

MEETING OF THE 9TH BOARD OF REPRESENTATIVES

Minutes of December 5, 1966

Stamford, Connecticut

4897 e

A regular monthly meeting of the Board of Representatives of the City of Stamford was held on Monday, December 5, 1966 in the Board's meeting room, Municipal Office Building, (2nd floor), 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, George E. Russell, at 8:30 P.M.

INVOCATION:

Rabbi Samuel M. Silver, of Temple Sinai, having been called away, the President announced the Board would proceed to the next order of business.

PLEDGE OF ALLEGIANCE TO FLAG: The President led the members in the pledge of allegiance to the flag.

MOMENT OF SILENCE:

A moment of silence was observed in respect to the memory of Paul Schwartz, father of Ronald M. Schwartz, former President of the 8th Board.

PAGE FOR TRANSMITTING MESSAGES:

THE PRESIDENT announced that Rippowam High School has sent Andy Eisner to act as a Page, and introduced him to the members at this time.

ROLL CALL was taken by the Clerk. There were 36 present and 4 absent. The absent members were:

Edward Dombroski (D) 3rd District
Patsy Arruzza (D) 9th District
Mrs. Frances Lilliendahl (R) 19th District
Randolph Rogers (R) 20th District

A MOTION was made, seconded and CARRIED to bring up the report from the "House Committee" on an item referred to that Committee on the following matter:

Concerning Allowing Television and News Cameramen at Board meetings:

MR. LINDSTROM, Chairman, reported that his Committee had agreed that since it has long been a precedent of the Board to allow live radio broadcasts of the Board meetings, as well as members of the Press to be present at Board meetings, felt that news cameramen, as well as television cameramen, is merely an additional form of news media.

ACCEPTANCE OF MINUTES - Meeting of November 9, 1966

The above Minutes were accepted with the following amendment offered by Mr. Karl, 7th District Representative, being a prepared text, which he asked to have substituted for the 3rd paragraph appearing on page 4891.

THE PRESIDENT asked Mr. Karl if his remarks which he wished to insert in the Minutes were lengthy. He replied it was nine paragraphs long.

THE PRESIDENT informed Mr. Karl that if the Board inserted everyone's remarks into the Minutes that they would be a thousand pages long and would be useless if each member thought that everything he said should be recorded in full.

MR. KARL MOVED that his prepared text be substituted for the third paragraph on page 4891 of the November 9, 1966 Minutes. Seconded and CARRIED. His substitution was as follows:

"Mr. President:

"In the eyes of the home-owners of the residential block in question and in the eyes of home-owners in the immediate area, the decision of the Zoning Board approving the Zesima appeal is a vicious act of down-zoning and 'block-busting'. It is obviously one more attempt of a Johnny-come-lately land owner seeking to make a 'fast-buck' at the expense, discomfort, and annoyance of the established home owners.

"Yes, if you look OUTSIDE of the subject block you can find all types of land uses in Glenbrook. Admittedly, there are a couple of stores across the street on Courtland Avenue. They are however, a non-conforming use - long established - their origin dating back many years before Zoning was ever thought of.

"The most significant, hard, inescapable fact of this case is that the block for which this appeal is filed, is presently 100% residential. This is also true of the block immediately to the North. The members of this board who are either acquainted with the area, or who have taken the time to make a personal survey, must certainly agree that the homes and grounds in general are well kept, in spite of the severe drought this past summer. There is one obvious exception, of course, and that is the 'block-busting' owner of the Zesima property who lets a veritable forest of weeds grow over the sidewalk, allows the grass at the curb to grow to hay and can't seem to find his snow shovel in the winter - typical block-busting tactics.

"There are severe traffic problems in each of our voting districts I am sure, which seem to be aggravated with the every-increasing population density. This is doubly true of the intersection of Maple Tree Avenue, Courtland Avenue and Crescent Street. TWO uniformed policemen are required to direct traffic and act as school cross guards during peak traffic hours. This is compounded by one of the steepest road grades in Stamford where Crescent Street joins Courtland Avenue and the whole mess of traffic squeezes through the two narrow bridges on Courtland Avenue. The logic used by the proponents of a C-L Zone, implying that additional commercial use would have no additional adverse impact on this situation, escapes me.

"At this time it is required of us under Section 550 of the Charter to maintain; and I quote: 'a view of conserving the value of buildings' unquote. Would we be conserving the value of Dr. Nadel's home adjacent to a potential gas-station, or maintaining the value of Mr. Plummers' home with a rear view exposure to the potential garbage cans and litter usually found in the rear of stores? Certainly not!

"The Zoning Board has heard appeals concerning this property four times in recent years and had previously turned it down. The recent action was a split decision and only approved by a marginal 3-2 vote.

"In the wisdom of the good people who drafted our City Charter, they provided the mechanism whereby affected property owners could appeal to the Board of Representatives, thus serving as a check and balance over Zoning Board decisions.

"This is not the first such case to come before us. Yesterday, it was Cold Spring Road - today it is Glenbrook; we don't know in what district the next 'block-busting' attempt will occur.

"Mr. Chairman, and members of the Board, the vote taken this evening not only will establish the Zoning of the property in question, but will also identify the individual members of this Board who are proponents of 'block-busting' and 'down-zoning' and which members support the proposition of stability and integrity of zoning respecting the property rights of the established home owners throughout our city."

COMMITTEE REPORTS:

The Steering Committee report was presented and entered in the Minutes as follows:

STEERING COMMITTEE REPORT Meeting held Monday, November 21, 1966

A meeting of the Steering Committee of the Board of Representatives was held Monday, November 21, 1966 in the Board of Representatives' meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the Chairman, George Russell, at 8:15 P.M. All members were present, with the exception of Mr. Mosca, Mr. Rich and Mr. Durso. Also present were: Mr. Bennett, Mr. Bromley and Mr. Chirimbis.

The following matters were discussed and acted upon:

- (1) Additional appropriations (8) approved by the Board of Finance at their November 14, 1966 meeting, and one deferred by the Board of Representatives at the 11/9/66 meeting, were ORDERED ON THE AGENDA under FISCAL COMMITTEE

Items in excess of \$2,000 except pensions, were referred to a secondary committee, in accordance with Rule #10 on page 5 of Rules of Order.

It was also decided to refer salary increases to the PERSONNEL COMMITTEE

- (2) Final adoption of proposed Ordinance CONCERNING NAMING OF REPLACEMENT FOR CLOONAN JR. HIGH SCHOOL - (Adopted for publication 11/9/66; and published 11/17/66)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (3) APPEAL from decision of ZONING BOARD, approving modified APPLICATION 66-011 - ALPHONSUS J. DONAHUE, JR., to amend Zoning Regulations

The above appeal, filed with the Board of Representatives 10/11/66, was again ORDERED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE as they are conducting a joint open hearing with the PLANNING & ZONING COMMITTEE on 11/30/66 - ALSO ORDERED ON AGENDA under PLANNING & ZONING COMMITTEE

- (4) Concerning request by PARKING AUTHORITY FOR APPROVAL OF LEASE WITH NEW HAVEN R. R. FOR PARKING SPACE ON COWING PLACE IN GLENBROOK

There was considerable discussion about the above matter, which was TABLED at the 11/9/66 Board meeting, for the reason that the deadline date for approval by the Board of Representatives is believed to be sixty days after approval by the Planning Board, which would then be December 4th, the day before the next scheduled Board meeting. It was decided to place this ON THE AGENDA, pending a ruling by the Corporation Counsel as to whether December 5th would be too late under the Charter provisions for action. (See Sec. 584, page 102 of Charter). - ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (5) CONCERNING EXCHANGE OF PROPERTIES BETWEEN CITY OF STAMFORD AND I-SIS CHEMICALS, INC., to effect the widening of VIADUCT ROAD - (Mayor's letter of 10/20/66 with enclosures and map, previously sent to President, Majority Leader, Minority Leader and Mr. Rich, Chairman of Legislative & Rules Committee)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Ordered on agenda

- (6) LEASE between CITY OF STAMFORD AND MAGEE REALTY CORPORATION, covering property owned by City of Stamford, located on Northwest corner of Magee Avenue and Hanover Street, for term of five years, beginning January 1, 1967 and ending December 31, 1971; rental being \$7,500 payable in equal monthly installments of \$125.00 each - (Approved by Board of Finance on 11/14/66 under suspension of the rules)

REFERRED TO LEGISLATIVE & RULES COMMITTEE and PLANNING & ZONING COMMITTEE - Ordered on agenda

- (7) CONCERNING PROPOSED ORDINANCE (under terms of Public Act #460, 1965 Session) TO CREATE A "STAMFORD GOLF AUTHORITY" - (Requested in letter of 11/6/66 from Frank J. Daley, Chairman of Board of Directors, Hubbard Heights Golf Club Committee, to secure a second Golf Course)

