

MINUTES OF REGULAR BOARD MEETING

MONDAY, AUGUST 3, 1992

22ND BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 22nd Board of Representatives of the City of Stamford was held on Monday, August 3, 1992, in the Legislative Chambers of the Board of Representatives, Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 8:50 p.m. by President Richard L. Lyons.

INVOCATION was given by Rep. John J. Hogan, D-12.

"Blest are You, O Lord, King of the Universe. Almighty God, we don't really expect you to give us all the answers on a computer printout. But we ask for a little more insight into ourselves and others. And a little more understanding about the things which crowd the Agenda before us tonight. And when it is dark, help us to realize that You are with us in this darkness. Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Richard L. Lyons.

ROLL CALL was taken by Clerk of the Board Annie M. Summerville. There were 39 members present and one absent, Kurt Jetta (excused).

The Chair declared a quorum.

MACHINE TEST VOTE: Test votes could not be taken; the machine was not in working order. Votes were taken by voice or Roll Call.

MOMENTS OF SILENCE: For the late SISTER ROSEMARY WEAVER requested by Representatives Mary Lou Rinaldi, Jeffrey Curtis and Nicholas Pavia. "Sister Rosemary was the Superior at the Sacred Heart Convent and a teacher at the Sacred Heart Parochial School for 13 years. Sincerest sympathy is extended to her family and her religious community."

STANDING COMMITTEES

STEERING COMMITTEE: Chairman Richard L. Lyons

REPORT. Waived.

MR. BOCCUZZI Moved to waive the reading of the Steering Committee report. Seconded. Approved by voice vote with no dissenting votes.

STEERING COMMITTEE REPORT: (continued)

The Steering Committee met on Wednesday, July 15, 1992, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called to order at 7:33 p.m. by Chairman Richard L. Lyons who declared a quorum.

Present at the meeting:

Richard Lyons, Chairman	John J. Hogan	W. Dennis White
Carmen Domonkos	Ronald Sabia	Maria Nakian
Mary Lou Rinaldi	Joan Rinaldi	Joseph Gergle
Michael Larobina	James Rubino	Ralph Loglisci
Ellen Bromley	Philip Stork	Thomas Pia
Elaine Mitchell	Bobby Owens	John Boccuzzi
Donald Sherer	Audrey Maihock	David Martin
Nicholas Pavia	John Zelinsky	Janet Gramza, Advocate
		Anne Kachaluba

APPOINTMENTS COMMITTEE - Ordered on the Agenda were the four items appearing on the Tentative Steering Agenda. Reps. Domonkos, White and Bromley voted no to place items 1, 2 and 3 on the Agenda; Rep. Martin abstained on items 1, 2, & 3.

FISCAL COMMITTEE - Ordered on the Agenda were seven of the eight items appearing on the Tentative Steering Agenda, three items appearing on the Addenda and one item brought up under Suspension of Rules. Ordered Held in Steering was one item re evaluation.

LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda, two from the Addenda and one from the Pending Agenda.

PERSONNEL COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

PLANNING & ZONING COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Held in Steering was the resolution re a portion of Commerce Road to a private road.

PUBLIC WORKS & SEWER COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda also an item appearing on the Addenda. Ordered on the Pending Agenda was an Update on drawings for Senior Center at Hillandale Ave.

HEALTH & PROTECTION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

PARKS & RECREATION COMMITTEE - No items appeared on the Tentative Steering Agenda.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - No items appeared on the Tentative Steering Agenda.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda.

STEERING COMMITTEE REPORT: (continued)

URBAN RENEWAL COMMITTEE - Ordered Held in Steering was the one item appearing on the Tentative Steering Agenda re URC plan expiration.

ENVIRONMENTAL PROTECTION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

TRANSPORTATION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

HOUSE COMMITTEE - No items appeared on the Tentative Steering Agenda.

COLISEUM AUTHORITY LIAISON COMMITTEE - No items appeared on the Tentative Steering Agenda.

LABOR RELATIONS COMMITTEE - No items appeared on the Tentative Steering Agenda.

ECONOMIC DEVELOPMENT COMMITTEE - Ordered Held in Steering was the one item on the Tentative Steering Agenda re Economic Development.

ETHICS REVIEW COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

REAPPORTIONMENT COMMITTEE - This Committee no longer in existence; worked completed.

AUDIT OVERSIGHT COMMITTEE - No items appeared on the Tentative Steering Agenda.

RESOLUTIONS - No items appeared on the Tentative Steering Agenda.

ADJOURNMENT - There being no further business to come before the Steering Committee, upon a motion made, Seconded and Approved, the meeting was adjourned at 8:10 p.m.

Richard L. Lyons, Chairman  
Steering Committee

APPOINTMENTS COMMITTEE - Annie Summerville & Ellen Bromley, Co-Chairwomen

MS. SUMMERVILLE said that the Committee met on Tuesday, July 28, 1992 at 7:00 p.m. Present were Committee members Ellen Bromley, Annie Summerville, John Boccuzzi, Gloria DePina, John Leydon, Ellen Mellis, Ralph Loglisci, Thomas Pia; Rep. Stork was excused. Also in attendance was President Richard Lyons, Reps. Scott Morris, John Hogan, and Michael Larobina; representatives from WSTC and the Advocate.

Ms. Summerville placed items 1, 2, 3 and 4 on the Consent Agenda.

COLISEUM AUTHORITY

TERM EXPIRES

1. MR. GARY SESSA (R)  
56 Crystal Lake Road  
(Held in Steering 6/10/92)

Replacing Caddie Vos  
whose term expired.

