

VERBATIM PROCEEDINGS

CITY OF STAMFORD

IN RE: STAMFORD URBAN TRANSITWAY - PHASE II

Public Hearing for Draft Environmental Assessment for  
Stamford Urban Transitway Phase II

JULY 13, 2006

THE ROGERS MAGNET SCHOOL AUDITORIUM  
LOCKWOOD AVENUE  
STAMFORD, CONNECTICUT 06901

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HEARING RE: STAMFORD URBAN TRANSITWAY - PHASE II  
JULY 13, 2006

1 . . .Verbatim proceedings of a hearing Re:  
2 City of Stamford, Stamford Urban Transitway - Phase II,  
3 Draft Environmental Assessment Document, held at The  
4 Rogers Magnet School Auditorium, Lockwood Avenue,  
5 Stamford, Connecticut, on July 13, 2006 at 7:27 P.M. . . .

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11 MODERATOR LOUIS CASOLO: Can everybody hear  
12 me in the back row? If not I would suggest you move  
13 forward please. We're going to start the hearing at this  
14 time.

15 This is a public hearing for the  
16 environmental assessment document for the Stamford Urban  
17 Transitway -- Phase II, which runs along the Myrtle  
18 Avenue/East Main Street corridor. The notice of this  
19 hearing was sent to all property owners by mail and copies  
20 of the documentation was left at the storefronts, posted  
21 on the internet on our website and published in several  
22 local newspapers, both in English and in Spanish.

23 The notice of the meeting was put into the  
24 Advocate on the 20th and the 25th, two times. And from

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1 those publications I can see that we had a pretty good  
2 turnout. Similar to the scoping meeting that we had on  
3 January 24th, we're going to observe the following rules  
4 in this meeting and I ask you to respect those rules for  
5 the courtesy of everybody that came here tonight to make  
6 an effort to listen and observe and make a public comment.  
7 We did include a sign-in sheet in the back, that's good  
8 information to have for future meetings, so please take  
9 the time to sign it if you haven't.

10 And I'll repeat myself a couple of times  
11 but once we finish going over the project summarizing the  
12 project, I encourage you to make a public comment. That's  
13 really the whole purpose of the meeting, is to solicit  
14 public comments. And to do so in an orderly way, I'd like  
15 to have you sign the speaker sheet so I can call people up  
16 one by one and let people talk, okay. If you don't want  
17 to make a verbal comment you can do so in writing by  
18 completing the manual form which is available here  
19 tonight.

20 We're also going to post it or it may be  
21 posted on our website already. Just print it out, send it  
22 in, email it in, fax it, whatever, prior to the deadline  
23 which is 4:00 p.m. on July 21st. If you're making a  
24 verbal comment tonight, we have a stenographer here

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1 present. Just state your name and spell it for him so  
2 that he can get the best accurate information possible.  
3 And I'm going to ask that we have a three-minute time  
4 period. I've had multiple meetings like this in the past  
5 and generally people can hold to the three minutes. If  
6 you can't I'll have to ask you to stop and then let  
7 everybody else go and then come back at the end type of  
8 thing.

9 So without any further adieu, I'd just like  
10 to start the public meeting and just go over quickly the  
11 agenda for tonight. I'm going to give a basic overview of  
12 the project. I'm joined here tonight by a couple of  
13 colleagues of mine and some other guests that are familiar  
14 with the project and will go over things in a little more  
15 detail.

16 As many of you know from the documentation  
17 of prior meetings the City, in cooperation with the  
18 Federal Transit Agency, is proposing to expand the limits  
19 of the Stamford Urban Transitway - Phase I, and the use of  
20 rails, bus, non-motorized modes of transportation to  
21 improve the mobility and extend transportation benefits  
22 within this area.

23 This all will help reduce travel times,  
24 encourage redevelopment opportunities and a lot of this is

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1 a follow-up to previous documents that are on file with  
2 the City and that have been accepted by the City's  
3 different agencies. And I'm talking about the master plan  
4 and the East Side Neighborhood Corridor Plans. Many of  
5 the ideas and efforts that went into building those  
6 documents are carried out in this project. That's how a  
7 lot of the plans get implemented, through capital projects  
8 and this is one of those.

9 The objectives of this project are really  
10 to relieve I-95 congestion and on the City networks,  
11 especially in this area. It's a pretty urban area and  
12 there's a lot of traffic through these intersections and  
13 constrained arterials, to increase rail and local  
14 ridership, to encourage the use of non-motorized modes of  
15 transportation, to provide transit-oriented redevelopment  
16 opportunities, increase vehicle occupancy by reducing the  
17 use of single occupant vehicles, improve transportation  
18 mobility for transit population developments, provide  
19 better access to the Connecticut Transit and the Stamford  
20 Internodal Transportation Center.

21 Other things, benefits, improving air  
22 quality, quality of life, streetscape, all these things  
23 are implemented through this project. The master plan  
24 that I was referring to was adopted in 2002 by the City's

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1 Planning Board and includes information supporting a  
2 neighborhood plan, that's the Cove/East Side Shippan  
3 Neighborhoods, and those objectives are to identify Myrtle  
4 Avenue as a major arterial to include bike lanes, promote  
5 upgrades along Myrtle Avenue, calling for streetscape  
6 traffic improvements, create a network of bike routes  
7 connecting residential areas to neighborhood parks,  
8 schools, businesses.

