

**MINUTES OF THE SPECIAL MEETING/PUBLIC HEARING**  
**CITY OF STAMFORD, CONNECTICUT**  
**URBAN REDEVELOPMENT COMMISSION**  
**MONDAY, JULY 11th, 2011**

1. At 6:04pm, Vice Chairman James I. Nixon called the special meeting to order. The following were in attendance:

Commissioners:

James I. Nixon, Vice Chairman  
Joel P. Mellis, Secretary/Treasurer  
Jackie Heftman  
Christopher D. Meek

Staff:

Rachel Goldberg,  
Interim Director & General Counsel  
Durelle Alexander

Absent:

Stephen C. Osman, Chairman

Attendees:

Milton Puryear, Executive Director,  
Mill River Collaborative

2. Public Hearing

(a) **Resolution to Consider the Acquisition by Eminent Domain for Real Property for the Mill River Corridor Project** – Vice Chairman Nixon declared the Public Hearing open at 6:05pm. Attorney Goldberg said, “Pursuant to Connecticut General Statutes Section 8-127(a), the Commission as the City’s redevelopment agency must hold a public hearing prior to approving the acquisition of property. This property is proposed to be acquired pursuant to the Mill River Corridor Project Plan which was initially approved in 2001 and has been amended from time to time thereafter. The property in question, located on 16 West Park Place, is designated in the Plan approved by the Commission and the Board of Representatives as an acquisition parcel. The use of the property will be to incorporate it into the Mill River Park. Eventually it will become dedicated as part of the larger park. In accordance with other statutory requirements, we have obtained two independent appraisals, one from the firm Wellspeak, Dugas & Kane in Cheshire, and the second from Cushman & Wakefield, which has a local office here in Stamford. We are required to take the two appraisal reports, one of which values the site at \$550,000 (five hundred fifty thousand dollars), and the second which values the property at \$440,000 (four hundred forty thousand dollars) and average the two figures. The average is the price that we are to offer the property owner. I have reached out to the property owner, Robert Weiss, who many years ago owned an insurance company just next door to this site. He has been provided with copies of the two appraisals and we have discussed potential settlement figures. Mr. Weiss has not obtained an appraisal report on his own and he is looking at value on the basis of the current City tax assessment, which was performed quite a few years ago at a much higher point in the market.” Attorney Goldberg continued, “Under zoning at the moment, that property cannot sustain a development because it doesn’t have sufficient frontage. If it could be developed, the highest and best use would be to either get a variance from zoning regulations or combine it with some other property to build three residential units.”

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Attorney Goldberg reported that notice of this public hearing was sent to the property owner by certified and by regular mail; further, that notice was hand delivered to all property owners within one hundred feet, which is the City of Stamford; and, a legal notice as required by statute was published in *The Stamford Advocate* on Wednesday, July 6, 2011. Attorney Goldberg said, "If the Commission wishes to proceed with the acquisition, the draft resolution before you has a whole series of findings that you would be required to make (copy attached as part of these official minutes). This will be the first acquisition of property under the Mill River Corridor Project Plan.

Commissioner Mellis asked, "The use of eminent domain – are we exercising this process because the owner has indicated a reluctance to negotiate with us?" Attorney Goldberg responded, "No. He agreed to negotiate but his current proposed sales price is substantially higher than even the higher of the two appraisals. Once Mr. Weiss obtains an appraisal report, notwithstanding where we are in the acquisition process, I will have something against which to negotiate and I am hopeful we will reach an amicable agreement."

Commissioner Heftman asked, "Has the Board of Representatives already approved this acquisition?" Attorney Goldberg responded, "Yes. When it approved the Mill River Corridor Project Plan, it specifically approved this acquisition by eminent domain."

Milton Puryear, Executive Director of the Mill River Collaborative, addressed the Board on behalf of the Collaborative. He said, "This is the last parcel that we need for Phase I, the phase that we hope to begin construction on by September of this year. After this, we will have acquired all of the main parcels in Phase I. This parcel is right in the middle of the part that's being built, right on the promenade as you come in on West Park Place. West Park Place will no longer be a street and will become the pedestrian promenade. We have to buy this property in order to accomplish this. It is key to the project that we make the acquisition. This property also has easements to Whittaker Place, as well as to West Park Place, which would further hinder the ability to build the park."

There being no further questions from the Board and comments from the public, Vice Chairman Nixon declared the public hearing closed at 6:26pm.

### 2. Mill River Corridor Project

(a) **Review/Approve/Reject Draft Resolution** - Attorney Goldberg pointed out on Page 2 of the draft resolution five specific findings, three of which correspond specifically to findings in the statute: (i) The benefits to the public and any private entity that will result from the project outweigh any private benefits; (ii) The current use of the real property cannot be feasibly integrated into the overall plan; and, (iii) The acquisition of the property by eminent domain is reasonably necessary to successfully achieve the objectives of the plan. She said, "It is important to note, in the fourth finding, that there is no relocation required, that no families or businesses will be displaced by the acquisition of this property. In the fifth and final finding, it is important to clarify this is not a tax related redevelopment activity."



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Attorney Goldberg noted that if the Commission were to approve the resolution, it would be necessary to publish notice of the approved acquisition by eminent domain in *The Stamford Advocate* within ten (10) days.

Following discussion, Commissioner Heftman made a motion to adopt the resolution to acquire property located at 16 West Park Place for the Mill River Corridor Project by eminent domain. The motion was seconded by Commissioner Mellis and carried by unanimous vote (4 in favor, 0 opposed).


