

**Transcript – Public Hearing**  
**June 30, 2010 Land Use-Urban Redevelopment Committee**  
**LU28.005 – Discontinuance of a portion of Henry Street**

**Chair Day:** “On to Item LU28.005, resolution for public hearing and final adoption approving the Director of Administration’s final report, dated 6/3/10 concerning the discontinuance of a portion of Henry Street and directing that such partial discontinuance be carried out. There is a public hearing duly noticed, and I hereby call to order that public hearing.

“Setting the stage here, we find ourselves in a situation where there are some options we can take if the committee so decides, such actions to be referred to the full Board, and there is one thing we cannot do: we can conduct a public hearing and that is what we are going to do, we can, if the committee so chooses, approve the Director of Administration’s report on the discontinuance of a portion of Henry Street, but the one thing that we are unable to do tonight is take the final step and direct that the discontinuance be carried out in accordance with the report of the Director of Administration and the Mayor. And the reason for that is that the Board of Finance must act on that final step before the Board of Reps can do so, and the Board of Finance has not set a meeting to consider this matter prior to our board meeting next week. Nevertheless, we felt it was important to get the process going and to do as much as we feel we can toward reaching some resolution on this project. So with that preamble, I think the first thing to do.... The other thing I am going to suggest is following the presentation of the proposal from representatives of the administration, during the public hearing, I am going to allow everybody to speak for ten minutes. And, if they want to speak more than ten minutes, they will have an opportunity after everybody else has had a chance to speak. I imagine there may be some give and take here. So that is my plan if the committee is in agreement.

“To introduce the matter and put it in context, I am going to call on our Director of Economic Development, Laure Aubuchon.

**Ms. Aubuchon:** “For the record, my name is Laure Aubuchon. I am the Director of Economic Development for the City of Stamford. And, I am speaking here tonight on behalf of the Mayor and the administration, and I would like to address several topics. One, most important is why is the City and the Mayor supporting the project? If the Gateway project represents an excellent example of where smart cities are moving in terms of transit-oriented development, it is complementary to other current development, and the existing South End corporate property developers such as Malkin and Pitney Bowes in providing significant, critical mass to support not just traditional office space but exciting residential, retail, hotel and other amenities and urban life.

“The project creates revenues to the City and much needed jobs for both construction and the long term. The overall transformation occurring within the South End has drawn attention and praise from the USDOT, EPA and HUD as a demonstration of their joint goal of transportation, sustainability and livability and urban planning. With this, we will have a LEED-certified project which will abut the train station. One building already has a committed, world-class tenant who I have met and who the Mayor has met, who is committed to bringing more than 800 jobs into Stamford. In addition, there will be an additional 37 units of housing, 9 of which have been designated as affordable. The developer has worked over time with the Planning & Zoning Departments as well as with various civic groups to incorporate a wide range of changes in the building site to achieve all building at grade on both the Washington and Pulaski streets and at the platform level along Metro North, below grade parking and pedestrian access through the former Henry Street right-of-way to an overlook on the Mill River.

“The developer is committed to build five hundred below grade commuter parking spaces at an estimated cost of \$22.5 million. These spaces, which could be available within two years, represent approximately 30% of what Stantec and CT DOT estimate as the projected 1,800 additional parking spaces that will be required over the next ten years at the STC. The project will generate immediately for the City building permit and sewer connection fees of approximately \$2 million.

“Once fully operational, the property will increase the grand list by approximately \$284 million, with resulting estimated annual tax revenue to the City of an initial \$2 million. That would be assuming that all the tenants avail themselves of Enterprise Zone benefits, and then reaching a minimum of \$3.5 million annually into the future.

“Another issue which has been raised in the discussions over the last several weeks is did the City do the best deal it could for itself with the developer. And, with this deal, the City gets a great smart-growth project that will generate fees and revenues for the City as well as needed jobs, significant public improvements, both in roads and parks, plus \$500,000 in cash. It is a huge win for the City of Stamford in what is arguably a very difficult economy.

“I’d like to compare it to another recent deal, close to the proposed Gateway site for the 2006 discontinuance of Rockland Court and Rockland Place on the corner of Henry and Atlantic Streets as developed by Malkin Properties. The discontinued Rockland Court and Place properties were 20,473 sq. ft. It represented a swap of 13,124 sq. ft., plus a very small 2 ½ ft. sliver of easement for sidewalks. In addition, Malkin paid the City \$323,064 for the purchase of 7,349 sq. ft. to add to the project. The Zoning Board at the time required Malkin to pay \$500,000 to help facilitate improvements at the corner of Atlantic and Henry Streets, when the proposed Metro Green office building received its CO. This week, Tony Malkin graciously offered to put this money up immediately for

the intersection, and the City is very appreciative of his providing the time certainty of that funding.

“For this project, the discontinued Henry Street parcel is 22,006 sq. ft., representing a swap of 13,264 sq. ft., plus 12,687 sq. ft. of easement, the street and sidewalk improvements, which total now 25,951 sq. ft. The easement area will give the City the rights needed to do all the improvements into the future along both streets. The Mayor has required the developer to pay the City an equivalent amount of \$500,000 prior to effectuating the property swap. In comparing the two recent negotiations, the City in this transaction is receiving more land, equivalent money, pedestrian access through the development over the Henry Street right-of-way, and 500 commuter parking spaces. In addition, the Gateway site provides approximately 30,000 sq. ft. of publicly-accessible space along the Mill River. While the space is in accordance with the Coastal Area Management and City policy, the developer will pay for the improvements for this public space.

“What are some additional objections that are being raised to the project? One that we have heard is the discontinuance of Henry Street will forever close off the opportunity for a Henry Street bridge. We have discussed the feasibility of a bridge previously, including the merits of whether it is 2 lanes or 4 lanes, whether we need to take property along Henry Street, whether we would eliminate on-street parking, existing residences, etc. We do know that a bridge would span the Mill River, come down over the planned amenity areas proposed by the Mill River Collaborative, and enter Greenwich Avenue, which is completely ill-designed for traffic resulting from a bridge over the Mill River. Fortunately, the Planning Board recently reviewed the possibility and issued the following letter: “The Board agreed that any future connection between the South End and Waterside should not be located at the westerly terminus of Henry Street due to the potential traffic impacts on the street network to the north and the disruptive impact of the conversion of Henry Street into a major east-west thoroughfare on the residential properties fronting on Henry Street to the east.”

“Another objection we have heard is that there will be significant traffic delays occurring with Gateway. Our traffic engineer, the City’s traffic engineer, has identified the intersection of Henry and Atlantic Street as the most significant problem area. That is why we are committing developer funds to address the issue. There will be opportunities to deal with traffic in the upcoming Planning Board meeting, with the zoning referral and the Zoning Board meeting. But please note that the project has been under review for years, the Planning Board has approved a Master Plan change, the City’s Planning, Zoning and traffic authorities have very carefully considered these traffic issues, and recently in a November 2009 letter from the City Engineer raised no objections to the discontinuance.

“We have also heard that the project will bring too much parking to the area. The potential tenant has requested that the developer provide 2.5 spaces per 1,000 sq. ft., which I believe any developer would say is not unreasonable, especially given the trend in today’s office environment to place more people in tighter spaces, cubicles vs. offices. Multiplying 2.5 spaces times the total square footage, you arrive at approximately 1,200 spaces.

“The developer is also providing 500 commuter spaces, which others claim will also add to the traffic congestion. We note that the current station garage has no more monthly parking spaces. Because somebody cannot secure a monthly space doesn’t mean they don’t commute on Metro North. Rather, these commuters are being dropped off, which in and of itself can create even more traffic as cars circle or back up to wait for trains coming into the station. As a daily commuter into Metro North in Stamford, I can attest to the back up of the traffic. If we can’t arrive at a sensible way to provide sufficient commuter parking around the transit center, we are in effect saying we are capping the number of people who wish to live in Stamford but travel elsewhere for work.

“We have also heard that this project has been rushed for approval. This site plan has been before various boards for pre-review, initial review and now final review for more than a year. There is no question that the presence of a potential, well-financed tenant who is looking for certainty focuses everybody on adhering to a time line. There have been no short-cuts. We have been working to accomplish this process as efficiently as possible, which is what the City and this office would hope to do for anybody.