9 Those are all ideas. There's many, many  
10 more in that document. I can't possibly summarize  
11 everything right now but we do have that document  
12 referenced in the EA that's on file. Anybody that wants  
13 to take a look at that, I encourage you to do so. These  
14 are ideas that were generated not through my office but  
15 through neighborhoods.

16 Information supporting the City-wide policy  
17 objectives in the master plan include making transit  
18 service more realistic as an alternative to driving, more  
19 transit stops and more attractive places for bus stops and  
20 shelters, adopting roadside policies to put much more  
21 emphasis on pedestrian and bike routes, to provide bike  
22 paths through the City especially like the SUT. These are  
23 all ideas that are part of this document.

24 And then the east side, East Main Street

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1 Corridor Neighborhood Plan talks about having streetscape  
2 grass strips to reduce the sense of roadway width,  
3 crosswalks, enhancing walks to promote pedestrian-friendly  
4 environments and increase safety for pedestrians. These  
5 aren't my ideas, these are ideas of the community and  
6 these are ideas that are all being folded into a capital  
7 project. This document, the EA document, presents several  
8 alternatives.

9 It talks about the no-build, the TSM, the  
10 five-lane alternative, the four-lane alternative and a  
11 couple of versions of each alternative that were reviewed.  
12 And I'm only going to summarize this because there's a lot  
13 of text about all this in the document but based on the  
14 study that was done the preferred alternative is the four-  
15 lane alternative, which matches a lot of the objectives in  
16 the plans that I talked about earlier.

17 The no-build really allows for the  
18 declining service levels in the corridor to be maintained,  
19 to be continued. It doesn't do anything to enhance the  
20 corridor. It exacerbates the traffic safety deficiencies,  
21 discourages redevelopment, fails to increase the use of  
22 public transit -- you know, and associated noise levels,  
23 things like this, and is inconsistent with the objectives  
24 of the master plan.

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1                   The TSM results in limited improvement of  
2                   the level of service, fails to improve air quality, it  
3                   doesn't really meet those project objectives either. The  
4                   five-lane alternative is an ambitious alternative. It  
5                   takes the most right-of-way. It meets many of the project  
6                   objectives. That's the alternative that has the  
7                   continuous left turn lanes, turn lanes through the median.

8                   We've looked at it very closely and we  
9                   think we've been able to provide an alternative with the  
10                  four-lane that provides left turn because I think that's  
11                  one thing that drives a lot of people not only mad but  
12                  just really decreases the performance of a lot of the  
13                  roadways through Stamford, not having a designated left  
14                  turn.

15                  The four-lane features a direct access to  
16                  the Connecticut Transit Depot. We're riding a lot of  
17                  buses on these roads. Having Connecticut access to the  
18                  Depot really will mitigate a bus doing circuitous moves on  
19                  city streets, provides four travel lanes, dedicated bus  
20                  HLV lanes, turning lanes, upgrades to the signals,  
21                  bikeways, pedestrian sidewalks, bus shelters, bus  
22                  turnouts.

23                  A big part of the problem we have in the  
24                  city and people experience is the frustration of waiting

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1 behind a bus to pick up riders. This facility as well as  
2 Transitway I, has turnouts that will accommodate buses  
3 with designated shelters so it all helps to encourage the  
4 use of mass transit along the corridor. The proposed four  
5 lane alternative, we analyzed it many different ways.

6 We looked at the impacts doing widening to  
7 the south, to the north, kind of splitting the difference.  
8 The way the corridor of Myrtle Avenue was really  
9 developed, many of the buildings are a little closer to  
10 the road than on the north side so from a real estate  
11 point of view it's a little less impactful to widen more  
12 to the north than to the south. There are less full  
13 takings.

14 The estimated project cost of this segment  
15 is around \$40 million. I'd like to talk a little bit  
16 about the project schedule. This is an EA, a draft EA we  
17 have on display here for review and comment. This is the  
18 early stages of the project. The project hasn't been  
19 final designed. Rights-of-way haven't been finalized. We  
20 have -- through our alignments and our work we think we  
21 have a solution that identifies all the impacts at this  
22 point in time.

23 Of course over time, things will be  
24 modified in some degree to be finalized and so I just want

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1 to put that out there, that this is an early stage of the  
2 project. As far as my office is concerned we're committed  
3 to meeting with each and every property owner in more  
4 public meetings, individually, whatever it takes so that  
5 we can understand what your concerns are and what our  
6 needs are. The project schedule, as it relates to the  
7 environmental assessment document that we're talking about  
8 tonight, the process requires a 30-day public comment  
9 period.

10 And this has been on the street since June  
11 20th, so we're talking about wrapping things up on the  
12 21st of July. We're going to respond to those comments  
13 and basically incorporate those ideas into a final  
14 document, a final EA. That final document will be out on  
15 the street, meaning it will be published on our web page  
16 and circulated and so forth in the libraries, public  
17 spaces in my office, for 45 days.

18 So there will be another opportunity to  
19 comb through it, look at it, understand it, see what it  
20 means to you. In September we're going to probably  
21 respond to all those comments, try to finalize the EA and  
22 submit it to our -- the Federal Transit Administration to  
23 make a determination. And then once that determination is  
24 made then we're going to progress into our preliminary

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1 design, which leads into final design.

