

**CITY OF BRIDGEPORT
PUBLIC SAFETY AND TRANSPORTATION COMMITTEE
REGULAR MEETING
NOVEMBER 1, 2016**

ATTENDANCE: Mary McBride-Lee, Co-Chair; Michelle Lyons, Co-Chair;
Jeanette Herron, Kathryn Bukovsky, Richard Salter, Sr.,
Jack O. Banta
Co-Chair Lyons joined the meeting at 6:02.

STAFF: Ron Pacacha, City Attorney's Office
Milta Feliciano (6:05 – 6:25)

OTHERS: Linda Pesce Laske, Esq., Green and Gross, P.C.
Stan Cichy, Project Manager, Ginsberg Development

CALL TO ORDER

Co-Chair McBride-Lee called the meeting to order at 6:00 PM. A quorum was present.

She reviewed the meeting procedures to all those present.

Michelle Lyons joined the meeting at 6:02.

AGENDA

**APPROVAL OF COMMITTEE MINUTES:
SEPTEMBER 7, 2016 (REGULAR MEETING)**

- ** COUNCIL MEMBER SALTER, SR. MOVED TO APPROVE COMMITTEE MINUTES: SEPTEMBER 7, 2016 (REGULAR MEETING).**
- ** COUNCIL MEMBER HERRON SECONDED.**
- ** THE MOTION UNANIMOUSLY.**

ITEM 20-15
**PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF
THE PAPER STREET KNOWN AS SUMMIT PLACE**

Attorney Pacacha came forward to speak about the item and Attorney Laske distributed informational hand-out to the Committee member.

- ** COUNCIL MEMBER BUKOVSKY MOVED TO ENTER ZONING DEPARTMENT LETTER TO GREEN AND GROSS, P.C. AS EXHIBIT 11.01.16-A TO ITEM 20-15, PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF THE PAPER STREET KNOWN AS**

SUMMIT PLACE.

**** COUNCIL MEMBER BANTA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Attorney Pacacha, on behalf of the Planning Department, stated that he had been involved in all the street discontinuances which the City Attorney's Office has been pursuing for the last few years. He continued that there are a lot of "paper streets" like Summit Place which had been put on the land and engineering records decades ago and no one knows why, saying that, if looked at today, one would have to have why anyone would want to build a street in that location because it has rocky ledges and the land is very uneven. Attorney Pacacha stated that Attorney Laske had brought this situation to the Council's attention last December or January where she stated that she has a client with a piece of property who is having a lot of difficulty getting zoning compliance for the building that he had bought that was not in compliance with the zoning laws. He stated that this client is not in compliance with zoning laws because of the existence of this paper street which the City, he said, never intends to develop, in addition to which the City Engineer and the Planning Department have also stated will never be developed. Attorney Pacacha stated that the City wanted to help Attorney Laske's client and discontinue the paper street so that it ceases to be a burden on all the neighboring property owners.

Attorney Pacacha distributed a map which showed exactly where the property parcels are with respect to Alba Avenue and where, in particular, Attorney Laske's client's property was. He stated the public purpose of seeking this discontinuance is to take problem areas which the City has no interest in developing off the City map to make things more normal for the local property owners adding that, by removing these streets, those properties would be returned to full tax records. Referring to Attorney Laske's client, Attorney Pacacha said that an addition had been put on his home which had extended 6 feet into the paper street which has caused a problem for him.

**** COUNCIL MEMBER BUKOVSKY MOVED TO ENTER A MAP, ENTITLED, PROGRESS PRINT 6-10-2016 AS EXHIBIT 11.01.16-B TO ITEM 20-15, PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF THE PAPER STREET KNOWN AS SUMMIT PLACE.**

**** COUNCIL MEMBER BANTA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Co-Chair McBride-Lee asked if anyone currently lives on the paper street to which Attorney Laske replied that the paper street is only abutted by the houses on Alba Avenue, Woodlawn Avenue and Summit Place. She continued to describe the area, saying that Woodlawn Avenue is also partially a paper street and referred to a small, triangular piece of the paper street which, she said, the City would have to acquire in order to develop the paper street. Co-Chair McBride-Lee commented that her concern was for the neighboring residents of Summit Place, saying that she wanted to know what the people who live there thought, since she said she assumed that the whole area would be blocked off. Attorney Laske answered that nothing would change in the ground there, saying that, at present, there is lawn adjacent to the neighboring properties, but, in the back, she stated, the property was very heavily brambled and that she had posted a sign there, adding that, at the far end, it was even more brambled with pricker bushes which she had personally walked through. She also spoke about very steep ledges and rocks, saying that City

Engineering Department had quickly agreed that the property was not buildable, not pivable and would involve blasting to make it usable. Co-Chair McBride-Lee again stated her concern for the residents there and said she wanted to go out there, see what it looked like and talk to the people there, adding that she feels that the residents should have input as to what happens in that neighborhood in terms of what was best for them.

