

**MINUTES OF THE REGULAR MEETING**  
**CITY OF STAMFORD, CONNECTICUT**  
**URBAN REDEVELOPMENT COMMISSION**  
**THURSDAY, APRIL 14, 2005**

1. At 6:04PM, Chairman Stephen C. Osman called the regular meeting to order. The following were in attendance:

Commissioners:

Stephen C. Osman, Chairman  
James I. Nixon, Vice Chairman  
Joel P. Mellis, Secretary/Treasurer  
Neal M. Jewell  
Edward J. Fuhrman

Staff:

Laszlo Papp, Executive Director  
Rachel Goldberg, General Counsel  
Durelle Alexander

Commissioner Nixon made a motion to address the agenda items out of order. The motion was seconded by Commissioner Jewell and carried by unanimous vote.

5. Mill River Corridor

- (a) **Archstone Quarterly Report/1050 Washington Boulevard** – Chairman Osman, prior to inviting Land Use Consultant Rick Redniss to speak, noted that he and Commissioner Mellis had met with Mr. Redniss and Archstone representatives Jim Dunlop and Anup Misra prior to the Commission meeting. Mr. Redniss said, “We are here for our third quarterly report with what we think is exciting news because the Commission has asked us to investigate not only building the project as the rental that it was approved for, but also to see if we could do it as a condominium as a way of accelerating getting this project built. Archstone has spent the past six months going on two parallel tracks. They have completed their construction documents and submitted them to the Commission to review/approve for consistency so they can continue on with getting their building permits. They have also identified and have a handshake agreement with someone who will build this proposed project as a condominium. The difficulty in finding someone to do this was in finding someone to build the same building to avoid having to go back through the original approval process.”

Mr. Redniss continued, “There is no question that condominiums pencil out better than rentals at this time but there are certain issues in terms of the present agreement that we need to work through. The below-market-rate units are a big complexity because the zoning for this property requires 6% affordable (15 units) and the zoning allows for units to be on-site, off-site, fee in lieu, a variety of options. The Mill River Plan and the LDA were negotiated differently, after the zoning, and went to 9%, part of which included three tiers of affordability – 25%, 50% & 60% of median income. Part of doing the extra affordable units was Section 8 Certificates and/or tax abatement so that from a cash flow standpoint, the 25% of median units to the owner renting them felt like 50% units. Then they basically had 50% units and 60% units but more of them, and that was the deal that was struck. How you translate that into a ‘for sale’ condominium is a very difficult issue that we just began discussing at our earlier meeting.”

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Mr. Redniss concluded, "We are hopeful that with another six month extension (from May 22, 2005), we will be able to evaluate what changes are needed and determine if they are significant or insignificant, which will control the timeframe." It was noted that if the changes were significant, modifications might be needed to both the LDA and the Mill River Corridor Project Plan. Discussion continued. Mr. Redniss noted that some of the earlier discussions focused on "what would the penalty be if Archstone were granted a third extension and did not deliver." He said, "What we have come up with in terms of a penalty is that if they do not deliver on time, they would provide an off-site below-market-unit."

Following discussion Mr. Redniss, on behalf of Archstone, formally requested an extension of the start of construction to the later date of either six months from May 22, 2005 or ninety days after the modified LDA is executed. Following further discussion, Commissioner Nixon made a motion to authorize the six month extension as requested, with the following penalty for non-performance – if the project is not under construction in nine months from May 22, 2005, one below-market-rate unit at 50% median income will be provided by the developer off site. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

**5. Mill River Corridor**

- (b) **19 Stillwater Avenue/Presentation of Revised Plans** – Prior to the presentation, Chairman Osman disclosed for the record that, some time ago, he had appeared before Judge Gerald Fox in Probate Court.