2 Concurrent with all that work is the right-  
3 of-way process. I'm not going to talk a lot about the  
4 right-of-way process right now. I'm going to turn that  
5 over to somebody else that's going to explain how that all  
6 comes together for those of you that might not be familiar  
7 with that. And up here, I'm just going to talk about a  
8 couple of things on display. It's hard to see in the  
9 back, it's probably hard to see even in the front row.

10 But right here we have -- we tried to blow  
11 up some of the documents that are pertinent to this in the  
12 master plan, the 2002 master plan, which really sort of  
13 shows the different networks of bikeways and things that  
14 were planned some time ago for this area. This document  
15 -- this graphic just shows the overall schedule, which  
16 pretty much commences with the approval of the EA this  
17 fall and it goes out to the end of 2011.

18 These are significant projects requiring  
19 quite a bit of time. Obviously the construction and the  
20 right-of-way are the most time consuming aspects of the  
21 project. There are some other diagrams here which really  
22 show the alignment in a horizontal plan and that's really  
23 what we have developed to date. We haven't finalized it  
24 much more than that.

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1                   This map here, this plan here tries to  
2                   indicate approximately what kind of right-of-way impact  
3                   will be to the properties along the corridor. It shows a  
4                   -- to help you better understand it you have to get close.  
5                   And for anybody that wants a blowup of this for your  
6                   specific property, I can definitely make that available.  
7                   I don't have those copies tonight but it shows pretty much  
8                   a measurement from the existing curb line to the taking  
9                   line. So it will help you better understand how far into  
10                  the property your property -- this project is impacting  
11                  your property.

12                  And I think it's a pretty good piece of  
13                  information. We didn't have this kind of document the  
14                  last time we were here in January, but it will definitely  
15                  help you understand for those of you that might not be  
16                  surveyors or engineers exactly -- take a tape measurer or  
17                  whatever, go out paint a line, you'll have an  
18                  understanding of what this means to you. And if your  
19                  property is basically at this level proposed as a full  
20                  taking, the whole property is cross-hatched.

21                  That does affect eight people, eight  
22                  properties along the corridor at the current time.

23                  AUDIENCE: That's what is --

24                  MODERATOR CASOLO: Excuse me? Oh, they're

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1 identified in two ways. The literature that you got  
2 either in the mail -- if you haven't got one, they show up  
3 in red. And then here they show up as cross-hatching  
4 areas. The larger ones that have cross-hatching are the  
5 ones that indicate the full taking.

6 What I'd like to do now -- that's just an  
7 overview, an introduction to the project and what's in the  
8 document to sort of precipitate some thoughts in your  
9 minds and get some comments out of the audience. I want  
10 to talk about the whole EA and NEPA process.

11 And I want to turn it over to Jean Olivia  
12 of TRC Consultants, who assisted the City in developing  
13 the NEPA document. And she's going to basically give us  
14 an overview of that. So Jean, if you could comment on  
15 that please?

16 MS. JEAN OLIVIA: The EA that was prepared  
17 for this project was prepared in accordance with something  
18 called the National Environmental Policy Act or NEPA. And  
19 NEPA was established in 1969 and it establishes a basic  
20 framework for integrating environmental considerations  
21 into governmental decision-making processes.

22 NEPA also established something called the  
23 Council on Environmental Quality and they subsequently  
24 develop the regulations and guidance that guides the NEPA

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1 process. Because there are so many different laws and  
2 regulations that govern the environmental review of  
3 federally funded projects, NEPA establishes a process that  
4 coordinates compliance with this array of regulations  
5 through single analytical and review process.

6 This process evaluates the potential for  
7 significant impacts on things like wetlands, floodplains,  
8 groundwater, air quality, a whole host of environmental  
9 considerations. For federal transportation projects,  
10 Section 4F of the Department of Transportation Act  
11 protects historic sites, publically-owned parks,  
12 recreation areas and wildlife and waterfowl refuges.

13 And this is also considered in the NEPA  
14 process as are potential social and economic impacts which  
15 are required under other federal regulations. And public  
16 involvement is also a very essential part of the NEPA  
17 process. Under NEPA there are three different classes of  
18 actions that are defined. The first type of action is for  
19 projects that definitely will have no impact and these are  
20 called categorical exclusions. For projects that it's  
21 pretty clear will have some sort of impact, an  
22 environmental impact statement is prepared.

23 For the third class of action where it's  
24 not clear whether the action will have an impact or not,

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1 an environmental assessment is required. And if based on  
2 that environmental assessment it's determined that no  
3 significant impact is going to occur then something called  
4 a FONSI, a finding of no significant impact, is issued.  
5 However, if the environmental assessment does identify a  
6 potential impact then an environmental impact statement is  
7 required.

8 As Lou mentioned, this project required the  
9 development of an environmental assessment. An  
10 environmental assessment typically includes a description  
11 of the project, a description of the need for the project,  
12 a summary of the other alternatives that were considered,  
13 an evaluation of the impacts of the project, a summary of  
14 public comments and also a description of actions that  
15 have been taken to coordinate with other agencies.

16 Again as Lou mentioned, the environmental  
17 assessment for this project was issued on June 20th.  
18 There's also a detailed reference document that was  
19 prepared for this project and also became available on  
20 that date. And I just want to mention one of the things  
21 that was evaluated by my company under that more detailed  
22 evaluation, we looked at the potential for environmental  
23 contamination to be present at properties along the  
24 corridor.