7/14/93

APPROVED ON CONSENT AGENDA

APPOINTMENTS COMMITTEE: (continued)

E. GAYNOR BRENNAN GOLF COMMISSION

TERM EXPIRES

- |  |  |         |
|--|--|---------|
| 2. <u>MR. JACK PAVIA</u> (R)<br>19 DePinedo Street<br>(Resubmission) | Replacing C. Brandi whose<br>term expired. | 12/1/94 |
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APPROVED ON CONSENT AGENDA

STAMFORD GOLF AUTHORITY

- |   |               |        |
|---|---------------|--------|
| 3. <u>MR. FRANK VALLUZZO</u> (R)<br>34 Prudence Drive | Reappointment | 1/1/95 |
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APPROVED ON CONSENT AGENDA

COMMISSIONER OF FINANCE

- |   |                                       |          |
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| 4. <u>MR. PATRICK J. O'CONNOR</u><br>28 Willowbrook Place | Replacing James Carr who<br>resigned. | 11/30/93 |
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APPROVED ON CONSENT AGENDA

MS. SUMMERVILLE Moved to approve the Consent Agenda. Seconded.

PRESIDENT LYONS called for a vote to approve the Consent Agenda. APPROVED by voice vote with no dissenting votes.

President Lyons acknowledged Finance Commissioner Patrick O'Connor who was seated in the gallery; the President welcomed Commissioner O'Connor and wished him good luck.

FISCAL COMMITTEE - Mary Lou Rinaldi & Carmen Domonkos, Co-Chairwomen

MS. M. RINALDI said that the Committee met on Wednesday, July 29, 1992 at 7:00 p.m. and this evening at 6:45 p.m. Present were Committee members Maria Nakian, Ralph Loglisci, Carmen Domonkos, Gerald Rybnick, John Leydon, Nicholas Pavia, John Hogan, William Kosbob and Mary Lou Rinaldi.

Ms. M. Rinaldi placed items 1, 4, 7, 8, 9 and 11 on the Consent Agenda. All Secondary Committees concurred or waived the Secondary Committee report.

1. SENSE-OF-THE-BOARD RESOLUTION REGARDING POLICE DEPARTMENT SICK LEAVE POLICY. Submitted by Rep. Robert DeLuca, R-14 and Mary Lou Rinaldi, D-5, 6/10/92. Held in Committee 7/6/92.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

2. \$6,437,500.00 - BOARD OF EDUCATION - AMENDMENT TO CAPITAL PROJECTS BUDGET FISCAL YEAR 1992/93 FOR CODE 810.VARIOUS - additional appropriation for building improvements, feasibility studies for building improvements and for curriculum equipment.

810.77 Newfield/Roxbury Renov	\$5,812,500
810.46 Curriculum Equipment Replacement	100,000
810.47 Toquam School Renov	350,000
810.48 Westover/Stark Renov	50,000
810.49 Modular Class Room Purchase	<u>125,000</u>
	\$6,437,500

Request by Mayor Stanley J. Esposito, 6/2/92. Planning Board approved 6/9/92. Board of Finance approved 7/15/92.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MS. M. RINALDI said the Committee voted seven in favor and none opposed to approve. Moved. Seconded.

PRESIDENT LYONS called for a vote to approve item 2. APPROVED by voice vote with one no vote, Mrs. Maihock.

MS. M. RINALDI said that item 2. was approved unanimously by the Committee but due to new IRS rulings, a resolution must be approved authorizing the bonding to finance the capital projects.

Ms. M. Rinaldi Moved to approve a resolution authorizing the issuance of bonds for these capital projects. Seconded.

PRESIDENT LYONS called for a vote to approve the resolution. APPROVED by voice vote with one no vote, Mrs. Maihock.

3. \$ 18,139.00 - LABOR CONTRACTS (RETRO PAY) CODE 999.9902 RETRO PAY - FIRE DEPARTMENT - additional appropriation for restrictive duty arbitration award. Request by Mayor Stanley J. Esposito, 6/26/92. Board of Finance took no action; no motion made for approval 7/15/92.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

NO ACTION TAKEN; BOARD OF FINANCE TOOK NO ACTION

FISCAL COMMITTEE: (continued)

4. \$ 60,919.00 - YOUTH SERVICE BUREAU GRANT FOR FISCAL YEAR 1992/93 CODE 666 VARIOUS - additional appropriation to cover 100% reimbursable grant for operation of municipal youth service bureau; programs for youth. This bureau is responsible to the Parks and Recreation Department.

Code 666.1130 part-time	\$16,896
Code 666.1310 social security	1,293
Code 666.2740 telephone	250
Code 666.2930 office supplies & expenses	1,800
Code 666.2940 conferences & training	680
Code 666.7525 direct service grant	<u>40,000</u>
	\$60,919

Request by Mayor Stanley J. Esposito, 6/26/92. Board of Finance approved 7/15/92.

Above also referred to PARKS AND RECREATION COMMITTEE.

APPROVED ON CONSENT AGENDA

5. RESEARCH THE POSSIBILITY OF REQUIRING THE BOARD OF FINANCE AND THE BOARD OF REPRESENTATIVES APPROVAL FOR USE OF FUNDS THAT DO NOT SPECIFICALLY FALL WITHIN THE REALM OF HOUSING AND REHABILITATION. Request by Reps. Robert DeLuca, R-14 and Thomas Pia, R-7, 7/9/92.

HELD IN COMMITTEE

6. DISPOSITION OF CAPITAL PROJECTS CLOSE-OUT REPORT QUARTER ENDING 3/31/92. Submitted by Reps. Carmen Domonkos, D-18 and Maria Nakian, D-20, 6/29/92. (Report submitted by Mayor Stanley J. Esposito, 5/13/92) Board of Finance advised that more information is needed to render a decision on capital close-outs 7/13/92.

HELD IN COMMITTEE

MS. M. RINALDI yielded the Floor to Maria Nakian, Chair of the Fiscal Subcommittee to report on item 6.