“Some of you may know that I worked for five years for the New York City Economic Development Corporation, some of you have heard me say that I hated Stamford then. They were always my most feared competitor, and let me tell you, I would continue to hate Stamford with this particular project. And, for many reasons, but one which I’ll give you: anyone commuting from the upper east side of Manhattan, hopping on to Metro North at 125<sup>th</sup> Street could be at Gateway within 40 minutes to his or her desk. You could not make the same commute from the upper east side of Manhattan in 40 minutes and get to your desk, and why do I know this? Because I live on the upper east side of Manhattan and commuted for 5 years down to the Economic Development Corporation on Wall Street.

“This project and the entire South End development, including future projects by developers such as Malkin and the continued presence of significant companies such as Pitney Bowes is the 21<sup>st</sup> century for Stamford. Not approving the project is not going to make all of the stated problems go away, which we know are there and which we are working on, but will make future solutions much more difficult as interest and money certainly move elsewhere out of Stamford. Thank you, Mr. Chairman.”

**Chair Day:** “Thank you very much, Ms. Aubuchon. Mr. Boccuzzi.”

**Rep. Boccuzzi:** “Is it possible for the Committee to get that report?”

**Ms. Aubuchon:** “Absolutely.”

**Chair Day:** “Yes, the statement by Ms. Aubuchon, I think she is going to submit it (see [attached](#)).”

**Rep. Boccuzzi:** “Thank you.”

**Chair Day:** “That was a very good presentation. I think the one thing that we want to identify, just for the record, is the actual [Director of Administration's Report](#) on this project, which basically considered an [appraisal](#) that was done, the swap of the properties involved, and the \$500,000 contribution. But, basically [that is] the core of the Director of Administration's report, am I correct?”

**Ms. Aubuchon:** “Yes, that is correct.”

**Chair Day:** “And, I think, just for the record, there was a report made, and the Director of Administration, also held public hearings as required by the ordinance and the Charter, which did not affect his original report, so they have to be read as one set of documents, even though it is dated June 3, it has to be viewed as unamended by the [minutes that the Director wrote](#) following the public hearings that he conducted. I just want that in for the record. Okay. Mr. Redniss has also signed to speak, so I am going to give you the opportunity at this point.”

**Mr. Redniss:** “I thought in case there were any questions that the Board wanted and we have the exhibits in case any questions come up, aerials, photos, so other than that, if you have questions, I can add some specificity to some of the issues, but other than that, I don't have anything to add.”

**Chair Day:** “Mr. Colin Costello is next.”

**Colin Costello:** “Mr. Chairman, thanks. For the record, my name is Colin Costello, I live at 229 Davenport Drive in Waterside, and I am a member of the Board of the Waterside Coalition. I am here speaking both for myself and another resident of Stamford who I had an opportunity to meet after the Zoning Board meeting on Monday. I would like to explain a little bit about the situation, but first I would like to talk about what I think is the proposal for both the Pulaski Street and the Washington Avenue extensions. By extensions, I mean, property being made available to the City to widen both of those streets. The problem with doing that is there are two properties that have yet to be acquired by the present developers, BLT.

“Now, when Antares was involved in the situation, the gentleman I met, Mr. Roland Lesperance, on Monday, was offered a very tidy sum of money for his property, and that was back in 2007, I believe, late 2007. He was offered \$1.6 million for that property. And, in the period of negotiations, as well as that amount of money, he was offered a home for him and his mother and his family. His mother is seriously ill with Alzheimer’s and dementia, and he must actually take care of her almost full time. So, he and his family reside at that 21 Pulaski Street today.

“Now, in order for the actual widening of both of those roads to take place, both his property and the Gillan property must be acquired, otherwise you can’t do it. And, if the Henry Street extension is provided to the developer, than from a safety and traffic congestion standpoint, we must do something with the Pulaski Street road and bridge. It must be widened; otherwise, the congestion and the safety considerations of the community are actually being ignored.

“Now, we wrote a letter back in March, we, being the Waterside Coalition, to the Planning Board expressing our concerns. Either they are ignoring the people who live in this area or work in this area or something else is going on – I don’t know. But, there was an opportunity for BLT to buy this property for the same deal that Antares was willing to do. When Antares disappeared, basically, Mr. Lesperance said, ‘give me the same deal and it’s yours.’ But, that never happened. So, I mean there is something happening here that I don’t understand, and if you look at the documents, and I am going to give you some of these documents for your information, both the site plan that shows an entrance, basically would be right next to Mr. Lesperance’s property, down into the garage off of Pulaski Street. I mean, with his place still there, you can’t widen Pulaski Street. You couldn’t widen the Pulaski Street bridge to get rid of the problem by not having a Henry Street bridge extension. It is as simple as that.

“And, we are concerned that first responders won’t be able to get to us on Waterside. Because our first responders are on the South End. And if that bridge is closed for whatever reason, first of all, even today, the bridge is only about 33’ wide on the roadbed. And a fire truck is over 8’ wide, excuse me, 23’ wide. We measured it today. So, these are our concerns, it is safety, traffic congestion and the fact that the whole plan that has always been in place for Henry Street bridge extension to a roundabout, which would not have the problems which I just heard described at all, would solve the problem. And you wouldn’t have to widen the Pulaski Street bridge if you put a new bridge in on Henry Street. So, those are our concerns, basically traffic congestion and safety. I am going to leave with you some documents. The first document I am going to leave with you is a letter to Mr. Roland Lesperance from the Antares Real Estate Services, LLC, signed by, I think it is Ted Lane, is the gentleman’s name. And, also, there have been conversations between Mr. Lesperance and the attorney for BLT. However, nothing has actually happened. What has happened is he received an envelope from Federal Express that was supposed to have

something in it. It was empty. I have the copy of that envelope. There was nothing in the envelope, folks, all right? After many conversations. So being told he would be taken care of by BLT, I don't think so. I don't think so at all. Now, if you look at the map, which comes out of the initial entry to the Planning Board, and this is the right-of-way survey of Henry Street, Redniss & Mead, you'll see the two properties, I have highlighted them in yellow for your information. You'll see that there is no way you can do what they are talking about, improving and lessening congestion, without the purchase of these two properties, and I can't speak for the other property owner, but I am with Mr. Lesperance right now, but I'd be happy to give these to you (see [attached documents](#) submitted).

**Chair Day:** Thank you, Mr. Costello. Next on our list is Maurice Nizzardo.”

**Mr. Nizzardo:** “Coincidentally, I do represent the Gillan family (see [attached](#)), the owners of 340 Washington Boulevard. To echo the sentiments of the speaker before me, everything is pretty much on track. I think if the Board discontinues Henry Street without having this developer acquire these properties, you're really getting a pig in a poke. You are not really gonna get the widening of those two streets because you can't do it, you don't control the properties necessary for the widening.

“Now, I will say this. We have another issue on the Henry Street discontinuance. Our particular property has never had a driveway. The Gillan family has owned it since the 1920s, and there has never been a curb cut or driveway access to the property. They have used the Henry Street portion that is up for discontinuance as a means to park their vehicles. Can't park them on Washington Boulevard, you can't park them on Pulaski Street, so at the very least, if the Board should ever approve the discontinuance, we would want some guarantees from the City that they are going to allow a curb cut so that we can access the property. It seems that without accessing the property, we lose the viability of the property, and I don't know when the City engineering department is going to allow that so close to the Pulaski Street/Washington Boulevard intersection.

“And, the last thing I'll leave you with is this: there is two properties under consideration here that fair prices would make the deal go, and the developer on Monday night at the Zoning Board, is proposing to build 500 parking spaces at \$22.5 million, and they are going to shell out \$22.5 million to build 500 parking spaces, that they say is not economically feasible, but they are just going to do it anyway, but they don't want to acquire these two properties. So, I would ask the Board to seriously consider this discontinuance of Henry Street until they acquire the properties. Thank you.

**Chair Day:** “Thank you, Mr. Nizzardo. Next on the list is Jeff Newman from Malkin Properties.”

**Jeff Newman:** “Thank you, I would point out that it was nearly a year ago, July 22<sup>nd</sup>, that I was here on behalf of Malkin Properties and the owners of Metro Center, 1<sup>st</sup> Stamford Place and the Metro Green site to raise some of the concerns, most of which are still unresolved with resolved to the Gateway site, and I would like to have that added to the record (see attached [talking points](#)). I’ll have another copy of that as well as, may already be part of the record, [my letter to Fred Flynn](#), the Director of Administration, with regard to his recent public hearing.

