

STAMFORD PLANNING BOARD  
PUBLIC HEARING & REGULAR MEETING MINUTES #3740  
TUESDAY, FEBRUARY 28, 2012  
4<sup>TH</sup> FLOOR CAFETERIA – GOVERNMENT CENTER  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Theresa Dell, Michael Totilo, Claire Fishman, Roger Quick, Jay Tepper and Zbigniew Naumowicz. Present for staff was Todd Dumais.

Mrs. Dell opened the Regular Meeting at 7:00pm.

**Regular Meeting**

***Zoning Board of Appeals Referrals:***

**ZBA Appl. 012-12 – Bhavanishanker & Sudha Rathi** requesting variances of Table III, Appendix B, front and side yard setbacks and building area (coverage) to construct a full second story addition on an existing residential structure located at 6 Hallmark Place in a R-7½ zone.

Mr. Dumais described the requested variance. After a brief discussion, Mr. Tepper moved to recommend approval of the requested variance. Mrs. Fishman seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Totilo and Tepper).

**ZBA Appl. 014-12 – Vaulina & Galas** requesting a variance of Table III, Appendix B, rear-yard setback to construct a second story addition on an existing residential structure located at 128 Van Buskirk Avenue in a R-6 zone.

Mr. Dumais described the requested variance. The Board discussed a clear lack of a hardship and excessiveness of the requested variance. Mr. Quick moved to recommend denial of the requested variance. Mr. Totilo seconded the motion and it carried unanimously with the eligible members present voting, 4-0 (Dell, Quick, Totilo and Naumowicz with Mrs. Fishman abstaining).

**ZBA Appl. 015-12 – Frank Colandro** requesting variance of Table III, Appendix B, rear-yard setback to construct an addition to a single family home located at 263 Thornridge Drive in a RA-1 zone.

Mr. Dumais described the requested variance. Mr. Tepper stated based on boundaries alone there was a significant hardship. Mr. Quick moved to recommend approval of the requested variance. Mr. Tepper seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Fishman, Totilo, Quick and Tepper).

**ZBA Appl. 016-12 – Susan Sievat** requesting variance of Section 3, Definition 2 “Accessory Building” to allow an accessory building to be constructed on a lot prior to the erection of the main building on a parcel known as “Lot 47” South Lake Drive in a RA-3 zone.

Mr. Dumais described the requested variance. Mr. Naumowicz stated he would approve the application with the restriction they remove the shed prior to obtaining a building permit for a new house. Mrs. Fishman moved to deny the requested variance. There was no second and the request failed. Mr. Totilo moved to recommend approval, seconded by Mr. Quick and passed 3 – 2 (Totilo, Quick and Naumowicz in favor, Dell and Fishman opposed).

Mrs. Dell closed the regular meeting and took a brief recess. She opened the Public Hearing of the Planning Board at 7:30pm.

## **Public Hearing**

### **Proposed Lease Extension and Modification Agreement between the City of Stamford and the Stamford Golf Authority** *(continued from 2/21/12)*

### **Request for Demolition of the Main House located at Sterling Farms Golf Course.** *(continued from 2/21/12)*

Mrs. Dell introduced the Board Members and Staff and described the Public Hearing process to the Public.

Attorney William Hennessey, representing the Applicant, the Stamford Golf Authority (SGA), introduced his team and consultants to the Board. He began by responding to questions and comments raised by neighbors from the last hearing date. He reminded the Board Members and the Public that they were in front of the Planning Board because they have a problem and a solution to that problem. He described the demo of the building and construction of the new building on the 3-D model presented. Attorney Hennessey said Ms. Reeder's comment on profitability, delivered audited financial statements and said this is a well run operation. It's a non-City entity that delivers funds back to the City and he doesn't know of another that does this. At the end of the year, 2 – 3% reserve fund held aside. There are no deed restrictions but a stipulated agreement back when the property was zoned RA-1. It's no longer in RA-1, it's now a park zone, as-of-right which renders this null. Pertaining to the lease agreement, this is a new deal. Mr. Bretschger, Long Ridge Road resident and Mr. Arnone, White Oak Lane resident talked about financial modeling to move Golf Authority forward. They both said the income picture wouldn't produce enough revenue stream. They may be right. The applicant is here seeing the authority to move forward to go with more detailed plans so we can get more detailed drawings to the lender. The SGA is looking to go forward with another \$300-\$400K unless the lease is extended and if the City wants to preserve this building. If Mr. Bretschger's numbers are correct at \$7.2 million, the true cost to construct would be \$800,000 which seems off the charts high but he might be right. It was also mentioned that Golf seems to be a waning sport which we don't believe to be true but what is true is high end, newly constructed and older aged private clubs are failing. Municipal high end courses are NOT failing.