MRS. NAKIAN said that the Subcommittee met on Tuesday, July 21, with Reps. Ralph Loglisci, John Hogan, Maria Nakian and Carmen Domonkos present. Mrs. Nakian stated that the Committee reviewed the report submitted by the Mayor on May 13, 1992 dealing with the first quarter of this year. She said that in reviewing the report, it was found that the report did not contain the information needed to make a determination of whether or not any capital closeouts funds should be used for other capital project; it could not be determined which projects were being closed out and the total amount of money that was involved.

Mrs. Nakian suggested that the President of the Board send a letter to the Mayor asking for the information needed to make a determination as mandated by the Charter. Mrs. Nakian submitted a copy containing the information the Subcommittee wanted.

LEGISLATIVE & RULES COMMITTEE: (continued)

1. (L&R22.20) FOR PUBLICATION - PROPOSED ORDINANCE CLARIFYING PROPER PROCEDURE AND APPROVAL FOR CLOSING OUT OF CAPITAL PROJECT ACCOUNTS. Submitted by Reps. Maria Nakian, D-20, David Martin, D-19, Carmen Domonkos, D-18 and Robert DeLuca, R-14, 4/20/92. Held in Committee 5/4, 6/1 and 7/6/92.

HELD IN COMMITTEE

2. (L&R22.21) MATTER OF SETTING-UP A SUB-COMMITTEE OF LEGISLATIVE AND RULES TO OVERSEE CONTRACTS TO WHICH THE CITY OF STAMFORD IS A PARTY. Requested by Reps. Michael Larobina, D-16 and Ellen Bromley, D-20, 5/15/92. Held in Committee 7/6/92.

HELD IN CODMMITTEE

MRS. NAKIAN said that the purpose of item 3. was to institute contract control and administration. She said that at the present time, the only review given by the Law Department to contracts is review as to form; Corporation Counsel agreed that he would like to see the Law Department sitting in on the negotiation. Mrs. Nakian stated that the Committee feels that before and after a contract is signed, there should be city control, and it would be the Mayor's responsibility to address the issue. Mrs. Nakian said that if that is not forthcoming, the Committee will address the issue by legislation.

3. (L&R22.23) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING DISQUALIFICATIONS AND SUSPENSIONS FROM BIDDING PROCESS. Submitted by Mayor Stanley J. Esposito, 6/11/92.

HELD IN COMMITTEE

4. (L&R22.24) PROPOSED RESOLUTION CONCERNING APPROVAL OF LEASE BETWEEN STATE OF CONNECTICUT AND CITY OF STAMFORD FOR PROPERTY OWNED BY THE STATE OF CONNECTICUT ADJOINING TURN OF RIVER FIRE DEPARTMENT. Submitted by Mayor Stanley J. Esposito, 6/15/92. Planning Board approved 7/21/92. Contingent upon Board of Finance approval.

HELD IN COMMITTEE

5. (L&R22.17) FEASIBILITY OF ELIMINATING THE AUTO TAX AND INCORPORATING IT IN WITH THE REAL ESTATE TAX. Submitted by Rep. Robert DeLuca, R-14, 3/26/92. Held on Pending Agenda 4/22/92.

HELD IN COMMITTEE

PERSONNEL COMMITTEE - John J. Hogan, Jr., Chairman

MR. HOGAN said that the Committee met on Tuesday, July 28, 1992 at 7:00 p.m. Present were Committee members Marggie Laurie, Michael Larobina, Elaine Mitchell, Joan Rinaldi, John Zelinsky and John Hogan; excused were Garry Clemmons and Philip Stork.



PERSONNEL COMMITTEE: (continued)

1. APPROVAL OF PAY PLAN FOR NON-UNION ADMINISTRATORS. Plan provides for a "wage freeze" effective July 1, 1991 and an increase in the ranges of 3%. Approved by Personnel Commission 1/23/92. Board of Finance approved 3/12/92. Returned to Committee 4/6/92. Held in Steering 4/22 and 6/10/92. Held in Committee 6/1/92.

MR. HOGAN said that the pay plan consists of two major elements; the first is increasing the salary ranges over several steps, allowing the highest paid people in the highest salary grades to receive increases. Mr. Hogan stated that such city employees are already highly paid compared to those in similar positions in other Connecticut municipalities.

Mr. Hogan said that the second element is a zero increase proposal preventing an increase for the higher salary grades also preventing an increase to the ones in the lowest salary grades. Mr. Hogan said that the Committee felt that the common approach to salary administration is unfair and proposed that there be no salary range movement at this time; however, since the last increase granted to non-union administrators was July 1, 1990, a 3% increase may be granted to those city employees whose salary is below the mid-point of their salary range as of July 1, 1992, assuming their performance merits such an increase.

Mr. Hogan Moved the proposals. Seconded.

MRS. NAKIAN Moved to return the item to Committee. Seconded.

Mrs. Nakian stated that on the pay scale, there are several positions in the zero grade which to her understanding are part-time positions and it is very unclear how one would change the salary range from part to fulltime, therefore the item should be returned until that issue is resolved.

PRESIDENT LYONS called for a vote to return the item to Committee. APPROVED by voice vote with no dissenting votes.

PLANNING & ZONING COMMITTEE - W. Dennis White, Chairman

MR. WHITE said that the Committee met on Thursday, July 23, 1992 at 7:00; the meeting was rescheduled from an earlier date by several persons and groups.

1. REFERRAL OF ZONING BOARD'S ACTION APPROVING AS MODIFIED APPLICATION 90-027, STAMFORD RIDGEWAY ASSOCIATES, ZONING TEXT AMENDMENT - COMMUNITY SHOPPING CENTER DISTRICT - DESIGNED (CSC-D). Submitted by Joseph A. Frattaroli, Chairman, Stamford Zoning Board, 6/5/92. Action must be taken no later than August meeting. Held in Committee 7/6/92.