REFERRED TO LEGISLATIVE & RULES COMMITTEE and PARKS & RECREATION COMMITTEE - Ordered on agenda

- (8) Concerning change of January Board meeting date from the first Monday, which is a holiday, to the second Monday, January 9, 1966

REFERRED TO LEGISLATIVE & RULES COMMITTEE to prepare a proper resolution - Ordered on agenda

- (9) Two matters, previously held in the Public Works Committee, on the November 9, 1966 Agenda, were ORDERED PLACED ON THE AGENDA under PUBLIC WORKS COMMITTEE

- (10) Letter (dated 11/7/66) from Edward A. Connell, Supt., Dept. of Parks, requesting approval of FEES AND CHARGES FOR USE OF FACILITIES IN PUBLIC PLACES BE PLACED ON AGENDA FOR DECEMBER BOARD MEETING - (No attachment of fees included in letter)

REFERRED TO PARKS & RECREATION COMMITTEE - Ordered on agenda

- (11) Letter (dated 11/18/66) from Mayor, enclosing copies of letter from George A. McCulloch, Urban Redevelopment Commission, enclosing copies of 3 resolutions, with map of Urban Renewal area, REQUESTING APPROVAL OF RESOLUTION PROVIDING FOR CERTAIN MODIFICATIONS IN THE SOUTHEAST QUADRANT URBAN RENEWAL PLAN

REFERRED TO URBAN RENEWAL COMMITTEE and the PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE - Ordered on agenda

THE FOLLOWING MATTERS WERE NOT PLACED ON THE AGENDA:

- (12) Letter (dated 11/4/66) from Charles J. Heinzer, III, 13th District Representative, REQUESTING ENFORCEMENT OF SEVERAL ORDINANCES TO ABATE NUISANCE ON PROPERTY SOUTH OF AND ADJACENT TO, MERRITT PARKWAY, AND EAST OF AND ADJACENT TO, DEN ROAD - (Protested by neighborhood residents)

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (13) Letter (dated 11/1/66) from Westover Parent-Teacher Association PROTESTING AGAINST TRAFFIC HAZARDS dangerous to school children and requesting a remedy for same - (Introduced by Theodore Boccuzzi, 9th District Representative)

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (14) Copy of letter (dated 11/17/66) from Supt. of Schools to Chief of Police CONCERNING TRAFFIC HAZARD AT REAR ENTRANCE TO RIPPOWAM HIGH SCHOOL, CAUSED BY SPEEDING OF STUDENTS - (Old matter, previously held in Committee)

Not on agenda - in HEALTH & PROTECTION COMMITTEE

- (15) STOP LIGHT AT OLD NORTH STAMFORD ROAD - (Letter from Booth Hemingway, 19th District, requesting the Health & Protection Committee to investigate the need for this light with the Police Department)

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (16) Letter (dated 11/9/66) from Peter Chirimbis, 12th District Representative, CONCERNING LACK OF PARK LAND AND USE BY CITY OF LAND FOR SUCH PURPOSES IN VICINITY OF ARLINGTON ROAD

REFERRED TO PARKS & RECREATION COMMITTEE - For information only - Not on agenda

- (17) Letter (dated 11/9/66) from Lynn Farnen, 18th District Representative, enclosing proposed resolution directing improvements and layout of EAST CROSS ROAD under provisions of Chapter 64 of Charter

REFERRED TO PLANNING & ZONING COMMITTEE - Not on agenda

- (18) Letter (dated 9/16/66) from Paul Kuczo and George Connors, 8th District Representatives, attaching resolution REQUESTING IMMEDIATE INVESTIGATION OF URBAN REDEVELOPMENT COMMISSION in conformity with Section 204.2 of Charter

The above matter, previously in the Urban Renewal Committee, was also REFERRED TO THE PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE - Not on agenda

- (19) Letter (dated 11/10/66) from John Rich, 18th District Representative, REQUESTING THE STEERING COMMITTEE TO DIRECT THE APPROPRIATE COMMITTEE (OR COMMITTEES) TO AMEND THE RULES OF THE BOARD TO PROHIBIT THE PHOTOGRAPHING OR TELEVISIONING OF THE BOARD MEETINGS WHEN IN SESSION

REFERRED TO THE "HOUSE COMMITTEE" - Not on agenda

- (20) Carbon copy of letter (dated 11/15/66) from William Murphy, 6th District Representative, to Senator Hickey, requesting that the Senator introduce legislation in the next session of the General Assembly, to amend public Act No. 594 so that there may be a GRANT FROM THE STATE, RATHER THAN A LOAN - (This letter appeared in the Stamford Advocate)

Above letter noted and filed - For information only

- (21) Letter (dated 11/13/66) from Messrs. Kelly, Kuczo, Connors and Longo, suggesting that the Board CHANGE ITS METHOD OF VOTING ON PLANNING AND ZONING APPEALS - (This letter appeared in the Stamford Advocate)

The above letter was noted and filed. The members noticed that this requires an amendment to the Stamford Charter, which would have to go to referendum and therefore cannot be acted upon at this time.

- (22) Carbon copy of letter (dated 10/31/66) to the Mayor, from Paul Kuczo and George Connors, 8th District Representatives, CONCERNING COVE DAM, saying they are not satisfied with what has been done - (letter was printed in the Stamford Advocate)

REFERRED TO PUBLIC WORKS COMMITTEE - Not on agenda

- (23) Letter (dated 11/18/66) from William Buchanan, 16th District Representative, CONCERNING NEED FOR INCREASED POLICE PROTECTION IN 16TH DISTRICT

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (24) Letter (dated 11/19/66) from Paul Kuczo, President of East Side Democratic Club, CONCERNING FORMATION OF A CHARTER REVISION COMMITTEE OF THE BOARD OF REPRESENTATIVES; ALSO A CHARTER REVISION COMMISSION, because of the need for a referendum of Charter amendments

The above matter was discussed and it was noted by the Chairman that this is already under consideration.

- (25) Letter (dated 11/18/66) from Paul Kuczo, 8th District Representative, REQUESTING TERMINATION OF REPORT OF 8TH BOARD OF REPRESENTATIVES' SPECIAL COMMITTEE TO INVESTIGATE, UNDER RESOLUTION NO. 429, ADOPTED DEC. 9, 1963, "THE CIVIL SERVICE AND PERSONNEL DEPT. PROCEDURES UNDER SEC. 204.2 OF CHARTER"

There was some discussion of the above matter, but nothing was done, as the members felt it was action taken by a previous Board and that Board (the 8th) went out of existence with the termination of its term of office.

- (26) Letter (dated 11/21/66) from Steve Kelly, 4th District Representative, REQUESTING APPOINTMENT OF A SPECIAL COMMITTEE TO CONSIDER THE DISPOSITION OF THE OLD CLOONAN JR. HIGH SCHOOL

The above was noted and filed.

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting adjourned at 9:35 P.M.

George E. Russell, Chairman
Steering Committee

FISCAL COMMITTEE:

MR. HEMINGWAY, Chairman, presented his report at this time. He said the Committee met on Thursday, December 1, 1966 with six members present. The recommendations of his Committee follow.

- (1) \$500,000.00 - BOARD OF EDUCATION - Resolution amending 1966-1967 Capital Projects Budget, for CONSTRUCTION OF BOARD OF EDUCATION OFFICE FACILITIES - (Present building needed for Urban Renewal) (Mayor's letter of 8/5/66) - DEFERRED 9/6/66; again on 10/3/66 and TABLED on 11/9/66 with two "no" votes.

MR. HEMINGWAY said the above matter is being held in Committee.

- (2) \$218.40 - DEPARTMENT OF PARKS & TREES, Code 710.0101, Salaries - (Reclassification of Alfred Moon from General Foreman to Assistant Superintendent, from S-17-E at \$7975 to S-19-D at \$8300, approved by action of the Personnel Commission on Oct. 17, 1966 - Covering 35 weeks, from 10/31/66 through 6/30/67) - (Mayor's letter of 10/20/66)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Rybnick, who said the Personnel Committee concurs with the recommendations of the Fiscal Committee. CARRIED.

- (3) \$669.00 - DEPARTMENT OF HEALTH, Code 510.0101, Salaries - To cover increase in salary for Sanitarian, transferred from another department after start of new fiscal year; increment due as of 1/1/67, from \$7100 to \$7375. (Mayor's letter of 10/26/66)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Rybnick who said the Personnel Committee also concurs. CARRIED.

- (4) \$27,650.00 - DEPARTMENT OF HEALTH for Air Pollution Control Program - Amount received from Federal Government under Application No. 136 for the City of Stamford Air Pollution Control Program - (Mayor's letter of 10/31/66)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Karl.

Mr. Hemingway said this program has not yet been worked out between the Consultant and the Department of Health and the Department of Public Works, but the money has already been approved by the Federal Government, fully reimbursable to the City.