“Again, I am here speaking on behalf of 1.1 million square feet of office tenants, about 3,000 employees in and around the Stamford Transportation Center, and for us, this has really never been about competition for the Gateway Site, clearly, it is a prime site for development. But, for us, it’s all about traffic and circulation. There are some unique challenges posed by the Gateway site. You’ve got railroad tracks to the north, you’ve got the river to the west, you’ve got a Pulaski Street bridge, which as recently as November, I believe, the Director of Engineering, indicated that there should be, in connection with any taking, rehabilitation, reconstruction of that bridge, and I saw nothing in the Mayor’s Report about that. And, then you’ve got Washington Boulevard to the east. And, you know, 1,800 cars on that site, frankly, is more than what we’ve got from Metro Green and Metro Center combined. It is a lot more acreage, and we have commuter parking for overflow parking at Metro Center. So, at the same time as all of the attributes of transit-oriented development are being trumpeted, it seems to me that what we are hearing from our traffic experts is that there is requests for credit, transit-oriented development trip generation credits, of 30%, and while that was the standard years ago, and I think it pertained to Metro Center back 25 years ago, the State Traffic Commission since then has uniformly been imposing 15%. We got 20% credit, because we have 40% of our site is residential, of our FAR, and we did not fully maximize our FAR on the site, and with residential, you have staggered vehicle trips.

“Here on this site, again, with its unique constraints in terms of access and egress, you have 71 residential units, and most of this is office commuter parking, which I’ll get to in a moment, but basically, you’ve got, if you figure 1,800 cars, if you figure half of those go out Pulaski Street, where do they go when they get to Greenwich? Even if it is a roundabout and not a T, they then would seek to get out through the Greenwich Avenue portal, which is also undersized with the Hilton and First Stamford Place there. And they then may seek to go back to Washington Boulevard. More likely, they are going to try and get out on Washington Boulevard, which would require making a left turn against traffic, and then if they want to go to 95 South, it is another left turn against traffic. And, by the way, on the way in, if they are coming from the west, it is a left turn against traffic on Pulaski – all of which slows down traffic, and our traffic experts tell us that you’ve got a number of failing intersections already and that this could cause up to a 15-minute delay to get from the South End to the Stamford Transportation Center.

“Harbor Point to the south has not yet been fully developed or occupied, and obviously, there is already approved developments which will make matters worse. So, is the Atlantic/Henry Street intersection important? Absolutely. And, I think if there is a plan that is going to take into account what is required here, it has to be a real plan, and we would put up our \$500,000 right away, but there is a real broad issue here. We are not sitting here saying Henry Street is necessarily a better crossing than Pulaski, what we are saying is that we have been asking for more than a year, for a long time we have sat down with RBS when they were looking at this site. We sat down with Advanced Realty when they were looking at this site. We sat down with Antares, Tony Malkin has met with Carl Keener, and really the issue is that we’ve got a traffic study, Pitney Bowes has a traffic study that says that development of this site for this much parking is absolutely fatal, and if it is really a transit-oriented site, and you want to encourage people coming by mass transit, why do you need 800 parking spaces? If you have a 250,000 sq. ft. tenant, at a transit-oriented development site, it should be 2, 2.5 per thousand maximum. That gets you to 625 spaces.

“Why 1,800 [cars]? I don’t believe ... and we have had several discussions with the Department of Transportation. Things are in disarray. I understand Joe Marie resigned today, but the bottom line is, this, the bottom level, digging down into the rock at Gateway for 500 commuter spaces, makes no economic sense, for them to be paying \$45 to \$50,000 sq. ft.. And, I wonder if there are 800 jobs for a 250,000 sq. ft. tenant, that right there seems to me to be more like three point ... and I didn’t do the math, but it is a lot more than 2 [cars] per thousand [sq. ft.] right there on parking.

“So, what we’ve been asking is: have an independent traffic consultant do a peer review of these traffic studies and make a recommendation. And, if they say that, gosh, Mani Poola’s memo was wrong from 2007 and that West Henry Street, although when I look at a map it goes directly across, if they say that that should be abandoned completely, maybe they are right. But, it should be part of a comprehensive plan. They should look at the Atlantic Street underpass, the Greenwich Avenue underpass, the Atlantic & Henry intersection and all of these things, if and when they are put into place, would have a mitigating impact and would allow more traffic in and out of that site.

“I also think, and I know I must be getting on my ten minute deadline, so I’ll probably close, but I do think that the abandonment of Rockland Court and Rockland Place is really not completely analogous to this situation. Our \$500,000 contribution was through zoning. We paid money for the roadway abandonment up front. It was a full, I don’t know that Laure is wrong in terms of 2 ½ feet, or whatever she referenced, but it was a full widening, which has been done. Atlantic and Henry. All the way across, there were no outparcels that look like missing teeth on a dental chart. It was a full widening, we weren’t looking to basically take roadway land, give an easement back and then use that FAR for

extensive development, and we have a site that is bounded by roadways on all four sides, and we have 40% residential, that I said, is much less of an impact on vehicle trips.

“I could speak for another 20 minutes. I don’t know that it is productive today, but I did want to share our concerns here, and we would just urge the City to again, not reject the tenant ... I just don’t believe that that would result in a tenant not coming on board ... for us to understand the traffic, and I don’t understand why Henry Street is required in order for this development to proceed with a responsible tenant. Thank you.”

**Chair Day:** “Thanks very much, Jeff. Mitch, did you have a question?”

**Rep. Kaufman:** “Yes, just a quick question. Did you raise these questions to the Zoning board?”

**Jeff Newman:** “Very much so, and others last Monday night. Tony Malkin was there personally. That is how keenly interested he is in this. And, again, we are absolutely in favor of the Gateway site, but we are very concerned that it has to be the right size, right scope in this uniquely-constrained site. Yes, the answer to your question is, yes.”

**Chair Day:** “I think you are touching on something that, I think when the Committee begins its deliberations, we’ll want to take up, which is the traffic issues, which is an important issue and certainly is part of our consideration, but the final arbiter of traffic issues is the Zoning Board. Okay, next on our list is Virgil de la Cruz.”

**Mr. de la Cruz:** “I have certain materials that will follow my comments. Should I pass them on now. Please, thank you so much. I will be referring to some exhibits that are included in those materials. Okay. (see attached [letter](#))

“My name is Virgil de la Cruz. I reside at 94 Davenport Drive in Stamford. That is at the Waterside area. I am a nearby property owner. I own property at the corner of Pulaski Street and Greenwich Avenue. I am also a very long-time resident, who has for years seen the difficulty in moving from where I live and where some of the people present here also live, and try to come to downtown or to the South End, and the traffic beginning at Selleck Street, Southfield Avenue south of Selleck Street, and the awkward flashing light intersection at Pulaski Street and Greenwich Avenue, and then having to go to the South End, across the narrow Pulaski Street bridge, to make a jog on Washington Boulevard and then try as quick as I can to get over to the right-hand lane so that I can make a right-hand turn on Henry Street. If you look at a map, as some people have alluded, extending Henry Street across the Mill River leaps out of the page at you. It’s an obvious solution, and a bridge does not have any of the problems that have been alluded to this evening.

"I in general support the project, except for two major flaws. And, by the way, I do support the project. I want everyone to consider my remarks as constructive observations and recommendations. I would like to see the project go through, but not in this forced configuration.

"The project, as has been said, is access-restrictive. It has a single primary point of ingress and egress of Washington Boulevard, which we already know is a very congested roadway. It proposes a three-lane garage access from the site on to Pulaski Street. That is mind-boggling. When you look at the nature of the vehicles on Pulaski Street, you have industrial strength, multi-ton vehicles on that bridge. You have tradesmen vehicles, dump trucks, other pickup trucks and so on, and passenger vehicles. And, right in the middle of this short and narrow street, we are proposing to dump the contents of an 1,899 car garage. It makes no sense.

"The volume of traffic that is anticipated is such that the developer has proposed a three-lane access, three lanes of roadway, which in the mornings will be two lanes going in – Pulaski Street itself is two lanes, so you will need two lanes to get into a garage, and in the afternoons, when everyone is rushing to go home, then two lanes dumping out. I can just hear the air brakes of those multi-ton vehicles as they try to buck to a stop when somebody rushes out of a garage. In the materials I provided, there is a letter from the Engineering Bureau which identifies that as a safety issue (see [attached](#)). Common sense. All you have to do is stand there and see that is not a workable arrangement.