MR. WHITE said the application was primarily presented by Howard Kaplan, of Wofsey, Rosen, Kveskin and Kuriansky; Mr. Kaplan's basic thrust was that in order to finance the proposed and much needed cosmetic face lift, the new designed zoning district was absolutely mandatory. Mr. White said that the new proposed zone was designed Community Shopping Center District or CSC-D. He stated that what the developer will do is restrict and direct the type of development allowed by the owners, giving the zoning apparatus continued control and monitoring procedures; for any changed allowed, a zoning and planning review with full public testimony would be required.



PLANNING & ZONING COMMITTEE: (continued)

MR. WHITE (continuing) said the proposal would increase retail sales by at least 75% in the area.

MR. WHITE stated that those who opposed the proposal, and there were many, felt that the control would be minimal and said that what good are controls if the project is going to expand, especially the noise, pollution, and the proposed food shopping store; a far cry from Ridgeway's original intent of the neighborhood. Also, the opponents resented what they saw as an arbitrary re-routing of the neighborhood's thoroughfares in the interest of retail merchants. Mr. White said that the Revonah Woods Association came out in favor of the development; however, most of the residential developments in the area vigorously opposed the project.

MR. WHITE stated that the Planning and Zoning Committee voted to recommend denial of the proposed project by a vote of four no votes, one yes vote with one abstention for the reasons of traffic which would increase tremendously by suppliers if nothing else. Mr. White Moved for approval of Zoning Board action approving as modified Application 90-027, Ridgeway Associates, Zoning text amendent Community Shopping Center District. Seconded.

MR. STORK stated that he was in favor of the Ridgeway project and there are many reasons why some might be in favor of the project; the appearance of the new facility, its access, its tax base for the city, new businesses that will be attracted as well as the tenants ability to pay their rents. Mr. Stork said that he would address one issue that is very important to him; he asked if any members of the Board have ever experienced unemployment? He said that he has and knows that some members also have had that experience. Mr. Stork said that he would vote for the project for the jobs; the construction jobs that will build the new facility and the jobs that will evolve from future employment in the new facility. He said that if anyone has experienced unemployment in their adult life, it is the most horrible experience one can live through. Mr. Stork stated that the vote for this project is one of the most important votes at this point in the term of the Board and that he will be voting yes for the project.

MR. MORRIS said that as a member of the Committee, he voted to uphold the decision of the Zoning Board. He said that the existing proposal before the Board is to create a new zone rather than to place Ridgeway in any type of zone or to approve a site plan. Mr. Morris stated that everything related to the proposed project and any subsequent applications for zone changes including all construction and operations, such as hours, loading and traffic, will be subject to an extremely detailed site plan review by members and the staff of the Zoning Board. Mr. Morris said that if the creation of the CSC-D zone is upheld by the Board of Representatives, nothing can be built or accomplished at Ridgeway without the express approval of the Zoning Board.

Mr. Morris said that the traffic was a concern expressed in Committee and at the public hearing. He said that the Zoning Board staff made it clear that all traffic considerations will have to be met before any final steps are taken; also stated was that it was much too early to have a complete traffic study because no one knows what the final site plan as approved by the Zoning Board is going to look like. Mr. Morris said that the proposed site, as presented in the drawings, submitted to the Committee at the public hearing are merely conceptual. He said that the end product as approved by the Zoning Board could be slightly different or radically different from what is now contained in the drawings.

PLANNING & ZONING COMMITTEE: (continued)

MR. MORRIS (continuing) said that during the Public Hearing, the Director of Planning and Zoning, Mr. Smith, pointed out to the Committee what Ridgeway could do as of right under the current CL zoning and under the current CL zoning, basically, unregulated expansion could take place. Mr. Morris said that all Ridgeway would have to do under current zoning is apply for the necessary building permits; the Zoning Board staff and the public would have no input into any type of project that Ridgeway could accomplish under current zoning. Mr. Morris stated that Mr. Smith gave the Committee needed information and not a threat so the Board could make a more informed decision as to the merits of the application; the creation of the zone is to protect the city and Ridgeway's neighbors from unregulated and uncontrolled expansion. Mr. Morris said that he will vote to uphold the decision of the Zoning Board and urged his colleagues to vote likewise.

MR. LAROBINA said that he was in favor of the positive things stated by the other representatives that could come from the revitalization of Ridgeway. He stated that he would like the members to focus on the merits being asked but they are not the central issue before the Board. He said that the central issue is the zoning question; the Board members are being asked to create a new zone, in his opinion, a very dangerous one as it is a floating zone. He said that the zone can move to other areas of the city; it allows for excessive coverage on the site, setbacks are less, floor to space ratio does not have to be included in any garage structure and up to four stories can be constructed under the zone. Mr. Larobina stated that he believed that currently there were no other sites within the city that would qualify under the zone; several sites very easily could qualify and that being the case, he could not vote for something that in effect could create excessive expansion in residential neighborhoods in other places within the city. Mr. Larobina said that the site is now zoned CL; renovations could take place under current zoning. Mr. Larobina stated that Ridgeway needs to be renovated and the developers will come back with a more sensible and responsible zoning method.

MR. GERGLE said that he concurred with Mr. Larobina. He said that the zone change was before the Board and that Ridgeway did need a face lift and jobs must be created but the factors involved in creating the designed district are also negative. Mr. Gergle stated that the project will affect the adjacent residential neighborhoods which surround the Center. He said that the increase in traffic from cars and trailer trucks coming in and out would harm Bedford Street and surrounding streets. Also stated, that it would involve a major change in the shopping center as now it is classified as a neighborhood shopping center; small stores along with some larger one, but with the expansion, large stores would be needed to pay for the rent increases because of the amount of dollars infused into the Center.

