

STAMFORD PLANNING BOARD REGULAR MEETING  
TUESDAY, MARCH 13, 2012 MINUTES # 3741  
7<sup>TH</sup> FLOOR LAND USE BUREAU  
CONFERENCE AREA – 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, and Jay Tepper. Present for staff was Todd Dumais.

Mrs. Dell opened the Regular Meeting at 7:10pm.

**Regular Meeting**

**Proposed Lease Extension and Modification Agreement between the City of Stamford and the Stamford Golf Authority**

Mrs. Dell opened discussion on the lease agreement. She mentioned that it was her opinion that she would like the opportunity to look at all of the provisions of the lease agreement not only those relating to the revenue and term and that she would be in favor of sending this back to the Mayor and Law department for review and renegotiation.

Mr. Totilo said the lease itself since it's an extension for a long period of time; they should be able to add additional provisions. He said he believes there are no checks and balances on financing of the property. Offices of Operations and OPM should add stipulations to make it more robust with City rules and policies. Changing use of property by looking at 12-month catering facility doesn't seem consistent with the property.

Mr. Tepper said they are replacing a tent with a new room when the function of the facility should be golfing.

Mr. Totilo said let's make it for golfers don't make it a catering hall.

Mr. Quick asked about the lease extension? Mrs. Dell said premise should be a recreational facility. Why extending the lease now? Current lease goes out another 7 years and now pushing it to 25 years. Why wouldn't they wait until they have a proposal of what to do after demo?

Mr. Tepper said they can't plan unless they have funds for assurance of project.

Mr. Quick noted that the Oak Hills Golf Course in Norwalk rebuilt their restaurant and now in default on borrowing; and asked who would ultimately be responsible for the debt?

Mr. Tepper said he was concerned about lack of control over this project. He wants to see terms of lease and financing, the capital project request. He wants to see Planning and Zoning Board review and concerned there's currently no environmental control.

Mrs. Fishman said she agrees with Mr. Tepper and would like a closer look at the lease.

Mrs. Dell asked who authorized \$3.5 million existing loan? She asked for clarification.

Mrs. Dell acknowledged receipt of the Mayor's letter regarding the withdrawal of the Demolition request. She then read the following into the record:

*"Dear Chairman Dell:*

*I am writing with regard to the above referenced items recently heard by the Planning Board further to my request of August 25, 2011. Specifically, the matters involved two requests on behalf of the Stamford Golf Authority: 1) request to extend the term of the existing lease with the City for its operation of the Sterling Farms Golf Course and to increase the rental payment; and 2) request to demolish the existing Main House and replace same with a newly constructed building for office and restaurant use.*

*After consultation with members of the community and board members of the Stamford Golf Authority, I am withdrawing that portion of the request to demolish the existing Main House. I ask that the Planning board continues to vote on the request for the lease extension pursuant to Section C1-50-3 and C9-7 of the Stamford Charter and Code of Ordinances. The extension and modification of lease are in the best interest of the City and will provide the Stamford Golf Authority with a tool to explore the options and alternatives available to rectify the central issue, which is the condition of the Main House. Sincerely, Michael Pavia – Mayor”*

Mr. Totilo said he was in favor of withdrawal of the demolition request and would only reconsidered it if resubmitted with a full plan.

Mr. Quick said the Board hadn't been given much of a choice and that no alternatives were presented; that he was concerned about costs. He also noted that he was in favor of keeping the house in any future plans for the property.

Mr. Tepper commented that no consideration had been given to renovation.

Mrs. Fishman said renovating was a good idea but was concerned that when done we would be left with nothing historic.

Mrs. Dell commented that she was disappointed not to see more plans and felt that the new room is not related enough to the golf facility. She also stated that she was upset to see changes in the driveway and parking and the loss of grass area.

Mr. Tepper said he wants to deny the lease extension request with recommendations and send a list of concerns on how the Planning Board should be involved with the process; check with the term of the lease.

Mr. Dumais explained the lease and how it would be an up or down vote by the Board. Any requests they want to transmit would have to be done in the form of a letter describing their action.

After further discussion, Mr. Tepper moved to recommend denial of the proposed lease extension and modification with a recommendation they write a letter to the Mayor explaining the denial. Mr. Quick seconded the motion and it carried unanimously with the eligible members present voting, 5-0 (Dell, Tepper, Fishman, Totilo and Quick).

**Proposed License Agreement between the City of Stamford and the Mill River Collaborative, Inc.** for use of 1050/1056 Washington Blvd, 1 Whittaker Place, and 3-17 West Park Place for a series of public and private events.

Mr. Dumais explained the license agreement request. He noted that it was between the Mille River Collaborative and the City for use of the area roughly described as where the Circus is held each year. He highlighted the terms of the agreement. After a brief discussion, Mrs. Fishman moved to recommend approval of the requested agreement. Mr. Totilo seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Totilo and Tepper).

**Zoning Board of Appeals Referrals:**

Mr. Tepper moved to take an agenda item out of order, seconded by Mr. Totilo and it passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Totilo and Tepper).

**ZBA Appl. 019-12 – Adam & Melissa Barkin** requesting a variance of Section ^A to permit a shed to remain in a front yard located at 12 Hedge Brook Lane Drive in a RA-1 zone.

