

From: [Lisa L. Feinberg](#)
To: [Rosenson, Valerie](#)
Cc: [Steven Grushkin](#); [Leonard Braman](#); [William J. Hennessey Jr.](#); [McCreery, Edward P. \(emccreery@pullcom.com\)](#); ["John W. Cannavino"](#)
Subject: LU30.015
Date: Tuesday, July 24, 2018 4:27:59 PM
Attachments: [Special Exception Comparison Chart \(S7143849-3\).pdf](#)
[Lifetime BOR Powerpoint 7.18.18 \(S7143837\).pdf](#)
[SmartMoney - 1995.pdf](#)
[DSSD letter - 7.19.18 \(S7143854\).pdf](#)

Valerie,

Attached are materials provided in response to questions raised by the committee members:

1. Copy of CTSB PowerPoint Presentation from 7/18-7/19
2. Copy of letter from DSSD
3. Special Exception Standard Comparison Chart
4. Smart Money Magazine article: Defending their Turf

Please distribute to all members of the Board and include in the file. Additionally, some Board members were looking for a bit of context in terms of the size of the contemplated Life Time in High Ridge Park. As we noted, if permitted to go forward, the Life Time in Stamford will be between 95,000-99,000 gross square feet. By comparison, the Life Time in Harrison is 207,000 gross square feet (including indoor tennis and squash courts which are not proposed in Stamford), the Life Time in Syosset is 114,000 square feet, and according to the Tax Assessor's records, the Jewish Community Center in Stamford is 90,500 gross square feet. Thus, the contemplated Life Time in Stamford would be approximately 50% smaller than Harrison, 12% smaller than Syosset and 10% bigger than the JCC. If you could provide this information to the Board members, we would greatly appreciate it.

Thanks,
Lisa

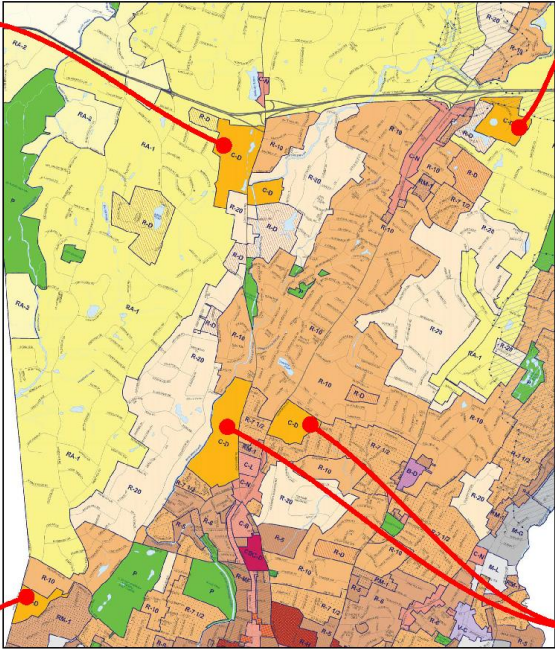
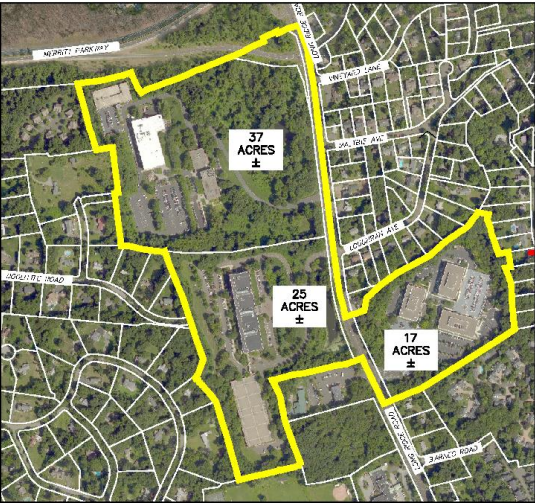
Lisa L. Feinberg | [Bio](#)
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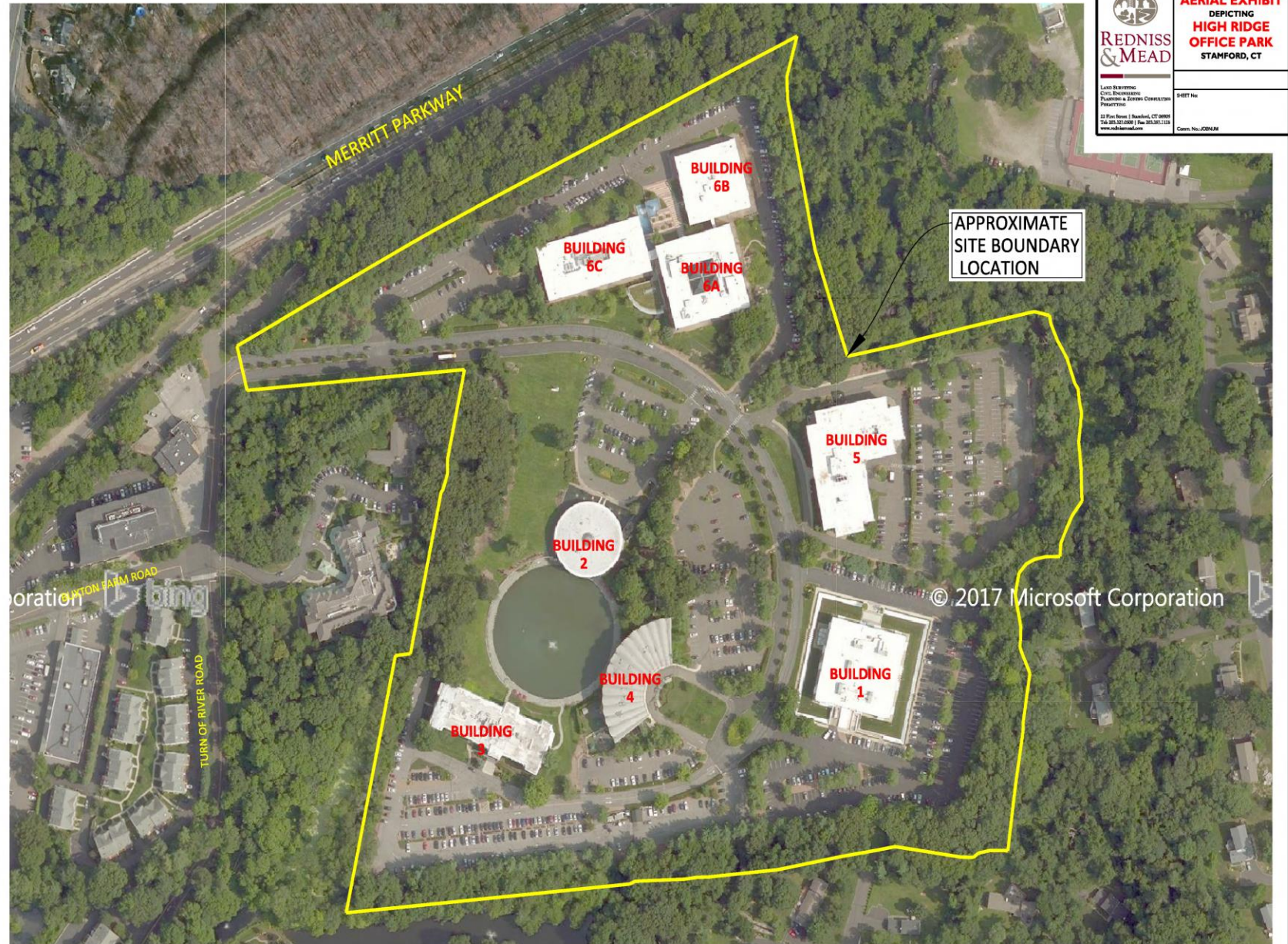