3. Personnel

Attorney Goldberg reported that the URC's bookkeeper, Nicole Vartuli, had been hired in April of 2009, worked all of 2009/10, and was therefore eligible for a 3% cost of living increase for that year. She noted that she spoke separately with each Commissioner requesting authorization to give Ms. Vartuli the cost of living increase. She reported further that all five Commissioners verbally approved the increase. Commissioner Meek made a motion to ratify the verbal authorization to increase Nicole Vartuli's salary by 3% retroactive for FY2009/10. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

4. Adjournment

Having completed the business for which this special meeting was called, Commissioner Mellis made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 6:45pm

Respectfully submitted,

  
Joel P. Mellis  
Secretary/Treasurer

**RESOLUTION NO. 438**

**RESOLUTION OF THE CITY OF STAMFORD, CONNECTICUT URBAN  
REDEVELOPMENT COMMISSION APPROVING AND AUTHORIZING THE  
ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FOR THE  
MILL RIVER CORRIDOR PROJECT**

WHEREAS, the City of Stamford, Connecticut, Urban Redevelopment Commission (the "Commission") has been empowered by the City of Stamford, pursuant to the Code of Ordinances of the City of Stamford, and by Chapter 130 of the General Statutes of the State of Connecticut to prepare, propose, approve and carry out redevelopment and urban renewal plans with the City of Stamford; and

WHEREAS, acting pursuant to such authority the Commission on October 11, 2001, approved the Mill River Corridor Project Plan, and at various times since said date has approved amendments to and minor modifications of said Plan; and

WHEREAS, on November 7, 2001, the Board of Representatives approved an Urban Redevelopment Plan for the Mill River Corridor Project (the "Plan"), and at various times since said date has approved amendments to and modifications of said Plan; and

WHEREAS, pursuant to the requirements of Connecticut General Statutes §8-128 the Board of Representatives authorized the acquisition of certain property in the Mill River Corridor Project area when it approved the Plan; and

WHEREAS, the real property in the Mill River Corridor Project area located at 16 West Park Place (the "Property") is necessary for inclusion in the park to be created as part of the Mill River Project (the "Project") and Plan; and

WHEREAS, pursuant to the requirements of Connecticut General Statutes §8-129 the Commission had two independent appraisals conducted on the Property in accordance with said statute; and

WHEREAS, the Commission has provided copies of the two independent appraisals to the owner of the Property; and

WHEREAS, the Commission has attempted, unsuccessfully, to negotiate an arm's length agreement with the owner of the Property; and

WHEREAS, the Commission now wishes to proceed with the acquisition by eminent domain of the Property; and

WHEREAS, the Commission has considered the benefits to the public and any private entity that will result from the Project and determined that the public benefits outweigh any private benefits; and

WHEREAS, the Commission has determined that the current use of the real property cannot be feasibly integrated into the overall Plan; and

WHEREAS, the Commission has determined that the acquisition of the Property by eminent domain is reasonably necessary to successfully achieve the objectives of the Plan; and

WHEREAS, members of this Commission have personal knowledge of the Mill River Corridor Project Area and particularly the portions thereof affected by this acquisition; and

WHEREAS, the Commission and the Board of Representatives have previously determined that it is in the best interest of the City of Stamford to approve the acquisition by eminent domain of the Property; and

WHEREAS, the Commission has held a public hearing on July 11, 2011, after mailing notice of the public hearing to the property owner and all property owners within 100 feet of the Property and publication of notice of the public hearing in the local newspaper on July 6, 2011 to authorize the acquisition by eminent domain of the Property.

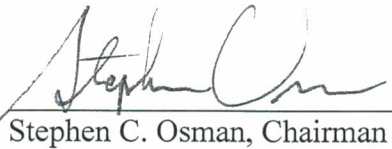
NOW, THEREFORE, on the basis of the evidence in its possession and personal knowledge, the City of Stamford, Connecticut Urban Redevelopment Commission, does hereby find, declare and resolve that:

1. The benefits to the public and any private entity that will result from the Project outweigh any private benefits.
2. The current use of the real property cannot be feasibly integrated into the overall Plan.
3. The acquisition of the Property by eminent domain is reasonably necessary to successfully achieve the objectives of the Plan.
4. No families or businesses will be displaced by the acquisition of the Property.
5. The acquisition of the Property is not for the purpose of increasing local tax revenues.

NOW, THEREFORE, be it resolved by the City of Stamford, Connecticut Urban Redevelopment Commission, that:

1. The acquisition by eminent domain of the real property in the Mill River Corridor Project Area located at 16 West Park Place is hereby approved.

2. Notice of this approved acquisition by eminent domain shall be published in a newspaper having a substantial circulation in the municipality not more than ten days after such approval.
3. The property owner will be advised of his rights and will be provided with the form pursuant to the provisions of Connecticut General Statutes §8-127a.



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Stephen C. Osman, Chairman

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July 11, 2011  
Date



**CITY OF STAMFORD, CONNECTICUT, URBAN REDEVELOPMENT COMMISSION**

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**SPECIAL MEETING**  
**PUBLIC HEARING**

The City of Stamford, Connecticut, Urban Redevelopment Commission, will hold a special meeting/public hearing in the Commission Offices on the 9<sup>th</sup> Floor of the Stamford Government Center, 888 Washington Boulevard, Stamford, Connecticut, on Monday, July 11, 2011 at 6:00pm.

**AGENDA:**

1. Roll Call
2. PUBLIC HEARING:
  - (a) Resolution to Consider the Acquisition by Eminent Domain of Real Property for the Mill River Corridor Project
3. Mill River Corridor Project
  - (a) Review/Approve/Reject Resolution
4. Personnel
5. Adjournment