MR. KAPLAN said his Committee - the Health & Protection - also approved the appropriation.

VOTE taken on Mr. Hemingway's motion. CARRIED.

- (5) \$1,080.00 - PLANNING BOARD - Code 134.0101. Salaries - For salary for incumbent Clerk-Typist I, Salary Grade S-4 on permanent basis, formerly on a temporary basis. (Covers remaining 38 weeks in present fiscal year, at salary of \$81.03 weekly) (\$2,000 approved in 1966-1967 Budget, on a part-time basis) (See Mayor's letter of 10/31/66)

MR. HEMINGWAY MOVED for approval of the above request. Mr. Rybnick seconded the motion and said the Personnel Committee also approved. CARRIED.

- (6) \$2,100.00 - OFFICE OF TOWN & CITY CLERK - Code 112.2201. New Equipment - For purchase of Cash Register to replace old one no longer usable - (See Mayor's letter of 11/1/66)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Mosca.

MR. MURPHY, said the Education, Welfare & Government Committee, to whom this was also referred, concurred in approval. CARRIED.

- (7) \$1,500.00 - DEPARTMENT OF PUBLIC WELFARE - Code 410.5503. Other Town Charges (REDUCED by Board of Finance on 11/14/66 from \$2,500 to \$1,500) (To pay charges from Norwalk and Bridgeport) (Mayor's letter of 11/2/66)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Kelly.

MR. MURPHY said the Education, Welfare & Government Committee also approved this item. CARRIED.

- (8) \$7,800.00 - POLICE DEPARTMENT - Resolution No. 504 amending the 1966-1967 Projects Budget by adding item to be known as SIGNAL LIGHT at SHIPPAN AVENUE AND WALLACE STREET and appropriation of that amount for said project - (Mayor's letter of 8/10/66)

MR. HEMINGWAY MOVED for approval of the following resolution. Seconded by Mr. Kaplan, who said the Health & Protection Committee concurs. CARRIED. The resolution follows:

RESOLUTION NO. 504

AMENDING 1966-1967 CAPITAL PROJECTS BUDGET, POLICE DEPARTMENT, BY ADDING ITEM TO BE KNOWN AS "SIGNAL LIGHT AT SHIPPAN AVENUE AND WALLACE STREET" AND APPROPRIATION IN AMOUNT OF \$7,800.00 THEREFOR.

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1966-1967 Capital Projects Budget to include an item to be known as "SIGNAL LIGHT AT SHIPPAN AVENUE AND WALLACE STREET" in accordance with the provisions of Section 611.5 of the Stamford Charter, by adding thereto the additional sum of \$7,800.00 for said project.

- (9) \$4,500.00 - PARK COMMISSION - Code 710.2201, New Equipment - For purchase of a new towing tractor for the Greyhound Glide-A-Ride Train at Cove Island Park - (Mayor's letter of 8/25/66)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Kelly.

MR. LINDSTROM, Chairman of Parks & Recreation Committee, to whom this was also referred, said his Committee concurs in approval. CARRIED.

LEGISLATIVE & RULES COMMITTEE:

MR. RICH, Chairman of above Committee, presented his Committee report at this time. He said the Committee met in the Board Caucus Room on Tuesday, November 29th at 7:00 P.M., with all members of the Committee present, except Mr. Kaplan and Mr. Farnen.

- (1) Final adoption of Ordinance CONCERNING NAMING OF REPLACEMENT FOR CLOONAN JUNIOR HIGH SCHOOL - (Adopted for publication 11/9/66 - Published 11/17/66)

MR. RICH said the Committee has noted that the Board of Education has named the new Junior High School "The Cloonan Junior High School" and therefore the Committee feels that there is no need to act on the proposed Ordinance.

MR. CHIRIMBES said he wishes to go against the recommendation of the Legislative and Rules Committee, because he feels that the effort and work the Board has put into this Ordinance, that we follow through on what was started. HE MOVED for final adoption of the Ordinance. Seconded by Mr. Kelly, Mr. Kuczo and Mr. Connors and CARRIED. The Ordinance follows:

ORDINANCE NO. 133 SUPPLEMENTAL

CONCERNING NAMING OF REPLACEMENT FOR CLOONAN
JUNIOR HIGH SCHOOL

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The name of the new Junior High School under construction at
Powell Place and West North Street, shall be "THE JOHN J.
CLOONAN JUNIOR HIGH SCHOOL".

This Ordinance shall take effect from the date of its enactment.

- (2) APPEAL from decision of ZONING BOARD approving modified APPLICATION 66-011 - ALPHONSUS J. DONAHUE, JR., to amend Zoning Regulations - (Filed with Board of Representatives Oct. 11, 1966 - Must be acted upon by second regularly scheduled Board meeting after referral by Zoning Board) (Open hearing held by Legislative & Rules Committee on Saturday, November 12, 1966)

MR. RICH said the Committee met in special session on the morning of Saturday, November 12th to hear argument from both parties with respect to this appeal. He said, as usual, the Committee had only the issue of whether or not the matter is or is not properly before the Board for consideration. However, he said, this issue is by no means a simple one and after hearing the testimony of the applicants and the appellants, the Committee went into Executive Session. He said the Committee decided that they were not in a position to rule that the appeal WAS IN IMPROPER FORM for consideration by the full Board on its merits and in arriving at this decision, they were guided by the advice of the Corporation Counsel who was present at the open hearing. He said the Corporation Counsel has reported to the Committee, in part, as follows:

"The Board of Representatives, in our opinion, has neither the required time nor judicial machinery to review and scrutinize the referral petition to the extent and degree requested.

"The contention of the owners of the property that there is no right of appeal to the Board of Representatives, we also feel is a legal argument more properly addressed to a court than to the Board of Representatives.

"The Board of Representatives, in our opinion, should render a decision on the merits of the matter. Thereafter, all interested parties will have an opportunity to obtain a complete judicial review and determination of the jurisdictional and procedural questions raised in connection with the referral petition to the Board of Representatives, as well as a review of the action of the Board on the merits of the matter."

- (3) Concerning request by PARKING AUTHORITY FOR APPROVAL OF LEASE WITH THE NEW HAVEN RAILROAD FOR PARKING SPACE ON COWING PLACE, GLENBROOK - (This was approved by the Planning Board on Oct. 4, 1966 and TABLED for one month by the Board of Representatives on 11/9/66) (See Section 584 of Charter)

MR. RICH said the Committee reported to the Board last month its approval of the Parking Authority's request for a new municipal parking lot on Cowing Place, and we again report favorably on this matter. The Corporation Counsel has rendered an opinion which states that:

"In our opinion, action may be taken by the Board of Representatives at their meeting of December 5, 1966 regarding the request for approval of the establishment of additional parking facilities at Cowing Place."

MR. RICH MOVED that the Parking Authority be granted the permission which they requested to enter into an agreement with the New Haven Railroad and to install a municipal parking lot as outlined by them on Cowing Place. Seconded by Mr. Kaplan.

After considerable debate, MR. RICH read the resolution he presented at the November 9th Board meeting (see page 4887, Minutes of 11/9/66) and MR. KAPLAN offered an amendment, after which MR. BITETTO MOVED THE QUESTION.

MR. KAPLAN then withdrew his seconding to the motion originally made by Mr. Rich.

MR. MORRIS MOVED TO TABLE. No seconder.

THE PRESIDENT said the only thing to do now is to move on to the next regular order of business because there is nothing before the Board for action.

- (4) Proposed Ordinance CONCERNING EXCHANGE OF PROPERTIES BETWEEN CITY OF STAMFORD AND I-SIS CHEMICALS, INC., to effect the widening of VIADUCT ROAD - (See Mayor's letter of 10/20/66 with enclosures and map, sent to President, Majority Leader, Minority Leader and Chairman of Legislative & Rules Committee)

MR. RICH said the Committee approves the conveyance of city property to I-Sis Chemicals and therefore presents the following proposed Ordinance for publication. HE MOVED for approval for publication and asked that the reading be WAIVED. Seconded and CARRIED to waive the reading of the proposed Ordinance.

VOTE taken on Mr. Rich's motion for approval for publication. CARRIED. The proposed Ordinance follows:

CONCERNING CONVEYANCE OF PROPERTY FROM CITY OF STAMFORD
TO I-SIS CHEMICALS, INC. TO EFFECT THE WIDENING OF VIADUCT ROAD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Sections 2-24 to 2-27, inclusive, of the Code of General Ordinances of the City of Stamford, the conveyance from the City of Stamford to I-Sis Chemicals, Inc. of the following described property:

ALL THOSE CERTAIN pieces, parcels or tracts of land situated in the City of Stamford, County of Fairfield and State of Connecticut shown and delineated as Plot "C"; Plot "C-2"; Plot "C-4"; and Plot "C-5"; on a certain map entitled "City of Stamford Map Showing New Map of Street Line on Viaduct Road from Larkin Street Northerly", which map is on file in the office of the Town and City Clerk of said Stamford. Said Plot "C" contains 400.74 square feet; said Plot "C-2" contains 110.6 square feet; said Plot "C-4" contains 26.7 square feet; and said Plot "C-5" contains 73.9 square feet.

is hereby authorized.

