board. This letter is attached hereto as Appendix #10 and is made a part of this report.

Mr. Jachimczyk had no written presentation and beyond stating definitely that it was the intention of the applicant to build only 2 story garden type apartments, he devoted most of his remarks to rebutting the remarks of those supporting the appeal. Reason for requesting the classification change is not to permit higher buildings, but to allow 1 family per 1000 sq. ft., rather than 1 family per 2500 sq. ft., as permitted by the existing classification.

The Committees then returned to the Mayor's office to consider the remarks and documents presented. After full consideration, it was moved by Mr. Kelly and seconded by Mr. Murphy, that recommendation be made to the Board of Representatives that the proposed amendment to the Master Plan be rejected. Unanimously voted.

The joint meeting then adjourned at 11:10 P. M.

Respectfully Submitted

E. B. Baker, Clerk

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Approved:

PAUL PLOTKIN

Chairman, Legislative & Rules Committee

EDWARD C. CZUPKA

Chairman, Planning & Zoning Committee

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APPENDIX #1

NOTICE OF MEETING - DECEMBER 29, 1955

JOINT MEETING - LEGISLATIVE & RULES AND
PLANNING & ZONING COMMITTEES, BOARD OF
REPRESENTATIVES, MAYOR'S OFFICE, CITY HALL

A joint meeting of the above Committees will be held at the above mentioned time and place to consider the following matters:

3:30 P. M.

- (1) Appeal of J. Michael Cantore, et al, from the decision of the Zoning Board's disapproving of change in the Zoning Map on application of the aforesaid J. Michael Cantore, et al.

9:00 P. M.

- (2) Appeal of the property owners from the decision of the Planning Board, approving a change in the Master Plan on application of the First Stamford Corporation.

This is to notify you that an opportunity will be given to all interested parties to be heard at the above meetings.

In addition, you are hereby requested to furnish a written statement, giving your reasons for or against the above mentioned decisions.

PAUL A. PLOTKIN, Chairman,
Legislative & Rules Committee

EDWARD C. CZUPKA, Chairman,
Planning & Zoning Committee

APPENDIX #2

CITY OF STAMFORD, CONNECTICUT

Zoning Commission
Zoning Board of Appeals

December 8, 1955

Mr. George V. Connors, President
Board of Representatives
City of Stamford, Conn.

Re Application of J. Michael Cantore,

1508

January 3, 1956

Michael Stolfi, Samuel P. DeLeo,
Rocco J. Conetta, John J. Carlo

Dear Mr. Connors:

In accordance with Section 552.3 of the Stamford Charter, the above captioned subject is hereby referred to the Board of Representatives for its action as a result of a petition filed with the Zoning Board signed by the owners of more than 50% of the privately owned land included in the proposed change to the zoning map as described in the application submitted to the Zoning Board.

Also, in accordance with Section 552.3, the Zoning Board transmits herewith the following written finding, recommendations and reasons for the Board's action in disapproving the above described application:

1. Two copies of the Minutes of the meeting held on November 28, 1955, when the Zoning Board disapproved the foregoing application.
2. Two maps which, by their titles are self-explanatory, which are prepared for the purpose of contributing to a better understanding of the problem.

The above described application had been heard jointly by the Planning Board and the Zoning Board on September 28, 1955. Unfortunately, the Stenotypist reserved for the occasion telephoned a few minutes before the meeting started and stated that he could not attend the meeting because of illness in the family, therefore, there is no verbatim transcript recording the proceedings.

The above application as submitted to the Planning Board for change to the Master Plan was approved by that Board because it had been felt that the general area would be ultimately developed to a high density of population in multi-family buildings and therefore a small shopping center in this particular location was considered necessary to the convenience of the inhabitants.

We shall be happy to supply any additional information requested.

Very truly yours,

WALTER A WACHTER, Planning & Zoning
Director

Minutes of the Executive Session of the Zoning Board held on November 28, 1955.

Members attending were Messrs. John W. Mershon, Harold Frankel, Joseph McQue and Stearns Woodman.

The Chairman called the meeting to order. The application of J. Michael Cantore et al for a change in the zoning map of property at the corner of Bedford and Hoyt Streets to a C-L Limited Business District from the present R.M.F. Multi-Family Residence District was given thorough study. Upon conclusion of the discussion, it was moved by

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Joseph McCue, seconded by Mr. Frankel and unanimously voted that the said application be disapproved because the Board was of the opinion that to make such change would create spot zoning and it was held there is sufficient business district available in the general area to serve its needs, and furthermore, that the Board was of the opinion that the proposed change would not be in keeping with the general zone plan of the City of Stamford and finally approval of the proposed application would not serve the purposes of the zoning ordinance, that is, to encourage the most appropriate use of land and conserve and stabilize the value of property or to promote the general welfare.

Upon motion, being duly seconded, the meeting was closed.

HAROLD FRANKEL,
Secretary
Zoning Board

APPENDIX #3

CITY OF STAMFORD, CONN.

December 14, 1955

Mr. George V. Connors, President
Board of Representatives
City of Stamford, Conn.

Re: Application of the First Stamford Corporation
for Change in the Master Plan

Dear Mr. Connors:

In accordance with Section 522.4 of the Charter, the above matter is hereby referred to the Board of Representatives for its action as a result of a petition filed with the Planning Board signed by the owners of twenty percent or more of the privately owned land located within five hundred feet of the borders of the First Stamford Corporation property described in the application submitted to the Planning Board for a change in the Master Plan.

Also, in accordance with Section 522.4, the Planning Board transmits herewith the written findings, recommendations and reasons for the Board's action in approving the above described application.

1. Two copies of the Planning Board's minutes of the hearing.
2. Two copies of the minutes of the meeting held on November 22, 1955, when the Planning Board acted on the foregoing matter.
3. Two maps, which, by their titles are self-explanatory, prepared by the Planning Board for exhibition at the public hearing and for the purpose of contributing to a better understanding of the problem for all concerned.

The above described application was heard by the Planning Board and

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the Zoning Board on September 28, 1955. Unfortunately, the Stenotypist reserved for the occasion, telephoned a few minutes before the meeting started and stated that he could not attend the meeting because of illness in the family, therefore, there is no verbatim transcript recording the proceedings.

We shall be happy to supply any additional information required.

Very truly yours,

STAMFORD PLANNING BOARD

(signed) Walter A. Wachter
Planning and Zoning Director

STAMFORD PLANNING BOARD - MEETING NO. 334
JOINT PLANNING BOARD & ZONING BOARD PUBLIC
HEARING AND PLANNING BOARD EXECUTIVE SESSION, HELD IN THE CITY COURT ROOM, CITY HALL, ON WEDNESDAY, SEPTEMBER 28, 1955 AT 9:00 P. M.

The following members of the Planning Board were present: Messrs. Michael E. Laurenco, Secretary & Acting Chairman, Ralph Rich, P. Lawrence Epifanio, and Planning & Zoning Director Walter A. Wachter.

The following members of the Zoning Board were present: Messrs. John Mershon, Chairman, Harold Frankel and Joseph McCue.

The public hearing was called for the purpose of hearing the following applications for change in the Master Plan and Zoning Map:

1. Application of the First Stamford Corporation -- In the case of the Master Plan, to change to the Land Use Category designated "Residential, Multi-family, Medium Density" the following described property now designated "Residential, Multi-family, Low Density;" and in the case of the Zoning Map, to change to the "R-MF Multiple Family Residence District," the following described property now in the "R-7½ One Family Residence District": Bounded Northerly by land of the State of Connecticut acquired by said state for the Throughway; Easterly by the rear line of premises fronting on Hearthstone Court; Southerly by land now or formerly of Daycroft School and Westerly by Blachley Road.

Application was represented by Alphonse C. Jachimczyk,
Atty.

Thomas A. Keating, Jr., representing area residents, opposed the application. Also appearing in opposition were Frank Cawl, president of the Sylvan Knoll Property Owners Association, Earl Noblet of Hearthstone Court, Willis Griffin, Trustee for Daycroft School, and Mrs. Margaret Maher of 39 Maher Road.

2. Application of J. Michael Cantore, Michael Stolfi,

Samuel P. DeLeo, Rocco J. Conetta and John J. Carlo -- In the Case of the Master Plan, to change to the Land Use Category designated "Commercial, Neighborhood or Local Business", the following described property now designated "Residential, Multi-family, Medium Density"; and in the case of the Zoning Map, to change to the "C-L Limited Business District", the following described property now in the "R-MF Multiple Family Residence District": Bounded Northerly by land now or formerly of the First Presbyterian Church of Stamford; Easterly by land now or formerly of Jesse Hartman, Trustee; and Southwesterly by Hoyt Street and Bedford Street.