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1                   And this was just a preliminary look and it  
2 was based on a search of available environmental  
3 databases. And these would include things like listings  
4 of underground storage tanks, documentation of leaking  
5 underground storage tanks, spill reports, facilities that  
6 might generate hazardous waste, those types of things.  
7 Based on that preliminary review we identified 11  
8 properties along the corridor that are simply listed in  
9 those databases.

10                   That doesn't mean that there's a problem  
11 but it warrants further consideration in the process. Of  
12 those 11 properties, there are four where the database  
13 results indicate that there have been historic releases.  
14 Typically, these are associated with underground storage  
15 tanks. When the tanks were pulled either contamination  
16 was found in the ground or material was spilled when they  
17 removed the tanks.

18                   So following this initial review as the  
19 project moves along, Stamford will do a more detailed,  
20 it's called a Phase I Environmental Site Assessment, where  
21 they'll look at those database results in more detail, do  
22 file searches, do site walkovers and try and determine  
23 whether or not there's a reason for concern. And if it's  
24 determined there is a potential reason for concern, then

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1 additional investigations in the form of actual soil  
2 sampling or groundwater sampling, that type of thing will  
3 be conducted.

4 And based on those results, if there's any  
5 need for a cleanup during construction of this project of  
6 those materials, that would be determined at that time.  
7 So that's just a brief summary of the NEPA process and  
8 also the evaluation of contaminated properties. I'll turn  
9 it back to Lou.

10 MODERATOR CASOLO: Thank you Jean. At this  
11 time I just want to do an overview of the rights-of-way  
12 process. This is a process that includes both acquisition  
13 and relocation and it's a process that's probably, based  
14 on my experience with the first phase, I mean it's --  
15 everything is important. This is probably the most --  
16 it's closest to home because it affects people the most.

17 And for that overview I'd like to introduce  
18 Lester Finkle. Lester is with the Federal Highway  
19 Administration and Lester brings a tremendous  
20 understanding of the rights-of-way processes that applies  
21 to federally aided projects. He was with us on Phase I  
22 and we're fortunate to have him here this evening.  
23 Lester.

24 MR. LESTER FINKLE: Thank you Lou. Good

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1 evening.

2 AUDIENCE: Good evening.

3 MR. FINKLE: Thanks for coming out. You're  
4 hearing a lot -- what you're experiencing tonight is part  
5 of this governmental process. There are federal funds  
6 that are going to be used in this project as there have  
7 been in Phase I. There are also municipal dollars -- your  
8 local taxpayer dollars go towards improvements as well.  
9 To try to give you a sense of what you're doing, you are  
10 involved in the environmental process right now.

11 AUDIENCE: Are we really?

12 MR. FINKLE: Yes you are, yes you are. And  
13 you'll have a chance to make your comments both orally and  
14 in writing and those comments are addressed by the City as  
15 they receive them. From the Federal Highway  
16 Administration, it of course funds highways. But the  
17 Transit Administration funds the railway improvement plus  
18 improvement -- railroad improvement. In this case it's a  
19 bus way.

20 Congress, in 1970, passed a law called the  
21 Uniform Act and it was an attempt to make uniform having  
22 minimum standard whereby when a public agency such as the  
23 City, such as the Connecticut Department of Transportation  
24 -- when an agency decides through public input to make an

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1 improvement that there is a minimum level of treatment  
2 that it provides to the people who are impacted by the  
3 project.

4 Right now you're going through the  
5 environmental phase. You're going to be giving input  
6 towards this project. The comments are then taken into  
7 account, any changes may or may not be made to the graph  
8 design that you see before you tonight and at some point  
9 there will be a final design put forward. And at that  
10 point the rights that are required, that are needed to  
11 build this improvement, the City will begin the process to  
12 acquire those rights.

13 This can come across as a very impersonal  
14 way of doing things. If you are in the impacted area and  
15 it is decided that there are certain rights, whether a  
16 partial of your property or the entire part, it may seem  
17 very impersonal. But this is the beginning process to  
18 bring you into that process. Again, this is a draft.  
19 This is to give you an opportunity to comment on that.  
20 Once it gets to a point where it's approved, then the  
21 rights that are needed for it will be acquired.

22 And how that begins to happen is the City  
23 will send out to you a general -- what's called a general  
24 notice, a letter to say that you are within the area of

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1 the project. They will have a plan, a map showing the  
2 impact to your property and they will have a brochure that  
3 helps to begin again to explain how the process works.  
4 Once the general notice is sent out the City is at the  
5 same time doing a title search. They are looking to see  
6 who owns the property.

7 The law that Congress passed required that  
8 only to the owner of record can the offer for whatever  
9 rights are needed, only to the owner of record can that  
10 offer be made. So the City has to go through and have  
11 title searches performed to ensure who owns the property.  
12 Once that is made record then you will be contacted by an  
13 appraiser. The City retains the services of an appraiser  
14 to contact you. You will be given an opportunity to walk  
15 the property with the appraiser.

16 You will be given an opportunity to talk to  
17 the appraiser and bring to the appraiser's attention any  
18 issues that are unique to your property. The appraiser  
19 will then go into the market and look for comparable -- if  
20 it's a residence they'll look for comparable residences.  
21 If it's a two bedroom, a three bedroom, if it's a two-  
22 family or a three-family residence, if it's a business  
23 they will look for similar businesses and those businesses  
24 that have sold so they can take a look at it and compare

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1 it to your property.

