

STAMFORD PLANNING BOARD
REGULAR MEETING
MINUTES, TUESDAY, October 1, 2013
4th FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chairperson, Claire Fishman, Roger Quick, Zbigniew Naumowicz, Jay Tepper, Michael Totilo, and Dudley Williams. Present for staff was David W. Woods, Ph.D., AICP Principal Planner, and Lou Casolo, City Engineer.

Mrs. Dell called the regular meeting to order at 7:05 p.m. Mrs. Dell requested a motion to move the "Additional discussion of the proposed License and Public Improvements" from number five on the agenda to number one on the agenda. The motion to revise the order of the agenda was made by Mr. Totilo, Mr. Williams seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

Request for Authorization:

- 1. Additional discussion and take action concerning the proposed License and Public Improvements agreement between the City of Stamford and Waterfront Magee LLC and the Strand/BRC Group LLC for the licensing of City-owned land in connection with the development and operation of a boatyard at 205 Magee Ave. According to the agreement, in exchange for the granting of property rights by the City, Waterfront Magee and Strand/BRC Group would be responsible for certain proposed public improvements to City-owned parks and facilities.**

Mrs. Dell introduced item one by reading the revised language for additional discussion and take action concerning the proposed agreement. After Mrs. Dell introduced the item, Mr. John Freeman, attorney representing Waterfront Magee and Strand/BRC Group rose John stood up and asked for a "Point of Order," which Mrs. Dell agreed for him to speak. Mr. Freeman then stated that "I have met with my client and discussed the conditions that would be added if this Board passed this agreement, and my client would like the agreement withdrawn at this time in order to reassess its implications." Mrs. Dell then asked if the City agrees to this request to withdraw the agreement at this time, and Michael Handler, Director of Administration for the City of Stamford stated the "reluctantly we have to agree to have this agreement withdrawn." Mrs. Dell then stated that the agreement has been withdrawn so no action was necessary, it was done.

At 7:10 p.m., Mrs. Dell announced a five minute recess for those who were in attendance for the License Agreement and wanted to leave could have time to do so.

- 2. Existing Project - Supplemental Capital Project Appropriation Request: Project C46580 – Affordable Housing, to be used to finance affordable housing development and administration of the fund. The amount is \$116,693.**

Mrs. Dell brought the meeting to order again at 7:22 p.m. and introduced this item by and read the staff comments, which were that this payment is to support affordable housing projects within the City. Staff recommended approval. The motion to accept the \$116,693.00 to be used for affordable housing was made by Ms. Fishman, Mr. Williams seconded the motion, and it

passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

3. Capital Project Closeout/Reduction Recommendation: CP0211 – Environmental Compliance, net closeout amount of \$298,546.00 to be submitted concurrent with this recommendation to be applied to three Seawall/Repair projects.

Mrs. Dell introduced this item by and read the staff comments, which were even though this \$298,546.00 will be used in support of the three new projects as part of the next item, it is important to leave a clear paper trail. Staff recommends approval. Mr. Teppler asked the City Engineer, Mr. Casolo “where did these funds come from”? Mr. Casolo replied that these funds were earmarked for environmental compliance for road and other city engineering projects, and were not needed at this time. The motion to accept closing out this account in the amount of \$298,546.00 was made by Mr. Totilo, Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

**4. New Project - Supplemental Capital Project Appropriation Request: Kosciuszko Park Retention Stabilization
New Project - Supplemental Capital Project Appropriation Request: Cummings Retaining Wall Construction
New Project - Supplemental Capital Project Appropriation Request: Holly Pond Seawall Repairs**

Mrs. Dell introduced this item by and read the staff comments, which were that these are new projects that combine the needs of repairs to retaining and seawall repairs, of which \$222,354.00 will be reimbursed by FEMA. Staff recommends approval. Mrs. Dell asked if Mr. Casolo, City Engineer wanted to speak about these three new projects. Mr. Casolo made a brief presentation stating that Kosciuszko Park Retention Stabilization: \$249,900.00; Cummings Retaining Wall Construction: \$156,000.00; and Holly Pond Seawall Repairs: \$115,000.00, and of the total \$520,900.00, approximately \$222,354.00 are projects eligible for Federal Emergency Management Administration (FEMA) reimbursements; whereas, the balance of \$298,546.00 comes from the City bond funds. The motion to approve the supplemental capital project appropriation request for these three projects in the net amount of \$520,900.00 was made by Mr. Williams, Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

5. Walk-On: New Project - Supplemental Capital Project Appropriation Request: Fire Suppression Summer Street Parking Garage

Mrs. Dell introduced this item by and read the staff comments, which were that this request is to attaché \$275,000 to the Summer Place Parking Garage for a new sprinkler system. Staff recommends approval. Mrs. Dell asked if Mr. Casolo wanted to speak about new project, which he declined. The motion to approve the supplemental capital project appropriation request for this project in the net amount of \$275,000 was made by Mr. Williams, Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Quick, Totilo and Williams).

Planning Board Meeting Minutes:

Mrs. Dell announced that the minutes of the 9/17/13 will be brought before the Board at a future meeting.

Old Business:

Mr. Tepper told the Board that at the latest meeting of SWRPA's Board and the Housatonic Valley COG that the agreed new name will be Western Connecticut Council of Governments with governance issues, such as office location, staffing levels, and a host of other issues to be ironed out very soon. Mr. Tepper is on the committee to make a recommendation to the whole.

Mrs. Dell explained to the Board that as Chair, she asked the Mr. Joseph Capalbo, Corporation Counsel for the City to hire outside counsel to insure that the Board's actions on the Licensing Agreement were legally correct, and to guide her through the correct procedures. She stated that Mr. Capalbo hired Mr. Dwight Johnson, senior partner at Murtha Cullinci. Mr. Johnson out of the firm's Hartford office is the chair of its Municipal Law Practice Group, as well as serves as the Town Attorney for the Connecticut Towns of Avon, Cheshire, and South Windsor. Mrs. Dell stated that Mr. Johnson was in the audience.

Mr. Williams complemented Mrs. Dell's decision to bring in outside counsel to assist the Board on this process. Mr. Williams then stated that while he "did not want to beat a dead horse," he did still contend that if the Board was more clearly informed of their options earlier to make suggestion to the proposed agreement that the end product could have come out differently.

New Business:

Mrs. Dell introduced for the Record, David W. Woods, Ph.D., AICP, Principal Planner for the Land Use Bureau. Mrs. Dell stated that Mr. Woods would be working with the Board by providing staff support and assistance. Mrs. Dell welcomed Mr. Woods to the City and looked forward to working with him in the coming years ahead.

Mrs. Dell announced that next Wednesday, October 9th that the Master Plan Citizen Workshop for the neighborhoods of Cove, East Side, and Shippan from 7:00 to 9:00 p.m. are going to be held at Domus Foundation, 83 Lockwood Avenue, and Mrs. Dell encouraged all of the members to attend as many of the neighborhood meetings as possible. Mr. Williams and Mr. Totilo stated even though there was a conflicting planning meeting in their neighborhoods, the Scofield Town Park and Field Planning Meeting the same night, that they were attending the Master Plan workshop, Mr. Quick announced that he would attend the Scofield Park meeting. Other members needed to check their calendars.

Mrs. Dell announced that there was no meeting scheduled for Tuesday, October 8, 2013, and the next meeting was scheduled for Tuesday, October 15, 2013.

There being no further business to come before the Board, Mrs. Dell adjourned the meeting at 7:55 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