Attorney Hennessey addressed comments from a neighbor represented by Joseph Capalbo. Regarding the site plan issues, what if the building is knocked down and they can't construct a new one or if the plans change. The Board has been asked by the Mayor to approve the demo and nothing prevents the Board from conditioning their approval. There's a perceived lack of control of the site plan issues, lighting, landscaping, etc. Mr. Capalbo said the same thing: no review process and controls should be built into the lease. Section 14 of the lease already allows for this.

Mr. Tepper asked if the SGA would accept site plan review by both the Planning and Zoning Boards in the lease? Attorney Hennessey said he didn't think they could do this.

Mrs. Dell said the Board cannot make any other changes to the lease. They can review the length of the lease and financial terms. Any other changes the Board wants, they can deny the request and asked them to return with modified lease language.

Attorney Hennessey noted there'd been significant analysis and thought put into this building and alternative options.

Jerry Hupe, Architect for SGA, presented footprint comparisons. He described how they'd arrived at this plan versus some other approach to the building. RFP desired program, considering the budget and physical site layout. They looked at the building facilities to determine the value of all buildings and how it all relates to the whole. What was left after you look at all these components was a renovation of 3,600 s.f. of the main building that presents the character of the area that the neighbors are speaking about.

Mr. Quick asked about additions to what was the original farm house.

Mrs. Fishman questioned the kitchen and said she was quite horrified by the kitchen which badly needs to be updated. How much of the building was destroyed by the fire?

Mr. Dumais asked what City departments were involved in the RFP process for the architectural design proposals and stated based on their own numbers the costs for reconstruction was about \$3.5 million \$500,000 less than the new building.

Mrs. Dell asked what does the project come in at? What about loan default? Who's responsible for this? She asked about the restaurant putting financing towards the costs and offered that the restaurant should not be included in the financing. She expressed surprise there were no alternative plans submitted and stated that they should have a variety of looks since they plan to demo the full building and provide for other options to tearing down the building. They need more information from the SGA. The old building has been a part of Stamford for a long time.

Mrs. Fishman asked about the Board of Representatives involvement with the Demolition process. She said that when she was on the Board she worked on creating an ordinance requiring proper positing and notification for the demolition of buildings. Mrs. Fishman then asked about the possibility of the Stamford Golf Authority moving the building.

Attorney Hennessey said they are at least a year away from allowing someone to issue a demo permit and they have many opportunities to present building options. We don't know how much it will cost, what exactly we need to construct a building that will attract a tenant to bring in \$300-\$400K a year. The tenant will tell us. Once we figure this out, we will know how much funding they'll need. The SGA is sure that integrating the main building into the program will be quite expensive.

Mrs. Dell asked if requesting the demo permit was premature then; shouldn't the Board just be looking at a lease agreement? They could then come back once they have more information.

Mr. Tepper said his general concern is lack of governmental oversight. Zoning regulations on park district are overly broad and that the Zoning Board should change this. As for financing, no oversight by the City but the SGA is receiving \$300K/year from the city. If this income to the City is lost, would like to see some type of government involvement.

Mr. Totilo reviewed the 2010-2011 financials presented. They had a \$3.5 million loan to First County Bank for golf course improvements and want to add another \$3.5 million a year in debt. He said he didn't see how they could raise their debt by this amount. He asked that the SGA accountant look into this number. He noted about \$90K of available cash coming in and rent of \$250K for income. Mr. Totilo said \$7 million of debt on top of \$3.5 million in loans is a lot. If the restaurant doesn't do well, he'd be worried about the SGA's ability to pay back on the debt. He noted this plan might be a bit too nice for a public golf course with the City as the ultimate guarantor.