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to transfer title to such above described property to grant the easement aforesaid.

This Ordinance shall take effect from the date of its enactment.

- (5) LEASE between CITY OF STAMFORD AND MAGEE REALTY CORPORATION, covering property owned by City of Stamford, located on Northeast corner of Magee Avenue and Hanover Street, for term of five (5) years, beginning Jan. 1, 1967 and ending December 31, 1971, rental being \$7,500 payable in equal monthly installments of \$125.00 each - (Requested in Mayor's letter of 11/16/66)

MR. RICH said the Committee approves this lease and SO MOVED. Seconded by Mr. Bennett

MR. MOSCA said the Planning & Zoning Committee concurs with this action.

MR. CONNORS MOVED for a five minute recess at 9:30 P.M. Seconded and CARRIED.

The recess was declared over at 9:45 P.M. and the Board re-convened.

MR. RICH explained that after the lease was presented to the City, two clauses were added at the insistence of the City Administration, one of which said that the City has the right to terminate the lease 90 days from such notice, so that it does not necessarily run for the full term of the lease. He said the second item which was added at the insistence of the City Administration, was that the premises are to be used for parking purposes only and shall have only one entrance and one exit, both of which are to be located by the local traffic authority, so that it will be up to the Police Department to determine where the ingress and egress shall be. He said the third amendment to the lease was added at the suggestion of the Legislative and Rules Committee, and that says: "If there is an increase in pedestrian or vehicular traffic as a result of this lease so that the appropriate City authorities determine traffic controls must be installed on Magee Avenue and/or Hanover Street, said Lessee shall assume the costs of said traffic controls." He said the reason for this is that the question was raised IF a stop light were needed there, would the City be obligated for another \$7,500 to \$10,000 which is NOT to be the case.

MR. RICH URGED approval of the lease.

MR. CONNORS objected for the reason that the City will be tying up industrial property which is worth a great deal of money, and very much needed for industrial purposes, just to use as a parking lot.

MR. RICH said he could explain that - it is highly possible that the property will not be used for the full five years under this lease, and that they are going to occupy a building across the street as an office, and the back end of that building as well as a good deal of the property around it is now a parking lot for a trucking company, which may not stay there and if that is the case the Motor Vehicle Bureau would much prefer having its parking facilities right around its own building instead of across the street.

MR. LINDSTROM said the location is on the main artery leading to the Shippan area, and is heavily traveled during the day. HE MOVED TO TABLE for one month so that a traffic control evaluation can be taken. Seconded by Mr. Nathanson.

MR. RICH said if it is Mr. Lindstrom's desire to kill the issue by these means, he may be successful in doing it.

THE PRESIDENT said he believed there was a December deadline date and this may be true.

MR. KUCZO asked the President why Mr. Rich is being allowed to speak on a TABLING MOTION as he understands no debate is allowed on a tabling motion.

THE PRESIDENT said he believed it to be an indirect answer to a question to the Chairman of a Committee.

MR. DURSO read a statement at this time, quoting from the lease, regarding the lessee who "shall assume the cost of traffic control". He asked why there should be a study for a month, when they are already in agreement that there shall be no cost to the city if they find there is going to be additional traffic there.....

MR. NATHANSON rose on a POINT OF ORDER, saying there can be no debate on a tabling motion.

Note: The volume of the recording is reduced at this point and cannot be heard.

VF

MR. LINDSTROM withdrew his motion to table and said he would MOVE TO TABLE FOR ONE MONTH for further study, and that it be held in Committee for another month.

MR. NATHANSON said he sees no reason to hold this in Committee and that maybe it should be referred to the Health & Protection Committee.

MR. BENNETT asked Mr. Rich if the effect of putting this back in Committee would "kill" it.

MR. RICH said the lease will not be available in January.

MR. BENNETT MOVED THE QUESTION. Seconded by Mr. Morris.

MR. KUCZO rose on a POINT OF ORDER, saying it is the same point of order that he brought up before. He said it is his understanding that when a motion is made to table that there can be no debate. He said the Chairman has been allowing debate for about ten minutes now.

THE PRESIDENT told Mr. Kuczo that Mr. Lindstrom is through with his tabling motion and that apparently he was not listening.

MR. KUCZO said he distinctly heard a seconder - that Mr. Lindstrom again made a motion to table, which was again seconded. He asked that the Board follow Parliamentary Law.

THE PRESIDENT said he is sure he knows as much about Parliamentary Law as Mr. Kuczo does. He explained that Mr. Lindstrom is through with the tabling motion and it is now referred back to Committee.

MR. MORRIS rose on a POINT OF ORDER. He said Mr. Bennett MOVED THE QUESTION, which he seconded.

THE PRESIDENT called for discussion on the motion to refer back to Committee.

MR. CASALE said when this is being studied, he would like to request that they study Shippan Avenue, because people are certainly going to come out of Hanover Street on to Shippan Avenue which is a very dangerous intersection and it is hard enough to get in and out of there now.

MR. MORRIS rose again on a POINT OF ORDER. He said the vote should now be on the lease itself. There seemed to be a little misunderstanding at this point as to what was on the floor for a vote.

4910

MR. LINDSTROM said he would like to know what takes precedence - to refer back to Committee, or tabling, or the lease itself.

THE PRESIDENT said Mr. Lindstrom had first asked to table and then asked that it be referred back to Committee. This was seconded by Mr. Morris.

MR. LINDSTROM said it was Mr. Nathanson who seconded the motion.

THE PRESIDENT said he definitely heard another seconder up in front. He explained that Mr. Nathanson seconded the motion earlier, but then he questioned the merits of it being referred back to Committee.

MR. MORRIS said Mr. Bennett moved the question, which he seconded and now we are supposed to vote on the lease.

THE PRESIDENT ruled the vote will first be taken on the motion to TABLE for one month. LOST, with 9 voting in favor of the motion.

MR. FARMEN MOVED THE QUESTION.

VOTE taken on Mr. Rich's motion to approve the lease. CARRIED, with one "no" vote, and Mr. Fusaro abstaining.

- (6) CONCERNING PROPOSED ORDINANCE (under terms of Public Act #460, 1965 Session) TO CREATE A "STAMFORD GOLF AUTHORITY" - (Requested in letter of 11/6/66 to Board of Representatives from Frank J. Daley, Chairman of Board of Directors, Hubbard Heights Golf Club, Committee to secure a Golf Course)

The above matter was held in Committee for further study.

- (7) Resolution No. 505 to change January Board meeting date from the first Monday, which falls on a holiday, to the second Monday, January 9, 1967

MR. RICH MOVED for approval of the following resolution. Seconded and CARRIED:

RESOLUTION NO. 505

CONCERNING CHANGE OF MEETING DATE
FOR JANUARY BOARD MEETING

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford that, in accordance with the Stamford Charter, in Section 202.1, the regular monthly meeting in January, 1967 will be held on MONDAY, JANUARY 9, 1967.

MR. RICH MOVED for suspension of the rules to take up the following matter, which was received too late to go before the Steering Committee. Seconded and CARRIED.

- (8) Request for WAIVER OF BUILDING PERMIT FEE from Attorney representing Temple Sinai, for an addition to their religious school building, under provisions of Article 100, Section 2, paragraph 1, of the Stamford Building Code

MR. RICH MOVED for approval of the above request under terms of Ordinance 80.7 Supplemental. Seconded and CARRIED.

MR. MORRIS said in view of the large number of people waiting to hear the report of the Planning and Zoning Committee, that it would expedite matters to move on to that Committee and by-pass, temporarily those next on the agenda, as it is already ten o'clock. HE SO MOVED. Seconded by Mr. Lindstrom and CARRIED.

PLANNING & ZONING COMMITTEE:

- (1) APPEAL from decision of ZONING BOARD - Application 66-011 - ALPHONSUS J. DONAHUE, JR., to amend Zoning Regulations - (Filed with Board Oct. 11, 1966) (Also see item #2 under Legislative & Rules Committee)

MR. KAPLAN asked to speak at this time. He asked for it to appear on the record that he is abstaining from both discussion and voting on this zoning matter for the reason that his law firm is representing the Southfield Point Association in opposing the Donahue application.

MR. BROMLEY said he must also make the same request, since his law firm represents the other side in this matter, and for this reason is abstaining from discussion and voting.

MR. MOSCA said the Planning & Zoning Committee held an open hearing concerning the new Zoning Regulations, on Wednesday, November 30, 1966, at 8 P.M. in the Board meeting room. He said, after hearing all remarks, for and against, and after reading all the transcripts, maps involved and visiting the said property with Mr. Donahue and re-visiting site with a few members of the appealing group, the Committee voted to uphold the Zoning Board's unanimous decision.