Application was represented by Sydney Kweskin, Atty.

Representatives of the First Presbyterian Church appeared in favor of this application. There was no opposition to this application.

3. Application of Earl Kersch and Compo Brothers, Inc.-- In the case of the Master Plan, to change to the Land Use Category designated "Industrial" the following described property now designated "Residential, Multi-family, Medium Density"; and in the case of the Zoning Map, to change to the "M-L Light Industrial District", the following described property now in the "R-MF Multiple Family Residence District": Bounded Northerly by land now or formerly of Helen Compolataro; Easterly by land now or formerly of Pietro Mancusi; Southerly by land now or formerly of Maurice B. Lieberman and Jean Lieberman, in part, and in part of Dorothy Berman; Westerly by land now or formerly of John S. Carta in part, and in part by a right-of-way.

Application was represented by Frank Pimpinella, atty.

Appearing in opposition were Stanley Stecker, president of the cooperative apartment house to the south, and P. Wardham Collyer, representative of the district.

4. Application of the Planning Board and Zoning Board -- In the case of the Master Plan, amend the definition of the "Residential, Multi-family, Medium Density" Land Use Category by adding the following supplementary note under the "Definition of Land Use Category", said addition is not deemed to replace or be a substitute for any part of the existing definition of the above Land Use Category, but is intended to be an addition thereto:

"In any 'Residential, Multi-family, Medium Density' Land Use Category, multiple family residence buildings may be constructed to a height not more than ninety (90) feet, providing the lot area per family or dwelling unit is not less than eight hundred (800) square feet and provided that the principal building or buildings, including all accessory buildings, do not occupy more than twenty-five (25) percent of the total lot area," and in the case of the Zoning Regulations, to add the following footnote to the "Land Use Schedule" of the Zoning Regulations: "In any 'R-MF Multiple Family Residence District', an apartment building may be constructed to a maximum height of ninety (90) feet providing the area per family is not less than eight hundred (800) square feet, and providing the principal building or buildings and all accessory buildings together

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do not occupy more than twenty-five (25) percent of the lot area, providing further that all other restrictions of the R-MF District as far as front yards, side yards, rear yards and uses are complied with".

There was no opposition of this application.

The public hearing was then adjourned and the Planning Board met in executive session.

The following performance bonds were released, City Engineer having certified that construction has been completed in accordance with the regulations of the Planning Board and the specifications of the Engineering Department, and that required installation of storm sewers and setting of street line monuments have been satisfactorily installed:

- APPL 894 - Contibuild Construction Corp. - re first section of Old Colony Road, performance bond dated Oct. 9, 1953, in the amount of \$12,715.
- APPL 934 - Suburban Development Corporation - re Clay Hill Road and Arden Lane, performance bond dated July 20, 1954, in the amount of \$30,981.50.
- APPL 670A- Lakewood, Inc. - re Section No. 1 - performance bond dated May 3, 1954, in the amount of \$15,920.
- APPL 990 David Grunberger - re Greenbrier Road, performance bond dated October 13, 1954, in the amount of \$2,030.
- APPL 1170- Zika Realty Corp. - re satisfactory construction of storm sewers, performance bond in the amount of \$4,263.50, dated July 8, 1955. In accordance with City Engineer's request, Zika Realty filed a letter with the Planning Board assuming full responsibility for any damage which may be caused to the sewer through the construction of the road.

The Meeting was then adjourned.

Respectfully submitted,

Secretary

STAMFORD PLANNING BOARD - MEETING NO. 342
EXECUTIVE SESSION, HELD IN THE OFFICE OF
THE PLANNING BOARD, ON TUESDAY NOVEMBER
22, 1955, AT 8:00 P.M.

The following members of the Board were present: Messrs. Frank P. Barrett, Chairman, Ralph Rich, P. Lawrence Epifanio and Planning & Zoning Director Walter A. Wachter.

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The following member of the Board was absent: Mr. Michael E. Laurenco.

APPL 879 - The Planning Board met with Messrs. William Murray, atty. for American Homes, Inc., Anthony Grasso, President, and Joseph Zone, atty. for the opposition.

Mr. Murray stated that an extension of the performance bond period is requested for construction of the road system as shown on map entitled "Section No. 7 of Robert Heights Property of the American Homes Construction Co., Inc. Stamford, Conn." dated July 1, 1953, said bond in the amount of \$7,435, dated September 18, 1953. Mr. Grasso explained that road construction has not been completed due to the fact that the Water Company has delayed installation of water mains.

Mr. Zone stated that said subdivision was approved upon the condition the applicant construct a drainage line from the westerly end of Grasso Lane westerly through Loveland Road in order to alleviate a drainage condition in adjoining property, which was accentuated by the American Homes' development, this agreement being included in the performance bond on file. Mr. Zone stated that to date this construction has not been installed.

Mr. Grasso contended that the construction of a drainage line in the manner set forth in the performance bond is an unreasonable requirement, and furthermore that it would not alleviate the flood condition in this area. Mr. Zone stated that his clients would be agreeable to any alternate solution which would correct this drainage condition.

In view of the fact that the Planning Board was of the opinion that the performance bond filed is not of a sufficient amount to cover the construction of the roads and drainage line as specified, the Planning Board agreed to refer the matter to the City Engineer for the purpose of clarification.

Mr. Zone then left the meeting.

APPL 312 - Mr. Murray stated that the certified check in the amount of \$7,743 filed as surety in connection with the subdivision as shown on map entitled "Map No. 2 of Robert Heights, Property of American Homes Construction, Inc." was not returned to the applicant, in view of the former City Engineer's contention that the road had not been satisfactorily constructed. The applicant stated that the road was under construction in conformance with the plans approved by the City Engineer, and when near completion the City dug up the road to install a storm sewer pipe of a larger width.

The Planning Board unanimously voted to continue this matter pending review of the file and further study.

APPL 612 - The request of John Geriak for extension of the performance bond covering satisfactory construction of Geriak Road and Kane Avenue as shown on map entitled "Subdivision of property of John Geriak, Trustee, Stamford, Conn." dated November 1, 1951, was unanimously approved, said extension to expire June 4, 1956.

Copy of a letter from the residents of Severance Drive, dated November 10, 1955, forwarded to the Board by Mayor Quigley, was re-

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ceived and placed on file.

The following map was approved for filing purposes: "Property of Stanwich Estates, Inc. Stamford, Conn." showing consolidation of lots on the corner of Stanwich Road and East Middle Patent Road.

Mr. Barrett disqualified himself on the following item and left the meeting.

Mr. Alphonse Jachimczyk, atty. appeared before the Board for the purpose of further clarification of the proposed change of the Master Plan on Blachley Road upon the application of the First Stamford Corp.

Messrs. Rich and Epifanio reviewed the application of the First Stamford Corp. and all corresponding material. A phone call was then placed to Mr. Laureno, who could not be present at the meeting due to illness, for the purpose of obtaining his opinion and vote on the matter.

Mr. Laureno stated he would be inclined to vote in opposition to the application of First Stamford Corp. since he questioned whether this area is best suited for the construction of multi-story dwelling units. However, Mr. Laureno further stated that having in mind the long range view of planning he could foresee the need for multi-story buildings in this area among others. Furthermore, it would be in the province of the Zoning Board to decide that 1956 is the right time to activate this Master Plan change.

Mr. Laureno's statements were related to the Planning Board members present. Mr. Rich and Mr. Epifanio voted approval of the First Stamford Corp's application for the reason that they felt this type of development would be better suited to land immediately abutting the Thruway in this particular area, although the Master Plan did recognize the location of the Thruway and its impacts, the Board is of the opinion that in certain instances some changes might be justified. Mr. Laureno was notified of the decision, and also voted in favor of this application. Application unanimously approved as follows:

Change to the Land Use Category designated "Residential, Multi-family, Medium Density" the following described property now designated "Residential, Multi-family, Low Density"; All land bounded Northerly by land of the State of Connecticut acquired by said state for the Thruway; Easterly by the rear line of premises fronting on Hearthstone Court; Southerly by land now or formerly of Daycroft School; and Westerly by Blachley Road.

Application of Compo Brothers and E. Kersh for change of the Land Use Category of the Master Plan, property located off North Street, was continued pending anticipated withdrawal of said application by the applicant.

The meeting was then adjourned.

Respectfully submitted,

Secretary

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APPENDIX #4

TO: THE BOARD OF REPRESENTATIVES OF THE CITY
OF STAMFORD

APPEAL FROM THE DECISION OF THE ZONING BOARD HELD ON
NOVEMBER 28, 1955 IN WHICH THE APPLICATION OF J. MICHAEL
CANTORE, ET AL FOR A CHANGE IN THE ZONING OF PROPERTY AT
THE CORNER OF BEDFORD AND HOYT STREET, WAS DENIED.