Ken Delaroca, Counsel for the City of Stamford and SGA, said the City has no liability, only security is revenue.

Mr. Totilo asked what the default feature was on the loan? Does the bank come into operate this course? Attorney Delaroca described what the broker thought of the restaurant. The unique feature is that the SGA is an Authority who has a great track record over the years.

Mrs. Dell said the City would have helped out capital-wise if major expenses on the building if it turned out the SGA had no funds.

Attorney Hennessey said that's just one solution to their problems.

Mrs. Dell asked why the SGA allowed the building to deteriorate to this point? Why wasn't maintenance done to upkeep the building all along? She noted every Planning Board member had visited the site. She also noted if proper maintenance had been done a lot of projects would have been averted. These problems should have been brought to the City's attention.

Attorney Hennessey said they have a cost neutral solution not paid for by taxpayers. We think we can create a formula where we can get a new building but as both a landlord and tenant we have a problem.

Mr. Totilo asked if they could wrap bond debt with the City and get a more favorable rate; they do have a substantial cash flow. What did City approve over \$3 million in spending for since it was a capital project. Attorney Hennessey said when the lease was renegotiated it was the assumption we made that the City would prefer to have them out of its capital problem.

Mrs. Dell asked for Public questions and comments in Favor of the Application.

Dr. Konandreas, Stamford resident for over 30 years and a golfer. Said he's heard what a great golf course this is and that they are the top authority in Connecticut. The SGA does an excellent job on maintaining the course. He's familiar with the building and restaurant and doesn't know how the existing building could be brought up to date. He spoke about the difficulties of making a historic renovation and asked the Board to give the project a green light to go forward.

Mrs. Dell asked for Public questions and comments Opposed to the Application.

Peggy Meehan, 1412 Newfield resident. Presented a list of questions from the neighbors and submitted for the record a copy for each Board member and the SGA. The site approved authority is vague; what's the process? If they expanded the restaurant/banquet facility, could they avoid tree cutting, restaurant tenant noise, invoke time limits to operations, coordinate facility events, drainage impacts, will there be a traffic study done? They have an additional 38 petition signatures (from last meeting) that are against the project who border the property or live within ¼ mile from the club (she showed a map marked with where properties were located).

Lisa D'Anufrio asked that the Board please consider the neighbors' needs and stand up to this project. These are their homes. They are happy with the way the golf course operates now. They must live there.

Amanda D'Anufrio and John Meehan read a letter into the record. SGA is asking for a blank check; asking to black top the one remaining open space in this area. They questioned the

public nature of this course and said there were too many unknowns for the Board to make a logical, informed decision.

Patty Foster said she is still concerned about this project and they are taking the neighborhood out of the process. She showed existing conditions on photographs and expressed concern about drainage getting worse. She discussed the lighting plan and site plan and asked if they don't know specifics why do they need extra parking? She asked that the Applicant work more closely with the neighbors to come up with an appropriate and acceptable plan.

Todd Bryant, Historic Preservation Consultant. Stated the intrinsic value of the house and the house's value is part of the entire ensemble. It's still recognizably a farm and it's a landmark and people go down the road and the building speaks to them. It's not the most wonderful building in Connecticut but together creates an ensemble and is on the list of the CT register of historic places. Meaning, the State agreed this is a worthwhile group and meets established three criteria. The Sterling Farm property contributes to our history. There's a public trust that Stamford entered into when they purchased this property and if they demolish this building, they break that trust. He encouraged the SGA to find ways to expand the building rather than demolish it.

Marshall Millsap noted stewardship, golf course, historic site. Connecticut has a unique way to protect historic sites. The State offered assistance to SGA for alternative plans. Before taking any steps, ask the Authority/City if a historic stewardship plan is part of the agreement. He asked the Board to say no to the lease and demo request before them tonight.