City of Stamford
Board of Representatives
Land Use – Urban Redevelopment Committee
Public Hearing – LU 30.015
Review of ZB Appl. #217-01
July 18, 2018

C-D ZONE EXHIBIT



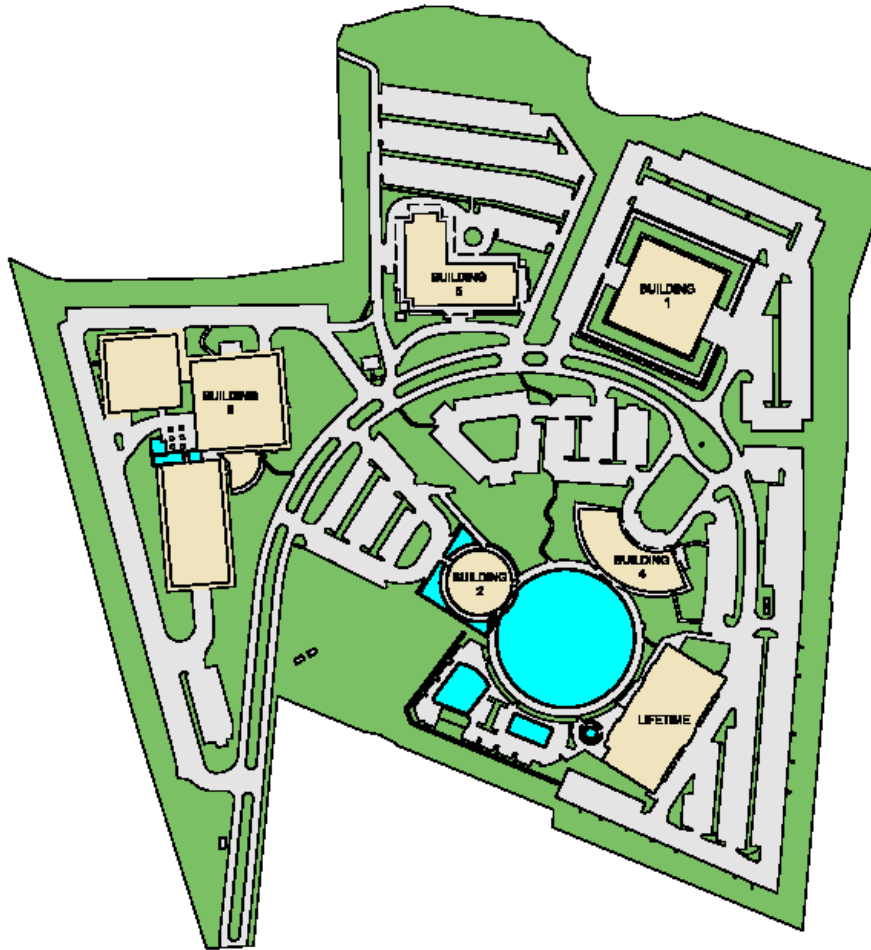
July 19, 2017



APPROXIMATE
 SITE BOUNDARY
 LOCATION

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TOTAL SITE AREA = 1,881,800 SF