Judge Fox, representing property owners Edith Caporizzo, Frank Vallerio, Rachel Collier and Ralph Campana (19 Stillwater Avenue, LLC), said the applicant was seeking approval to construct six (6) units of residential housing on a parcel consisting of approximately 12,000 square feet. Each of the units would provide approximately 1750 square feet of living space together with a two (2) car garage. Site plans, elevations, floor plans and landscape plans were distributed to the Commissioners for review prior to the meeting. Judge Fox noted that the project would be "completely residential." The property lies in the CB Zone, and the Zoning Board of Appeals has granted a variance to permit residential use in lieu of business/retail use on the site.

In addition to seeking design approval from the Commission, Judge Fox said that they would also need three waivers re: the Mill River Corridor Plan, outlined as follows:

Waiver of Section 402b1(i) to allow for an area of 12,378 square feet in lieu of 30,000 square feet because the applicant is not seeking any density enhancements or other additional bonuses.

Waiver of Section 402b1(ix) to allow the principal entrances to the rear building of the proposed project to not abut a public sidewalk due to the unusual configuration of the parcel of land precludes having a public sidewalk in the rear.

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Waiver of Section 402c to provide the site with not less than 12% of its residential units as below-market-rate affordables. With only six units in the proposed project, Judge Fox explained that “the affordability aspect of the Mill River Plan would impose a hardship on the applicant.” He said, “In lieu of the BMR unit, the applicant would be willing to make a cash contribution toward affordable housing in the City of Stamford in an amount not-to-exceed \$30,000 (thirty thousand dollars).”

Executive Director Papp noted that there had been three separate reviews of the facades; further, that his suggestions had been implemented and improvements to the original design had been made. The project will be completely contained, with six-foot timber fencing around the exterior toward the neighboring properties. All six units will be 1750 square foot townhouses selling in the \$400,000 range. When asked what was on the property now, Judge Fox responded, “A 100+ year old dilapidated structure with two vacant stores and three vacant apartments.” He said, “Removal of the existing structure will greatly improve the area, which consists of many well-kept residential properties.”

Discussion continued with regard to the applicant’s request to waive the affordability requirement. Attorney Goldberg said, “The language drafted in the Mill River Corridor Project Plan is very specific and the URC does not have the authority to waive this requirement.” Attorney Goldberg suggested that a possible solution might be for the developer to own a unit and rent that unit to a Section 8 eligible tenant. Following further discussion, Commissioner Fuhrman made a motion to approve the 19 Stillwater Avenue, LLC design documents prepared by Corey Jackson as submitted on this date and grant the applicant’s request for waivers 402b(i) and 402b(ix) for the reasons discussed during the presentation, subject to the applicant’s resolution of and compliance with Affordability Section 402c in the Mill River Corridor Project Plan. The motion was seconded by Commissioner Jewell and carried by unanimous vote.

### 2. Approval of Minutes

- (a) **January 13, 2005 Regular Meeting** – Commissioner Fuhrman made a motion to approve the minutes. The motion was seconded by Commissioner Nixon and carried unanimously.
- (b) **February 15, 2005 Special Meeting** – Commissioner Fuhrman made a motion to approve the minutes. The motion was seconded by Commissioner Jewell and carried unanimously.
- (c) **February 22, 2005 Special Meeting** – Commissioner Mellis made a motion to approve the minutes. The motion was seconded by Commissioner Jewell and carried. Commissioner Fuhrman abstained.
- (d) **March 2, 2005 Special Meeting** – Commissioner Nixon made a motion to approve the minutes. The motion was seconded by Commissioner Mellis and carried. Commissioner Fuhrman abstained.
- (e) **March 8, 2005 Special Meeting** – Commissioner Fuhrman made a motion to approve the minutes. The motion was seconded by Commissioner Nixon and carried. Commissioner Jewell abstained.