Cynthia Reeder, homeowner, asked if there was another level of approval in this process. Reviewing State statues, this project can't be done if it's not in accordance with the Master Plan. She said we're at an interesting cross road right now where we could develop a Master Plan for the whole property. Make recommendations that start a dialogue but need representatives from the City and Authority to work with neighbors to accomplish this.

Renee Kahn, Director, Historic Preservation, said it is hard to visualize this area without this structure. Demolition by neglect, problem is that old buildings are extremely hard to kill. This is a Colonial Revival style building. When the architect came to see her, it was already a done deal, the SGA wanted a new building. The present plan leaves much to be desired; don't understand why they are messing with it. There should be a restoration/addition price comparison. The time to stop this is now.

Kenneth Burn, theme of history, Luther Scofield was the person who had house built. His great-great grandparents still alive – the mother still goes to the little cemetery to leave flowers. It's more than just boards and nails.

Mr. Bretschger said last time he talked numbers. He was for 11 years the head of real estate development and construction for Scholastic Inc. We are entering an economy where we are going to see escalation. You'll loose making money on a building when you start construction.

Mrs. Fishman asked if there'd been a debt study for replacing the building versus rehabbing it. Attorney Hennessey said they hadn't done one yet.

Mrs. Dell commented on the numbers as well.

Ralph Antonacci, 30 Kenilworth Drive East said he wanted to compliment the Board on the questions they were asking tonight. Dr. Meehan's submitted letter should be taken seriously.

Peter Hosinski, 3 Sweet Brier Road, spoke as a concerned neighbor. Concerned about the financing numbers and projected revenues could not realistically be met unless there was year round usage of the facility for non-golf events. SGA would have to use this facility year round. Don't think this use is consistent with Stamford zoning regulations. Mrs. Fishman asked if the restaurant operates all year. Mr. Hosinski said yes but catering facility would be compelled to run year round. He questioned whether the use of the grounds was consistent with the Master Plan. Ordinance for Golf Authority; must work in conjunction with the Parks Authority.

Joseph Andreana, 317 Interval Road East, said he's an avid terrible golfer but felt compelled to say something about going ahead with a demo permit without a plan. They are looking at a conceptual design but they are looking at a \$5 million plus project. How can you approve something without hard numbers. He doesn't want to see a hole in the ground at Sterling Farms. If you add in the new building and parking, what's left is 0.67 acres of land for public use; for the public to use without having to pay a fee. It's another St. Cecile's church going into the middle of a park.

Mrs. Dell said there were no further questions from the Board.

Attorney Hennessey said the meeting could be characterized as a healthy sharing of information. We know what we agree on and what we don't. This is a passionate issue but being done in a civil tone. The question is how to deal with a building that will cost a lot of money to fix and they presented a solution. It's a very attractive building, the Board has to make a decision. If they missed an option at the end of the day, the SGA needs some certainty to test it out.

Mrs. Dell thanked the Golf Authority and said the Board would discuss the application on March 13, 2012 on the 7<sup>th</sup> floor at 7:00pm. She closed the Public Hearing at 10:10pm.

### **Regular Meeting**

#### ***Planning Board Meeting Minutes:***

Mrs. Dell tabled approval of the minutes until a future meeting date.

#### ***Old Business***

Mrs. Fishman made a motion to add an item to the Old Business agenda, seconded by Mr. Totilo and it passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Totilo, Tepper and Fishman). The following item was added to the agenda.

#### **Capital Budget 2012-2013 & Capital Plan 2013-2019** – Updated totals.

Mr. Dumais noted that there were a number of small changes to the relating to unaccounted grant funds. The Board discussed the capital budget changes, Mr. Quick made a motion to approve the updated totals, seconded by Mr. Totilo and the budget recommendation from the Planning Board passed unanimously with the eligible members present voting, 5-0 (Dell, Tepper, Totilo, Quick and Fishman).

There being no further business to discuss, Mrs. Dell adjourned the meeting at 10:35 pm.

Respectfully Submitted,

Claire Fishman, Secretary  
Stamford Planning Board

**Note:** These proceedings were recorded on tape and are available for review in the Land Use Bureau located on the 7<sup>th</sup> floor of Government Center, 888 Washington Boulevard, during regular business hours.