




**CITY OF STAMFORD**  
**Land Use Bureau**

**MEMORANDUM**

**FROM:** Ralph Blessing, Land Use Bureau Chief   
**TO:** City of Stamford Zoning Board  
**DATE:** October 21, 2024  
**RE:** Petition to Appeal Zoning Board Approval No. 224-11

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**Summary**

On October 11, 2024, the Zoning Board received a petition, pursuant to Section C6-40-9 of the Stamford Charter, challenging the Zoning Board's approval of Application # 224-11.

Land Use Bureau staff has reviewed the petition in accordance with the Charter, the Zoning Board's procedures adopted on September 12, 2022, and applicable caselaw.<sup>1</sup> Based on its review, the Land Use Bureau has concluded that the petition DOES NOT meet the requirements for a referral and recommends to the Zoning Board that it not refer the petition.

**Analysis**

In order for a petition to appeal a Zoning Board decision to be referred to the Board of Representatives, two conditions must be met:

1. The petition must be "[...] filed with the Zoning Board within ten days after the official publication of the Board's decision thereon opposing such decision [...]"<sup>2</sup>

*The legal notice for Application # 224-11 was published on the Zoning Board's website and in the Stamford Advocate on October 2, 2024. The petition was received by the Land Use Bureau on October 11, 2024. Therefore, the petition was received on time.*

2. "The number of signatures required on any such written petition shall be one hundred, or twenty percent of the owners of privately-owned land within five hundred feet of the area so zoned, whichever is least, if the proposed amendment applies to only one zone. All signers must be landowners in any areas so zoned, or in areas located within five hundred feet of any areas so zoned.

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<sup>1</sup> *High Ridge Real Estate Owner, LLC v. Board of Representative of the City of Stamford*, 342 Conn. 423, 270 A.3d 76 (2022).

<sup>2</sup> Stamford Charter Sec. C6-40-9.

If any such amendment applies to two or more zones, or the entire City, the signatures of at least three hundred landowners shall be required, and such signers may be landowners anywhere in the City.”<sup>3</sup>

*Application # 224-11 applies to regulation changes to the HTD District, which exists only in one location within the city of Stamford. Therefore, the petition must receive “one hundred [signatures], or twenty percent of the owners of privately-owned land within five hundred feet of the area so zoned, whichever is least.”<sup>4</sup>*

*In a second step, it was determined which property owners were eligible for signing the petition. The HTD borders on Darien. A legal opinion from the City of Stamford Law Department<sup>5</sup> determined that property owners outside of Stamford are eligible for signing the petition as well.*

*Eligible properties in Stamford were identified through GIS using the City’s GIS data. Based on our analysis 248 properties were found to be within the HTD district or within 500 feet of it. Per the Charter, only signatures of “owners of privately-owned land” are counted towards the petition. Our GIS analysis found that five parcels within the subject area are either owned by the City of Stamford or the State of Connecticut. These five parcels were excluded reducing the total number of eligible properties to 243.*

*In Darien, the properties within 500 feet of the subject site were identified through GIS with data obtained from the Western Connecticut Council of Governments (WestCOG). 53 eligible properties were identified in Darien.*

*There need to be at least 500 property owners in order to achieve the 100-signature threshold based on the 20 percent rule of the Charter. Since the number of properties within and within 500 feet of the of the HTD is significantly less, the number of property owners needs to be established to determine if the 20% threshold was met.*

*For this step, the owners of the Stamford properties were identified through the Tax Assessor’s online database.<sup>6</sup> Through this analysis, 341 owners of privately-owned land were identified. Some owners own more than one property. They are included in the count of 341 owners.*

*An “owner” was considered who is listed in the tax assessor’s database, i.e. if the owner was a trust or LLC, it counted as one owner. If co-owners were listed in the database, they were all considered owners, for example if a property is owned by a couple or by two different legal entities.*

*In Darien, 87 owners were identified though the Darien online tax map.<sup>7</sup>*

*Signatures were considered valid if they were listed in the tax assessor’s database and if all owners of a property signed, i.e. if a property is owned by two people, both must sign for the signatures to be counted. If both signed, both signatures were counted, in accordance with caselaw. If an owner had*

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Memorandum from James Minor, Assistant Corporate Counsel, to Sandra Goldstein, President of the Board of Representatives dated, May 18, 1990.

<sup>6</sup> The database can be accessed here: <https://gis.vgsi.com/stamfordct/>

<sup>7</sup> <https://assessment.darienct.gov/maps/mapadv.aspx>

*more than one property and signed for all properties, signatures were counted based on the number of properties owned.*

*Based on these considerations, there are 426 property owners in Stamford and Darien combined. 67 valid Signatures were received, which is 15.73% of all property owners<sup>8</sup>.*

Based on this analysis, with 15.73% of eligible property owners signing, the petition failed to reach the 20% threshold determined by the Charter. Accordingly, staff recommends to the Zoning Board that the petition NOT be referred to the Board of Representatives.

In support of this memorandum please find attached the following documents:

- Map of eligible properties in Stamford and Darien
- Spreadsheet of eligible property owners in Stamford
- Spreadsheet of eligible property owners in Darien
- Scanned Petition signature sheets
- Memorandum from James Minor, Assistant Corporate Counsel, to Sandra Goldstein, President of the Board of Representatives dated May 18, 1990

cc. Caroline Simmons, *Mayor*  
Bridget Fox, *Chief of Staff*  
Thomas Cassone, Esq., *Corporation Counsel*  
Cynthia Anger, Esq., Assistant Corporate Counsel, City of Stamford  
John Harness, Esq., Assistant Corporate Counsel, City of Stamford

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<sup>8</sup> It should be mentioned, however, that even based on the Stamford property ownership alone the petition only 19.65% of the property owners signed.