2 They come up with what's called a fair  
3 market value estimate. They take into account such things  
4 as Jean mentioned, contamination. If there is any  
5 contamination the appraiser will take that into account by  
6 looking at the market and looking at the impact of  
7 contamination to the sales in the market. They will take  
8 into account any unique characteristics of your property  
9 and compare it to comparable sales that have occurred.

10 They will make adjustments as necessary if  
11 the sales occurred a year ago, six months ago. They will  
12 take that into account and look at how the market has  
13 risen or fallen. They will take into account if you have  
14 one fireplace and there are two fireplaces or a one car  
15 garage, two car garage, any unique characteristics. If  
16 you have a business they will look at those  
17 characteristics. And at the end they come up with a fair  
18 market value estimate. They City then takes a look at  
19 that and says yes, it was done appropriately and this is  
20 the offer that we will make to you.

21 At that point you will be contacted by the  
22 City so that the City may make an offer to you. The  
23 offer, the dollar value that the appraiser came up with  
24 and that the City reviewed and said yes, that is our offer

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1 of just compensation to you, the City will contact you and  
2 arrange to provide you with that offer. You will have an  
3 offer letter, you will have, again, a map showing the  
4 impact and you will have the basis for the City's offer.  
5 And at that point it's time to start talking to the City  
6 and start saying okay, let's see --

7 AUDIENCE: (Indiscernible).

8 MODERATOR CASOLO: We're going to hold the  
9 comments to the end sir. You can make a public comment  
10 after --

11 AUDIENCE: (Indiscernible).

12 MODERATOR CASOLO: If I open it up to you  
13 sir that's going to set a precedent for everybody.  
14 Continue please.

15 MR. FINKLE: Okay thank you, I appreciate  
16 it. So when the City begins to talk to you that's your  
17 opportunity to -- if you want to have an appraisal done of  
18 your property, that is your opportunity. You have an  
19 ability to look at what the City has offered you and to  
20 have someone, an appraiser, take a look at your property  
21 and give a counteroffer.

22 Anything that you want to bring up to the  
23 City to take into consideration, again, the appraiser  
24 hopefully has done that. When you get into negotiations,

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1 that's the time to say okay, let's start talking. Here's  
2 what you're offering me, here's what I think it's worth  
3 and you will have an opportunity to negotiate with the  
4 City. If it's a full acquisition, if it's something where  
5 the City says -- we need your entire property, then  
6 there's something in addition to the acquisition side,  
7 which I talked about through negotiations, which is called  
8 relocation.

9 If you -- if you're a tenant and you have  
10 been in occupancy of your leased property there for at  
11 least 90 days before the offer is made to the property  
12 owner, if you are a homeowner who has been at least 90  
13 days but under 180 days, that falls within the 90-day  
14 tenant category. There's a certain dollar number that's  
15 associated with it, \$5250 in addition to the acquisition.  
16 If you are a renter or if you're the 90 to 179-day  
17 homeowner, if you're a homeowner who has been there 180  
18 days prior to the offer, then it goes up to \$22,500.

19 What relocation is, it's an attempt to take  
20 a look at your situation. Say you're a homeowner, you  
21 bought the home 15 years ago for \$100,000, 15 years later  
22 the market has done its ups and downs and over the last  
23 couple of years it's been up, whatever -- say for example  
24 in today's market it costs \$130,000 to buy the similar

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1 home that you bought 15 years ago for \$100,000 and you  
2 satisfy the occupancy eligibility requirement, that's the  
3 major requirement that you need to satisfy. Then you will  
4 be given an opportunity, you will be paid -- if you agree  
5 with the \$100,000 you will be paid that.

6 Even if you don't agree, there's an  
7 opportunity to appeal that but you will be paid at least  
8 what you have been offered. So you will be paid the  
9 \$100,000 and if you purchase -- the City will look for  
10 comparable homes out there to give you an opportunity to  
11 pick from at least hopefully two or three homes out there  
12 that are comparable to yours. And then if you purchase  
13 one of those homes, in addition to the \$100,000 that  
14 you've been paid you will be given an opportunity to incur  
15 the cost up to the \$130,000 that the City felt -- the  
16 \$100,000 and the additional \$30,000 that gives you the  
17 ability to purchase a comparable home.

18 So relocation is not -- acquisition gives  
19 you what the value of your property is whether it's a  
20 partial acquisition or whether it's an entire. Relocation  
21 attempts to make you whole from the standpoint of  
22 recognizing that the values in the market have gone up and  
23 down over the years. A major consideration Congress in  
24 1997 passed a law that said that for relocation benefit,

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1 since it is a benefit in addition to acquisition, Congress  
2 decided to limit it to people who are lawfully present in  
3 the United States.

4 That applies to the relocation piece not  
5 the acquisition piece, so please keep that in mind. So  
6 for example when we're looking at -- I understand that  
7 there's a Volvo dealership that may be impacted by this  
8 project. There are lifts in the service bay that are part  
9 of the business. An appraiser taking a look at it has two  
10 avenues to take with -- we're going to use the lifts for  
11 the cars in the service bays. The appraiser can either  
12 say that it's part of the real property, it's part of the  
13 property that you see, the land, the building and so I'm  
14 going to value that in the overall value for the property  
15 itself.