	<u>COVERAGE</u>	<u>AREA (SF)</u>	
	BUILDING	189,634	11.21%
	IMPERVIOUS	658,285	38.91%
	TOTAL IMPERVIOUS	847,899	50.12%
	GREEN	779,989	48.10%
	WATER	63,915	3.78%
	GROSS FLOOR AREA	619,078	0.307

Notes:

1. Information based on proposed Text Change dated, 3/8/2018.
2. Overhangs excluded from Building Coverage (22,121 sf 1.31%).
3. Impervious calculation assumes removal of existing parking and drives from the site perimeter near Building 5.
4. All area beneath building eaves are considered impervious coverage.

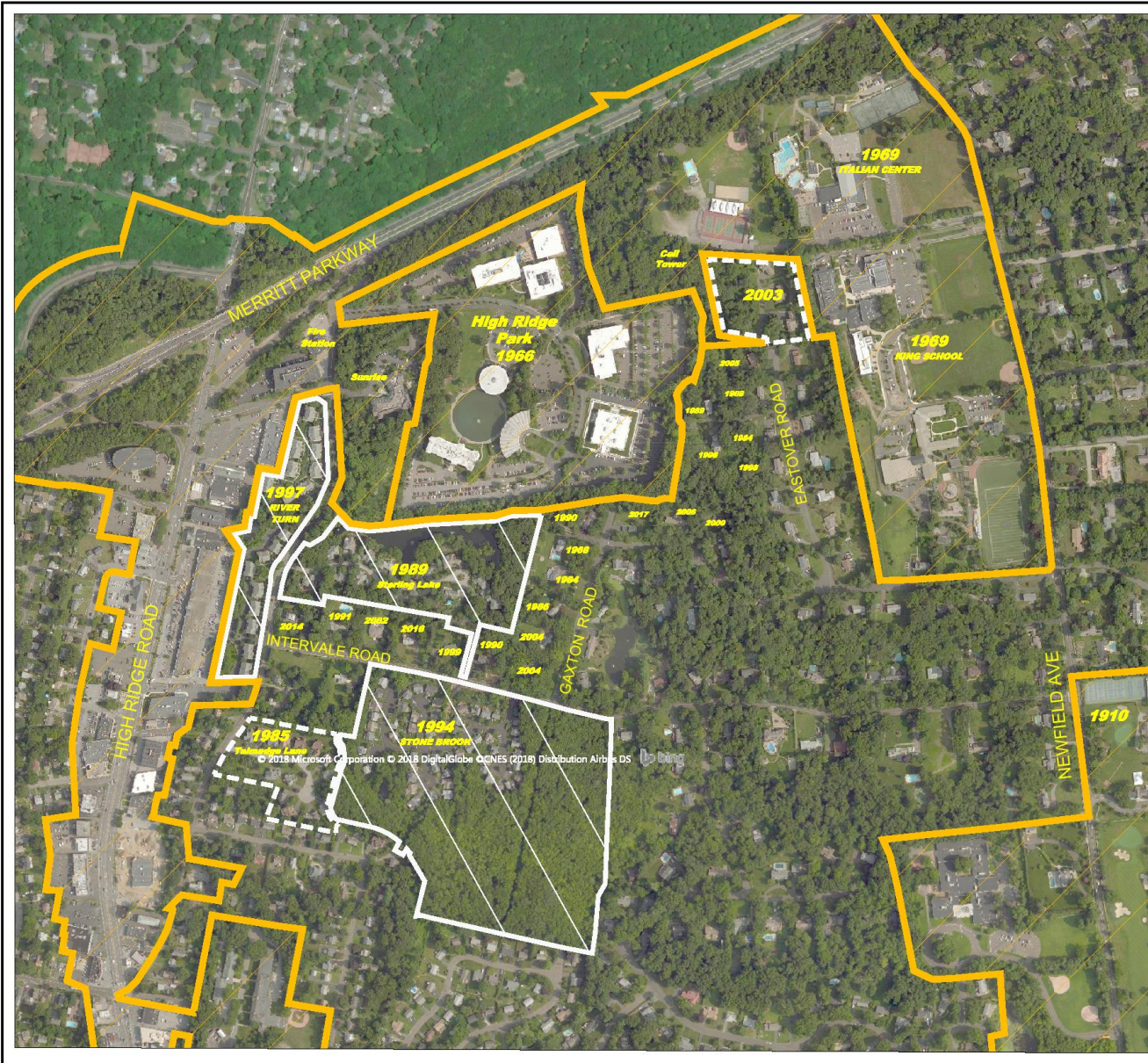
**CURRENT CONCEPT
HIGH RIDGE PARK
STAMFORD, CT**

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
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COMPL NO:	DATE:
1784	2/8/2018
	SCALE:
	1" = 250'



Key

 Areas of non-residential properties

 Areas of residential development that came after High Ridge Park and required Text Change, Zone Change, and/or Special Exception approvals.