This appeal is being taken by virtue of the provisions of the Stamford Charter which allows your proponents the opportunity for a full reconsideration by the elected representatives of all of the people of Stamford. The purpose of this is that the zoning map should become nearer to being "the community's idea of what the community should be", rather than merely the idea of the Zoning Board alone. This interpretation is implicit in the Charter and is also found in the detailed comments to the Bill which became the basis of the planning and zoning provisions of the Charter.

The Connecticut cases are replete that in many instances of changes similar to the one that was requested, although attacked on similar grounds to those set forth in the Zoning Board's reason of decision, they were determined by the Supreme Court to be proper changes. The case of Couch vs. The Zoning Commission, 141 Conn. 349 involved a piece of property which was entirely within a residential zone and involved only a small portion of this large residential zone. The case of Kutcher vs. The Town Planning Commission, 138 Conn. 705 involved a change of zone from residence to industrial of an area somewhat small and rather isolated from other industrial zones. A similar situation is found in Bartram vs. The Zoning Commission, 136 Conn. 89 and, to some extent, in Parsons vs. Wethersfield, 135 Conn. 24.

The underlying principles involved in these decisions are that they must be in accordance with a general comprehensive plan for the entire community as a reasonable and logical development of the same, and they must promote the General welfare.

Those cases where the actions of the Zoning Board have been condemned as spot zoning are cases where the changes in zone were not in accordance with any comprehensive plan. The courts have stated that the vice of spot zoning lies in the fact that it singles out for special treatment a lot, or a small area, in a way that does not further such plan. Miller vs. The Planning Commission, 142 Conn. 265, and Kuehne vs. Town Council, 136 Conn. 452, are classic illustrations of the wrenching of a small piece of property from its surrounding area without reference to the general plan established for the present and future development of the community.

The City of Stamford has both a Zoning and Planning Board, and each Board has its separate and independent function, all as detailed in the Charter. Section 522 of the Charter states that the Planning Board shall set up a Master Plan for the City of Stamford, which is based on studies of physical, social, economic and governmental conditions and trends, and is designed to promote with the greatest efficiency and economy, the co-ordinate development of the municipality, and the

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general welfare, health and safety of its people. The Planning Board has the right to amend its Master Plan. The Zoning Board, in its own independent function, may amend the Zoning map, even after the adoption of the Master Plan, but there is a specific prohibition that the Zoning Board may not amend the zoning map to permit a use in any area which is contrary to the general land use established for each area by the Master Plan. It becomes quite apparent that the Zoning Board can only amend its zoning map within the confines of the determination of use for such area, as set by the Planning Board. A fortiori when the Planning Board has determined that a particular area may be used for a particular purpose, to wit - neighborhood business - a change by the Zoning Board from another purpose, to such purpose is not spot zoning, because it is within a comprehensive plan for the entire city, as set by the authority designated for such purpose.

The land in question is surrounded by property which has already been dedicated for years to come. To the north, the contiguous property is committed for the use of the beautiful First Presbyterian Church; to the east, an apartment house has already been built. It is traditional that these are the only two areas to be considered where the other two bounds of the property are city streets, but if one should wish to consider the remaining directions -- to the south of this intersection lies the municipal property already dedicated for municipal purposes since the actual building for a police station is now in progress. To the west - Bedford Street - which, although in a residential zone, already through the use of variances granted by the Zoning Board of Appeals, includes many professional and commercial uses, and the gradual extension of commercial enterprises on Bedford Street makes imminent the change of this area to a commercial zone.

The change sought met with the specific approval and active cooperation of the Church, and a number of property owners on Bedford and Hoyt Street. No one voiced any objection.

The change of zone contemplated would result in the ability to use the premises for offices and neighborhood stores. This would be helpful and convenient for the large number of people already in the apartment house erected on Hoyt Street, and for the future and contemplated apartment house which will be erected one day on the corner of Bedford and Third Street.

The application now being considered de novo by your Honorable Board was presented to a joint meeting of the Zoning and Planning Board. It had to be considered first by the Planning Board because the Zoning Board could not act upon the application because until the premises were in a zone approved by the Planning Board, the Zoning Board had no right of action. The Planning Board approved of the request because the change of zone was in accordance with the orderly development of the Master Plan, which is kept current to the needs of the community by proper amendments to the Master Plan. It is your applicants' considered position that when the Planning Board made its decision that the application for the change of plan should be granted, then thereafter any change made by the Zoning Board of such entire area, could not be susceptible to the charge of spot zoning as long as it was now in the permissible use.

In addition to the Connecticut cases noted above, the compilations, compendiums and text books are in accord with the principle that any change of zoning made in conformity to a comprehensive plan cannot be said to be spot zoning. See American Jurisprudence Zoning, Sections 27 and 39; see also the annotation, 149 ALR 292 at 293 and 296; Yokley Zoning Law and Practice, Second Edition, Sections 90, 91 and 93.

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It is respectfully submitted that had the Zoning Board fully appreciated the fact that once the Master Plan was amended to make possible the requested use, then it did not need to be concerned with a possible criticism that it was spot zoning the area, when, in fact, it was fully authorized by the action of the Planning Board, which is properly endowed with this power.

J. MICHAEL CANTORE, MICHAEL STOLFI,
SAMUEL P. DELEO, ROCCO J. CONNETTA,
AND JOHN J. CARLO.

By: Wofsey, Rosen, Kwerkin and
Kuriansky
Their Attorneys

APPENDIX #5

AGREEMENT, made this 11th day of October, 1955 by and between THE FIRST PRESBYTERIAN CHURCH OF STAMFORD, CONNECTICUT, an ecclesiastical corporation organized and existing under the laws of the State of Connecticut and located in the City of Stamford in the County of Fairfield and State of Connecticut, hereinafter throughout described as the party of the First Part, and J. MICHAEL CANTORE, MICHAEL STOLFI, SAMUEL P. DELEO, ROCCO J. CONETTA and JOHN J. CARLO, all of said Stamford, hereinafter throughout described as the parties of the Second Part, WITNESSETH THAT,

WHEREAS, the parties of the Second Part are the owners of a certain tract of land, situated in said Stamford, bounded northerly four hundred thirty four and 57/100 (434.57) feet by land of the party of the First Part, easterly three hundred thirteen and 81/100 (313/81) feet by land of The Hoyt-Bedford Company, southerly eighty four and 85/100 (84.85) feet by Hoyt Street, southwesterly one hundred thirty six and 80/100 (136.80) feet by the curved intersection of Hoyt Street and Bedford Street and southwesterly two hundred forty two and 27/100 (242.27) feet by Bedford Street; said tract being shown and delineated on a certain map entitled "Map No. 2 of Property Surveyed for Charles W. Scofield et al, Stamford, Conn.", now on file in the office of the Town and City Clerk of said Stamford, and numbered forty five hundred twenty one (4,521), reference thereto being had; and

WHEREAS, the party of the First Part is the owner of a certain tract of land bounding said property of the parties of the Second part on the north, and

WHEREAS, said parties of the Second Part have applied to the Zoning Board and the Planning Commission of the City of Stamford for a change of zone for the property of the parties of the Second Part, from a Multi-Family dwelling zone (R-MF) to a limited commercial zone (C-L), and

WHEREAS, the parties of the second part have heretofor exhibited to

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the party of the First Part proposed plans for the development of said premises of the parties of the Second Part, and

WHEREAS, the party of the First Part has made no objection to the application of the parties of the Second Part for such change of zone and has agreed to make no objections to the same and has further agreed not to appeal the decisions of the Zoning Board and the Planning Commission, now

THEREFORE, in consideration of the foregoing matters the parties hereto mutually agree as follows:

1. No gasoline or automobile service station shall be constructed upon or allowed to remain upon the premises of the parties of the Second Part hereinabove described.
2. No alcoholic beverages shall be sold from or displayed on said premises.
3. No restaurant shall be permitted on said premises except one, with a public entrance on Hoyt Street.
4. The parties of the Second Part may make such changes in the layout and design of the proposed buildings as are desired by them, except that no building to be constructed on said premises on the "Bedford Street side" shall exceed three (3) stories in height as defined in the Zoning rules and Building Code of the City of Stamford without written permission of the party of the First Part, it being understood that the curved intersection of Hoyt and Bedford Streets as shown on the map hereinabove referred to shall not be considered part of the "Bedford Street side".
5. No stores or any other structure, other than office buildings shall be located on the Bedford Street side of said premises southerly from the premises of the party of the First Part for a distance of one hundred fifty (150) feet as measured along the easterly line of Bedford Street.
6. This agreement shall remain in full force and effect only so long as the party of the First Part continues to own said premises bounding the premises hereinabove described on the north and uses the same for church purposes.
7. The parties hereto mutually agree that this agreement shall run with the land of the parties hereto and shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.
8. This agreement may be modified or terminated at any time by the parties hereto, their heirs, successors or assigns by an instrument in writing recorded in the land records of the City of Stamford.