THE PRESIDENT said, after hearing the report of the Planning & Zoning Committee, in which they denied the appeal and upheld the Zoning Board, they are offering no motion to the Board, since the voting method of the Board requires an affirmative vote as prescribed in Section 556.1 of the Charter, of a majority of the entire membership.

MR. MORRIS said he objects to these new regulations because they were put together hastily and fail to give the proper protection to the home owners of the City of Stamford. He said this piece of legislation was presented by the attorneys who represent the Donahue application and was written and presented for the purpose of taking care of this specific item. He said if this becomes law, it can be applied to any district with homes on land less than one acre and further, by going to the Board, this one acre could be waived and could be applied to any district, north or south of the parkway.

He said he feels that with the already existing Zoning Regulations of the City of Stamford that we have a designed industrial district - on page 23, Chapter C. He said the Zoning Board, in changing any property to a Designed District as that prescribed in changing to any other District, as specified in Section 20, the design and location of all buildings on the lot - the height, the bulk of the building, the provision for off street parking and loading space and the use of the property shall be submitted to and subject to the approval of the Zoning Board, who shall not approve same for a building permit until AFTER A PUBLIC HEARING. He said he wishes to emphasize the words PUBLIC HEARING.

He said the major weakness of the proposed legislation to which he objects is the following: once the industrial design for the initial building has been submitted for consideration and approval, even if it is only ONE PERCENT of the total designed building, there is no further need or requirement for an OPEN HEARING on any subsequent addition or change - even if the change to industrial design is more than 50%! He said it is his opinion that this inherent weakness is unfair to the home owners and that any radical or major change to industrial design of the initial building ought to be accompanied by a public hearing and that our citizens, taxpayers and home owners must be protected and public hearings will guarantee the public interest.

He said under the terms of the proposed legislation the Zoning Board does not have to call for a meeting, if in its judgment a hearing is not necessary, which, in effect causes the Zoning Board to set itself up as both Judge and Jury on these important cases affecting all home owners.

He said he also wants to point out - who knows who will sit on Zoning Boards in future years, and this is an important problem - the difference between the old designed districts and the new proposal is that the people would know the type of businesses which would come into the area and under the new, they would not. He said sponsors and speculators should not be able to draft this type of legislation and our Planning Director should have initiated and presented the legislation to be considered. He said the High Ridge Association operated under the old designed district and in six months they have obtained what they were seeking. He said in the designed district cases, the Supreme Court ruled that the neighbors could object, at public hearings, in order to protect their rights.

MR. MORRIS stressed the fact that no public hearing is necessary on individual applications, once the zoning change has been approved and said he feels that this deprives the home owners of the right to protest in open hearing if they feel they have been aggrieved.

He concluded by saying that he believes the Board members should take into consideration that this Board is NOT voting on the Donahue or the Feldman property, but are approving a regulation in the City of Stamford that in the future we may live to regret. He urged everyone give this considerable thought before making a decision so vital to the future of the City.

MR. MORRIS MOVED TO UPHOLD THE APPEAL. Seconded by Mr. Buchanan.

MR. NATHANSON spoke in opposition to the motion.

MR. BITETTO spoke in favor of reversing the Zoning Board's decision.

MR. KUCZO spoke in favor of the motion.

MR. RICH pointed out that this Board has a difficult decision to make and the publicity given it has not made it any easier, and what the Board is to decide tonight is NOT to rule on the application of this new zone to a specific piece of land, but to decide on adding a new land-use category, and that is: Whether IP-D zone is the type the City wants to add to their list of zoning possibilities and the question

of "down-zoning" is not presently before the Board on any particular tract of land.

He pointed out that what this Board must decide tonight is whether the City should have an "INDUSTRIAL PARK DISTRICT" or not, as one of its land uses. He said he wished the Board to recognize the following provision:

"...the Zoning Board shall, in EXECUTIVE SESSION decide whether the application containing elements of such a new or different nature as to justify the setting of a PUBLIC HEARING thereon."

He said for the Zoning Board to have this latitude is a proper deligation of judgment and if they don't have it, every change, big or small, will have to be debated publicly. He said also, that there always remains the remedy of appeal to this Board if anyone is aggrieved.

He said he also wished to remind the members that to refuse the requested change could result in lack of growth of the City in industry to provide jobs, as it is now a combination of both residential and commercial, which is what it should be. He said he feels the existence of IP-D can prove important in the development of the City, and urged that the appeal be turned down.

MR. CONNORS spoke in favor of the Zoning Board's decision and said we need industry to help carry the tax load, which is getting higher every year.

MR. JOHN BOCCUZZI said he took a survey in his District and 75% of the people do not want the factory and he is going to vote the way the people who elected him wish him to vote.

MR. LINDSTROM urged the Board to uphold the decision of the Zoning Board and said to provide for a new zone is not "down-zoning".

MR. FARMEN spoke in favor of the Zoning Board's decision.

MR. BUCHANAN spoke in favor of the motion.

MR. NATHANSON spoke for the second time and called attention to page 90 of the Charter - Section 555. He said he believes that the right of appeal still exists and anyone aggrieved can still appeal to this Board.

MR. KARL said he agrees with Mr. Connors and thinks the decision should be made for the good of the City rather than to yield to any pressure groups.

MR. MORRIS pointed out that we are NOT talking about the Donahue property, but about a new zone category.

MR. CHIRIMBES said no one must kid themselves into thinking any piece of property is going to stay the way it is. He said up to now 35 industries have moved out of the City and this Board had better concentrate on making the City more attractive to industry as people are going to be unemployed and out looking for jobs. He said he believes this to be of benefit to the City, tax-wise and business-wise and will provide jobs for Stamford residents. He said it is about time the individual home owners got smart and realized that industry takes the biggest tax bite and without it, the taxes will fall upon individual small home owners who will not be able to carry the load.

MR. BITETTO said he believes we don't have to worry about not having enough jobs in the City - that there are more jobs than there are people to fill them.

MR. MORRIS said he thinks if we pass this, it will come back to haunt us and we will be giving the Zoning Board the power of both Judge and Jury by leaving it up to them to decide whether there is a need for an open hearing.

MR. CONNORS spoke for the second time and said he does not want taxes to go any higher and that the City needs industry to help pay for the services the residents need and want.

MR. RICH said this regulation does NOT affect our right to know what the Zoning Board does in any matter that currently comes before it. He said the Zoning Board merely has the discretion as to whether a public hearing will be held on each and every one, but does not take away the rights of this Board and the right of appeal to this Board.

MR. CASALE said he thinks this new zone will be a step in the right direction to help attract industry to Stamford.

MR. MORRIS said it would appear from the speakers that the City does not have designed industry, and, as a matter of fact, we have.

THE PRESIDENT informed him that Designed Industrial Park is a completely new kind of regulation.

MR. MORRIS said this is now what is before the Board and after the first hearing, there will be no more open hearings.

THE PRESIDENT pointed out that any changes will have to be published, but agreed that there will not be any more public hearings after this is decided.

MR. LINDSTROM MOVED the question. Seconded and CARRIED.

MR. MORRIS asked for a roll call vote. More than one-fifth of those present indicated their wish for a roll call vote.

THE PRESIDENT announced that the vote will now be taken on the question itself - and that a vote of "yes" will be supporting the appeal, thus reversing the decision of the Zoning Board and a vote of "no" will be denying the appeal and supporting the action of the Zoning Board.

MR. MORRIS asked the President to explain the appeal.

THE PRESIDENT explained that the Board is now voting on a new zoning category and NOT on a zoning change. He said the Zoning change has been referred to the Courts and this vote is strictly on a new zoning regulation - a new category.

THE CLERK called the roll. The vote was 21 "No", 12 "Yes" with two abstentions, the President not voting except in case of a tie. The motion was LOST, resulting in the action taken by the Zoning Board being sustained. The vote follows:

THOSE VOTING IN FAVOR OF THE MOTION

BITETTO, Joseph (R)
BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
BUCHANAN, William (R)
CAPORIZZO, Vincent (D)
CAPORIZZO, William (R)
CLARKE, Hilda (R)

THOSE VOTING IN OPPOSITION

BENNETT, Jonathan (R)
CASALE, Louis (R)
CHIRIMBES, Peter (R)
CONNORS, George (D)
DURSO, Robert (D)
FARMEN, Lynn (R)
FUSARO, John (D)
GRANT, Alan (R)

HEARING, William (R)
 HEINZER, Charles (R)
 IACOVO, Edwin (R)
 KUCZO, Paul (D)
 MORRIS, Thomas (R)

HEMINGWAY, Booth (R)
 KARL, Frederick (R)
 KELLY, Stephen (D)
 LE BEAU, Alton (R)
 LINDSTROM, Edwin (R)
 LOCKHART, Ralph (D)
 LONGO, Carmine (D)
 MITCHELL, Charles (D)
 MOSCA, Dominick (R)
 MURPHY, William (D)
 NATHANSON, Benjamin (R)
 RICH, John (R)
 RYBNICK, Gerald (D)

ABSTENTIONS

BROMLEY, Robert (R)
 KAPLAN, Howard (D)

MR. MORRIS requested SUSPENSION OF THE RULES to go on to the Public Housing and General Relocation Committee. Seconded by Mr. Chirimbes and CARRIED.