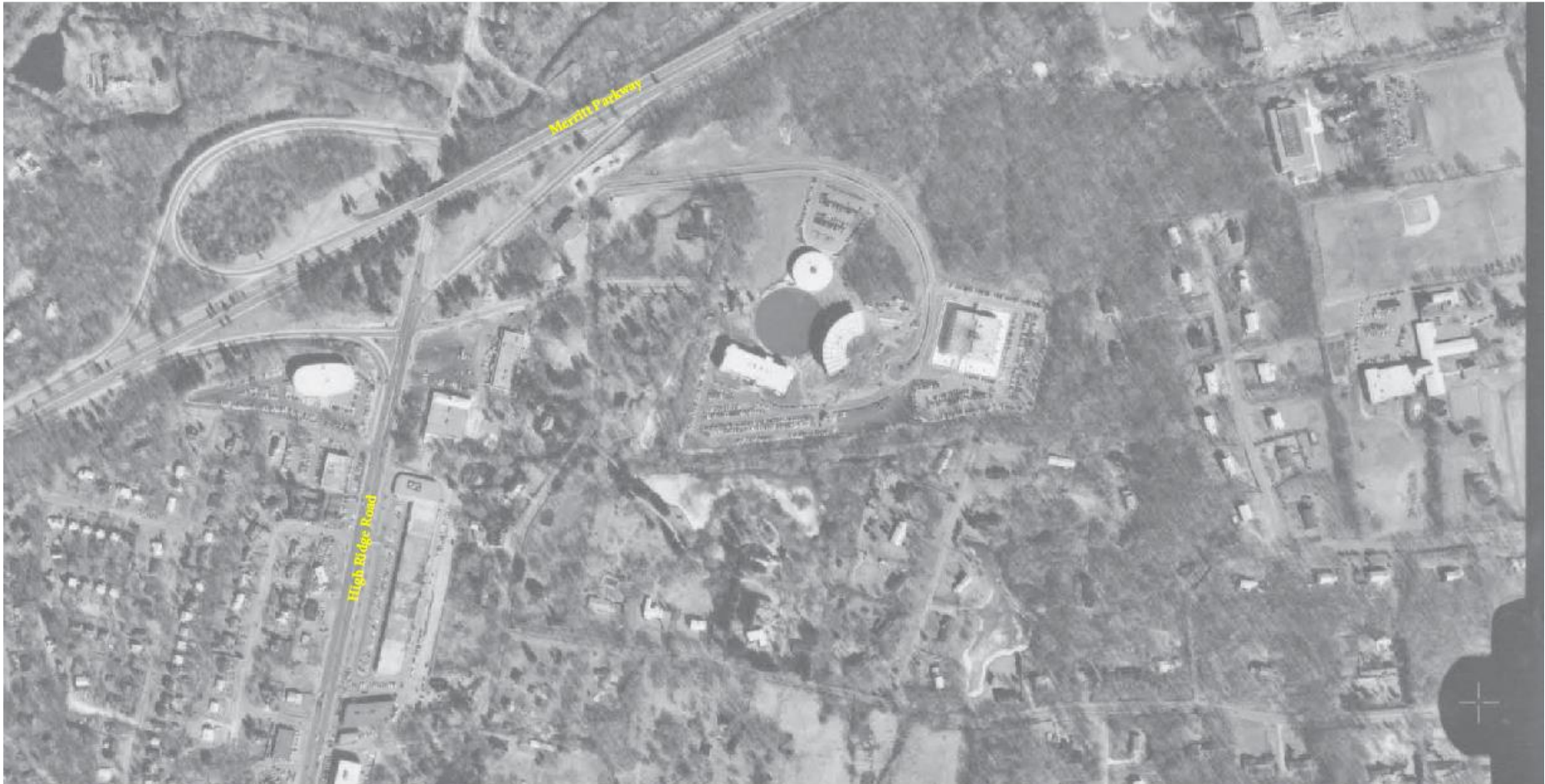
 Subdivisions after High Ridge Park.

Notes:

1. Line work obtained from the City of Stamford GIS.
2. Aerial imagery obtained from Bing Maps.
3. Dates obtained from the City of Stamford Tax Assessors.