Mr. Gergle said that the proposed supermarket would be four to four and a half times the size of the Grand Central market presently in the shopping center. He said that there is a question about the quality of life for the people living in the area; traffic, noise pollution and air pollution. He said that a letter was received from someone stating that she could not plant a garden because the lead levels were so high; her children could not play outside because of the dust, traffic and noise; she could not hear on the phone with her windows opened because of the traffic, and finally, when and where will the change in zoning stop. Mr. Gergle urged his colleagues to defeat the zoning change.

PLANNING & ZONING COMMITTEE: (continued)

MR. MARTIN said that he has feelings for the people that would benefit from the change and those that feel they would be hurt by the change. He said that the issue was whether to overturn the Zoning Board; that was the decision. He said that as he looked to the Zoning Board, he found no reason to overturn their decision; they carefully reviewed the proposal in-depth, much more than many of the Board members have and were very careful in their review and made the proposal more restricted than the original one. Mr. Martin said that he has questions but also sees very positive benefits and he will use the Zoning Board's professionalism and expertise as he did not see that they made a serious grievous error, and particularly given the comments by Mr. Stork and Mr. Morris in terms of what the project offers for the community, the Zoning Board should be supported and he will vote to uphold their decision.

MR. RUBINO said that he would speak about economic development. He said that substantially increased traffic, in his opinion, presents a danger of discouraging new corporate employers from moving downtown. He also said that the development may create some temporary construction jobs and long term clerk positions in the retail stores, and could also pose a threat to Stamford's attractiveness to those who could bring quality permanent jobs downtown. Mr. Rubino said that he would vote no on the Zoning Board's decision.

MRS. NAKIAN said that in 1985 when the Zoning Board did the comprehensive rezoning, the zoning was changed at Ridgeway from CL to CB which is neighborhood business and the reason was not that they were against any expansion or renovation of Ridgeway but because they were afraid at that time, that the land would go to office space; their zoning decision was appealed to this Board and the Board upheld the Zoning Board knowing full well that Ridgeway had been told that they could come back to the Zoning Board with a proposal for a designed district and all those who voted in favor of the Zoning Board knew that and agreed with the concept. Mrs. Nakian stated that now Ridgeway Associates have come back with their proposal for a designed district. She stated that the Zoning Board looked over the proposal very carefully and made substantial changes; one of the most restrictive is that any shopping area which does apply for a designed district is restricted to development of no more than 15% of what they have at the time they come in; therefore, of the very few pieces of land in the city that have the acreage to come in under this designed district such as Lord & Taylor or Newfield Green, there is no incentive to use this district as their growth is restricted; they could have more growth as of right. Mrs. Nakian said that she saw no danger in creating this community shopping center district. She said that the Zoning Board has the expertise to do the zoning for the city and they know what they are doing and they are safeguarding the city as much as the Board of Representatives is. She said that she will vote to uphold the Zoning Board's decision.

MR. ZELINSKY thanked Chairman White and his Committee for voting against the expansion of Ridgeway. He said that many members were inundated with information regarding the Ridgeway application. He said that he has represented the 11th District for over 14 years and consistently and vigorously opposed commercial intrusion into the fine residential district. Mr. Zelinsky stated that over the years, he has supported his fellow representatives when similar situations arose in various districts and asked that representatives support him this evening.

PLANNING & ZONING COMMITTEE; (continued)

MR. ZELINSKY said that the Chesterfield condominiums is one of the finest residential areas in Stamford, and it is true that the Ridgeway Center predated the construction of the condominiums; however, the existing shopping center fronts on Summer Street and the primary means of ingress and egress to the shopping center is on Summer Street. He said that there should not be a super store with the traffic fronting on a fine residential area. He stated that he was not opposed to the rehabilitation or modernization of Ridgeway nor to responsible expansion fronting on Summer Street. He stated that there is nothing stopping Ridgeway from coming in with another text change which permits modernization, rehabilitation and reasonable expansion but prohibits a super store from fronting on Bedford Street; rehabilitation and modernization does not mean making the most money possible at the expense of existing homeowners.

Mr. Zelinsky said that Howard Kaplan, the attorney for Ridgeway, and the Traffic Department have pointed out the serious traffic problems already existing on Bedford Street in the area; the record also indicates that there are serious parking problems. Mr. Zelinsky said that the Traffic Department states that the project will require significant improvements to the infrastructure offsite. He said that it was not clear who would pay for the improvements and whether the developer can be required to do so. Mr. Zelinsky said that on March 2, 1992, the Traffic Engineer stated, "The proposed new zoning district may be approved if, and only if, the type of traffic mitigation measures and their locations are finalized with the consensus of the neighborhood residents and the Stamford Traffic Commission." Mr. Zelinsky stated that the text change should not be approved until the matters concerning the traffic are finalized.

Mr. Zelinsky said that Ridgeway should be modernized and rehabilitated and can be without tremendous commercial intrusion on to Bedford Street; the attorney for Ridgeway, Mr. Kaplan, was quoted in the "Advocate" (3/25/92) as stating, "It is possible the center could be renovated without increasing its size; it is just a question of how much renovation you could do." Mr. Zelinsky said that the center should not stay the way it is now and the developer should go back to the drawing board and propose a reasonable expansion; one that cannot have a significant adverse impact on a fine residential area.

Mr. Zelinsky stated that Ridgeway currently consists of 225,000 square feet of retail space which it proposes to expand to 390,000, an increase of almost 75% of the retail space. He said that retail stores generate the highest volume of traffic in any type of commercial area and supermarkets generate the highest volume of traffic in any type of retail use. He stated that Stamford citizens cannot economically support these stores; Ridgeway will be permanently transformed from a neighborhood shopping center to a regional shopping center attracting a consistent majority of its customers from out of town. He said the tens of thousands of cars from out of town will not only further congests the streets in the Ridgeway area but will create bottlenecks all over at intersections leading in and out of Stamford. Mr. Zelinsky said that Bedford Street is a residential street in a residential neighborhood and the expansion will transfer Ridgeway from a Summer Street shopping center into a Bedford Street operation; the impact of the traffic increase on Stamford streets, in particular Bedford and Summer Streets, will be overwhelming and permanent. Mr. Zelinsky said that the owners of Ridgeway can improve and modernize their properties, attracting more retailers, creating more jobs in construction and permanent jobs for Stamford residents without creating a permanent traffic nightmare harming the environment with automobile noise and pollution and lower the quality of life in Stamford. He asked, "At what price do we want economic development; is it at the expense of the homeowners and residents?"