Attorney Pacacha offered some information for the Committee regarding a new state statute which had been enacted which requires the City to follow a much more formal procedure which includes a mail notice to each abutting property owners of what the City's intentions are, adding that those residents could have appeared at the meeting that evening. He continued that, even if they had not attended the meeting that evening, the state statute requires that a meeting of the abutting owners be held before the full City Council before this matter would ever be approved, saying that the abutting owners receive notification of that meeting, in addition to which he said there is a another 120-day appeal period, even after approval of the item, for abutters to lodge any complaint of harm due to the discontinuance of the paper street. Co-Chair McBride-Lee said that she appreciated Attorney Pacacha's comments, but stated that, having been on the Council for several years at this point, she has seen committees get bogged down in paperwork and, before you know it, things get passed, saying that she would not be voting for this until she looks at the property and talks to the people in her district.

Council Member Salter, Sr. stated that he had driven up to the property as far as he could drive, saying that it was very stony and rocky, adding that he had encountered about thirty cats which made him hesitant to get out of his truck. He described the property as being thick and rocky, saying that the City would have to blast through the rock to get to the next street. He continued that his main concern is that the home owners have been complaining about large vehicles and tractors and old, broken-down pieces of machinery on that property on the Woodlawn side. He said he had seen only a few houses, remarking that he had not realized that those houses were going to be cut off. Attorney Pacacha interjected that those houses not be cut off, that they already have access to the road, that it is not it is a regular city street and that all the home owners are on other streets, e.g. Alba Avenue which has a private driveway for access. He assured the Committee that its action on this issue would not adversely affect ingress or egress to the homes in this area. Council Member Salter, Sr. said that he had not thought that it would have affected the homes, but said that he did now know what the residents would say about the discontinuance of Summit Place, adding that they perhaps do not know what this is all about. He asked if Attorney Laske's client would be granted right-of-way to which Attorney Laske stated that her client already had access from Alba, and added that the 6-foot encroachment into the paper street had only been discovered after the building permit had been issued which included the 6-foot encroachment and the addition had been completed. Referring to the original listing of the paper street, she stated that the paper street had never been formally accepted by the City as a public right-of-way and functions, at present, as a potential right-of-way because it is in the legal limbo of having been dedicated to the public, but having never been formally accepted. She stated that it has not been listed on any record of city streets since 1917 which is when the map was filed. Council Member Salter, Sr. wanted to know, if the property is petitioned off, whether the home owners will be okay. Attorney Laske referred to a Connecticut law which states that anyone who abuts a road that has been discontinued, retains their private right-of-way, reiterating her previous comments that the home owners who abut the paper street will continue to have the right to use it in the same manner as they do at present. Co-Chair McBride-Lee asked Council

Member Salter, Sr. if had spoken with any of the resident when he had driven up there to which Council Member Salter, Sr. answered in the negative, saying that he had gone up there to look at the machinery and the broken-down equipment on the Alba side where he had seen all the cats.

Co-Chair Lyons asked if Attorney Laske's client lived in that house owned the house or whether the house was a rental to which Attorney Laske answered that she did not think anyone was living there at present. Attorney Laske stated that the owner's daughter had been living there, but she said that she did not know whether her client is even legally allowed to rent the house because of the lack of Certificate of Occupancy and that her client is being deprived of any ability to use the property which he had bought and renovated with the hope of eventually selling. She continued that, if the discontinuance were approved, the land would go back to the abutting owners of either side, subject to the private right-of-way to which she had previously referred, saying that this would incentivize a clean-up of this paper street.

Council Member Banta said he was curious about how much tax revenue from the discontinuance of Summit Place going back to the City to which Attorney Pacacha answered that it would depend. Attorney Pacacha stated that the homes are being taxed at present as a residence on a particular lot, so this particular property, he said, the tax assessor would look at how much additional space was added the lot and would increase the assessment for the added land.

**** CO-CHAIR MOVED TO TABLE ITEM 20-15, PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF THE PAPER STREET KNOWN AS SUMMIT PLACE.**

Co-Chair Lyons asked both attorneys how urgent this matter was, noting that there is only one more full Council meeting for this to be approved, otherwise, she said, it would end up dying and would have to be brought up anew in January. Attorney Pacacha suggested that Co-Chair McBride-Lee's interest in talking to the neighbors could be served by re-convening the meeting prior to the next City Council meeting to which Co-Chair Lyons asked if there was enough time for notice to go out for that. A short discussion amongst the committee members ensued as to how the public hearing could be scheduled and Attorney Pacacha interjected that it was not a public hearing, but was a meeting of the abutting land owners and Co-Chair asked if it still had to be put in the newspaper. Attorney Pacacha stated that he did not believe that it had to appear in the newspaper, but stated that it had to be on the Council agenda which Co-Chair stated was possible. She asked Co-Chair McBride-Lee if this plan had been fair enough to which Co-Chair McBride-Lee answered in the affirmative.