"Now, if I go through my time, if there is an opportunity, I would like to then complete my comments, so you let me know when it is time to stop. If you look at the site, discontinuance of Henry Street is absolutely not required for the project to proceed, essentially as planned correcting these flaws that I discussed. If we look at that site plan, and [exhibit 1](#) in my handout is a version of that, only four parking spaces are in the right of way of Henry Street. So, for the sake of four parking spaces, we are going to discontinue and forever abandon, whatever contribution that street can make, for our traffic problems. Abandoning that for ourselves and for future generations for four parking spaces.

"Now, let me cover the nature of the arrangement for this discontinuance. The City relinquishes West Henry Street, valued at about \$900,000, and the developer pays \$500,000. And then agrees to and has access to its own site with partial road improvements to Pulaski Street and the corridor of West Washington Boulevard. Partial road improvements. Then, the developer dedicates land and easements for present and future widening of Pulaski Street and pedestrian access to the Mill River. The developer agrees to partner with the City to solicit federal grants to do the other road improvements. Then subject to the terms of such a grant if it ever happens, the developer agrees that federal funds are first to be used to improve Atlantic and Henry Street intersections.

“Now, the developer does not control the properties required to implement those essential improvements. That is in [Exhibit 1](#) in the handout. And, these are the parcels that have been scoped out at some length before. So, the immediate improvements cannot occur, and depend if the federal government grants the funds. So, this improvements can be left to uncertain things, they are needed now, and there has to be certainty on these improvements. Should these expectations not materialize, when the dust settles, the City, meaning us, the taxpayers, will have to foot the bill for these improvements that are left unfinished. So, that is the arrangement.

“Now, let me point to an exhibit that Stantec, the City’s own traffic consultant, and there is [Exhibit 2](#) in the package, among the recommendations that the City’s own traffic consultant made, that is Exhibit 2, to address vehicular traffic congestion, among the possible solutions on Item 3, is for the City to demand mitigation projects. Not beg, ask, borrow, but demand.”

**Chair Day:** “Your ten minutes, we’ve actually given you about 12.”

**Mr. de la Cruz:** “Thank you so much.”

**Chair Day:** “I appreciate your comments, and if you can complete the ... if we can get through everybody that wants to speak, and I will get back to you.”

**Mr. de la Cruz:** “Thank you.”

**Chair Day:** “The next on the list is Attorney Michael Cacace.”

**Mr. Cacace:** “Mr. Chairman, members of the Committee, other members of the Board of Representatives, my name is Michael Cacace. I am going to use the podium because we want to make reference to some of these exhibits, and I think it may be more helpful. I am an attorney with the firm of Cacace, Tusch and Santagata in Stamford. And we appear this evening on behalf of the Pitney Bowes Corporation. As you know, Pitney Bowes has a long and cherished history in the City of Stamford as being one of our premier corporate citizens, certainly one of our most generous and recognized for its good will to the City. It has been a large employer and continues to employ over 900 people at its world headquarters, and is one of the largest taxpayers in the City of Stamford.

“In that regard, I would note that we have no particular horse in this race, we are not a competitor, we are not a nearby property owner that is looking for the sale of our property or any income here. The only horse in this race that we have is mobility in the South End, and transportation service in the South End. I will also note for the record that Pitney Bowes has in fact been a pioneer in terms of the renewal and redevelopment that has occurred in the South End. They put their money where their mouth was, and not only had their factory sites in the South

End but also put millions and millions of dollars into a world class corporate headquarters in the South End before there was ever any renewal to come down the pike. So, they are as anxious as anyone to see renewal occur in the South End.

“By the same token, they are very careful and concerned that the infrastructure keep up with that renewal and the new development that takes place. And, they have in fact been supportive of some of the prior applications by Antares and BLT for some of the projects that are underway right now. And, in point of fact, there is no doubt that this site ought to be a transportation-oriented development site. The question is, do we need Henry Street to accomplish that, and unfortunately, we believe that the discontinuance of Henry Street would be a big mistake for the South End and a big mistake for the City of Stamford. And, I am going to limit my remarks not to general zoning concepts, but to the two issues that I think are key to your decision.

“First, I am going to talk about the Director of Administration’s Report and suggest that it ought to be rejected since, as the Code of Ordinances, says, this is not required for the public health, safety, welfare, convenience, or necessity, and in fact, we would say that the public health, safety, welfare and convenience requires the continuation of the existing Henry Street site. Second, we will argue that the financial terms that are outlined in that report are grossly understated and that they do not reflect the fair market value for the street that is being required. But, third, and probably most important, and I regret that some people who have reported otherwise may not be here, but in a very constructive, creative way, we think there is a way to create a win-win-win situation for the City, BLT the developer and the rest of the community, without discontinuing Henry Street.

“So, let me start by saying that Section 214-40, which you are all aware of, requires that before you discontinue a street, you need to find that it is the public health, safety, welfare, convenience or necessity that doesn’t require Henry Street anymore, and we believe the facts will show just the opposite. And, Pitney Bowes has for a number of years been very concerned about the traffic situation in the South End. And, therefore, they have done a series of traffic reports starting in the early to mid 1990s all the way to the current times. Certainly, those early traffic reports were done prior to BLT or Antares or their plans for, what I’ll refer to as the Manger site. And, each one of those reports has suggested that the logical east-west bridge that would connect the South End to Waterside, is at Henry Street. Each one of those reports.

“And, I would like for the record to [submit our most current traffic report](#), by Tighe and Bond, a very reputable engineering and traffic firm, which reaches that conclusion. There is an exhibit in that report that corresponds to the site plan that the developer is using. And just to orient everybody, this is I-95 and the railroad tracks, this is Washington Boulevard, this is the channel where the

current Pulaski Street bridge crosses, and the South End with Pitney Bowes' headquarters down at the end. That traffic report indicates that it will take, when all the development by BLT in terms of the Harbor Point development down here, some of the other development occurring and Gateway, as much as 15 minutes for someone to travel from Pitney Bowes to the Transportation Center. And, frankly, you can walk quicker than you can drive a car under those circumstances.

"And, it is a constrained site in the South End, where you have limited north-south access that is metered by the underpasses under both the train tracks and I-95, and some of those bridges, particularly at Atlantic Street, do need work. But, that is not the issue on the table, it just shows that we need other alternatives, particularly east-west alternatives. And, that is already underway as we look at the Urban Transitway, which is an east-west connection from Atlantic Street, and will bring traffic in that direction. The one area, and we already have efforts underway for widening of the underpasses, but the one area that needs attention is the east-west crossing.

"And, our traffic consultants says that the best place to do that is at Henry Street. If you look, as Mr. de la Cruz did point out, from an aerial view here, it is, for example, the one straight line to cross in to Henry Street. If you leave Pulaski Street as the only east-west bridge, you have to come across Pulaski Street, take a left on to Washington Boulevard, and then a right on to Henry Street in order to get over to the Atlantic Street improvements and the Urban Transitway.

"When we first raised that as a concern, the developer said, 'we'll just acquire the property and make Pulaski Street a straight accessway.' Well, the problem is that is Holy Name Church, and the Holy Name Rectory, and I don't think we are going to be, any time soon, condemning Holy Name or its rectory. So, that is not really a possibility, and if you abandon the Henry Street section, you are in essence saying that you want anybody coming from Waterside to come over the Pulaski Street bridge, and there is a T there, and you have to make a left on to Washington Boulevard and then a right on to Atlantic Street.

"It is the logical place for a bridge to be. Now, what arguments are against that? Over the last couple of weeks, I have heard a couple of arguments that say, Number One, if you put the bridge at Henry Street, you are actually creating a straight line down Henry Street and encouraging traffic to come all the way down Henry Street so that it goes by residential development. Well, whether the bridge is at Pulaski or Henry, that is the only way to go anyway. If you cross Pulaski, the only way to keep going in an easterly direction, is to take the left on to Washington Boulevard and get on Henry. So, by putting the bridge at Pulaski Street, you haven't avoided the traffic going on to Henry Street, and the fact is they are not going to go all the way down Henry Street. And, they are not going to go to the new residential units at the Yale & Towne development because of the improvements at Atlantic Street connecting to the Urban Transitway, they are

going to down that short stretch of Henry on to Atlantic and down to the Urban Transitway. They are not going to go down this narrow Henry Street extension. The fact of the matter is, that is the east-west crossing now. It is the Urban Transitway into Atlantic on to Henry, and what we are going to do if we abandon that stretch of Henry is eliminate the possibility of doing a straight line across that water. Our expert has pointed this out. We think the facts and the visuals make it clear.