PLANNING & ZONING COMMITTEE: (continued)

MR. ZELINSKY said that he received a letter which was also given to all members. He said that he wanted to quote some sentences from the letter from a homeowner who resides directly from Ridgeway on Bedford Street.

"Our family which consists of three generations living under the same roof, and our immediate neighbors on Chester and Urban Streets, are very concerned about how additional car traffic will affect the pollution and noise levels on Bedford Street. Last fall I had the city health department test our soil for lead, and the results were not good. The numbers were so high that we were advised to have the soil replaced if we wanted to grown any vegetables or herbs, and to plant a thick, tight ground cover if we wanted to let our two-year old play in the yard. My mother-in-law suffers from asthma, which the car pollution has aggravated.

"Besides the health risks from the lead, the constant roar of traffic on Bedford Street forces us to keep our windows shut during the summer months if we want to have a telephone conversation. We never use our front porch because we can't keep up with the fine layer of soot and dust that coats every surface from the car exhaust. These problems are only going to get worse if the center expands to the extent that the developers have indicated.

"Initially, we were not opposed to the idea of Ridgeway Center expanding and upgrading its appearance, because it could use a facelift and we all benefit from a healthy local retail base. But when I saw the artist's rendering in today's Advocate, I nearly fainted. It looks like the developers are going to build up every square inch, right up to the property line, and uncomfortably close to private homes. I'd rather see the developers encourage to get and hold on to good stores, and to spruce up the existing space, before they create a monstrosity that will create a living Hell on Bedford Street.

"I attended a meeting several weeks ago of the Revonah Neighborhood Association and was dismayed to discover that the leaders of that organization confine their concerns to potential traffic congestion on Chester and Urban Streets (where they live, not coincidentally). My impression was they they couldn't have cared less about the residents of Fifth and Bedford Streets, and other surrounding streets and brushed off my concerns about the lead levels by insisting that traffic all over the city is getting worse and that there's nothing we can do about it."

Mr. Zelinsky asked his colleagues for their support and to vote on the matter as if it were in their district and the majority of their constituents were against the new expansion.

MR. KOSBOB Moved the question. Seconded.

PRESIDENT LYONS called for a vote to Move the question. DEFEATED by voice vote with sixteen opposed; the question was not Moved.

MRS. LAURIE said that she was a firm believer in neighborhood involvement in development projects, and she stated that the designed district concept grants the most neighborhood involvement that is possible. She said that during the process of the development of the application, the developer must meet with city departments and neighborhoods with the meetings taking place over a number of months.

PLANNING & ZONING COMMITTEE; (continued)

MRS. LAURIE (continuing) stated that at the end of that time, the Planning Department would submit a report to the Zoning Board stating the outcome of the meetings, whether or not agreement was reached with the neighbors. She said that all of this would be taken into consideration at the time that the Zoning Board considers the actual application to apply this zone to Ridgeway, and at that time, the site plan would be approved or disapproved.

Mrs. Laurie said that it was her belief that this evening, a designed district is being discussed; the adding of a designed district to the zoning code. She said that the application of the designed district is not being discussed to a specific piece of property. Mrs. Laurie stated that there has been much talk about a super store; her reading of the designed district calls for the development of a retail food store. She said that nothing in the designed district itself requires a super, super store; it requires a food store and maybe the developers would like a super, super store, but tonight, the Board does not have to agree to grant the developer the super, super store. Mrs. Laurie said that a designed district will be added to the code if the Board upholds the decision of the Zoning Board. She said that the Zoning Board is not required to grant the new district to Ridgeway, and even if they do, and the neighbors are still upset, an appeal can once again be made to the Board of Representatives to act on their behalf and overturn the Zoning Board's decision.

Mrs. Laurie said that the vote was not on the site plan but for the creation of a designed district to Ridgeway and sufficient controls will exist even if the Zoning Board's decision is upheld. She said that she has faith in the Zoning Board that they will not ignore the traffic issues and the environmental issues and will look closely at the site plan as many, many steps must still be taken before any new development can take place at Ridgeway. Mrs. Laurie stated that she has faith in the Board of Representatives to act in the best interest of the city.

PRESIDENT LYONS stated that what was before the Board was a referral of the Zoning Board's action approving as modified Application 90-027 Stamford Ridgeway Associates, Zoning text amendment, community shopping center district designed (CSC-D).

MR. BOCCUZZI said that he would vote against the developer in this instance. He said that in talking about jobs, what guarantee is there that the jobs will be for Stamford residents or craftsmen? He said that outside firms come in and bring their own help. Mr. Boccuzzi said that the vote on the Zoning Board was not overwhelming; he thought it was three to two. He said that the traffic problem will be solved at the expense of those people living in the neighborhood.

Mr. Boccuzzi said that during the process, the developers should have talked to the neighbors to find out their concerns but that was not done. He said that the service vehicles going in and out of the project will have to use routes through town to get to the center. He agreed that the Center should have a face lift and in the 30-35 years of the Center's existence, the people who own the Center did not return any of their income to uplift the Center to keep the present stores at the location.



PLANNING & ZONING COMMITTEE: (continued)

MR. BOCCUZZI said that this was a spot zoning change to upgrade Ridgeway at the expense of the surrounding neighborhood and agreed with Mr. Larobina and Mr. White that once these changes are made, it is almost impossible to change things in favor of the neighborhood.

MR. CLEMMONS Moved the question. Seconded.

