

ANTI-BLIGHT COMMITTEE
Hearing Minutes
Part 3
10 Rugby Street
October 9, 2014

Members

Thomas Mills - present
Robert Figueroa - present
Franklin Melzer, Esq. - present
Carl Franzetti - present
Patricia Parry - present

Staff

Paul Zeiss - absent
Carrie Dinella - present

Special Counsel

Vincent Freccia, Esq. - present

Atty Jim Minor

Atty Tom Cassone and client

Other Attendees – see attached

1. Call To order

Vice-Chairman Melzer took the role of Chairman in lieu of Mr. Mills who was running late for the meeting. Meeting was called to order at 5:45 PM.

2. Approval of Minutes

Minutes dated August 26, 2014, September 23, 2014 and September 30, 2014 were distributed to the committee members in final form. Mr. Figueroa moved to approve these Minutes. Mrs. Parry seconded. All in favor 4-0.

Motion made to take matters out of order and continue discussion on 10 Rugby Street after Chairman Mills arrived. All in favor 4-0.

3. Old Business

Atty Freccia presented updates to the Committee on the following properties in place of ABO Zeiss who was absent from the meeting.

- b. 23 Dryden – owner is working with Zoning to resolve issues. ABO has been checking on property and owner is working with zoning. Matter will be continued.
- c. 81 Euclid – owner obtained permits and is remediating property. File will be closed.
- d. 165 Haviland – property owner has remediated the property. File will be closed.
- e. 444 Courtland – CO was granted. File will be closed.
- f. 53 Westover – ABO will continue to monitor work in progress.
- g. 24 Bonner – Demolition permit obtained for the garage. File will be closed.
- h. 16 Wire Mill – property owner applied for a building permit. ABO Zeiss will continue to monitor.
- i. 1047-1055 East Main – Settlement reached. File will be closed.
- j. 197 Main – owner is making effort to remediate. Will be followed.

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1335 High Ridge Rd. - The bank is now willing to endorse the check provided by the insurance company a month ago and in light of the significant delay in action, Atty Freccia asked the Committee to vote on whether to accept the previous offer made by owners of 1353 High Ridge Road. Mrs. Parry moved to accept the offer. Mr. Figueroa seconded motion, all in favor 4-0.

Chairman Mills arrived to the meeting and yielded the floor to Vice-Chairman Melzer.

a. 10 Rugby – Atty Minor began the discussion and reported on the decibel reading of machines at 10 Rugby. He presented a police report to the Committee – which was partially illegible. There was a slight delay in getting the testing scheduled and on the date of testing, the machines of concern were not on site. Atty Minor handed out copies of the City of Stamford Noise Ordinance (exhibit 46). Atty Cassone opined that the Noise Ordinance is not a blight issue and the machine noise, as a product of a business would be exempt from the ordinance. Atty Cassone handed out copies of his letter, and attachments, addressed to Atty Freccia regarding decibel specifications. This letter and attachments were noted as Exhibit 47.

Mrs. Parry moved to have the Committee go into Executive Session to ask questions of counsel; seconded by Mr. Figueroa. Mr. Franzetti said he thought all discussion should be public. Motion passed 4-1. Committee went into Executive Session at 6:15 p.m.

Committee ended Executive Session at 6:25 p.m.

Vice-Chairman Melzer yielded the meeting to Chairman Mr. Mills for discussion and voting on the matter of 10 Rugby St. Mr. Mills stated there would be no additional comments from the attorneys and opened the floor to the Committee members. Mr. Melzer stated he felt that the matter was not a blight issue. The sections of the statute cited were noted in Mr. Melzer's summary presented at the 1st hearing (and here marked exhibit 47). The three items from the statute cited: property presents substantial risk of interference to others; the property seriously depreciates other properties value; and the property has unauthorized storage, do not seem to apply in the case of a business operation next to residential properties. Mr. Franzetti, Mr. Figueroa, and Ms. Parry all expressed similar opinions. All Committee members felt that any complaints about noise should be lodged with the police department as noted in the ordinance. Chairman Mills stated that the Anti-Blight Committee was not the group to mediate issues between the property owners. Committee members agreed. Motion was made to sustain 10 Rugby Street's appeal. All in favor 5-0.

4. New Business

a. Committee agreed to convene for the next meeting on December 10, 2014 at 6:00 p.m.

Ms. Parry moved to adjourn the meeting, second by Mr. Figueroa and all in favor.

Respectfully submitted,

Patricia Parry
Secretary