IN WITNESS WHEREOF, the parties hereto have hereunto set their names and seals the day and year first hereinabove written.

Signed, sealed and

THE FIRST PRESBYTERIAN CHURCH

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delivered in the
presence of:

PHILIP C. BOYD
HARRY E. TERHUNE
SYDNEY C. KWESKIN

OF STAMFORD, CONNECTICUT:

By: J. KING HOYT, JR.
Chairman of the Board of
Trustees.

L. REED CLARK
Secretary of the Board of
Trustees.

J.M.C.
M.S.
S.P.D.
R.J.C.
J. J. Carlo

STATE OF CONNECTICUT }
COUNTY OF FAIRFIELD } ss. Stamford, October 21, A. D. 1955.

Personally appeared THE FIRST PRESBYTERIAN CHURCH OF STAMFORD, CONNECTICUT, acting herein by J. KING HOYT, JR., Chairman of its Board of Trustees, and L. REED CLARK, Secretary of the Board of Trustees, signers and sealers of the foregoing instrument, who acknowledged the same to be their free act and deed and the free act and deed of said The First Presbyterian Church of Stamford, Connecticut, before me,

HARRY E. TERHUNE, Notary Public

STATE OF CONNECTICUT }
COUNTY OF FAIRFIELD } ss. Stamford, October 11, A. D. 1955

Personally appeared J. MICHAEL CANTORE, MICHAEL STOLFI, SAMUEL P. DeLEO, ROCCO J. CONNETTA and JOHN J. CARLO, signers and sealers of the foregoing instrument, who acknowledged the same to be their free act and deed, before me,

S.C.K., Notary Public

APPENDIX #6

CITY OF STAMFORD, CONNECTICUT

Zoning Commission
Zoning Board of Appeals

December 29, 1955

Messrs. Paul A. Plotkin, Chairman
Legislative & Rules Committee

Edward C. Czupka, Chairman
Planning & Zoning Committee

Board of Representatives
City of Stamford, Conn.

16.00

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January 3, 1956

Gentlemen:

I have been instructed by the Zoning Board to set forth supplemental findings in addition to the formal reasons given in the excerpts from the Minutes regarding the Zoning Board's decision on the application of J. Michael Cantore, et als to change the Zoning Map from an RMF District to a CL Business District.

As indicated in the Minutes, the Board denied this application for the reason that it was determined that sufficient business areas existed not too far distant from the area in question that are sufficient to serve the needs of the neighborhood; and to make such change in the Map would create spot zoning. In the proceedings leading to this decision, the Board studied the matter carefully and considered the status of the development in the area and its potential development. It was the thinking of the Zoning Board that until existing business areas located in relative close proximity to the property of the applicant, such business areas being located on Summer Street, Prospect Street, North Street, and Bedford Street up to North Street, that are zoned for business and certain stores with diversified types of services and merchandise, are more fully developed and utilized, the Board considers that it would not be proper zoning to create additional areas to serve the neighborhood and community at large and thereby create over-zoning for business.

In this particular situation, under the circumstances related to the case, the Board considers it better zoning to extend the nearby existing business zones, if needed, on Bedford Street in the northerly direction from North Street.

The Board feels that to grant this application it would also be spot zoning because it would amount to wrenching of a small segment of land zoned for residence and completely surrounded by residence and not far away from existing business districts, and create a small detached spot of business that would serve to break up both the proper continuity of business and residence in the area.

Very truly yours,

STAMFORD ZONING BOARD

Walter A. Wachter,
Planning & Zoning Director

APPENDIX #7

CUMMINGS & LOCKWOOD

1 Atlantic Street
Stamford, Conn.

December 27, 1955

Paul A. Plotkin, Chairman
Legislative & Rules Committee

Edward C. Czupka, Chairman
Planning & Zoning Committee

11.11

January 3, 1956

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Re: Appeal of the property owners from the decision of the Planning Board, approving a change in the Master Plan on application of the First Stamford Corporation.

Gentlemen:

We represent the following named appellants in the in the foregoing matter, to wit:

Joseph M. Genovese, Antionette Mariuccio, Rocco S. Genovese, Jr. and Nicholas Genovese.

Our clients object to the above mentioned decision for a number of reasons, some of which are set forth below.

1. The development of the small area in question under a multi-family medium density classification will encourage or permit the erection of buildings of size and type as will be completely out of keeping with existing residential constructions on nearby tracts and will seriously depreciate the value of such existing residences.
2. The building of a type permitted under the medium density classification will result in substantial costs to the City for sewers, water lines, sidewalks and highways, and will benefit solely and principally the applicant.
3. The development of the tract in question under medium density classification will create a traffic hazard in an area now used for residence and school purposes and the problem will be aggravated when the new Thoroughway is completed.
4. The development of the applicants' tract as a multi-family medium density area will result in an increase in school population in a section of the City where schools are now at or near capacity and where facilities for a school expansion are practically unavailable.
5. The area affected is adjoined on two sides by areas already built up as single family residences and on a third side by land used for school purposes. The change granted by the Planning Commission has no connection with the physical, social, economic or governmental conditions and trends, except as an unwarranted economic benefit to the applicant. It further has no end to promote efficiently and economically a coordinated development of the municipality and may well have a detrimental effect on the health and safety of nearby residents. The change from which this appeal is pending is in the nature of spot-planning and is not coordinated with any of the aims specified in the Charter of the City of Stamford now with respect to the Master Plan, and is not in accordance with the terms of the Charter.

Very truly yours,

THOMAS A. KEATING, JR.

APPENDIX #8

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January 3, 1956

43 Hearthstone Court
Stamford, Conn.Chairman of the Planning Board
Stamford Town Hall
Stamford, Conn.

December 1, 1955

Dear Sir:

The recent action of the Planning Board in approving the application of The First Stamford Corporation for a zoning change in the Blachley Road area, is another example of the utter disregard of the wishes of the residents of Stamford.

Hearings in connection with major zoning changes have degenerated to the point where they obviously allow the desires of home owners to be voided with no evidence that these voices have been heard. In this particular instance, not one property owner voiced his approval for this zoning change, other than the attorney for The First Stamford Corporation. The owners of over 95% of the adjoining properties, in addition to garden apartment residents nearby, expressed their strongest possible opposition. The attorney for The First Stamford Corporation presented his case with less than three minutes of platitudes. Nearly one hour was necessary to hear the many arguments in opposition. No attempt was made to refute these arguments by the attorney.

In view of the results, it is obvious to all that the wishes of the residents of Stamford have little or no regard in the eyes of the Planning Board. I do not believe that it is necessary to repeat the many grounds for opposition to this change which were mentioned. They are obvious to anyone who considers the orderly and progressive growth of Stamford. However, I should like to add one which cannot be emphasized enough. The owners of private homes, industries, rental housing and property in our City have been long aware that the combined tax and assessment rates are among the highest in Connecticut, in fact, in New England. The addition of more of the high density dwellings being contemplated in Stamford cannot but aggravate the already desperate shortage of adequate police and fire protection, water and sewerage facilities, schools, roads and the many other necessities of respectable urban communities. Higher tax rates will be necessary to maintain even the minimum of city services which now prevail with no hope of improvement.

The time has come for Stamford to consider means of slowing to manageable proportions the near explosive growth now under way.

As a property owner, I deplore this particular zoning change which your Board approved. As a resident of Stamford, I protest most strongly against the belief which your Board apparently possesses that Stamford can substitute large numbers of residents for an orderly city.

My future efforts shall be devoted to convincing the few residents (and voters) of Stamford, who do not subscribe to my views, of the error in your recent action. I intend to appeal to any and all residents of Stamford to organize on behalf of this cause.

Very truly yours,

EARL NOBLET

January 3, 1956

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APPENDIX #9

Paul A. Plotkin, Chairman
Legislative and Rules Committee

Edward C. Czupka, Chairman
Planning and Zoning Committee

Gentlemen:

The Board of Directors of the Sylvan Knoll Property Owners Association at a meeting held December 28, 1955, unanimously decided to reaffirm the views presented at the Zoning Board hearing on the petition of The First Stamford Corporation.