MR. HEARING asked to be excused at this time, leaving 35 present.

PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE:

MR. BENNETT presented a verbal report. He said his Committee met on several occasions since the last Board meeting. He said they met with the Housing Authority on 11/3/66 and representatives of the Committee were invited to attend a special meeting on housing called by the Mayor. He said they also met last Thursday night with the URC, at which time Rev. Rafe Taylor and Counsel, the press and the public were invited. At that meeting, on Thursday night, the URC presented a request for an indication of approval by the Board of Representatives of the exploration of two sites for additional housing in the City - one on Grove Street and one on River Street.

He said they are very happy with these signs of cooperation and effort on the part of the URC to seek to place housing within the Southeast Quadrant and are whole-heartedly in agreement with the concept that there must be provision for re-location of misplaced persons within the URC area.

However, he said at this time his Committee unanimously voted to hold this request in Committee for further information and action. He said although he is not presently reporting action of the Committee on these two present sites under consideration by the URC, they would urge them to seek more such sites within the Quadrant.

He reported that at their public meeting, an alternative proposal for cooperative housing was presented by Rev. Rafe Taylor of the Faith Tabernacle Church and his Counsel, Robert Wise. He said the Committee thanked Rev. Taylor for his cooperation and anticipate formal receipt of his proposal in greater detail within two weeks. He said the Committee also urges similar groups to make alternate proposals. He said they do not want this to be misconstrued by the public, or the Commission, as a rejection of the recommendation of investigation of these two sites because they are definitely under consideration. He said he regrets not being able to report this out of Committee this evening, at their first regular meeting since the proposal was presented by the URC. He said, in the interest of ALL of the citizens of the City of Stamford, they must seek the best possible plan and wish to study the alternative proposal presented. He said his Committee will report, in full, on that matter at the January meeting.

MR. MORRIS said he is speaking as a member of the Special Housing Committee, present at a meeting of that Committee on Dec. 1, 1966 issue the following statement; to undue a grievous wrong done to Attorney Robert Wise, Counsel to Rev. Rafe Taylor's housing group:

"Mr. Wise appeared before us and delivered an inspiring and moving speech about Urban Renewal housing and the poor planning for this problem by the Urban Redevelopment Commission.

"Mr. Wise begged that his client be given an opportunity to build 200 units of cooperative housing within the Urban Renewal area, and that this would assure that the proposed 1,200 units of the high rise luxury apartments would not become 'lily white'.

"On Saturday, December 3, 1966 the Urban Redevelopment Commission in an unprecedented meeting held at 8 o'clock in the morning, showed us a press release which implied that Mr. Wise accused St. Johns' Church and the Bridgeport Diocese of discrimination in the proposed 350 units of housing on Willow Street.

"Mr. Wise made no such charge and everyone present that night knew this to be so.

"The Press released statements which appeared in last Saturday's Advocate was a shameful perversion of the truth, and for the URC to smear Mr. Wise in such a reckless, vicious and immoral manner is beneath contempt. We resent it and condemn it.

"Mr. Wise's fairness and sincerity are beyond reproach. Such conduct by the URC causes us great concern."

Thomas Morris
Carmino Longo
Peter Chirimbas
William Buchanan

MR. FARMEN said he was present at both meetings mentioned by Mr. Morris and feel that his comments are more of a personal nature and do not belong before this Board and urged that there be no further discussion on what he has just read.

MR. MORRIS said, as a point of order, this was said and said by a Commission of the City that said it and not because it happened to be Mr. Wise, but if anyone else was smeared, he would have made the same statement.

MR. MURPHY said he agrees with Mr. Farmen. He said he was there also and heard different things than what he seems to have heard.

MR. FUSARO objected, saying this is not a matter which should be before this Board.

THE PRESIDENT said there was no motion made, no seconder, and feels it is not properly before the Board, but merely comments made by certain Board members.

MR. RICH requested that the Board return to the normal order of business.

609 THE PRESIDENT said the report given by Mr. Bennett requires no action and was merely a progress report.

MR. CONNORS spoke at this time. (Could not be heard, as volume was turned down and his voice did not register)

The Board returned to the regular order of business at this time.

PUBLIC WORKS COMMITTEE:

MR. BITETTO, Chairman, said he would like to state, for the record, that his Committee has not had a meeting this month, due to the fact that the sub-committee of the Public Works Committee, has been having a series of meetings on the two items on the agenda and also on the Cove Dam investigation.

EUCLID AVENUE - Drainage Problem

Mr. Bitetto said the drainage problem on Euclid Avenue is currently in the projected Budget for 1967-1968.

THE PRESIDENT told Mr. Bitetto that items of this nature do not require action by this Board and it would be just as well not to take up the time of the members in discussing something that does not require their action.

MR. RYBNICK said he is seeking information on this drainage problem and had asked Mr. Bitetto about it.

THE PRESIDENT informed the members that any letters that require action by the Chairman of a Committee directly with the Public Works Commissioner, can be handled the same way that matters referred to the Health & Protection Committee are handled, can go directly to the department or commission involved, as it is merely a matter of information and does not require action by this Board and should not take up the time of the Board in discussing matters which are not on the agenda or before the Board for action. He said we get dozens of this type of communication each month and the Board would drag out the meetings until 4:00 a.m. if they try to answer questions on every subject during a Board meeting.

MR. BITETTO apologized and said he had not been able to get this information to Mr. Rybnick, but will not bring these matters on the floor in the future, and will try to get the information directly to the member requesting information on any specific matter.

THE PRESIDENT said three members have left the meeting now and there now remains 33 present, 7 absent.

HEALTH & PROTECTION COMMITTEE:

MR. KAPLAN presented his Committee report at this time. He said a meeting was held on November 28, 1966 in the Board's meeting room and present were the following: Howard Kaplan, Peter Chirimbes, Patrick Arruzza and guests - Chief Kinsella, Captain McDonald, Hawley Oefinger.

(1) TRAFFIC LIGHT AT OLD NORTH STAMFORD ROAD (See item #15 under Steering Committee)

MR. KAPLAN said his Committee voted to APPROVE the above matter when it next comes before the Board for consideration. He said they also are going to request the Traffic Department to re-study the traffic pattern on Old North Stamford Road.

- (2) Letter (dated 11/18/66) from William Buchanan, 16th District Representative. CONCERNING NEED FOR INCREASED POLICE PROTECTION IN 16TH DISTRICT (See item #23 under Steering Committee)

MR. KAPLAN said the above matter was discussed and the Chief of Police explained that he hopes to have 15 new vacancies in the Department filled by July in order that increased patrols will probably be able to help the problem. He said it seems that many homes have recently been burglarized and it is hoped that this problem will soon be rectified.

- (3) Concerning complaint in petition from residents on HIGH CLEAR ROAD and UNITY ROAD RE TRAFFIC HAZARD AT REAR ENTRANCE TO RIPPOWAM HIGH SCHOOL, caused by speeding of students - (See Minutes of Sept. 6, 1966, item #3)

MR. KAPLAN said he is most grateful to the Police Department and the Board of Education, who have cooperated to make sure that an order has gone out to make sure of the closing of Kijek and temporary closing at certain times of High Clear across to Rippowam High School.

- (4) Letter (dated 11/4/66) from Charles J. Heinzer, III, 13th District Representative REQUESTING ENFORCEMENT OF SEVERAL ORDINANCES TO ABATE NUISANCE ON PROPERTY SOUTH OF, AND ADJACENT TO, MERRITT PARKWAY, AND EAST OF AND ADJACENT TO, DEN ROAD (Protest by neighborhood residents) - See item #12 under Steering Committee)

MR. KAPLAN said the above matter was discussed with the Police Department and letters have been sent to the Police, Health and Building Department concerning the problem.

- (5) Letter (dated 11/1/66) from Westover Parent-Teacher Association PROTESTING AGAINST TRAFFIC HAZARDS dangerous to school children and requesting a remedy (Introduced by Theodore Boccuzzi, 9th District Representative) (See item #13 under Steering Committee)

MR. KAPLAN said the above matter was discussed with the Police department and they have promised to start an immediate study as to whether traffic control signals are needed there.