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- (f) **March 15, 2005 Special Meeting** – Commissioner Fuhrman made a motion to approve the minutes. The motion was seconded by Commissioner Jewell and carried unanimously.
- (g) **March 21, 2005 Special Meeting** – Commissioner Mellis made a motion to approve the minutes. The motion was seconded by Commissioner Jewell and carried unanimously.
- (h) **March 29, 2005 Special Meeting** – Commissioner Fuhrman made a motion to approve the minutes. The motion was seconded by Commissioner Jewell and carried. Commissioner Mellis abstained.
- (i) **April 5, 2005 Special Meeting** – Commissioner Fuhrman made a motion to approve the minutes. The motion was seconded by Commissioner Nixon and carried. Commissioner Fuhrman abstained.

6. Southeast Quadrant

- (a) **Park Square West Phase II Status Report** – Attorney Goldberg reported that negotiations re: the amended Land Disposition Agreement (LDA) were continuing; further, that there were no substantial open issues. It was noted that Corcoran Jennison would not begin construction on Phase II until the URC garage opens.
- (b) **Block 9 Parking Garage Status Report** – Sub-Committee Co-Chair Fuhrman reported that the parking garage “is progressing forward, moving along on schedule within budget.” Sub-Committee Co-Chair Nixon reported that he is working with the Stamford Downtown Special Services District to address parking problems that may occur during construction. Chairman Osman reported that he had met with DSSD Director Sandy Goldstein and City of Stamford Operations Director Tim Curtin to discuss using \$15,000 of the bond money to print and circulate/mail notices to the public telling them where to park during construction. Executive Director Papp noted that applications for the two major permits, the State Traffic Commission and the Environmental Protection Board, are in the works.

7. Stamford Urban Transitway Project

Attorney Goldberg reported that the Board of Representatives had decided to delay its vote to acquire the properties for construction of the Transitway for a month in order to hold another Public Hearing. The hearing date is Tuesday, April 26, 2005 at 7:30PM.

9. Old Business

- (a) **Re-Use Parcel 36/Proposal from F.D. Rich** – Commissioners Mellis and Fuhrman reported that they have been working on finding a consultant to advise the Commission on what the 11,600 square foot parcel at the corner of Greyrock and Tresser is worth. Chairman Osman stated his belief that the offer price of \$600,000 is not fair market value. Discussion followed on how to proceed. Options for the Commission to consider included:

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- (i) Continue to look for/find a professional advisor outside our area to advise the Commission on the worth of the parcel;
- (ii) Obtain an independent appraisal;
- (iii) Authorize the Chairman to negotiate with F.D. Rich CEO Tom Rich about improving his offer as it relates to affordable housing, public art, the requested option period, the price and the developer's commitment to proceed;
- (iv) Deny the proposal and issue a new Request for Proposals (RFP); or
- (v) Negotiate a partnership with the developer in order to receive a percent of the gross return investment.

Attorney Goldberg noted that the Commission could pursue more than one of the above courses of action simultaneously. Commissioner Fuhrman noted that "for many of us, this design proposal exceeded our expectations of what we would have come up with, even though the price might be low."

Following further discussion, Commissioner Jewell moved to authorize the Chairman to negotiate with F.D. Rich (Tom Rich) while Commissioners Fuhrman and Mellis continue to work on finding a professional advisor prior to the next regular Commission meeting. The motion was seconded by Commissioner Fuhrman and carried by unanimous vote.

8. Agency Administration


- (a) **Personnel** – At 8:46PM, Commissioner Nixon made a motion to go into Executive Session to discuss personnel matters. The motion was seconded by Commissioner Mellis and carried by unanimous vote. Attorney Goldberg and Executive Director Papp participated in the discussion. No motions were made and no votes were taken. At 9:35PM, Commissioner Fuhrman made a motion to return to Open Session. The motion was seconded by Commissioner Nixon and carried by unanimous vote.

Action on the remaining agenda items was tabled.

11. Adjournment

There will be a Special Meeting on Tuesday, April 26, 2005 at 8:30AM. The next Regular Meeting is scheduled for Thursday, May 12, 2005 at 6:00PM. There being no further business before the Board, Commissioner Nixon made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 9:36PM.

Respectfully submitted,

  
Joel P. Mellis  
Secretary/Treasurer