The Sylvan Knoll Property Owners Association finds itself opposed to the decision of the Planning Board for the following reasons:

1. A multi-story apartment building will tend to depreciate the value of surrounding residential property. A skyscraper is hardly in keeping with the single family dwelling which characterizes this area. In addition, this type of structure tends to attract commercial development which will further depreciate residential property values, and in the long run will adversely affect the tax yield of the surrounding area.
2. The addition of a large number of families will immediately affect educational facilities. The K. T. Murphy School is in process of expansion to enable it to meet existing requirements. A mass addition of families will simply return the educational facilities to their present state of inadequacy, and will further add to the overcrowding of the Rogers School.
3. The existing inadequacy of water pressure during periods of heavy usage is familiar to all Sylvan Knoll residents. We feel, as laymen, that the addition of a large number of families would seriously affect household water pressure, to say nothing of its affect on the usefulness of our fire hydrants in time of emergency. The property in question is located on the highest point in Stamford, and because of this has, under present circumstances, caused water pressure problems.
4. The only protection that an individual property owner has for his investment lies in the Master Plan and in the Zoning regulations. The Boards charged with the planning and administration of zoning are under a moral obligation to protect the individual property owners investment from arbitrary devaluation.

Spot zoning is a practice which has been uniformly condemned by all competent city planners. In effect, the decision of the Planning Board in this case is tantamount to spot zoning.

It is for these reasons that the Sylvan Knoll Property Owners Association finds itself opposed to this decision.

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APPENDIX #10

39 Maher Road
Stamford, Conn.

December 29, 1955

Dear Mr. Plotkin and Mr. Czupka:

As a property owner on 39 Maher Road, I want to register my disapproval of the decisions of the Planning Board, approving a change in the Master Plan on application of the First Stamford Corporation.

I want to register my disapproval because:

1. A large 8 story apartment house located on the highest spot in Stamford would be a monstrosity.
2. As property owners we are restricted as to the type of house we can build, the price we must pay, and lastly, our homes must be ONE family dwellings.
3. Mr. S. Merritt was most outspoken when the G. A. Stafford Estate was developed into building lots. (I know this because the T. J. Maher land Company developed this property). He helped to place many of the present restrictions on our property, and now after his death, that we should still have to abide by these restrictions, and his former property be free from any type of restrictions, would be hard to understand.

My parents and I have worked hard over the years to pay and keep our home, and it seems very unjust that we, as well as many of our neighbors would have to abide by these rules while strangers can come alongside us and break every regulation.

I do hope you gentlemen will give this matter deep thought. Thank you.

Sincerely,

MARGARET MAHER

Re: Application of First Stamford Corporation petitioning Planning Board for change in Master Plan, and appeal of property owners from decision approving change.

Mr. Czupka Chairman, Planning & Zoning Committee, spoke briefly on the above and said it was the recommendation of his committee that they agree with the Legislative and Rules Committee to reject the proposed amendment to the Master Plan.

MR. PLOTKIN, Chairman of the Legislative & Rules Committee then MOVED that the Board of Representatives reject the proposed amendment to the Master Plan. Seconded by Mr. Baker.

Mr. Russell asked for clarification, saying that he wanted to make sure on just what the Board was voting on.

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MR. PLOTKIN: "According to the Charter, we would have to reject the proposed amendment to the Master Plan."

Mr. Kaminski questioned the absence of a finding of facts by the Committees, saying that all that had been presented to the Board by Mr. Plotkin was a group of Stock arguments which parties in this sort of situation usually give. Mr. Plotkin explained that the Committees just did not have enough time to draw up a finding of facts. Mr. Plotkin then explained it more fully.

MR. BARRY: "I come from that District and I would like to ask some of those people who appeared before the Committee a few questions." He said the residents are bounded to the south and north by apartment houses and the building of apartment houses would not only give work to the residents of Stamford, but also much needed housing when they were ready for occupancy. He mentioned a nearby school and said: "I am wondering if a school isn't just as noisy and boisterous as the occupants of an apartment house."

Mr. Kelly asked how much acreage the proposed site would occupy.

VOTE taken on Mr. Plotkin's motion to reject the proposed amendment to the Master Plan. CARRIED, 31 in favor and 3 opposed.

Re: Appeal of J. Michael Cantore, et al, from decision of Zoning Board, disapproving change in Zoning Map:

MR. PLOTKIN stated that the Planning Board had approved the change, but the Zoning Board has turned it down. He said: "This is an appeal by the Appellant to the Board of Representatives to either approve or reject the decision of the Zoning Board. He read the Zoning Board's Minutes of November 28, 1955, which is part, above referred to as "Appendix #2". He also read the agreement between the Church and the Appellant and explained the reasons for the Committee's approval of the amendment to the Zoning Map.

MR. PLOTKIN MOVED that the proposed amendment to the Zoning Map be APPROVED. Seconded by Mr. Fredericks.

MR. CZUPKA: "As Chairman of the Planning and Zoning Committee, I wish to state that my Committee concurs in the recommendations of the Joint Committee and urge the Board take this under consideration."

MR. RHOADES: "It would seem that the arguments of the Zoning Board are not strong enough in this case."

MR. TOPPING: "Ordinarily I would support the Zoning Board, but in view of the fact that the Church supports this proposed amendment, I will support the change at this particular time and in this particular case."

VOTE taken on Mr. Plotkin's motion to APPROVE proposed amendment to Zoning Map. CARRIED unanimously.

Mr. Plotkin presented the following progress report on the proposed Building Code:

REPORT OF LEGISLATIVE AND RULES COMMITTEE

Two meetings of the Legislative & Rules Committee were held in December

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1955 for the purpose of considering prospective amendments to the proposed new Stamford Building Code. With but a very few exceptions these amendments consist of provisions of particular local significance which had been previously passed by the Board of Representatives as amendments to the existing Building Code. The exceptions were changes to clarify the phraseology of a specific provision of the Code.

The first meeting was held at 8:15 P.M. Thursday evening, December 8, 1955, in the Mayor's office, City Hall. Chairman Plotkin presided. Present were Messrs. Baker, McLaughlin, Raiteri and Russell. Absent: Mr. Killeen. Also attending to assist the Committee were Mr. Arthur V. Swinnerton, Building Official, his Deputy, Mr. Carl Tobyhansen and Assistant Fire Chief Densky. The meeting adjourned at 12:40 A. M.

The second meeting was held at 8:15 P. M. Tuesday evening, December 20, 1955, in the Clerk's office, City Hall. Chairman Plotkin presided. The attendance was the same as noted above, except for Mr. McLaughlin, who was ill, and Mr. Tobyhansen. The meeting adjourned at 12:25 A. M.

After full discussion entered into by all present, the amendments set forth in the attachment to this report were approved by the Committee for inclusion in the proposed new Stamford Building Code.

There remains to be considered the text of Section 100 "Administration" and of Section 116 "Plumbing and Gas Piping". During the consideration of the latter, Mr. Caporizzo, Plumbing Inspector, will attend to assist the Committee.

Upon the completion of the above, the entire proposed new Stamford Building Code will be presented to the Board of Representatives for appropriate action.

Respectfully submitted

E. B. BAKER
Clerk

Approved:
PAUL PLOTKIN, Chairman.
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AMENDMENTS TO BUILDING CODE, AS APPROVED
BY LEGISLATIVE & RULES COMMITTEE FOR
INCLUSION IN PROPOSED NEW STAMFORD
BUILDING CODE.

Section 105

Page 17: Delete present paragraph 1 and substitute the following:

1. Fire District Sub-Divisions.
To control types of construction based on the inherent fire hazard of use groups of buildings, the municipal authority shall establish fire district limits to include all the zones designated as business and industrial zones, as now in effect or as the same

may be amended hereafter.