PLANNING & ZONING COMMITTEE: (For previous report of this Committee on Appeal from Zoning Board decision re Alphonsus J. Donahue Application 66-011 - see page 4911)

ACCEPTANCE OF ROADS AS CITY STREETS

MR. MOSCA MOVED for approval of the following streets as city streets. He explained that he and the City Engineer inspected all of these streets and they have been certified for acceptance by the City Engineer. All maps referred to are on file in the office of the Town and City Clerk. Mr. Bennett seconded Mr. Mosca's motion. CARRIED. The accepted streets follow:

BLACK TWIG PLACE - Extending from McIntosh Road southerly to and including a permanent turnaround. Length, approximately 885 ft. Map No. 8244.

BRADLEY PLACE - Extending from Snow Crystal Lane easterly to already accepted portion. Length, approximately 360 ft. Maps Nos. 7562 and 7852.

- CALASS LANE - Extending from Trinity Pass northerly to and including a permanent turnaround. Length, approximately 660 ft. Map No. 821.
- CHESTNUT HILL LANE - Extending from already accepted portion northerly to and including permanent turnaround. Length, approximately 245 ft. Map No. 8261.
- CORN CAKE LANE - Extending from Snow Crystal Lane easterly to and including a permanent turnaround. Length, approximately 320 ft. Map No. 7852.
- DARTLEY STREET - Extending from the southerly property line of Lot No. 30 (A) and running northerly to the north property line of Edice Road. Length, approximately 350 ft. Map No. 8291.
- DUNDEE ROAD - Extending from the already accepted portion southerly to and including a permanent turnaround. Length, approximately 1,620 ft. (Sections 2 and 3) Maps Nos. 8093, 8172 and 8202.
- EDICE ROAD - Extending from Dartley Street westerly to a dead end. Length, approximately 375 ft. Map No. 8291.
- ELAINE DRIVE - Extending from a permanent turnaround on the northerly end of Elaine Drive and running southerly to the north property line of Florence Court. Length, approximately 450 ft. Map No. 8070.
- FLINT ROCK ROAD - (No letter of acceptance from City Engineer on this) Extending from Pen Road easterly to Iron Gate Road. Length, approximately 1,050 ft. Map No. 6273.
- FORESTWOOD DRIVE - Extending from Dundee Road easterly to and including a permanent turnaround. Length, approximately 500 ft. Map No. 8292.
- GOLF VIEW CIRCLE - Extending from a permanent turnaround on the northerly end of Golf View Circle and running southerly to and including a temporary turnaround. Length, approximately 360 ft. Map No. 8187.
- HIDDEN BROOK DRIVE - Extending from Woodway Road northerly and westerly to and including a permanent turnaround. Length, approximately 992 ft. Map No. 8102.
- IRON GATE ROAD - (No letter of acceptance from City Engineer on this) Extending northerly from Flint Rock Road. Length, approximately 900 feet. Map No. 6273.
- LAWRENCE HILL ROAD - Extending from Hunting Ridge Road easterly to and including a permanent turnaround. Length, approximately 1,494 ft. Maps Nos. 7933 and 8040.
- MADLINE COURT - Extending from Hidden Brook Drive southerly to and including a permanent turnaround. Length, approximately 136 ft. Map No. 8102.

- McINTOSH COURT - Extending from McIntosh Road westerly to and including a permanent turnaround. Length, approximately 360 ft. Map No. 8
- McINTOSH ROAD - Extending from the already accepted portion northerly and easterly to a point 70 ft. beyond the easterly property line of Black Twig Place. Length, approximately 535 ft. Map No. 7862
- MOHAWK TRAIL - Extending from Mill Road southerly and easterly to and including a permanent turnaround. Length, approximately 1,250 ft. Map No. 8
- SHADOW RIDGE ROAD - Extending from Cedar Heights Road southerly to Sun Dance Road. Length, approximately 2,240 ft. Maps Nos. 7555, 7629 and 7630.
- SNOW CRYSTAL LANE - Extending from Sun Dance Road northerly and easterly to and including a permanent turnaround. Length, approximately 1,680 ft. Maps Nos. 7562 and 7852.
- SUN DANCE CIRCLE - Extending from Sun Dance Road easterly to and including a permanent turnaround. Length, approximately 200 ft. Map No. 7772.
- SUN DANCE ROAD - Extending from Sun Dance Circle southerly, easterly and northerly to and including a permanent turnaround. Length, approximately 2,480 ft. Maps Nos. 7772, 7630 and 7562.
- VUONO DRIVE - Extending from Hubbard Avenue westerly to Golf View Circle. Length approximately 265 ft. Map No. 8187.
- WILD HORSE ROAD - Extending from Shadow Ridge Road easterly to Snow Crystal Lane. Length, approximately 360 ft. Map No. 7629.
- WILDER ROAD - Extending from Sun Dance Road southerly to a dedicated strip. Length, approximately 160 ft. Maps Nos. 5396 and 7630.
- WOOD RIDGE DRIVE SOUTH - Extending from the already accepted portion westerly to Elaine Drive. Length, approximately 240 ft. Map No. 8070.
(Extension)
- CONCERNING HAVILAND LANE - (Certified for acceptance by City Engineer in letter dated Oct. 26, 1966)

MR. MOSCA MOVED for acceptance of the above. MR. BROMLEY objected to the acceptance of this street. He said he has had a number of residents of Haviland Court contact him in the past couple of weeks about the general situation "up there" and asked him to point out a problem. He said there is Haviland Road which has quite a lot of houses on it and there also is Haviland Court, which is the first left off of Haviland Road, with a few houses and there is also Haviland Drive on down a little further. He said if we accept Haviland Lane which is going to be a very long road, we are doing the very thing that the Planning Board is supposed to screen against, which is making too many roads with the same names, which would only cause confusion in case ambulances had to go to specific homes or the Police had emergency calls. He said he already has been told by people living on Haviland Court that many delivery men, moving vans, all kinds of people have come in trying to find homes that are located on Haviland Lane.

MR. BROMLEY, for the above reasons, MOVED TO TABLE the acceptance of Haviland Lane for one month so that we can look into the possibilities of the developer selecting another name which would not cause the confusion which now exists in this general area.

MR. MOSCA objected, saying he thinks it is unfair to this builder, or developer - that he has built this road over a number of years, and because of some sort of drainage problem, we were never able to go in and accept this road. He said this man has complied with all of the regulations - put in the new drainage system, and everyone in the area was satisfied. He said we are only supposed to accept streets that have already been certified as O.K. for acceptance by the City Engineer, and now if we are going to continually stop accepting streets because of its name, without first giving the Planning Board the opportunity to help name some of these streets, we are going to get into a lot of serious trouble and also put a lot of these builders in serious trouble. He said there are many, many roads, streets, alleys, drives and what-have-you with the same name. He said if this same kind of argument is going to continue to happen, the Board will find themselves sitting in a meeting until 5 and 6 o'clock in the morning still arguing. He said it is not fair to these builders and sub-dividers to hold up acceptance of their roads just because we don't like the name of the road.

After considerable further debate, MR. KAPLAN MOVED THE QUESTION. Seconded and CARRIED.

Vote taken on Mr. Bromley's motion to TABLE for one month. Seconded and CARRIED.

PARKS AND RECREATION COMMITTEE:

Re: Facility Use Fees in Public Parks for 1967

MR. LINDSTROM MOVED for acceptance of the following fees for facilities in public parks for 1967. Seconded and CARRIED; with several "no" votes:

TENNIS:

Daytime----- 50¢ per hr. per court
Floodlight-----\$1.00 " " " "

I. D. CARD----- 50¢

Greyhound Train ----- 5¢ per ride each way

Lawn Bowling ----- \$2.00 per person per season

Park-Beach Stickers:

Resident----- \$1.00 per car
Non-resident taxpayer (real property)----- \$5.00 per car
Summer resident----- \$5.00 per car

Lockers:

Daily Coin ----- 25¢
Season bath-house----- \$10.00

Floodlight use:

Softball----- \$5.00
Basketball----- \$2.00
Bocce----- \$1.00

Picnic Areas:

Chestnut Hill (Saturday only)	-----	\$15.00
Rosa Hartman: 9AM-5PM weekdays	-----	\$15.00
" " 9AM-5PM Sat-Sun-Holidays	-----	\$20.00
" " 9AM-10PM Weekdays	-----	\$20.00
" " 9AM-10PM Sat-Sun-Holidays	-----	\$35.00
" " 5PM-10PM Weekdays	-----	\$15.00
" " 5PM-10PM Sat-Sun-Holidays	-----	\$20.00

Open Mooring: Cove and Cummings

(length Limit: 20 ft. except \$2.00 per foot
for renewals)-----Minimum-----\$30.00

Docks or Floats:

18 ft. boat length maximum - Cove	-----	\$45.00
Cummings	-----	\$45.00

Docks or Floats

16 ft. boat length maximum - Cove	-----	\$35.00
Cummings	-----	\$35.00
Southfield	-----	\$25.00

Launching Ramp use:

Season	-----	\$5.00
Per Use	-----	50¢

URBAN REDEVELOPMENT COMMITTEE:

MR. FARMEN, Chairman, presented the following Committee report:

Report of the Urban Redevelopment Committee

The Committee met in the Board Room on Thursday, December 1, 1966, to consider a resolution of the Board of Representatives approving and providing for certain modifications in the Urban Renewal Plan for the Southeast Quadrant Project No. Conn. R-43.