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1970





**STAMFORD YACHT CLUB
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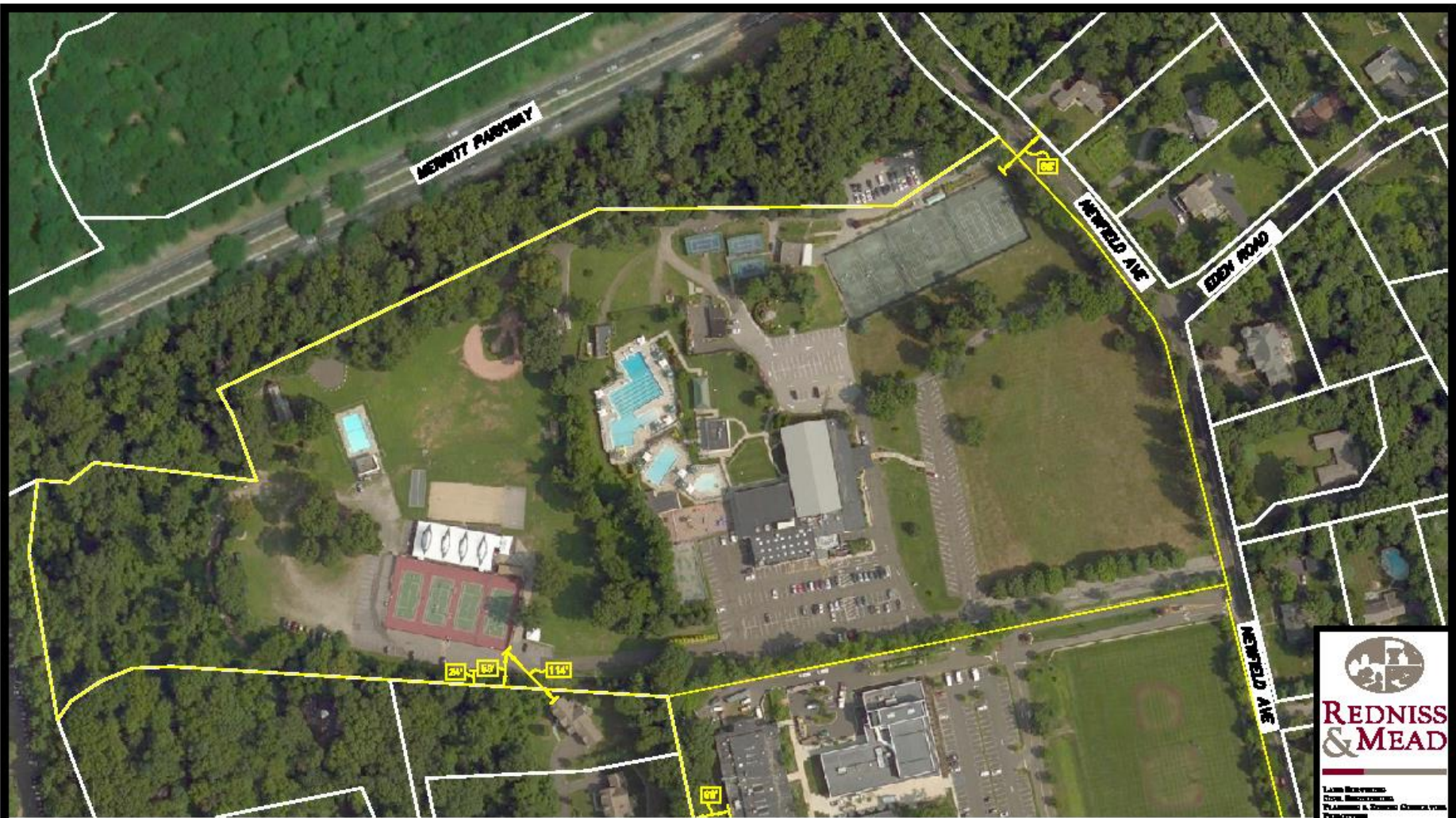


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1782	2/1/2018
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	1"=120'



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COMPL. NO.	DATE
1772	3/1/2018
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	1"=150'



**JEWISH COMMUNITY CENTER
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1772	SCALE 1"=120'



KING SCHOOL
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<p>SCALE: 1"=150'</p>	<p>1783</p>



**NEWFIELD SWIM AND TENNIS CLUB
DISTANCE EXHIBIT
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CONVL. NO.:	DATE:
1792	3/1/2014
SCALE:	1"=120'

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Representative Charles Pia
Representative Virgil de la Cruz
Co-Chairs, Land Use Committee, Board of Representatives, Stamford, CT
888 Washington Blvd.
Stamford, CT

July 19, 2018

Representatives de la Cruz and Pia,

I am given to understand that at last night's public hearing before your committee reference was made to the Downtown Special Service Districts (DSSD) "involvement" in the 2015 Master Plan. In fact, the DSSD invested substantial time and effort attempting to ensure that the Planning Board drafted the Master Plan in a manner that would ensure that uses which, in our opinion, should only be allowed in the Central Business District were prohibited in other areas, including so-called "suburban office parks" in Category 8 of the Master Plan.

We are pleased with the work of the Planning Board and that uses, such as large format retail, shopping centers, and sports and entertainment complexes are prohibited within Category 8. In our view, and based on our discussions with the Planning Board during the drafting process, the term "sports and entertainment complexes" is meant to include live performance venues, multi-screen movie complexes, stadiums and arenas, and similar such facilities. It was not meant to include – and the DSSD certainly has no objection to – health and fitness centers, which may be defined in the zoning regulations as "Gymnasium and Physical Culture Establishments," being located in Category 8.

I hope this clarifies the position and understanding of the DSSD.

Sincerely,

A handwritten signature in black ink that reads "Sandra Goldstein". Below the signature, the name "Sandra Goldstein, President" is printed in a standard font.

Sandra Goldstein, President

The chart below compares the standards applicable to Special Exception uses in the C-D, Designed Commercial District zone, as approved by the Zoning Board, to the existing standards for Special Exception uses in the RA-1 single-family, residential zone pursuant to Section 19.3.2.e of the Zoning Regulations. As a point of reference, the Italian Center and Jewish Community Center are both controlled by the standards in Section 19.3.2.e.