“The other argument I have heard is that if you do a bridge at Henry Street, it has to be four lanes, and that is just too wide for this project. But the alternative is that the developer and the report of the administrator says that we will only have two lanes at Pulaski Street bridge. So, if you only have two lanes at Pulaski Street bridge, why can't we just have two lanes at the Henry Street bridge. At the end of the day, we are having two lanes on Pulaski Street, so I don't think that is the issue.

“Mr. Newman is correct. Everybody has kind of agreed, including your own traffic department and your own engineering department, in a number of memos that we will get into, that there should be some comprehensive effort to figure out how we are going to get east to west, and that hasn't been done. Our report clearly indicates one alternative, and if you discontinue Henry Street, that alternative is off the table as a possibility. I would like to submit for the record, several memos, in addition, which we think back up the reports that have been submitted by our expert. The first is a [June 24, 2007 memo](#), and I have copies for all the members of the committee and other members of the Board of Reps that are here. And, it indicates from Mani Poola, the City's Traffic Engineer, that new bridge across Henry Street will significantly minimize the traffic impacts of this development and benefit the traffic in the vicinity of the proposed development. And, he calls for a feasibility study to be done by the applicant about that bridge. That's never been done, and that's the City's traffic engineer.

“Next, in October of 2009, another of the City's experts, Josh LeCar, whose title is Transportation Planner, did a [memo on the Master Plan change](#) just a few months ago, and he said that there needed to be a developed program associated with this application, which takes care of the bridge, and in essence, it is the City's Engineering Department believed that the Henry Street connection remains an important consideration for future transportation between the Waterside and South End. That is your transportation planner, only a few months ago, indicating that the Henry Street crossing is probably one of the most important to be looked at.

“Likewise, Mani Poola sent another [memo in October of 2009](#), on Gateway's Master Plan change, where he said let's approve the Master Plan Change but let's preserve a right of way across their property for the Henry Street extension should the City need it in the future. And, okay, that was probably six or eight months ago. How about a few weeks ago, the Engineering Department of the

City of Stamford, on this very application before the Zoning Board, said that, 'as indicated in our earlier memos to the Director of Operations,' that 'any discontinuance of Henry Street requires the expansion and rehabilitation of the Pulaski Street bridge' (see [attached](#)). I don't know of any plans to expand or rehabilitate the Pulaski Street bridge, so how can we sit here tonight and talk about discontinuing a bridge when our own Engineering Department, about 5 weeks ago, said we shouldn't do that.

"We believe the record is very clear that, frankly, Henry Street ought to be in the mix for the east-west crossing, that it becomes very important, this is not a surplus piece of dead-end road that no one can or will use. Your own experts, our experts say it could be critical to the mobility and transportation solutions for the South End, and therefore, under your ordinance, I don't think the Committee or the Board can find it is in the best interests of the public health, safety and welfare to discontinue the street.

"Now, let's talk about the value. Number one. The report indicates that the ...

**Chair Day:** "I have been informed by my committee members that we have given you more than ten minutes."

**Mr. Cacace:** "I'll come back."

**Chair Day:** "Ok."

**Woman from audience:** "I haven't been called on, can I donate my ten minutes to Mr. Cacace? They do it in Congress. A lot of my points have been eloquently covered, and I would like to donate my ten minutes."

**Chair Day:** "I'll exercise my discretion and allow that. Go ahead. Finish up, Mike."

**Mr. Cacace:** "In the tradition of the capitol, I thank the gentle woman from Waterside."

"Number one. The report indicates that there is an appraisal for \$900,000 for this property. I guess I believe that. I know our city officials are honorable people, but here's the problem. My office went to get a copy of the appraisal, and we were told it is not available to the public under freedom of information. Now, it's true, there is an exemption under the Freedom of Information statute that says when there is a negotiation in the sale or acquisition of real estate and the municipality has an appraisal, you don't have to make it available. But, this is not a negotiation, this is a proposal to sell a municipal asset that belongs to the taxpayers. We went to get a copy of the appraisal, and we can't get it. Nobody in this room who is a public citizen, a taxpayer in the City of Stamford can get that. I don't know how you meaningfully review the appraisal if you can't get a copy of

it. So, I have a little bit of a problem with that. It's legal, I don't think it is in the spirit of transparency or what the ordinances here call for in terms of being able to comment intelligently on the value of this property. So, I did a little research.

"And, it appears to me that although it is valued at \$900,000, the only numbers I have heard the City collecting are \$500,000 and then they are getting some property. But, it is \$500,000. There are two problems with what is being proposed: number one, the value is wrong, and number two, the method of payment is wrong. The proposal that is before you is to take 22,000 sq. ft. of Henry Street, discontinue it and transfer it, and that 22,000 sq. ft. is supposedly valued at \$900,000. Do the math, and it comes out to about \$40/sq. ft. So, this is very interesting, we had some information before that I was unaware of until I came here tonight, and that was that the Lesperance parcel, there are these two outparcels that, quite frankly, will totally prevent the expansion of either Pulaski Street or Washington Boulevard to any meaningful extent, but there is a written offer that was submitted at \$1.6 million for the Lesperance parcel. The Lesperance parcel is 6,000 sq. ft. We are talking about transferring 22,000 sq. ft. If you just do the math, our site is about 3 ½ times the size of the Lesperance parcel, so if he was offered \$1.6 million, then the reality is then this parcel is about \$5.6 million. If you look at any of the other properties in the area, and what we did, because of all of this, was take a look at what the applicant or its predecessor paid for the parcels that are part of the site, and the simple fact of the matter is that they've paid, and we'll give you an analysis of all the parcels they have bought in this couple of block area, probably in the neighborhood of \$80/sq. ft., or double what we are being told our property is worth.

"But even more damning to the report is an exhibit that was submitted by BLT, the applicant and developer here, at Monday night's Zoning Board meeting. Because they put on the table Monday night what they said were the fair market values now of the two out parcels, and what they would be willing to pay for them, and there are actually footnotes that say that they are willing to pay certain amounts for two outparcels, and what they think it is worth. And, they think the Lesperance parcel is worth \$1 million. And, they think the Gillan is worth \$700,000. If you apply the math from those proposals, it is at least 3 times the value that is being proposed here, and we are talking in the neighborhood of \$3-\$4 million, the city's property, the taxpayer's property, ought to be worth.

"Now, some might say, well there are buildings on those and there is no building on the street. But, they weren't purchased for the buildings. None of the buildings that were on those other parcels are there now, they were all taken down. They are buying it for the dirt. So, bottom line is, we think the number is askew, and even if you decide to discontinue and transfer the street, maybe we can get the fair market value to pay for some of the other street improvements that need to be done.

“Final point, the creative constructive item. Virgil de la Cruz, who was 100% right, that in the road bed of Henry Street that we are talking about discontinuing, on the surface, there is nothing being constructed. He is right that on the surface there are 4 parking spaces. Underneath, they have a platform of parking. So, why can't we as a creative solution, not discontinue Henry Street but give the developer an easement under the street to build all the parking. Now, both of the commercial buildings are outside the road bed. All of the housing is outside the roadbed. In fact, in the roadbed is a road. Their road, their driveway. Why does it not remain a city street so that at least for the next generation, we have the possibility of crossing the Rippowam River where it is a straight line as opposed to having to jog from Pulaski to Washington to Henry to get from the east to the west.

“I'll conclude by simply saying that we don't think this application and this report meets the codes requirements for a discontinuance. We don't think the value is accurate. We would recommend that you vote against accepting the report that is before you, or, in the alternative, modify it so that we can transfer an underground easement for this builder. And, it is not just our idea. If you look at the reports submitted by Mani Poola, Josh LeCar, they both suggest that this is the right solution to this problem, and we agree with your city officials. Thank you.”