16 Or, the appraiser can take a look at it and  
17 say it's something that the business owner can take with  
18 the business owner when the business owner relocates. So  
19 I will leave it out of the valuation of the overall  
20 property and we will pay for that under relocation when  
21 the business is packed up, moved, moved to another site  
22 and then reestablished and put back into operation again.  
23 That's one of the differences from residences and from  
24 businesses. The businesses don't have the same relocation

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1 housing payments or rental supplements available but they  
2 do have something called moving expenses and  
3 reestablishment expenses.

4 So the moving expenses or the  
5 disassembling, the packaging up, the moving to the other  
6 site and then the reestablishment allows for those pieces  
7 of machinery, anything that needs to be hooked back up to  
8 be done on the new site. So we've talked about titles,  
9 searching, valuing the property, making the offer to you,  
10 giving you a chance to present a counteroffer. If you are  
11 being impacted where the entire property is being acquired  
12 then the relocation benefits kick in.

13 And again, if you decide that from the  
14 valuation standpoint that you do not agree with it and  
15 that through negotiations you can come to an amicable  
16 settlement, then you do have the right to appeal that and  
17 a trial referee will eventually be able to hear the City's  
18 case, hear your case and make a final decision on the  
19 valuation.

20 So that's -- Congress recognized that up  
21 until 1970, that the states and municipalities, there  
22 wasn't a uniform way of treating people and this was their  
23 way to try to put at least a minimum standard out there  
24 and say we recognize that there are impacts, we're going

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1 to do our best to make sure that when there are public  
2 improvements, transportation improvements, that you are  
3 treated at least with a minimum standard.

4 And that allows the City to do its best, to  
5 be able to take into accounts, your considerations and to  
6 be able to do whatever it can for that. Thank you.

7 MODERATOR CASOLO: Thank you Lester. As  
8 you can see it's quite a complex process but it's a fair  
9 and equitable process and usually in the end agreements  
10 are made.

11 Just speaking from experience on the first  
12 phase of the project where there was 70 parcels, we were  
13 successfully able to acquire and relocate all the  
14 residences, tenants, businesses in that project with the  
15 exception of one, who decided to go out of business. So I  
16 know we can do it and I know we can do it equitably and  
17 fairly.

18 Yes, there were some appeals based on value  
19 but that's part of the process and we're working through  
20 that right now. Well basically in closing, like I said we  
21 have a lot of information that's available to look at. It  
22 will be available throughout the life of the project.  
23 It's in my office, it's online. Just for anybody that  
24 uses the computer, go to the City of Stamford website and

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1 the Stamford Urban Transitway - Phase I and II  
2 documentations are all there, it's quite comprehensive.

3 And my office is always available to take  
4 the call to address any concerns you may have. I'm  
5 committed to meeting with each and every owner. I've  
6 started that already with the full takings. It's very  
7 helpful. I can get to understand the intimate concerns of  
8 each person's situation, understand how your business or  
9 residence operates and once we get to the right-of-way  
10 process under way we hit the road running. And that's  
11 very helpful to be efficient.

12 So what I'd like to do now is open up the  
13 floor to anyone who wants to make a verbal oral comment  
14 and right now I have five on the list. I encourage  
15 anybody that wants to make that comment to sign the list  
16 or just approach me and we'll have you come to the podium,  
17 again, state your name and your comment.

18 And for anyone that's bashful or just  
19 doesn't want to make a public oral comment, please fill  
20 out the written comment forms. The more comments the  
21 better for us. It gets us more familiar with what your  
22 concerns are. So at this time I'd like to call up Ms.  
23 Fran Sessa please.

24 MS. FRAN SESSA: Good evening. Well, I've

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1       been writing away like a nut. First of all, one of the  
2       last sentences that I found very interesting was through  
3       public input these are how these projects are created.  
4       How many of you asked to have this Transitway through  
5       Myrtle Avenue? Put up your hands, I want to see them.  
6       Well wait a minute, wait a minute, public input, public  
7       input. Congress, they said -- you know it's through  
8       public input these things are done. Wasn't that  
9       interesting?

10                       No significant impact, so loosing a  
11       business not a significant impact. Loosing property  
12       values, it's not significant. Loosing your livelihood,  
13       not significant. Loosing our neighborhood, not  
14       significant. We are going to relieve I-95 traffic, that's  
15       interesting. How are we doing that? We're going to  
16       improve air quality. You know yourself, the more cars the  
17       better the air gets.

18                       You're going to improve your neighborhood.  
19       You're going to have high impact lanes, that's going to be  
20       a doozie. Indy-95, is that it -- you know, where they  
21       have those race cars? You can -- let's see, you can get  
22       statistics to prove anything. Grass strips, hey, that's  
23       going to relieve the sense of the roadway. How is that  
24       going to relieve it, you know? How is it going to relieve

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1 it?

2 First of all Main Street has two lanes up,  
3 two lanes down. So does the Post Road going by all those  
4 box stores. Now also, Myrtle Avenue. Now the Advocate --  
5 I've got a little article here. I was trying to look at  
6 the date but it's just a couple of weeks ago. Many judges  
7 are saying not Stamford. Why? You've got a \$93 million  
8 courthouse but there's too much traffic.