Special Exception Uses		
Standard	C-D	RA-1
Min Acreage	15 Acres	2 Acres
FAR	0.40	0.15
Building Coverage	12%	15%
Stories	3-4 stories	3 stories
Impervious Coverage	40%	35%
Min. Building Setback from Residential Zone	100'	15-40'
Recreational/Outdoor Use Setback	50-100'	10'
Landscape Buffer	50-100'	10'
Max Hours of Outdoor Uses	10am - 8pm	No set standard
Parking Limit	No net increase beyond existing parking (plus handicap spaces required by code)	No set standard
Design Guidelines	Must be compatible with historically or culturally significant buildings in terms of color, materials, design, general massing and architectural features.	No set standard
Findings	Subject to requirements of 19.3 of the Zoning Regulations plus determination by third party consultant that lighting, screening, noise and site plan design will not adversely impact neighbors	Subject to requirements of Section 19.3 of the Zoning Regulations.
Reviewing Authority	Zoning Board	Zoning Board of Appeals

*They toss and turn at night.
They raid their bank accounts.
They work the neighborhood into a frenzy.*

Defending *their* Turf

*When homeowners decide their property values are in jeopardy,
there's simply no reasoning with them. By David J. Morrow*

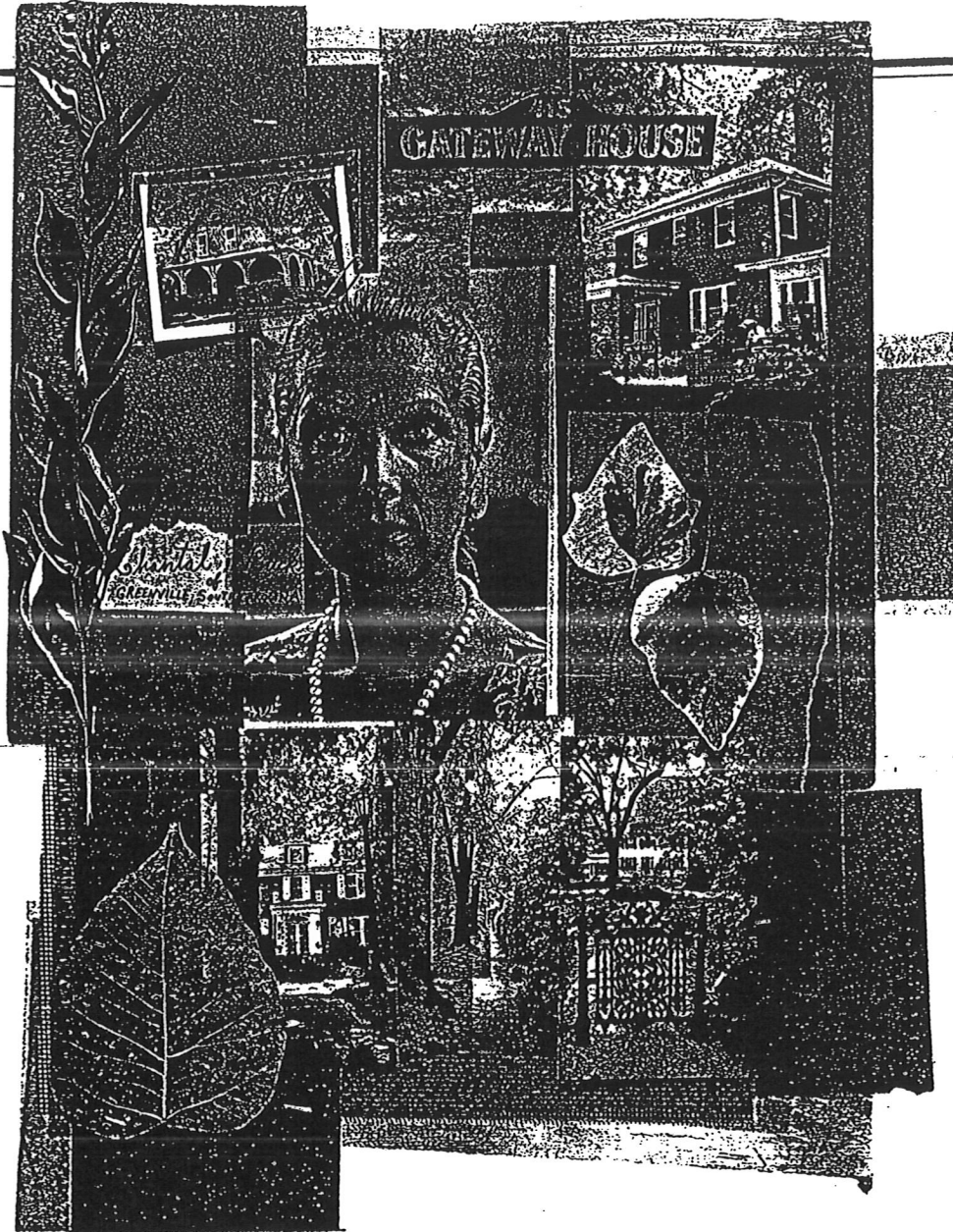
K

ATHY LUNDSTEN WAS in the middle of serving Thanksgiving dinner when the phone rang. "That's strange," she thought, "who could be calling us now?" Her husband, Bob, quickly pulled back his chair and hurried to the kitchen phone.