**Chair Day:** “Thank you, Mr. Cacace. Would you guys like to talk?”

**Rick Redniss:** “There are a lot of things to cover, and I would welcome questions. But, I am going to try to go through and highlight a couple of them that have been cited. You don't have all the information, and I think you may not want all the information and all the letters, but just to give you an example, before I go through the points that were made, you can go back and see other memos that have been written by the traffic people as this has been studied and studied and studied. And, here is one where it says. ‘the developers at their cost must develop construction plans, right of way acquisitions, construction specifications, acceptable to the City and implement,’ implement the realignment at Henry Street at Atlantic to conform to the concept plan, and so on. And that will mitigate the impacts of the vehicles travelling east on Henry Street at Atlantic Street. That is a memo from Mani Poola, our traffic engineer, and it has to do with Metro Green. It doesn't have to do with Gateway. That was not adopted. That same letter goes on to ask for other things, including other fair share contributions, which were argued against, rejected by Metro Green.

“There is a doctrine of fair share. So, Gateway is the last of the four corners: UBS, RBS and Metro. This is the last of the four corners. You go last, you are stuck with everything. This project should fix three railroad underpasses? Three, not just one, three of them. And on and on and on. But, that wasn't necessary for a 323,000 sq. ft. building right on Henry Street, right at Atlantic Street. This project represents more than its fair share, and it is the catalyst for solutions.

They have been down here. Gateway and Harbor Point have been down here for six years now, and they have accomplished what others in the South End didn't do for decades, and these problems have been there for decades. And, make no mistake about it. Pitney Bowes is wonderful. And, they are philanthropic and recognized throughout the City for that. And the Malkin family is a wonderful developer and a wonderful asset to the City of Stamford. They both happen to be wrong on this issue, and blaming this applicant, and holding up this progress for the City. They have done more to make these improvements. We are talking hundreds of millions of dollars of improvements.

“Let's talk about Henry Street. And, let's look at Henry Street in the context of traffic. Here is the site. Here is Pulaski Street. And, they are talking, we have, crossings here, the crossing here at Richmond Hill Avenue, which is being re-done, which I haven't seen it because it is under construction, I don't think it is four lanes. RBS is right here, they didn't have to pay for any of that, and the development went in first. You then have South State Street here, then the railroad and then Pulaski. If you look at it from futuristic planning ... if you look at it from the past and you use the Swan Report, from 1926 the Swan Report was written ... you come down, here's Exit 6, and you come down Selleck Street, and there is a clear shot right across to Atlantic Street. So, if you are doing futuristic planning, and you want to put a bridge in, why would you put a bridge closer to the congestion that you are trying to alleviate? Why would you do that? What possible gain do you get? And, so, and I am not suggesting that this bridge is any more feasible than this. We have Pulaski Street.

“I'd like to use another exhibit from the Waterside people, because as the Waterside people know, and certainly Mr. Boccuzzi is very aware of the time and effort that has gone into looking at creating a rotary and a route road system over on Greenwich Avenue and Pulaski Street. Now, if you look at this plan, and you look at, this is the intersection we are talking about, and if you put a bridge at Henry Street ...[end of tape 1]

### Tape 2 Begins Here

**Rick Redniss:** ...but it goes into right where the Mill River would be and it is right back into where the problem area is already. And, then it goes into the underpass and a 2-lane road. The width of the road at certain points ... if you have two travel lanes, and 11' lanes is ample, so a 23' foot pavement has two 11' lanes, easily. That's adequate for the traffic to move through. When you get to the intersections, that's when you flare out. And you can see that dramatically when you come off of I-95. You come off with one lane, and you flare out to four when you get to Greenwich Avenue, so you get a right, you get a left, and you have two through lanes because this is a one way street and you get two lanes going through, so you want to feed it. So, the key is what happens at the ends of the road, not necessarily what happens in the middle of the road.

“And if you’ll notice this, which was studied and worked on with the Waterside people, in terms of what happens, it has this circle and it goes to a two-lane road. They didn’t call for three, or four lanes in this direction, and they studied this ... this was a city project. And, our traffic engineer, Jim Ford, who is here tonight and was the traffic director in Stamford, has analyzed this turn-around, and this would operate at a level of Service A. Okay. And, so, there are solutions. The City has at least \$1.7, and maybe as much as \$2.0 in the coffers for that project. And, we also have another \$750,000 that was part of a Zoning Board condition on the development that is right up the street. It is in court right now ... and the economy is ... so it has got two reasons why it is not moving forward, but there are plans, there are funds, and there is a solution right over there.

“Also, if you read all the traffic reports, it is one thing to say 1,800 cars, can you imagine 900 cars going across Pulaski Street. There are not going to be 900 cars going across Pulaski Street. Go on I-95, go on the Merritt Parkway. In the morning, people are coming from the East, and in the evening, they are going East – that is where most of the traffic is. The traffic reports here, that have all been blessed by Mani Poola, show that it is 10%, maybe 12% of the cars at the peak hour are using Pulaski Street. So, it is impossible. You can conjure up a fear tactic and say that there is 900 cars, there is 70 cars at the peak hour. That’s a little more than 1 a minute is what the additional traffic will be. And the traffic reports show and the improvements show, that this project is mitigating its impact. It’s mitigating its impact. Everything else you are hearing are problems that have been there for a long time, problems that they asked Metro Center to fix, problems that are beyond Metro Center, problems that are beyond Gateway. So, do we take advantage of this opportunity and leverage it and get a lot done? That’s what we think you should do.

“And, in terms of the out-parcels, certainly you have to feel, to a certain extent on one hand, for the people with the out-parcels, because they were offered a lot of money ... we cannot substantiate that there was a bona fide offer at \$2.5 million, or whatever that was, for that property. I couldn’t, John couldn’t, but certainly it didn’t happen. Three of the people who spoke tonight, there were offers on the table, or offers under discussion, two or three years ago. Is there anybody in this room that thinks that properties are worth today what they were worth two or three years ago? Is there anybody here that would pay the same today that you would have two or three years ago. So, the reality is we don’t have Lowe Enterprises building its housing, we don’t have the Bello’s site, we don’t have a lot of development going on except for the South End because they are not realistic, they can’t pencil out, but this one can and does.

“And yet it gets criticized. It gets criticized for building commuter parking, so now let’s think about the commuter parking. 500 commuter parking spaces for free. Why wouldn’t we do that? There’s waiting lists, all the studies show you want to spread the commuters out, you want to give them different places to park, give

them different access to the train station, that is how you solve problems. You spread them out. Why would we want to not have that?

“If you look at the traffic studies, if you listen to Mani Poola and what he’s learned through this process. Commuters, when do they show up at the train station? If they are going to NYC, are they there at 8:00 in the morning or at 9:00 in the morning, at our peak hour? No, they are there early in the morning so they can get to work. And, when do they get home? An hour after work so they can get here, and the peaks are gone. So, those 500 spaces are an amenity, a \$20+ million, free to taxpayers amenity to reduce traffic issues at the train station and service the community, but we are being criticized for doing that.

“There are lots of things in here. This Board has got to consider the values, and many things were raised about the values. We have a situation where the City is getting 28,000 sq. ft. of land and right-of-way for the 22,000 sq. ft. it gives up. 28,000 vs. 22,000. We don’t care how you want to value the real estate. Value it any way you want – you’re giving 22 and getting back 28 – what difference does it make if it is \$40/sq. ft. or \$80/sq. ft.? You are getting back more than you are giving. Also, in terms of comparisons in real estate and some recent real estate deals and comparing this to what has happened in the Mill River Corridor in acquiring properties. I am not a lawyer, but our firm is surveyors, and we know a little bit about these things, and we have consultation with lawyers. And, our understanding of what the City of Stamford owns is an easement, a right over the dirt owned by Gateway, etc. The City didn’t acquire, didn’t buy that property.

“In 1900 there was a subdivision of an estate, that’s when that road was established on paper. The City didn’t pay for it. I was not around then, I can’t attest to this. We are making an assumption here, I want to make that clear, that the City did not pay to acquire that road, nor did they pay to improve that road. That was done by the people who developed it at the time. It is a very different thing than taking someone’s home, that they have to go relocate and taking back an easement. When was the last time anyone in this room went on Henry Street. I’ve been going around the South End now for decades; there was a lot of dumping on Henry Street. They took out three, four trailers-full of dumping on Henry Street. And, Maurice brings up several excellent points, and they are still talking, and we hope that something will be worked out in the near future with that. But, certainly I want to say on the record: Maurice came up with a good idea tonight. If it becomes necessary, they never had a driveway? They never had a driveway. John said tonight, we’ll give him a driveway, not a problem. We’ll give him access over the property so they can get to the back of their property, which they have never had before. Happy to do that, if they can’t in fact work out an arrangement for sale, which they are working on.