**** CO-CHAIR MCBRIDE-LEE MOVED TO WITHDRAW HER MOTION TO TABLE CO-CHAIR MOVED TO TABLE ITEM 20-15, PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF THE PAPER STREET KNOWN AS SUMMIT PLACE.**

**** COUNCIL MEMBER HERRON MOVED TO RECONVENE THE MEETING MEETING ON MONDAY, NOVEMBER 7, 2016 AT 5:50 PM FOR ITEM 20-15, PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF THE PAPER STREET KNOWN AS SUMMIT PLACE.**

Co-Chair Lyons asked if they still needed to schedule a public hearing on this also to which Attorney Pacacha stated that, because the meeting of the abutters is separate, two items have to be submitted to the Council, so that this matter would appear on the Committee agenda and that the meeting of the abutters had its own separate track, saying that the vote would be held on the night that the meeting of the abutters took place and that it has to appear on the agenda. He said he would make sure of this with the City Clerk.

Council Member Bukovsky commented that a public hearing had taken place with the Zoning Department to which Attorney Pacacha replied that it had, but that it had been held to demonstrate the public purpose for the discontinuance and that a favorable report had been issued.

Council Member Salter, Sr. asked whether input from the residents would be necessary for the meeting to which Attorney Pacacha answered that any comments could be sent to the City Attorney's Office or the abutters could attend the City Council meeting to state their comments.

**** COUNCIL MEMBER BUKOVSKY SECONDED COUNCIL MEMBER HERRON'S MOTION TO RECONVENE THE MEETING ON MONDAY, NOVEMBER 7, 2016 AT 5:30PM FOR ITEM 20-15, PROPOSED PETITION REGARDING THE DISCONTINUANCE OF A PORTION OF THE PAPER STREET KNOWN AS SUMMIT PLACE.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM 182-15
PROPOSED PETITION REGARDING AN INSTALLATION OF A CANOPY AT THE MAIN ENTRANCE LOCATED AT 955 MAIN STREET, CITY TRUST BUILDING, PURSUANT TO SECTION 12.16.110 OF THE MUNICIPAL CODE OF ORDINANCES

Mr. Cichy came forward and introduced himself as the project manager who was currently working on the City Trust Building, 955 Main Street, saying that he is at the meeting to ask for approval for to install an entry canopy located right around Main Street. Co-Chair Lyons then read the petition from the agenda, after which she confirmed that was already an ordinance, but that Mr. Cichy was just going through the Public Safety meeting in reference to this canopy to which Mr. Cichy answered in the affirmative.

Co-Chair Lyons asked Mr. Cichy if he wanted to show the map of where the canopy would be. Council Member Banta asked about the size of the canopy to which Mr. Cichy replied that it would be 8 feet wide and would extend over the sidewalk area from the building for 7 feet 3 inches. Mr. Cichy showed a poster of the canopy, describing the design features and materials. He pointed out the exact location on a map to the Committee members, and Council Member Banta asked about the posts which Mr. Cichy answered would be 4"x4" and would be galvanized steel with a brass finish. Council Member Banta asked whether he had been working with DSSD on this project to which Mr. Cichy answered that he has spoken to Bill Coleman about this, but had not been working hand-in-hand with him. Mr. Cichy stated that he had been told that he needed the approval of the Council to proceed with the project.

Co-Chair McBride-Lee asked if the bank wanted the canopy there to which Mr. Cichy answered

that the canopy would be part of the entry to the residential part of the building which is receiving a face-lift, and also mentioned interior renovations which have been planned for the building, saying that the canopy was a part of the scope of their work. Co-Chair McBride-Lee asked if the purpose of the canopy was for decoration or was it for protection against bad weather to which Mr. Cichy answered that it would serve both purposes.

**** COUNCIL MEMBER BANTA MOVED TO APPROVE ITEM 182-15,
PROPOSED PETITION REGARDING AN INSTALLATION OF A CANOPY AT
THE MAIN ENTRANCE LOCATED AT 955 MAIN STREET, CITY TRUST
BUILDING, PURSUANT TO SECTION 12.16.110 OF THE MUNICIPAL CODE
OF ORDINANCES.**

**** COUNCIL MEMBER SALTER, SR. SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Co-Chair Lyons pointed out that Council Member Herron had left the room momentarily, and that the vote would be taken again upon her return.

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER HERRON MOVED TO ADJOURN THE MEETING.**

**** COUNCIL BUKOVSKY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Co-Chair Lyons adjourned the meeting at 6:40 PM.

Respectfully submitted,

Nerina Kagan
Telesco Secretarial Services