- Page 17: Paragraph 2. Construction Within the Fire Limits; in the third line insert the following "or unprotected metal construction, except one or two family frame dwellings which are to be used for residential purposes only", between the words "construction" and "shall". Also insert "or unprotected metal" between the words "frame" and "construction" in sixth line.
- Page 17: Delete present paragraph 6 and substitute the following: Drop awnings securely attached to buildings below the window sills of the second story may extend beyond the street line not more than 2/3 of the width of the sidewalk but not nearer than two feet to the curb line, provided that they are not less than seven feet above the sidewalk at all points and provided that they have no lettering or advertising of any kind thereon.
- Page 18: Present paragraph 7 (b) - delete the word "protected" and put period after "750 sq. feet in area" and delete balance of paragraph.
- Page 18: Add to present paragraph 7. Accessory Buildings, the following:
(e) Detached dwellings on lots that are not used in any way for other purposes than dwellings and their usual accessories as permitted by the building code or zoning regulations shall be allowed.
(f) Greenhouses of unprotected metal not more than fifteen (15) feet in height.
Add new paragraphs 8 and 9 as follows:
8. Prefabricated metal lunch wagons shall be subject to approval of the building official.
9. Lumber Yards-No building, structure or premises within the fire limits shall hereafter be occupied or used as a lumber yard, cooperage, or place for the storage of new or second hand lumber, empty packing boxes or similar flammable material, nor as a sawmill, feed, flour or grain mill, except after approval of the location by the building official and the fire chief.
- Pages 18, 19: Present paragraphs 8-9-10-11 and 12 shall be changed to 10, 11, 12, 13 and 14.
- Page 19: Under sub-paragraph (b) Attached Private Garages, delete the following in third and fourth lines "separating the garage space from the dwellings" and add the following at the end of the paragraph "or having a metal sill with interlocking weatherstripping at the sill."
Delete (2) under sub-paragraph (b) and change (3) to (2).
Delete present paragraph 13.
Add the following:
15. Residence buildings of frame construction, within or without the fire limits, shall not exceed two and one-half (2-1/2) stories above grade or thirty-five feet in height, provided that dwelling units shall not be permitted above the second floor.

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16. Within the fire limits, no frame building now designed or intended for living purposes, shall be altered into or used for business or industrial purposes, or occupied by more families than would be permitted in a new building of the same construction except that within such limits existing frame buildings may be altered into or used for professional services, and office purposes not involving the direct sale or manufacturing of products. The building official shall not issue a building permit for any such alteration until he is satisfied from an inspection of the plans for the proposed alteration that the interests of public safety are preserved. The building official shall likewise not issue a certificate of occupancy until he is satisfied that in such alteration or use the interests of public safety are preserved. The local fire marshal shall inspect or cause to be inspected, at least once each calendar year and as often as may be necessary in the interest of public safety, all buildings coming under this paragraph, and in each case shall satisfy himself that there exists no hazard to life safety from fire. Upon failure of an owner or occupant to abate such hazard within a reasonable period of time, as specified by the fire marshal, the fire marshal shall notify the city prosecutor and such owner or occupant shall be subject to a fine of not more than two hundred dollars.

Section 106

- Page 19: Revise present paragraph 1 as follows:
In every one and two family dwelling there shall be at least two exits remote from each other for each apartment, provided that halls and stairways shall be not less than three feet-----etc.
- Page 20: First sentence under Table 4 shall read as follows: "Winders shall not be permitted except for stairs of an ornamental character, having a width of not less than four feet. The treads of winders, exclusive of nosing, shall have a width of not less than six inches at every point and not more than ten inch average width".
- Page 20: Paragraph 5. Exit Doors. Add at end of present paragraph the following: "No door shall be hung so as to project, when fully opened, beyond the face of the building".
- Page 20: Delete present paragraph 6. Retail stores.
- Page 20: All subsequent paragraphs to be re-numbered in sequence.
- Page 21: Delete old paragraph 10 and substitute the following:
"All cellars or basements shall have exits affording direct access to a court or yard without passage through the building".

Page 21: Add new paragraph 11 From Rooms.

Every room having an area exceeding five hundred (500) square feet or occupied by more than twenty persons shall have at least two doorways remote from each other, leading to an exit or exits or into other rooms from which there is egress to an exit or exits.

Section 107Page 23: Present paragraph 6 revise 2nd sentence to read:

"The installation shall in no case be erected nearer to the lot line nor nearer to electric power lines than the total height of the antennae structure nor shall encroach-----etc".

Section 108Page 23: Present paragraph 1. (b) "change 3 square feet to 4 square feet".Page 24: Revise present paragraph 5. Foundation Walls, as follows:
Insert between "inch" and "foundation" in fourth line "poured concrete"; delete in the same line "brick veneered" and add "construction" after "frame". 5th line, change "cavity walls" to hollow block".Page 24: Revise present paragraph 5 (b) as follows:
Change Title to: "hollow or Poured Concrete".
Change first sentence to read:
"When not more than 5 feet deep, poured concrete walls shall be not less than 8 inches thick nor hollow block walls less than 10 inches thick; and when more than 5 feet below grade, poured concrete walls shall be not less than 10 inches thick nor hollow block less than 12 inches thick".
Delete the second sentence.Section 109Pages 26-27-28:

After each of the headings "Table 6", "Table 7" and "Table 8" add the words "Minimum Fiber Stress - 1200 lbs.".

Page 32: Add new paragraph 11 (g):

"No person shall construct, or cause to be constructed, or allow to remain, any spout or drain from any building or any drainage or run off from any driveway or premises in such a manner that water, soil, gravel or other debris therefrom will discharge upon and over any sidewalk within the corporate limits of the City of Stamford".

Section 110Page 34: Revise present paragraph 7 (f) Cellar Columns as follows:

Change second word "in" to "or".

Delete the words "except when" and the balance of the

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paragraph so that paragraph will end with word "level".

Section 112

Page 35: Revise present paragraph 1 (a) to end sentence with the word "lining" in fifth line.

Section 113

Page 36: Paragraph 2 (a) Delete entire paragraph.

Page 37: Re-number paragraphs 3 and 4 to 2 and 3.

Page 37: Revise first sentence of present paragraph 3 as follows:
Delete words "solid" and "liquid".
Add Word "central" before "heat".
Add words "and smokepipes therefor" after word "appliances".
On third line delete the words "and" and "not less than 48 inches at the"
Delete last sentence of present paragraph 3 entirely.

Page 38: Paragraph 3 - Delete the entire table on "Reduced Wall and Ceiling Clearances".

Page 38: Paragraph 3 (a) - delete entirely the first three items in the table, i. e. boilers with water jackets, boilers with asbestos cement and hot air heaters.

Page 38: Paragraph 3 (a) - Revise the last sentence by deleting "in accordance with" and the balance of the sentence and substituting therefor "with the approval of the Fire Department".

Page 40: Delete the entire paragraph 6 (b) except the Title and substitute the following:
"The installation of oil burning equipment shall be in accordance with the provisions of the "Regulations for the Installation of Oil Burning Equipment" of the National Board of Fire Underwriters (No. 31) or in accordance with the rules and regulations of the State Police (Conn.)."

Section 119

Page 52: Add new paragraph 4 as follows:
"Installation of electrical work by owner.
All electrical work installed by home owner shall comply with the requirements of this code and in such event the word "homeowner" shall be substituted for the word "electrician" throughout the code. No permit for the installation of electricity by the home owner shall be granted until he has satisfied the Building Department that he is qualified. No permit for installation of electrical work by home owner nor any certificate of compliance of installation of electrical work by home owner shall be issued to any individual home owner which involves more than one premises during any five year period".

Section 116

Page 48: Add new paragraph 4 as follows:
"installation of plumbing by owner. All Plumbing installed by home owner shall comply with the requirements of this code and in such event the word "home owner" shall be substituted for the word "plumber" throughout the code. No permit for installation of plumbing by home owner shall be granted until he has satisfied the Building Department that he is so qualified. No permit for installation of plumbing by home owner nor any certificate of compliance of installation of plumbing by home owner shall be issued to any individual home owner which involves more than one premises during any five year period."

Section 114

Page 41: Revise paragraph 1 (b) as follows:
In second line between figure "70" and "feet" insert the word "square". Change period at end of sentence to comma and add the following: "and shall have a clear height of not less than 7 1/3 feet for at least their required floor area. At least one room in every apartment hereafter created shall have a floor area of not less than one hundred and fifty (150) square feet".

Page 42: Paragraph 1 (d) delete first sentence and substitute the following: "No habitable room shall be located so that the finished floor surface is below the finished grade level at its lowest point".

Page 42: Paragraph 5. Delete entire paragraph and substitute the following: Crawl spaces. Under all habitable areas there shall be not less than three (3) feet of space between the underside of the floor timbers and the ground. The ground area of the crawl space must be leveled off and covered with not less than two (2) inches of concrete. The crawl space under buildings or structures must be ventilated. However, a fireproof floor may be built directly on the ground".

ADD NEW SECTION 121

Page 54: Signs and Outdoor Display Structures.

1. Permit

(a) No display sign shall be erected, or attached to, suspended from or supported on a building or structure until a permit for the same has been issued by the building official.

(b) Commercial outdoor advertising signs shall be in accordance with the rules and regulations of the Department of State Police.

2. Alterations.

No display sign shall hereafter be altered, rebuilt or enlarged, extended or re-located except in conformity with the provisions of this code.