A copy of the resolution was mailed to all Board members by the Mayor's Office on November 18, 1966. With the Board's approval, I shall dispense with the reading of the resolution and will take just a few minutes to explain the intent of the resolution.

Basically, it covers the acquisition of two pieces of property not listed for acquisition in the Urban Renewal Plan for the Southeast Quadrant Project adopted by this Board on March 4, 1963.

The first property is described in the Plan as Parcel 7-25 and 26. This is the former Security Bank building at 54 Park Row which is now occupied by the State National Bank. As you know, the Plan has been expanded to provide for two major department stores rather than one major and one junior store. This parcel is required to complete the land allocation for one of the major department stores.

The second property, described in the Plan as Parcel 13-23, is a parking lot in back of the Stamford Theater owned by Mr. Joseph Fishman. The Urban Renewal Commission now requires this property to complete land allocation for the moderate income housing and to fulfill contractual obligations with St. John's Catholic Church.

Under the original plan, St. John's Church gave up certain land in the Willow - South Street area to make space available for moderate-income housing sponsored by the Roman Catholic Diocese of Bridgeport. In exchange, the URC made other land available to St. John's Church so it would continue to be a self contained unit.

However, as you know, settlement of the restraining court case against URC in May, 1965, required an increase in moderate-income housing from 150 to 352 units. The expanded plans for housing call for higher buildings and an increase in density of units per acre, along with additional land.

The Urban Renewal Committee voted unanimously in favor of this resolution and WE MOVED for its adoption by the Board of Representatives.

MR. FARMEN said all members have received a copy of the proposed resolution, so he will not read it at this time. His MOTION for approval of the resolution was seconded and CARRIED with Mr. Kaplan abstaining as his law firm represents both the State National Bank and Joseph Fishman. The resolution follows:

RESOLUTION NO. 506

APPROVING AND PROVIDING FOR CERTAIN MODIFICATIONS
IN THE URBAN RENEWAL PLAN FOR THE SOUTHEAST
QUADRANT, PROJECT NO. CONN R-43

WHEREAS, the City of Stamford, Connecticut Urban Redevelopment Commission approved and adopted the Urban Renewal Plan for the Southeast Quadrant Project (Conn. R-43) on February 20, 1963; and

WHEREAS, this Board approved and adopted the Urban Renewal Plan for the Southeast Quadrant Project (Conn. R-43) on March 4, 1963; and

WHEREAS, this Board reaffirmed its dedication to aiding and encouraging the creation of a housing supply in the City of Stamford so that every citizen is assured of decent, safe and sanitary housing by Resolution of June 6, 1966 (#493) whereby it declared its intention to provide partial municipal tax relief for a federally aided housing development of approximately 352 units which will be constructed on Reuse Parcels 46, 47 and 53 in the Southeast Quadrant Urban Renewal Project, and in order to construct such housing in accordance with sound planning objectives, existing criteria of the Urban Renewal Plan, and together with partial municipal tax relief previously pledged, to achieve the lowest possible rentals for such housing, it is necessary that certain modifications be made in the Urban Renewal Plan for the Southeast Quadrant, including the acquisition of Parcel 13-20; and

WHEREAS, in order to properly develop the proposed Main Mall, it is now necessary that Parcel 7-25 be acquired; and

WHEREAS, the above modifications were previously approved by the City of Stamford, Connecticut Urban Redevelopment Commission on May 25, 1965, November 30, 1965, April 7, 1966 and October 14, 1966.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF STAMFORD, CONNECTICUT BOARD OF REPRESENTATIVES THAT THE FOLLOWING MODIFICATIONS TO THE URBAN RENEWAL PLAN FOR THE SOUTHEAST QUADRANT ARE HEREBY APPROVED AS FOLLOWS:

1. Section II.2.H Moderate Income Residential is modified to provide that "Not less than 350 moderate rental housing units shall be constructed within the Urban Renewal Project Area."

2. Section II.2.H (1) Use is modified to provide "The only permitted use is residential and accessory uses consisting of convenience neighborhood retail use, personal service establishments and office use, the total area of which accessory uses shall not exceed 35,000 square feet."

3. Section II.2.H (2) Building Requirements is modified to provide "No structure shall exceed 21 stories in height"; and "The density shall not exceed 95 dwelling units per acre."

4. Section II.2.K Special Areas to be Offered to Existing Public or Institutional Owners is modified so that the bottom line of the chart which appears at the top of Page 18 of the Plan shall read as follows:

<u>TRACT NO.</u>	<u>A</u>	<u>B</u>
45 & 45A	St. John's R. C. Church	(Residential Families of Moderate Income)

5. Section III.I.A (1) Properties Not to be Acquired is modified so as to exclude Parcel 7-25 & 26 and Parcel 13-20 from the list appearing on page 19 of the Plan.

6. Exhibit A of the Plan is modified to show the acquisition of Parcels 7-25 & 26 and Parcel 13-20.

7. Exhibit B of the Plan is modified to change the proposed use of all land to the west of the western boundary of the Standard Theatre and north of relocated Willow Street, now with the designation of Commercial, in the Block bounded by South Street, Bell Street, Atlantic Street and relocated Willow Street to the designation of Semi-public.

MUNICIPAL OFFICE BUILDING "HOUSE COMMITTEE"

MR. LINDSTROM, Chairman, presented the following report:

The Committee met on Wednesday, November 30, 1966 at 1:00 P.M. at the Belltown Firehouse and acted upon the following referred items:

1. Concerning Clarification of Jurisdictional Authority of Board of Representatives' Meeting Rooms

This item was referred to the Steering Committee by several Board members, and as requested by Steering, the Committee has agreed upon the following letter to be sent to all interested City department heads:

"This question came up at the past 8th Board and the President, after consultation, firmly announced that the use of the Board of Representatives' meeting room is solely the responsibility of the Board of Representatives.

Therefore, the House Committee again announces that the functional uses of the Board Meeting Room, as well as its caucus rooms and clerical offices, are solely under the jurisdiction of the Board of Representatives, and any emergency action that might be necessary, should be handled through its President, who is the elected administrative head of said Board, or, in his absence, the Chairman of the House Committee.

Building maintenance, repairs, etc., are and should be, the responsibility of the Public Works Department.

The Board hopes that this letter will resolve any future misunderstandings, such as that which resulted from circumstances at the Board's October meeting."

OLD BUSINESS:

Concerning action taken at November Board meeting on APPEAL from decision of Zoning Board on MICHAEL ZEZIMA Application 66-013

MR. KUCZO said he has some questions which he would like to have answered by the Corporation Counsel through this Board, as follows:

1. As stated in the Minutes, this was an appeal of the decision of the Zoning Board.

He said as stated in the Charter, it must be an appeal in the change of the Zoning Map, which wasn't so stated at the meeting, and there is no provision, as stated in Section 552.2.

2. Under Section 556.1 of the Charter, it requires "an affirmative vote of a majority of the Board".

He said in spite of the above, the only affirmative vote was 17 votes, so therefore there was no affirmative vote of the majority of the Board.

MR. KUCZO MOVED that the Corporation Counsel render an opinion on the above two questions.

THE PRESIDENT asked Mr. Kuczo to put these questions in writing so they can be referred to the Steering Committee for proper referral to Committee.

MR. KUCZO said he will do this.

Concerning signs to be placed on all City-owned vehicles

MR. KUCZO asked whatever happened to his request that the City abide by its own Ordinances in regard to placing signs on City-owned vehicles.

MR. RICH said that matter has been referred to his Committee (Legislative & Rules) and the cars to which Mr. Kuczo refers, are to be marked appropriately very soon.

NEW BUSINESS:

MR. MORRIS said there appeared in the local newspaper an article regarding a remark made by one of the members of the Board of Education that certain members of this Board tried to "make a deal" on passing the \$500,000 for their new office building, in return for their naming the replacement for the Cloonan Jr. High School.

He said he would like to ask the President to investigate and see whether these charges are true or not and to interview the person concerned and find out who is supposed to have made this "deal". He said this is a bad reflection on this Board.

THE PRESIDENT said he will look into this and advise his findings by the next meeting.

ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting adjourned at 12:45 A. M.

vf

Velma Farrell
Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:

George E. Russell
George E. Russell, President
9th Board of Representatives

NOTE: The above meeting was broadcast
over Radio Station WSTC until
11:00 P.M.

VF