As he talked, just out of earshot, it soon dawned on Kathy just who was calling: It was one of their neighbors, concerned about a zoning issue in their Dunwoody, Ga., neighborhood. Kathy had gotten used to these calls by now, because a few months earlier Bob had emerged as the leader of the opposition to a new shopping center coming into the area. The News America Publishing executive had been consumed with the idea of blocking the plan, for an area real estate agent had told him the complex could lower local property values by as much as 10 percent. Ten percent! That worked out to more than \$20,000 on Lundsten's place.

So he had printed up fliers for distribution around the neighborhood, he had gone from house to house soliciting donations, he'd even gotten into a screaming match with one of the developer's lawyers at a town zoning meeting. Now it seemed like every day or so someone was calling either to discuss the plan to stop the shopping mall or just to vent their anger about this threat to their homes.

But this, this was different. This was Thanksgiving. "Surely he can't be



*Wade Campbell had just
halfway house moved on*

hood would have fallen just like a domino," he explains. "Who is going to buy our homes if they're surrounded by shopping centers?"

Who is going to buy our homes? Anyone who has ever owned property knows the feeling, that gnawing uncertainty that your single biggest investment may somehow turn out to be a dud. It's the source of worries, of nightmares, of domestic tension. "People become so transfixed about the value of their property, they forget about everything else," says David W. Krueger, a Houston psychoanalyst and author of the book *Emotional Business*.

Almost anything can trigger the fear that your property values might be about to plummet, from a new bus stop to a few extra parking spaces over at the Y. But most worrisome are the big ones: prisons, landfills, factories, group homes for AIDS patients and shopping malls. These, in order, are the things property owners most dread, according to a 1990 study for the Robert Wood Johnson Foundation, a Princeton, N.J., health care organization. After those five come drug- and alcohol-rehab centers, homeless shelters and group homes for the mentally retarded.

Some developments are definitely worth getting upset about, appraisers agree. If it is ungodly loud, blocks your view, smells bad or is a proven health hazard, there's a chance your property value will suffer. The midnight cacophony from a swank new Houston nightclub, for instance, sliced some \$75,000 from the next-door neighbor's property value in a single day. "It's tragic," says Kathy Coon, the real estate appraiser who assessed the damages. Homes near the Charlotte, N.C., airport took a 30 percent hit when it expanded two runways. Toni Bazala and her husband, Robert, had their property value wiped out when a waste-disposal firm opened six malodorous "sludge lagoons" near their Yukon, Pa., home.

Wnuk envisioned crazies "running through our yards with axes."

doing this to me," Kathy told herself, looking nervously across the table at Bob's relatives. "Not today. Not after I spent all morning getting ready. Not with Uncle Phil and the cousins here."

Sure enough, a few minutes later, there he was, standing at the door, pulling on his coat. "I have to go out for a bit," he hollered. "I'll see you in a while."

Kathy looked around her again, catching the eyes of Bob's bewildered relatives. This was a dinner she would not soon forget.

Four hours later, Lundsten returned.

Dinner was over. The table was cleared. The relatives were gone. All that remained was a very ticked-off Kathy. Trying to calm his wife down, Bob explained that he had been talking strategy with a few other neighbors and that they had simply lost track of the time. He was sorry. Kathy was having none of it—not this time. "It would be a good idea, for both of us," she snapped, "if you would never do that to me again."

Six years after that 1989 dinner, Lundsten still maintains it was the right thing to do. At the time, he says, it seemed there was nothing more important than protecting the neighborhood. "If the shopping center were allowed to come in, our entire neighbor-

Photo-illustrations by Nola Lopez & Josh Gosfield

\$50,000 remodeling his home and feared the worst. If a block, that money was as good as gone," he declared.

Yet before you get caught up in a fight to protect your property's value, there's something you need to know: Tempting as it may be to jump on the bandwagon, these battles can be expensive, time-consuming, aggravating and potentially even hazardous to your own legal health.

Besides, there's a good chance your property value will hold up just fine anyway.

That's right: With the exception of truly offensive developments, your property value will probably be unaffected by any project that's legally allowable. "To say otherwise is all a mind game," says Michael Dear, a geography professor at the University of Southern California, who has chronicled the impact of more than 100 nonprofit and community projects on neighborhoods nationwide. "What affects property values isn't the presence of these projects but wider trends—going market rates, that park nearby or access to a highway."

So in other words, Lundsten's fight—which raged on for more than two years and eventually cost the neighborhood some \$38,000 in legal fees—may have been for nothing? It looks that way. The complex opened in 1993 and property values in the area have remained on a steady upward climb. "When people buy homes, they ask first about the schools and then about shopping and convenience," says Lamar Frazier, vice president of Buckhead Brokers, a big Atlanta real estate firm. "Homes near that shopping center have it all."

CAROL HENRY used to work as a secretary, earning enough to cover her family's entertainment expenses. But she quit so she'd have more time to volunteer for the cause. Harry Koller spent so much of his own money on signs and other supplies, he had to postpone fixing the deck on his house. He can't even remember

how many of his sons' football and baseball games he'd missed while attending one meeting or another. Ron Berger used to bolt from the breakfast table on Saturday mornings to meet with committee members, much to his family's chagrin. "That was the one time our whole family was together," recalls his wife, Harriet. "We really missed him."