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3. Wall Signs.
Display signs placed against the exterior walls of building shall not extend more than eight inches outside of the wall surface. Such signs shall not exceed forty square feet in area, unless made of incombustible materials, provided that mouldings, cappings and movable letters may be of wood. They shall not extend beyond the top or ends of the wall surface on which they are placed.
4. Projecting signs.
Display signs, fastened to, suspended from or supported by a building or structure so as to project therefrom at an angle, shall not be permitted.
5. Roof Signs.
Display signs that are placed above or supported on the top of a building or structure shall be constructed of incombustible materials, provided that mouldings and cappings may be of wood. Such signs shall be set back at least eight feet from the street line or building line shall be not more than twenty-five feet high above that part of the roof on which they rest. An open space of not less than six feet shall be maintained below the bottom of the sign, except for necessary vertical supports.
6. Location.
No display sign shall be so placed as to obstruct or interfere with a required doorway or other required means of egress or window opening.
7. Stability.
Display signs shall be so constructed that they will withstand a wind pressure in accordance with the provisions of Minimum Design Loads in Buildings (A58.1-1945) Section 5-5 "Signs," and will be otherwise structurally safe, and shall be securely anchored or otherwise fastened, suspended or supported that they will not be a menace to persons, or property.
8. Illumination.
Display signs illuminated by electricity or equipped in any way with electric devices or appliances shall, with respect to wiring and appliances, be subject to the approval of and control of the building department.
9. Grounding.
Adequate provisions shall be made for grounding metallic parts of roof signs exposed to lightning.

Note: For further information, see Zoning Regulations.

Appointments Committee:

1653 Mr. Georgoulis, Chairman, stated that his Committee had interviewed all the Mayor's appointees, with the exception

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of Mr. Luke Malloy, and Mr. Daniel Hickey, who would be interviewed and a report ready by the February meeting of the Board.

MR. KAMINSKI MOVED that the names of Luke Malloy and Daniel Hickey be referred back to Committee. Seconded by Mr. Waterbury and CARRIED unanimously.

Mr. Georgoulis stated that his Committee had met on December 16, 1955 and agreed on the date of December 20, 1955 as the day to conduct interviews, starting at 5 P.M. and mailed out questionnaires to all appointees, the information obtained from the questionnaires to serve as a basis for the interviews. He stated they met on December 20th as agreed, but had to meet again on December 27, 1955. The following candidates were interviewed, 18 in all:

Corporation Counsel:	Mr. John M. Hanrahan
Commissioner of Public Works:	Mr. Patrick J. Scarella
Commissioner of Finance	Mr. Thomas Morrissey, Jr.
Zoning Board:	Mr. Fred C. Noble
Planning Board:	Mr. Ralph A. Rich
	Mr. John J. Denham
Zoning Board of Appeals:	Mr. Samuel Gordon
Personnel Commission:	Mr. Herbert C. Rice
Board of Tax Review:	Mr. Samuel M. Picciallo
Public Welfare Commission:	Mr. Paul DuBois
Board of Taxation:	Mr. Paul Klinkowski
Board of Recreation:	Mr. Alexander Klahr
Sewer Commission:	Mr. Edward Carey
Park Commission:	Mr. John F. Power
	Mr. Robert B. Nolan
	Mr. John A. Scalzi, Jr.
	Mr. Thorne Sherwood
	Mrs. Bindley M. Gillespie

In the absence of Mrs. Peatt, Alternate Teller, the CHAIR appointed Mr. Hearing to serve in her place.

Vote was taken by secret ballot on all the appointments, Tellers Topping and Bankowski and Alternate Tellers Giuliani and Hearing passing out and collecting the ballots.

MR. GEORGOULIS read his Committee report on the interview of Mr. John Hanrahan for appointment as Corporation Counsel and MOVED for approval. Seconded by Mr. Macrides. CARRIED, 18 voting in favor and 17 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Thomas Morrissey, Jr., for appointment as Commissioner of Finance and MOVED for approval. Seconded by Mr. Macrides. LOST, 15 in favor and 20 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Patrick J. Scarella for appointment as Commissioner of Public Works.

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Seconded by Mr. Macrides and CARRIED, 29 in favor and 6 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Fred C. Noble as a member of the Zoning Board. Seconded by Mr. Waterbury and CARRIED, 31 in favor and 4 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Ralph Rich, as a member of the Planning Board. Seconded by Mr. Baker and CARRIED, 28 in favor and 7 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. John J. Denham as a member of the Planning Board. Seconded by Mr. Waterbury and CARRIED, 33 in favor and 2 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Samuel Gordon, as a member of the Zoning Board of Appeals. Seconded by Mr. Macrides and CARRIED, 30 in favor and 4 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Samuel Picciallo, as a member of the Board of Tax Review. Seconded by Mr. Kelly and LOST, 19 opposed and 16 in favor.

MR. GEORGOULIS read his Committee report on the interview of Mr. Paul DuBois as a member of the Public Welfare Commission. Seconded by Mr. Baker and CARRIED, 34 in favor and 1 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Paul Klinkowski, as a member of the Board of Taxation. Seconded by Mr. Fredericks and CARRIED, 34 in favor and 1 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Alexander Klahr as a member of the Board of Recreation. Seconded by Mr. Waterbury and CARRIED, 34 in favor and 1 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Herbert C. Rice as a member of the Personnel Commission. Seconded by Mr. Macrides and CARRIED, 25 in favor and 10 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Edward Carey as a member of the Sewer Commission. Seconded by Mr. Fredericks and CARRIED, 34 in favor and 1 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. John F. Power as a member of the Park Commission. Seconded by Mrs. Zuckert and CARRIED, 34 in favor and 1 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Robert B. Nolan as a member of the Park Commission. Seconded by Mr. Nolan and CARRIED, unanimously.

MR. GEORGOULIS read his Committee report on the interview of Mr. John Scalzi, as a member of the Park Commission. Seconded by Mr. Kelly and CARRIED, 34 in favor and 1 opposed.

MR. GEORGOULIS read his Committee report on the interview of Mr. Thorne Sherwood as a member of the Park Commission. Seconded by Mr. Huizinga and CARRIED, unanimously.

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MR. GEORGOULIS read his Committee report on the interview of Mrs. Bindley Gillespie as a member of the Park Commission. Seconded by Mr. Kelly and CARRIED, 33 in favor and 2 opposed.

Public Works Committee:

Mr. Topping, Chairman, presented the following report of his Committee:

PUBLIC WORKS COMMITTEE
STAMFORD BOARD OF REPRESENTATIVES
January 3, 1956

A postponed meeting was held on December 28, 1955. Members present were Alan Ketcham, Anthony Kolich and Thomas Topping.

Alan Ketcham reported on the drainage problem at Fenway Street. The present drain pipe is inadequate when there is a heavy rainfall. Mr. Ketcham discussed this problem with Mr. White, the City Engineer, who stated that the Public Works Department has plans to increase the size of pipe and extend it to the playing field of the Stamford High School. Several easements have to be secured first, however.

Another factor which should improve the drainage in this area is a plan of the Board of Education to secure and develop ten acres of land in the same vicinity.

This Committee wishes to make recommendations concerning certain items on the Agenda for this meeting as follows:

1. \$21,000- Straightening, widening and deepening Westcott Cove.

Recommend this be approved.

2. \$2,610 - To cover salary increases, Code 413.1 Bureau of Parks:
Code 413B.1 Bureau of Trees.

Recommend that these be deferred until the Park Commission has the opportunity to make its recommendation.

Code 416.1 Building Bureau

Recommend that this be approved.

4. \$12,000 - Code 441.12 - Installation, repair and care of Fire Hydrants.

Recommend that this be approved.

9. \$7,500 - Code 441.12 Hydrants, new and replacements, Dist. 1.

Recommend that this be approved.

Respectfully submitted,

THOMAS J. TOPPING, Chairman

January 3, 1956

ALAN H. KETCHAM
ANTHONY KOLICHHealth & Protection Committee:

MR. MILANO, Chairman, read the following report of his Committee and MOVED that it be referred to the Mayor. Seconded by Mr. Longo and CARRIED unanimously:

RE: BOAT BASIN, DYKE PARK - Letter dated 11/14/55

The Health and Protection Committee met at the Safety Center on Wednesday, December 21, 1955, in reference to a letter received from Mrs. Katherine Kaminski Sliwonik to the Board of Representatives and this Committee on the dangerous conditions that exist at the Boat Basin at Dyke Park. This Committee feels that this matter should be brought to the attention of the Mayor and the Public Works Department.

JOSEPH P. MILANO, Chairman
FRANK LONGO
THOMAS KILLEEN
ROBERT LEWIS

RE: POLICE DEPT., ACCIDENT SQUAD - Letter dated 11/14/55

The health and Protection Committee met at the Safety Center on Wednesday, December 21, 1955, with Chief Kinsella, of the Police Department, in reference to a letter received from Mrs. Katherine Kaminski Sliwonik to the Board of Representatives and this Committee.