9 Judges aren't coming down here. The judges  
10 that are here are the judges that are over 75 years old  
11 who now have gotten to know lawyers, like lawyers. If you  
12 have the lawyer that the judge likes, that's good. If  
13 you've got the lawyer that the judge ain't too crazy  
14 about, kiss your case goodbye.

15 So here they are worried about improving  
16 air quality, traffic flow when you've got judges not  
17 coming into Stamford, where you've got traffic in other  
18 parts of Stamford that need roadways and they're worried  
19 about this. What happened to State Street? State Street,  
20 you go up Canal Street and you can get onto the thruway  
21 there.

22 If you don't want to get on that one, you  
23 can go along State Street and you can get onto the next  
24 entrance. What's the matter with that? And then it thins

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1 out so that when it gets onto Main Street you've got one  
2 traffic lane going onto Main Street going right up the  
3 road to I-95. Folks, this is the food for thought.

4 Oh, and by the way, is this in the input  
5 stage? Tell me, is it? Are we in the input stage? And  
6 don't forget there are regulations that take into account  
7 wildlife, wetlands, spotted Owls -- businesses, people,  
8 taxpayers, forget it. I rest my case, thank you.

9 MODERATOR CASOLO: The next speaker, excuse  
10 me if I mispronounce it, it's hard for me to read it,  
11 Deyanyz Ferreras, D-E-Y-A-N-Y-Z, Ferraras.

12 Okay, Fran Sessa -- oh, you already -- you  
13 signed up twice, that's why I'm calling your name. Alex  
14 Ferrara.

15 AUDIENCE: Don't be gentle Alex.

16 MR. ALEX FERRARA: Well, hello ladies and  
17 gentlemen, Alex Ferrara, 136 Myrtle Avenue. I'm the  
18 Sunoco Station right on Myrtle Avenue there. The last  
19 meeting that was here, they were not taking my station. I  
20 find out yesterday that they're taking my station. I had  
21 told the people here I was selling it.

22 I have a buyer right over here in the  
23 audience who just offered me and has signed contracts for  
24 \$1,125,000. Do you think that this town and the people

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1 who work here are going to give me that money for my  
2 station? I doubt it very much and I'm telling you people,  
3 you better stick together. Don't believe a word they tell  
4 you. The information that you give them, they're going to  
5 use it against you. That's just what they did to me.

6 Stick together, pool your money, get a  
7 lawyer and let's fight this thing. Let's put this road on  
8 State Street where it belongs. That runs right along I-  
9 95. Let's put it on State Street and let's fight this  
10 thing to no end. Stick together. If you don't stick  
11 together you got nothing. Power is the people. The town  
12 is nothing.

13 We put these people in office. We can  
14 throw them out of office just as fast as we put them in.  
15 The power is in the people, remember that. If you all  
16 want to discuss this thing after this meeting, let's pool  
17 together. Let's do something about this and get this road  
18 moved over to State Street. It won't impact anybody in  
19 this room on State Street, will it? Let's widen State  
20 Street, no impact.

21 Who gets impacted? The State, the State  
22 owns State Street. Let's widen State Street. And I think  
23 that should be done. Remember, the people are the power.

24 AUDIENCE: The people have the power, the

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1 people have the power, the people have the power.

2 MS. SANDRA JOHNSON: Can I ask a question?

3 MODERATOR CASOLO: Would you like to come  
4 up to make a comment please?

5 MS. JOHNSON: My question was to you why  
6 Myrtle Avenue? Why was Myrtle Avenue chosen?

7 AUDIENCE: We can't hear you.

8 MS. JOHNSON: I wanted to find out why they  
9 chose Myrtle Avenue.

10 MODERATOR CASOLO: Do we have any other  
11 speakers?

12 AUDIENCE: Do you have an answer to that?

13 MODERATOR CASOLO: Okay, I can answer that.  
14 Myrtle Avenue is an extension of Stamford Urban Transitway  
15 - Phase I. I went into some general detail about the  
16 scope of this project and the objectives of this project  
17 and it basically ties back to the master plans that were  
18 developed by the City, meaning the community and the  
19 people in the government.

20 And those plans call for additional use of  
21 public transit through the area. The extension of Phase I  
22 is Myrtle Avenue out to East Main Street and that's why  
23 Myrtle Avenue.

24 AUDIENCE DISCUSSION

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1                   MODERATOR CASOLO: Sir, sir, sir, if you  
2 want to go on the record with a comment I encourage you to  
3 come to the podium and make a comment so that it can be  
4 recorded, it can be evaluated, we could speak to you more  
5 about it in the future. Without that formal process we  
6 don't have anything to go on. I can't record your  
7 comments from your seat. Just sign in here sir, thank  
8 you.

9                   MALE SPEAKER: Yes ladies and gentlemen. I  
10 live on Myrtle Avenue for the past 16 years or so and a  
11 couple of weeks ago my sister come to me about a letter  
12 about them going to take our place or something like that  
13 for them to want to build a super highway or something or  
14 biker path.

15                   Why not find another place to put the bike  
16 path? We don't need no bike path on Myrtle Avenue. If  
17 they need to build a highway, why not put another highway  
18 up on top of the next one if it seems that traffic is so  
19 slow. But there's no need to come on Myrtle Avenue and  
20 kick us out. And then I would want to answer that man's  
21 question about the relocate and give them what they feel  
22 for the land. That not right. That's not right.