Mr. Dumais described the requested variance and noted that the Board previously recommend approval of a variance for this property but denied the request for the shed. He explained that the property owner is hear tonight and will explain the application and answer questions that the Board may have.

Melissa Barkin, owner, previously submitted written request to speak to the Board, presented the application. She described how their zoning backyard is their functional front yard and their zoning front yard is their functional backyard. They built a fireplace and shed and were not aware of the zoning permit requirements at the time and subsequently applied for a variance for the structures to remain, part of which, the shed, was denied. Mrs. Barkin noted that they now have submitted a new application for the shed to remain in the front yard. She described how the other locations on the property are incompatible for the shed: the front of the house was in a flood zone, the side yard is rock ledge and the backyard is a front yard. She said because of the topography of the lot and no neighbor opposition, they feel the application is not injurious to the neighborhood.

Mr. Quick asked her to describe the shed? Mrs. Barkin answered it's a 10' x 14' on cement blocks.

Mrs. Fishman 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, Quick, Fishman, Totilo and Tepper).

**ZBA Appl. 018-12 – Accurate Lock & Hardware Co., LLC**, requesting variances of Section 10A, 9G, 9F and Table III, Appendix B, to expand non-conforming uses and buildings in the R-5 and R-MF zoning districts at 21 Annie Place and 31 Diaz Street.

Mr. Dumais briefly described the request. He explained that it was essentially an expansion of nonconforming uses and buildings and noted that this was in the heart of the City's ongoing West Side Study.

Attorney William Hennessey introduced and explained the application. Mr. Hennessey began by describing the history of the applicant in Stamford. He explained that the Accurate Lock and Hardware Company started in 1972. They manufacture high end architectural grade door locks which most people don't think of Connecticut or Stamford as being strong in. Accurate employs 81 people every day, many from the neighborhood and now have needs for a larger manufacturing building. Mr. Hennessey then showed a series of existing conditions photographs of the buildings and aerials of the site to the Board. He noted that there are four variance requests because of the many uses on the property and both parcels are completely nonconforming to Zoning and the Master Plan. The idea is to demolish all the existing and build a new building and to take Annie Place and put a new mezzanine area near the front door with 3,800 s.f. of administrative and office area. The zone allows for a two story building with a 40' height. The manufacturing portion will be built on Diaz Street which is now 15,800 s.f., is a two-story building and will give Accurate the space they need to operate for the next few years. Mr. Hennessey noted the value this highly skilled and valued

team brings to the community. He then showed a video to the Board and hoped it would put the process into context of what the operations are for Accurate Lock and Hardware Company.

Ronald Salvatore owner of the company addressed the Board. He detailed how labor is an important factor to any company and the importance of keeping employed the majority of employees who live in the neighborhood. Their only option is to expand because there's currently a worldwide market for this product and they have to stay in business.

Mr. Totilo said it would be a sin to lose this business to another town.

Mr. Quick said the true hardship is trying to do this business without moving to another town.

Mr. Dumais had several questions on streetscape and recommend increasing the landscape buffer along Diaz Street.

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

**ZBA Appl. 017-12 – Ahuja Holdings, LLC** requesting Special Exception approval pursuant to Section 4AA 1.3, to construct a 10,335 s.f. Child Day Care Center for 150 children at 831 & 833 High Ridge Road in a R-10 zoning district.

Mr. Dumais, explained that after reviewing the file he requested additional information from the applicant he stated that he did not intend for the Board to vote on the matter but requested that the ask any questions about the application so that he could have them addressed at a future meeting. Several Board members requested a Traffic Impact Study, asked for additional details on the Site Plan and Architecture and wanted to know if the proposed use of the second floor was legal. Mrs. Dell then tabled further discussion on the this item to next week's meeting.

***Planning Board Meeting Minutes:***

Discussion on all of the meeting minutes was tabled until the next meeting at the request of Staff.

***Old Business***

**Subdivision #3999, 54 Research Drive**, requests a second 90-day extension of time to file the final subdivision map.

Mr. Dumais explained that this request is because a condition of the subdivision approval requires a demising wall to be built separating the existing building into two builds. He said that the applicant was unable to construct the wall and needed additional time to do so and thus requested an additional extension of time to file the final map. After a brief discussion, Mrs. Fishman moved approval of the requested extension. Mr. Tepper seconded the motion and it passed unanimously with the eligible members present voting, 5-0 (Dell, Quick, Fishman, Totilo and Tepper).

***New Business***

**Mayor's Capital Budget 2012-2013 & Capital Plan 2013-2019**

Mr. Dumais distributed copies of the Mayor's proposed Capital Budget to the Board. He asked the Board to review his changes and submitted any questions or comments they have back to Staff.

Mr. Dumais also noted that the Technology Department was pursuing the idea of digitally recording recordings of all the Planning Board meetings, including those held on the 7<sup>th</sup> Floor. He said that he would provide the Board with additional information once it becomes available.

Mrs. Dell announced that the next Planning Board meeting was scheduled for Tuesday, March 20, 2012. She noted that she would be unable to attend the Tuesday, April 24<sup>th</sup> meeting.

There being no further business to discuss, Mrs. Dell adjourned the meeting at 9:10 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.