PRESIDENT LYONS called for a vote to Move the question. APPROVED by voice vote.

PRESIDENT LYONS said the vote would be to approve Application 90-027 Stamford Ridgeway Associates zoning text amendment, Community Shopping Center District designed CSC-D; the Committee's vote was to overturn the Zoning Board. A no vote would be to overturn the Zoning Board's application; a yes vote would be to uphold the Zoning Board's application.

MR. OWENS Moved for a Roll Call vote. Seconded.

PRESIDENT LYONS called for a vote for approval of a Roll Call vote. APPROVED by voice vote.

CLERK SUMMERVILLE called the Roll.

PRESIDENT LYONS said the vote was 21 no, 17 yes votes with one abstention; the application was defeated; the Zoning Board's decision was overturned. (21 votes needed to overturn the Zoning Board's decision) A copy of the Roll Call vote is attached to these Minutes.

MR. LaDESTRO Moved for Suspension of the Rules to take up a resolution. Seconded.

PRESIDENT LYONS called for a vote to Suspend the Rules. APPROVED by voice vote with no dissenting votes.

MR. LaDESTRO said the Planning & Zoning Committee met on July 9, 1992 at 7:00 p.m. Present were Committee members Marggie Laurie, Nicholas Pavia, John Boccuzzi, Gregory LaDestro, and Scott Morris; W. Dennis White was excused. Also in attendance was Rep. John Zelinsky; Attorney Eleanor Roberts, representing First Stamford Corporation; Attorney Joseph J. Tooher, Jr., assisting Attorney Roberts and Assistant Corporation Counsel Richard Robinson.

2. PROPOSED RESOLUTION CONCERNING REQUEST OF FIRST STAMFORD CORPORATION, ET AL, TO CHANGE THE STATUS OF A PORTION OF COMMERCE ROAD FROM A MUNICIPALLY-ACCEPTED STREET TO A PRIVATELY-OWNED STREET. Request by Gordon R. Paterson, Esq., Durey & Pierson, 733 Summer Street, P. O. Box 59, Stamford, CT 06904, 5/19/92. Held in Committee 7/6/92. Held in Steering 7/15/92.

MR. LaDESTRO said that a motion was approved unanimously to amend the resolution. He Moved for approval of the amended resolution. Seconded.

MR. MARTIN asked what the next step is in the process to change the street from municipally-owned to privately-owned?

PLANNING & ZONING COMMITTEE: (continued)

MR. LaDESTRO said the resolution would be sent to the Mayor with the intent to discontinue a portion of Commerce Road, then the Mayor asks for a report from the Commissioner of Public Works and then to the Commissioner of Finance, a few other steps and then back to the Board of Representatives for final approval.

MR. MARTIN wanted to know if the Board has final approval on the matter in terms of how it is executed?

MR. LaDESTRO said that to his understanding, the Board did.

PRESIDENT LYONS called for a vote to approve the amended resolution. APPROVED by voice vote with one no vote, Mr. Pia and one abstention, Mr. Kosbob.

PUBLIC WORKS & SEWER COMMITTEE - Bobby Owens, Chairman

MR. OWENS said the Committee met on Tuesday, July 21, 1992 at 7:00 p.m. Present were Reps. Jeffrey Curtis, Robert DeLuca, Marggie Laurie, Ronald Sabia, Fred Johnson and Bobby Owens.

1. FOR REPUBLICATION - PROPOSED ORDINANCE CONCERNING SEPTIC TANK DISPOSAL FEES. This concerns an increase in fees for waste disposal. Submitted by Rep. Robert DeLuca, R-14, 12/13/91. Held on Pending Agenda 12/18/91 & 3/11/92. Held in Committee 3/2/92. Approved for publication 7/6/92.

MR. OWENS said the Committee voted five to zero to approve the ordinance with the amendment made and approved by the Committee. He said that all members received copies of the amended ordinance. He Moved to republish the ordinance as amended. Seconded.

MRS. MAIHOCK said that she had the July 1, 1992 version of the ordinance and wanted to know if that was the one Mr. Owens was referring to?

PRESIDENT LYONS stated that the amended ordinance was the July 20 draft, sent out on July 23.

PRESIDENT LYONS called for a vote to approve the amended ordinance for republication. APPROVED by voice vote with no dissenting votes.

2. REQUEST TO NAME THE RECYCLING AND TRANSFER STATION IN MEMORY AND HONOR OF KATRINA MYGATT. Requested by John S. Boccuzzi, Vice President, Environmental Council of Stamford (ECOS), 156 Highview Avenue, Stamford, CT 06907, 6/19/92.

HELD IN COMMITTEE

HEALTH & PROTECTION COMMITTEE - Audrey Maihock & Marggie Laurie, Co-Chairwomen

MRS. MAIHOCK said that the Health and Protection Committee met on Thursday, July 30, 1992 at 7:00 p.m. Present were Co-Chairwomen Audrey Maihock and Marggie Laurie, Committee members James Rubino, Ellen Mellis and Joseph Gergle, Jr.; Reps. Nicholas Pavia and Ronald A. Sabia; Maria Garfalís, Scott McGlone of Station WSTC and two members of the public who did not participate but came to listen.

1. MATTER OF ENFORCING NOISE ORDINANCE. Request by Rep. Nicholas Pavia, R-10, 7/7/92.

HELD IN COMMITTEE

MRS. MAIHOCK said that a constituent in Nick Pavia's district, Maria Garfalís, explained her problem of live music penetrating her apartment from a bar across the street causing vibrations and noise disturbance during night hours. Mrs. Maihock stated that the Committee ask<sup>ed</sup> that the Health Department, Police Department and Corporation Counsel's office be contacted to enforce appropriate action; this was done. She said that the item will be before the Committee on a review bases. *basis.*

PARKS & RECREATION COMMITTEE - Thomas Pia & Robert DeLuca, Co-Chairmen

No report.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - John R. Zelinsky, Chairman

No report.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Elaine Mitchell, Chairwoman

MS. MITCHELL said that the Committee met on Tuesday, July 21, 1992, at 7:00 p.m. Present were Committee members Jeffrey Curtis, Fred Johnson, Ellen Mellis, Elaine Mitchell and Nicholas Pavia; also attending were Rep. Marggie Laurie; Bob Rimer, Interim President for CTE; Kras Carlucci, Senior Vice President for CTE and Richard Gitlen, Director of Community Development. Absent were Committee members Garry Clemmons and Annie Summerville.

1. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) APPLICATION OF THE CITY OF STAMFORD, CONNECTICUT TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. City is entitled to \$750,000 for acquisition, new construction and rehabilitation of affordable housing for lower income persons and families. Submitted by Mayor Stanley J. Esposito, 7/8/92.

MS. MITCHELL said that the Committee voted five in favor to approve. Moved. Seconded.

PRESIDENT LYONS called for a vote to approve item 1. APPROVED by voice vote with 39 yes votes.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE: (continued)

2. STATUS REPORT OF FUNDS ALLOCATED TO CTE, INC. Submitted by Richard E. Gitlen, Director, Stamford Community Development Program, 6/15/92.

MS. MITCHELL said that a complete report on items 2. and 3. was sent to all members. See report attached to these Minutes.

3. STATUS REPORT ON HOUSING AUTHORITY FUNDS. (Proposed Changes) Submitted by Richard E. Gitlen, Director, Stamford Community Development Program, 7/2/92.

See report attached to these Minutes.

URBAN RENEWAL COMMITTEE - Michael Larobina & Mary Lou Rinaldi, Co-Chairpersons

No report.

ENVIRONMENTAL PROTECTION COMMITTEE - Donald Sherer, Chairman

MR. SHERER said that the Committee met on Tuesday, July 21, 1992, at 7:30 p.m. Attending were Chairman Donald Sherer, Reps. Larobina, Audrey Maihock, James Rubino and Thomas Pia.

1. MATTER OF SCREENING TOP SOIL ON CULLODEN ROAD. Submitted by Rep. Thomas Pia, R-7, 7/9/92.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

HELD IN COMMITTEE

MR. SHERER stated that at 11 Culloden Road, an operation for dirt, top soil, mulch and block has been established and the neighbors brought a complaint to Mr. Pia regarding the noise, and truck and dirt pollution. He said that invited to attend the meeting was a representative from the Health Department and Mr. Strazza, Zoning Enforcement Officer; Mr. Strazza was unable to attend.

Mr. Sherer said that a number of grievances were aired and the gentleman owning the establishment spoke on the issue and presented a letter showing the approval of the Zoning Office. Mr. Sherer said that it was established that there were some concerns of the neighbors that had to be addressed. He said that the matter will be Held pending continued investigation.

TRANSPORTATION COMMITTEE - Scott A. Morris, Chairman

MR. MORRIS said that the Committee met Wednesday, July 22, 1992, at 8:00 p.m. Members of the Committee present were Scott Morris, Joseph Gergle, Jeffrey Curtis, Audrey Maihock and W. Dennis White; others attending were Rep. Robert DeLuca and Corporation Counsel Daniel McCabe.

TRANSPORTATION COMMITTEE: (continued)

1. MATTER OF ADVERTISING ON CITY PROPERTY. Submitted by Reps. Robert DeLuca, R-14, and Scott A. Morris, D-17, 6/1/92. Held in Committee 6/1 and 7/6/92.

HELD IN COMMITTEE

MR. MORRIS stated that due to an oversight, Committee notices did not reach the members of the Greater Stamford District who were also invited to attend so there was no discussion. He said that the next meeting is scheduled for August 27 and all parties have been notified; also, much of the financial information requested of the Greater Stamford Transit District was received from the Chair of the GSTD, and copies will be forwarded to the Corporation Counsel, the Internal Auditor and the office.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - No report.

LABOR RELATIONS COMMITTEE - John J. Boccuzzi & Kurt Jetta, Co-Chairmen

No report.

ECONOMIC DEVELOPMENT COMMITTEE - Joan Rinaldi, Chairwoman - No report.

ETHICS REVIEW COMMITTEE - Maria Nakian & James Rubino, Co-Chairpersons

1. REVIEW OF CODE OF ETHICS. Submitted by Reps. Maria Nakian, D-20 and David Martin, D-19, 11/26/91. Held on Pending Agenda 12/4/92. Held in Committee 4/6, 5/4, 6/1 and 7/6/92.

HELD IN COMMITTEE

AUDIT OVERSIGHT COMMITTEE - John J. Boccuzzi & Robert DeLuca, Members

No report.

RESOLUTIONS

1. SENSE-OF-THE-BOARD RESOLUTION CONGRATULATING OLIN CORPORATION ON THE OCCASION OF ITS 100TH ANNIVERSARY. Submitted by Reps. Elaine Mitchell, D-2 and John R. Zelinsky, D-11, 7/8/92.

MS. MITCHELL Moved to approve the resolution. Seconded.

PRESIDENT LYONS called for a vote to approve the resolution. APPROVED by voice vote with no dissenting votes.

MINUTES

1. JUNE 1, 1992 REGULAR BOARD MEETING - Approved.
2. JUNE 29, 1992 SPECIAL BOARD MEETING - Approved.
3. JULY 6, 1992 REGULAR BOARD MEETING - Not ready.

COMMUNICATIONS - None.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT - Upon a motion duly made and Seconded and Approved by a voice vote, the meeting was adjourned at 10:10 p.m.



Anne A. Kachaluba, Administrative Assistant  
and Recording Secretary  
22nd Board of Representatives

APPROVED:



Richard L. Lyons, President  
22nd Board of Representatives

RLL:ak  
Enclosures