“So, the solutions are out there. This is the catalyst for solutions. It shouldn’t be the catalyst for extracting little pieces and tactics to try and delay this. And, unless there are questions, I don’t think I need to go through each and every

point. I hope that I touched upon some of the highlights and why this is in the best interests of the City from a variety of standpoints and will not cause the problems that people are talking about. They exist already. Thank you.”

**Chair Day:** “Thank you, Mr. Redniss. I would hope that you would consider staying with us during the Committee’s deliberations. Okay, is there anybody else from the public wishing to be heard? I know Mr. de la Cruz had not finished all of your comments, but you did give us the materials, which I am assuming contain most of the points you wanted to make. Excuse me one second, Mr. de la Cruz, yes sir?”

**Phil McKain:** “Because I would just like to ...”.

**Chair Day:** “Ok, you were not on our list, but I’d be happy to add you ... name and address, please.”

**Phil McKain:** “My name is Phil McKain. I am currently the president of CTE, the federally-designated anti-poverty agency for the area, and I am speaking as part of the South End Neighborhood Revitalization Zone. I am not on the list because I hadn’t planned to speak, but I thought that, given what Mr. Wooten had to say to the Zoning Board and speaking to some people late this evening, I thought that I would be remiss if I didn’t just say something on the neighborhood’s behalf. My mother told me to be careful about getting in grown folks’ business, but I just want to go on record as Mr. Wooten did, these problems in the South End have existed for a very long time.

“This neighborhood, the South End Neighborhood Revitalization Zone, worked very hard over a number of years to begin to address what they would like the South End to look like. On my wall in my office is the first Neighborhood Redevelopment Plan for the South End that we did under the auspices of the Stamford Enterprise Zone, which I was chairing at the time. And, we had three parts, we had bringing in the businesses, the tax and the job development, and we also had neighborhood improvement. And, we brought in consultants, worked with the neighborhood, and tried to work out things. Now, this has been, my God, since 1995, 1996, this has been a long time that the neighborhood has been working.

“So, I just want to be on record to let you know that whatever you do, don’t do anything that will block the hard work of the ordinary residents of the South End to move things forward. Linda Cannady is here tonight, she is the board of rep member, she can testify to the fact that the neighborhood worked hard on these issues. We looked at traffic, we looked at land use, we looked at housing – all of this, and now we see some progress being made, and we just don’t want, as Mr. Wooten said the other night – you know, the giants and the titans and everybody fighting, and the progress toward job creation, because that is what the

neighborhood is concerned about, and housing and, you know, pedestrian-friendly neighborhood, to be lost in this whole issue.

“So I know that my little voice tonight is not about all of this grand design, it is about remembering that there are people who worked hard to bring this about. We support this. We have worked with all of the developers, every developer in the South End, we have worked with them all along, so we don’t come in here taking sides with developers. We work with developers to meet our needs. This particular project meets the part of the plan that in fact the neighborhood talked about. We need jobs in the community and we need housing in the community, and we need a neighborhood that is pedestrian-friendly.

“Everything you see, for example, in the South End ... for example, if you look at that parking garage, that comes in from Atlantic Street, there, the façade that exists and how that looks now – that would not have looked that way if not this neighborhood says, ‘this is the way we want it to look,’ because they were going to put up a prison-wall looking transportation garage. So, that’s just an example. So, we look at everything in that community, and so, I just want you to know that whatever you do, don’t mess up the plan. Okay? All right.

**Chair Day:** Thank you, Phil. Anybody else in the public portion to be heard at this point?” Mr. de la Cruz, did you want to make any further comments or can we rely on the material you submitted?

**Mr. de la Cruz:** I would like to emphasize certain items, and I will try to move very quickly.:

**Chair Day:** “Ok, can we do it in 5 minutes, do you think?”

**Mr. de la Cruz:** “Oh, absolutely.”

**Chair Day:** “Very good, thanks.”

**Mr. de la Cruz:** “Oh, I thought you were taking a 5 minute break.”

**Chair Day:** “No.”

**Mr. de la Cruz:** “First, I echo and want to emphasize the comments of this gentleman. We don’t want to mess up the plan. I am all for this plan, but I do have constructive observations and recommendations. That forced plan is messing up the plan. Okay. I wanted to continue, but I wanted to continue the flaws that are embedded in it. It’s sort of a public health, safety and welfare, the need for a second crossing at Henry Street talks specifically to that. We all know the shortcomings of Pulaski have been detailed ad infinitum. We need a second crossing to 1) as was stated earlier, the need to diffuse the traffic, not force it all into one roadway; second, we spoke about first responders and what happens as

has happened to me when Pulaski Street is closed because of an accident or at one of those bulk carriers dumps its load, what will first responders do? Look at the Gateway site. This is a post-911 world. What if there is an emergency and we need to evacuate that side or get to it in a hurry, and it has only one main entry point? Why deny the inhabitants of that site the option to head east if the west side is closed or vice versa? Why confine them to only one exit point? I don't want to mess up the plan, I want it to be a brilliant plan, and the plan, this plan that Richard had on the board, with crossing over Henry Street was brilliant, because it built on this traffic circle to then diffuse this traffic even further.

"I'll try to rush through the rest, but the last but not least comment, I live on Waterside, and I like to frequent places on the South End, and right now, we are constrained by one crossing. And, roadways are the fabric that knit a city together. Why abandon for all generations the option to knit the city closer and close down Henry Street? I can't divine the future, but for that reason, I'd like to keep my options open.

"I envision a beautiful bridge over that crossing, one that will enhance the Mill River experience, a graceful archway, a ribbon roadway, and even suspended cables holding the roadway, it could be a beautiful icon for the city and fulfill all of these practical needs. So, I hope you take into consideration the public health and welfare and don't approve this report. Thank you so much for your attention."

**Chair Day:** "Thank you, sir. Mr. Zelinsky."

**Rep. Zelinsky:** "Thank you, Chairman Day, through you, if I could ask a question of Laure. She had mentioned that ..."

**Chair Day:** "With all due respect, the committee members haven't even begun to debate, yet."

**Rep. Zelinsky:** "Well, this is for the public hearing, but ..."

**Chair Day:** "No, your question is appropriate, but not yet."

**Rep. Zelinsky:** "Thank you."

**Chair Day:** "Is there anybody else from the public wishing to be heard?" Seeing no hands, I hereby am closing the public hearing. Okay, I am going to suggest we take a 5-minute break, and the Committee will begin deliberations. Is that agreeable? I think we'll stay here. We are going to take a 5-minute recess, and then we are going to resume."

"Okay, I am going to call the meeting back to order here. The public hearing is closed, and the committee can commence deliberation here. Just to revisit where we are, we can vote tonight, if the Committee so elects, to approve the report of

Director of Administration. We are not able to vote yet on whether to take the final step of directing the discontinuance of this portion of Henry Street, because while the Planning Board acted unanimously in favor of it, and has so indicated with its report that we have in our files, the Board of Finance has indicated that it wants to take at least another month on it. My feeling is that if we are comfortable with the report of the Director of Administration that we should take that step, and kind of clear the path toward a final analysis of the final issue. If we are not comfortable with that yet, then we don't do that. That would require us as a board to sever the current resolution into two separate resolutions. So, I think maybe the threshold discussion is maybe the committee's feeling about whether we have enough information as far as the Director of Administration's report.

"The other thing I would like to point out, and we can also discuss the final discontinuance, we just don't have the ability to vote for it. If you look at the Charter provisions and you look at the ordinance, I feel that the primary responsibility of the Board of Representatives, and of the Board of Finance, is to evaluate the economics of the transaction, and that is the Report of the Director of Administration. We do have a responsibility to consider the overall context of the public health and safety, welfare, convenience or necessity. That is in the Charter and that is in the ordinance. But, the real focus of our investigation really has to do with the economic deal, if you will, that was recommended by the Director of Administration, not altered by him after public hearing, and incorporated in the Mayor's Report. That is kind of the essence of our public policy debate. Now, that isn't to say we can't consider traffic issue, overall development issues in the South End, not to say we certainly can't consider the well-articulated positions of the Malkins, who I personally have a great deal of respect and a lifetime association with. And, also the views of Pitney Bowes, who has been one of our leading corporate citizens. All of those things are germane.