Chief Kinsella assured us that all the men assigned to the Accident Squad are capable and trained men in administering First Aid.

Reference to letter dated
November 14, 1955

JOSEPH P. MILANO, Chairman
FRANK LONGO
THOMAS KILLEEN
ROBERT LEWISPlanning & Zoning Committee:

Mr. Czupka spoke briefly and said the report of his Committee had been offered previously under a combined report of the joint meeting of the Legislative & Rules Committee and Planning and Zoning Committee, held December 29, 1955. (For report see Legislative & Rules Committee)

Public Welfare & Recreation Committee:

Mr. Kelly, Chairman, presented the following report:

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The Welfare and Recreation Committee met on Tuesday evening, December 20, 1955, in the Law Library of the Town Clerk's office at 8:00 P.M. All members being present, with the exception of Mr. Jack McLaughlin, who was confined to his home with a cold.

The letter concerning the dangerous condition existing at the Dyke Park Boat basin, which was referred to the Committee for a report on the action that should be taken to eliminate said condition, was discussed. Your Chairman visited the Dyke Park and reported that definite action should be taken to eliminate this hazardous condition.

The Committee feels that the Public Works Department should be notified of the many complaints coming into the Board, requesting that the City make the area safe for cars to park and safe for the boat owners to use and would like to ask that our Secretary notify the Mayor and Mr. Scarella to request that something be done about it as soon as possible, and I so MOVE.

STEPHEN E. KELLY, Chairman

Mr. Kelly's motion was seconded by Mr. Wynn and CARRIED unanimously.

RE: Letter dated Dec. 12, 1955 from Mr. John L. DeForest, presented at the December 12, 1955 meeting of the Board of Representatives (see pages 1011, 1012 and 1013 of Minutes) (Referred to Health & Protection Committee, Public Works Committee and Public Welfare & Recreation Committee)

Mr. Kelly asked for permission to present a report of his Committee on this matter at a later date and MOVED that it be re-committed to Committee. Seconded by Mr. Huizinga and CARRIED unanimously.

Board of Education Committee:

MR. MACRIDES, Chairman, presented a verbal report. He said his Committee had met on December 17, 1955, with the following members present: John C. Macrides, William J. Brett, Edward C. Czupka, Charles A. Gilbert, Dr. John R. Lilliendahl being absent.

He stated that the future meetings of the Committee would be held at 7 P.M. on the last Tuesday before the regular meeting of the Board of Representatives.

The meeting was an organization meeting, to decide on what procedure would be followed in the future. He stated they decided they would act as liaison between our Board and the Board of Education. Mr. Macrides was instructed to contact Mr. Henry P. Nolan, Chairman of the Board of Education and arrange to have him attend their next meeting, with the idea of having him go over last years audit in order to get an idea of how the appropriations which were made for the Board of Education compared with the actual expenditures.

He also stated they intended to get in touch with the heads of various City departments and find out if there is anything in the line of education that affects their departments.

MR. KAMINSKI requested that the Committee tackle the Board of Edu-

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cation budget with the Fiscal Committee.

Mr. Macrides said they would be glad to do so.

COMMUNICATIONS FROM THE MAYOR:

The following letters were presented:

CITY OF STAMFORD, CONN.

Jan. 3, 1956

Mr. George V. Connors, President
Board of Representatives

Dear Mr. Connors:

I would like to submit the name of

Mr. John Hogan
Den Road
Stamford, Conn.

to your Board of Representatives for appointment to the
ZONING BOARD, term to expire December 1, 1959.

Mr. Hogan is a member of the Democratic Party.

Very truly yours,

THOMAS F. J. QUIGLEY, Mayor

The letter was referred to the Appointments Committee for attention.

CITY OF STAMFORD, CONN.

Jan. 3, 1956

Mr. George V. Connors
Board of Representatives

Dear Mr. Connors:

Attached herewith please find copy of a letter
addressed to you, through my office, from Mr.
Eastburn, Assistant to the President of the New
York Airways.

Yours very truly,

THOMAS F. J. QUIGLEY, Mayor

Enclosure

NEW YORK AIRWAYS, INC.

December 30, 1955

January 3,

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The Hon. Thomas F. J. Quigley, Mayor
The Hon. Benjamin Connors, Chmn., Bd. of Representatives
The Board of Representatives
The Board of Finance
The Planning Board
City of Stamford

Dear Sir:

New York Airways will be glad to have you as their guest on helicopter demonstration flights between 2 and 4 P.M. on Sunday, January 15th.

These flights will take place from the Stamford Heliport. Six can be accommodated upon each flight over the city.

We will be pleased to know the approximate number who would like to take such a flight.

Should the weather be unfavorable, January 22nd will be the Alternate date.

I would suggest that the Stamford Police Department be the information center should the weather be marginal, and we will contact them should weather interfere with the proposed flights.

Sincerely yours,

GLEN B. EASTBURN
Assistant to the President

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

The following letter was presented:

THE CITY COURT OF STAMFORD, CONN.

December 30, 1955

Mr. John C. Macrides
Clerk, Board of Representatives
255 Bedford Street
Stamford, Conn.

Dear John:

Through inadvertence, I did not answer an earlier letter from the Board of Representatives requesting an opinion from me on how legislation regarding the stoppage of traffic for school buses are concerned. Although this question is not strictly within my province, I shall be happy to give you the results of my examination of the facts and of the law.

The 1955 Public Acts, Chapter 322, defines school bus as "any motor bus painted, constructed, equipped and registered as thereafter provided, which is regularly used for transporting school children to and from school and school activities". It further provides that "no

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vehicle shall be registered as a school bus unless it complies with all requirements of this act as to color, markings, equipment and inspection". These requirements provide for an orange color and certain markings and signs giving warning to operators of other vehicles. The Act states that the provisions requiring other vehicles to stop at the signal of an operator of a registered school bus shall not apply to the signal by the operator of any vehicle not registered as a school bus and not having the color, etc., identifications.

With respect to the buses used by The Connecticut Company for transporting school children, I am informed that the Board of Education does not contract with The Connecticut Company for the use of specific buses, but instead has an arrangement whereby bus tickets are sold directly to the school children or are purchased by the schools and distributed to school children, which tickets entitle school children to ride any bus of The Connecticut Company until 4:00 P.M., as well as during church and Sunday School hours. The buses on which the school children ride carry the designation, "Rogers School", etc., but they are also used by adults.

It would appear to me that the buses used by The Connecticut Company do not fall within the definition of "School bus" in the Public Acts and, therefore, are not required to be registered, painted, etc. Such being the case, the provisions requiring other vehicles to stop will not apply to a signal; operators of The Connecticut Company buses, and the Police Department has no way of enforcing such provisions.

The Public Acts further provide that any motor vehicle, other than a registered school bus, when used for the transportation of school children, may display signs of a size approved by the Commissioner of Motor Vehicles on the front and rear of such vehicle exhibited with the words "school bus"; but they cannot use the words "stop" or "stop on signal".

It would appear to me that the problem must be approached either by a change in legislation or by the Board of Education confining its provisions for transportation of school children to contract buses registered as such.

Very truly yours,

JOSEPH J. ZONE
Prosecuting Attorney
City Court of Stamford

MR. PLOTKIN: "I MOVE that the Committee on Education take this under advisement to see what the cost would be to transport all school children by contract buses." Seconded by Mrs. Bankowski and CARRIED unanimously.

BUSINESS ON THE CALENDAR:

Mr. Connors gave the following changes in the membership of Committees:

LEGISLATIVE & RULES:

14.14 Mr. Stephen Kelly to replace Mr. Thomas M. Killeen

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PLANNING & ZONING:

Mrs. Helen Peatt to replace Mr. Thomas J. Topping

STEERING COMMITTEE:

To be increased by the addition of two members: Mrs. Helen Peatt and Mr. Vincent Vittl.

BOARD OF APPEALS:

Mr. Vincent Vittl to replace Mr. Eugene F. Barry.

Mr. Fredericks pointed out that a change in the membership of the Board of Appeals would require election by the entire Board.

MR. NOLAN MOVED that this be TABLED until the next meeting of the Board. Seconded by Mr. Georgoulis and CARRIED unanimously.

There being no further business to come before the Board, Mr. Fredericks MOVED for ADJOURNMENT At 11:30 P.M. Seconded by Mr. Georgoulis and CARRIED unanimously.

Respectfully submitted,

John C. Macrides, Clerk,
Board of Representatives