23                   They are using us. If we not stick  
24 together these politicians and these guys will not put you

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1 one side. And they're going to build condominium on Main  
2 Street for then they will let Glenbrook come right down  
3 and then put condominium there. Why not put the highway  
4 up on that street on that corner there? No, they don't  
5 want to put it there but that's where the multimillion  
6 dollar building gonna be where you got to pay a \$5000 fee  
7 apartment.

8 So we gotta do something about it. We  
9 cannot sit down and let these guys push you like this.  
10 We're being taxed. I'm not going to vote for them  
11 anymore, I promise.

12 MODERATOR CASOLO: Okay, is there anyone  
13 else that would like to make a public comment? Anyone  
14 else?

15 MS. MARY FERRARA: Yes, me.

16 MODERATOR CASOLO: Thank you.

17 MS. FERRARA: Power to the people. Mary  
18 Ferrara, are you taking names?

19 MODERATOR CASOLO: Write it right here.  
20 Just state your name.

21 MS. FERRARA: My name is Mary Ferrara. My  
22 husband bought this piece of property about 45 years ago.  
23 We took every penny we got to pay for this piece of  
24 property. Now, we had it sold and two weeks before it

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1 sold it's taken away from us.

2 Is this public domain? Are we going to  
3 stand for this, they're taking our property and you're all  
4 sitting here looking at me? Come on, get up. This is  
5 America. Well just don't sit there, do something.

6 AUDIENCE: What are we going to do?

7 MS. FERRARA: What are we going to do? If  
8 we sit there we ain't gonna do anything. That a girl,  
9 we're going to march. And you want Mr. Malloy in for  
10 Governor?

11 AUDIENCE: No, we get rid of him. He do  
12 nothing for the City of Stamford. We push him out.

13 MS. FERRARA: And I love Mr. Malloy, but  
14 I'm not going to vote him in.

15 MODERATOR CASOLO: Okay, so I don't think  
16 we have any more speakers tonight.

17 MR. DON DONAHUE: Yes you do.

18 MODERATOR CASOLO: That's fine. No, this  
19 is the way the January meeting went. There weren't very  
20 many people and then we got people to come up to the mike.

21 MR. DONAHUE: Good evening, my name is Don  
22 Donahue. I'm a former Commissioner of Public Works and  
23 member of the Board of Representatives for 10 years. When  
24 we first voted for the Dock Street improvements we never

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1 envisioned what this was going to become.

2 I am certainly sure that we can reach a  
3 compromise in this situation and I'm certainly sure that  
4 we certainly don't need 10 feet of roadway taken away for  
5 bike lanes. And we shouldn't be taking away parking  
6 spaces off the east side of Myrtle Avenue. And then we  
7 have houses there that have pretty much been there since I  
8 was a little kid in Stamford and before. We shouldn't be  
9 taking that away. Now why it's happening, I don't know.

10 I haven't been involved with it too long  
11 but I know that we never envisioned these kind of  
12 improvements on Myrtle Avenue. And I know we have a  
13 problem also with businesses and property owners on East  
14 Main Street. What we have to do is reach some kind of a  
15 compromise. And I'll tell you, I'll be the first one to  
16 say, I don't know who devised this plan.

17 I don't know who devised this plan but they  
18 certainly don't know Stamford. And they certainly don't  
19 know what the people of this City need and want. What we  
20 have to do is reach some kind of compromise and we cannot  
21 take the parking off the street because there are property  
22 owners that simply have no property where they can park  
23 cars on their own property.

24 And those properties date back -- they're

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1 almost historic probably, okay. So what we need to do is  
2 we have to sit down and work out some kind of compromise  
3 and these plans cannot be the final plans.

4 AUDIENCE: No. No, it cannot.

5 MR. DONAHUE: These cannot be the final  
6 plans and we have to work something out together to  
7 minimize the impact on the people who are involved in  
8 property ownership. There are residents there and we have  
9 to do that. And that's basically the bottom line.

10 MODERATOR CASOLO: Is there anyone else  
11 that would like to speak?

12 MS. SESSA: Yeah, I just wanted to -- can I  
13 just say something. I had quoted from the -- can I just  
14 say it from here? I had quoted from the Advocate and I  
15 didn't give anybody the date and I don't want you to think  
16 this was like 10 years old.

17 This is Tuesday, July 27, 2006, regarding  
18 why judges don't want to come to Stamford because of the  
19 traffic, okay. So I just wanted everybody to know that.  
20 And I was a Myrtle Avenue business owner for 25 years,  
21 never had a traffic problem on Myrtle Avenue, never. N-E-  
22 V-E-R, never.

23 MODERATOR CASOLO: Okay. Like I said  
24 earlier in the presentation, regarding property impacts

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1 it's always a very sensitive issue. I'm committed and I  
2 have been reaching out to people that are along the  
3 corridor to talk to them one-on-one to understand their  
4 needs, to explain the impacts, to talk about what the  
5 project holds in the future.

6 And I will continue to do that because I  
7 think that's a vital part as it was in Phase I, for Phase  
8 II. So I'm going to leave you with that and pretty much  
9 call a close to the public meeting at this time. Thank  
10 you for your participation and I look forward to meeting  
11 you again.

12 (Whereupon, the hearing on the City of  
13 Stamford, Stamford Urban Transitway - Phase II, was  
14 concluded at 8:25 p.m.)

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