"However, when it comes to weighing in great detail issues of traffic, that is the function of the Zoning Board, that is not the function of the Board of Reps, and it is most certainly not the function of the Board of Finance. It is more the function of the Board of Reps than it is the Board of Finance. But, it is still the function of the Zoning Board. If you look at our Charter and you look at our Code, that is how I see it. So, we can look at the issues of traffic. I think we all have a legitimate concern here, but I ask myself the question, 'who has the most at stake right now in the City of Stamford in terms of making sure there isn't a traffic nightmare at the location of this development?' That would seem to me to be the company that is doing hundreds of millions of development just south of there. So, that, to me is something to consider.

"I am going to entertain other people's opinions, but I just want to make a couple of observations. I think the City's presentation tonight was very compelling, and I think it was extremely professional. This is not the first administration to support

this project, this is the second administration to support this project, and I think there is an aspect of bipartisan support here. “Secondly, the neighborhood is extremely supportive of the project. I hope Linda Cannady is still, she’s gone. Linda Cannady and Terry Adams, the representatives, have both indicated to me their strong support of the project.

“I think with that introduction, I am going to entertain comments or questions from the committee members, and I would like to have some input as to whether they think we should sever the resolution.”

**Rep. Summerville:** “I think I was up first, I don’t think you saw my hand, but I was up first. Is that okay?”

**Chair Day:** “Yes, Ms. Summerville.”

**Rep. Summerville:** “Thank you, Mr. Chairman. Wow, this one is complicated. It has almost made me sick because I have never heard such good arguments on both sides. When I look to my right, I see friends. When I look to my left, I see friends. And, I look in the center, and I see more friends. So, I can hardly sleep. So, the only way I soothe myself is by listening to Tina Turner who sings: ‘What’s love got to do with it?’ Mr. Chairman, I say all that to say this – the seriousness of this issue before us tonight is that we need more deliberation. I don’t see myself voting for or against it, but I do see myself talking about it more. Just tonight, we received a massive amount of information, and lots of it is new information – on both sides. In order to justice to this particular application, I think we need to talk as a Board. And, I don’t mean talking about what our jurisdiction is, we all know that. The Board of Finance truly knows its position, they should if they don’t. With your help, we can explain it to them. So I say that to say this – I would like to see us hold it, if you see the necessity of accepting the Director of Administration’s report, then you haven’t sold me yet, but I will listen. So I say all that to say I would like to have it held it in Committee.

“The Board of Reps, as you know, didn’t have to have this public hearing. We did it because this is what we do – we try to make sure that everybody is satisfied, questions are asked, answers are given, compromises are made, and that is the beginning of what Harry did, even though I was against it. Harry did the right thing to have this public hearing even though we didn’t have to have it. I think we are going to work swiftly, and we are going to resolve it. Some people will be happy, and some people will be unhappy.

“I want to talk to Pitney Bowes – who is here from Pitney Bowes? Okay. You weren’t here, but I was here. Pitney Bowes has been in Stamford a long ... I can look at you and tell you that, you don’t have all this stuff I have ... I have some confusion that I need to talk to Pitney Bowes about, and I am sure you have some answers. And, I need to reflect on the City’s part of it. So, that is my position that I think we should hold it and talk about it. I don’t know if it should

take a month, I don't know the urgency of the project – for me, it has been with me for a lifetime, it seems like, so I'd like to get it over with to the point at least get something done either way, so I don't know how the other committee members feel, that's the way I feel. Unless there is some urgency I don't know about."

**Chair Day:** "Mr. Boccuzzi."

**Rep. Boccuzzi:** "Mr. Chairman, I agree with Annie. This evening, we probably received more information from both sides of the argument, and I, for one, have to digest both sides of the argument tonight. I would like to have in my hands the report from the administration that was given to us right at the beginning. There are some questions about two parcels that have not been purchased yet, and I would like to see some advancement for those two parcels. I'd like for the committee to really understand both sides of this argument. If you only heard one argument, you would vote with that person – it depends on what side you heard, but I really can't vote, Mr. Chairman, tonight, for or against this particular proposal. You had mentioned something about breaking it down into two resolutions, if you would explain that a little more, it could be agreeable, but the part that really says yes or no tonight, I am not ready to vote. I am only one person, and I appreciate what the rest of the committee feels. I also appreciate everyone who spoke. I think we had good speakers tonight on both sides of the question. It is just that I don't feel prepared tonight to vote on the final action."

**Chair Day:** "Okay, as usual, Mr. Boccuzzi speaks with a great deal of wisdom. We are not able to take the final step tonight. The Board of Finance has to act before we can act. So what we can do tonight is to vote on approving the report of the Director of Administration, which is to say that the swap of the square footage and the contribution of the \$500,000 toward the resolution of the Atlantic and Henry Street intersection is a deal that, if you will, that we can agree with. And, I haven't really heard anybody, actually, well, I take that back ... I think Mr. Cacace suggested that maybe we should be getting millions rather than hundreds of thousands. The reality is if you look at the prior deals, including the ones with Malkin properties, I think my own view is that this is a deal that is very beneficial, extremely beneficial, to the City of Stamford. So, that is what we could do, and in my opinion, it is also sending a message that the Board of Reps is discharging its responsibility in, at least in that limited way, in a way that the Board of Finance seems disinclined to do. But, we will not be directing the discontinuance of the road tonight."

**Rep. Boccuzzi:** "In other words, what you are saying is that we accept that report from the administration. That's the problem I have. I would like to have that report in my hands."

**Chair Day:** "It was in the materials."

**Rep. Boccuzzi:** “Yes, but I am not ready to vote on it, because, let’s face it, it was a long report, it was a lot of figures, a lot of assessments, and there is no way that I could do tonight, just accept it and say, ‘okay, we’ll accept that,’ but we are sure not going to work on the other half of the equation. We can get that report so that our committee members could read it, I would be willing to even ... if you were willing to call another meeting ... you know, just to discuss that particular thing. It is very important that we do it right, it is very important that we all understand what we are going to do. I am only one person, but that is my personal feeling. Thank you.”

**Chair Day:** “Anyone else on the committee have any feelings one way or the other? Anybody on the committee wish to speak here?”

**Rep. Kaufman:** “I think what John is referring to is Ms. Aubuchon’s report that she stated. I think that is what John is referring to, as well, is to have that. I know Ms. Aubuchon made some very good comments in her statement, and I think that is what we are referring to. But, I think Mr. Flynn’s report, the Director of Administration, we have that report, but I think Ms. Aubuchon made some very good points as well. And, I think that is something that should be distributed to the Board as well.”

**Chair Day:** “Representative Zelinsky.”

**Rep. Zelinsky:** “Thank you, Chairman Day. First I would recommend that any material that was handed out today to your committee be also forwarded to all of the other board members so we could all deliberate on it. And, second, my personal opinion is after listening to both sides, I would strongly recommend that your committee hold this for one month at least because this is a very important decision that your committee and the rest of the board has to make, and there has been some items that have come up. I respectfully disagree when you say the traffic shouldn’t be a part of it. Our job as representatives are to represent our constituents, and constituents need to realize that the traffic and roads in Stamford are good and they can get around the City of Stamford. Over the years, you could get from one place to another in five or ten minutes, now probably take 20 minutes to a ½ hour, and with this big project and development and so forth and bridges and everything else, I think we have to think very carefully and very clearly before we make a decision that would have an adverse affect on our residents. Thank you, Mr. Chairman.”

**Chair Day:** “Just by way of clarification. Traffic is an issue. If closing of this roadway in and of itself is making a difference to the traffic, I couldn’t agree with you more. It’s the development, not the closing of the roadway, that is creating a traffic issue, and that is the subject of the Zoning Board, which has got this project in front of it. Okay? We are voting on the discontinuance of a roadway.”

**Rep. Summerville:** “Mr. Chairman?”

**Chair Day:** “Yes, Miss. Summerville.”

**Rep. Summerville:** “I so move.

**Chair Day:** “You are moving not to act on the matter, but you are moving to hold it.”

**Rep. Summerville:** “Correct. I do want the record to show that it is because there is more information needed.”

**Chair Day:** “Okay, there has been a motion and a second to hold the item. All in favor? The motion has been adopted. We’ll pick it up again next month. Thank you all very much.”