What motivated these three? It was something big, something terrifying. It was Towne Centre Place, an 88-unit moderate-income housing project that was planned in Olney, Md.

Lyle Rocke was the chief agitator. An engineer who lived near the site, he made no secret of why he opposed it. "Who is going to want to live beside one of these projects?" he'd ask at fund-raising meetings. "I paid \$42,300 for my house back in 1969, and now this project can come in and drop it by at least \$10,000."

To conserve money, the group did everything itself, from photography (they took pictures of alternative sites for the project in other towns) to interviewing police departments near other moderate-income projects (to find out what the neighbors complained about). "We had people working 20-hour weeks and they never earned a penny for it," says Henry.

They did, however, earn some infamy. One Saturday morning, Henry woke, roused her husband and kids and strolled out to the front lawn to pick up the *County Courier*. The day before, a reporter had called her and asked for comments on the Towne Centre struggle. When she opened to the city section, Henry was shocked to read that the reporter quoted a Housing Opportunities Commission source calling Henry and her crew racists, with no response from her. "I was livid," she says. "How dare they say this about us, when we were out to help the community?"

Five years of meetings and commission hearings later, the scrap finally ended. The state went ahead with the plan but agreed to

cut 23 apartments out of the project.

Looking back on it, the opponents insist they did the right thing. They argue that by getting the state to scale back Towne Centre, their efforts proved worthwhile. But even Rocke admits that the housing units haven't turned out anything like he imagined. "Most of the people in the complex aren't bad neighbors," he says. "I've even found a fellow who'll do my yard."

What of the neighborhood's property values? As it happens, prices in the neighborhood don't seem to be suffering at all. A four-bedroom home on Queen Mary Drive—Rocke's street—sold for \$175,000 in July 1993. A similar house sold for \$260,000 last April. That's pocket change next to the appreciation on Rocke's place. His \$42,300, four-bedroom house was appraised last year at \$270,000.

These are hardly freak statistics. In 1988, William L. Berry, a Bethesda, Md., homebuilder, compared property values of 20 communities, 10 with moderate-income projects and 10 without. His findings: The homes built in communities with the projects appreciated four percentage points more each year than those built in communities without them. "[Some] moderately priced projects have tennis courts and swimming pools—amenities that would raise the property values of any neighborhood," says Berry. "But you can't expect people to believe that. Immediately, they think a bunch of drug addicts and alcoholics are moving nearby."

Imagine an even worse element moving into town: convicted felons. That's who some homeowners feared would be roaming the streets when they heard a new prison was coming to their hometown of Clallam Bay, Wash. They hit the roof. Among their stunts: organizing a boycott of local grocer Newsom Baker, who supported bringing in the prison as a way to boost the severely troubled local economy. The boycott took its toll. Baker eventually filed for bankruptcy and now leases out a gas station/minimart in town.

Debate over the prison split not only the community but families as well. Bob Bowlby, a retired telephone lineman, recalls standing on the front lawn of his 80-acre spread when his cousin drove up.

"You're going to ruin the community if you keep opposing the prison!" Bowlby's cousin screamed. "We need this prison for the economy. Before long, there'll be no town left."

"You don't know what that prison will do over the long term," Bowlby said, enraged. "It will change the lifestyle of our community and ruin what little tourism business we have left. Then our property will truly be worthless."

So far, Bowlby has been dead wrong. Retail sales jumped 25 percent within a year. And property values? Homes that sold for \$35,000 before the prison opened now go for \$80,000, according to local real estate agent Rocky Hinkle.

Still, there are a lot of bitter feelings around town. Baker, for one, remains furious that the people who ran him out of business are now prospering because of the prison. Boycott organizer Mark Thomas, owner of a trailer park whose business has surged, "doesn't come into my store anymore," he says. "We don't speak, and that's fine with me."

LESLIE RASBERRY was sitting at the Earle Street Baptist Church when a neighbor punched him gently on the arm. "Did you hear?" he said. "The Robinson Street Apartments are going to be used as a mental home."

Rasberry laughed, thinking it was a joke. But when the graphic artist got back to his house, the neighborhood was crackling with the news: Gateway House, a rehab center for the mentally ill, had just paid \$215,000 for an 18-unit complex that dated back to near the turn of the century. Gateway would rent the apartments to its patients—schizophrenics and manic-depressives who were resuming their careers and lives.

This would not do. People pay top dollar to live near Earle Street, a tree-lined lane that cuts through the heart of Greenville, S.C. It has been one of the state's most pristine blocks of real estate since the Confederacy. The neighbors weren't going to stand by and let a group home—a home of mental patients, no less—muck things up.

Carol Henry woke up to see herself described in the local paper as a racist. "I was blinds," she recalls. "How dare they say this about us, when we were out to help the community?"

The Col. Elias Earle Historic Association, made up of some 120 area homeowners, immediately swung into action, dispatching Rasberry and Wade Campbell, an insurance agent who lives on the block, to lobby the town zoning commission. Campbell was especially eager to join the fight: He had just spent \$50,000 remodeling his home and could ill afford to have his property values fall. "If Gateway came in, that money was as good as gone," he declared.

Their official position: Gateway was in fact a business and didn't belong in the area.

"You couldn't walk down the street without someone stopping you to talk about how Gateway was going to ruin the neighborhood," says Chantal Wnuk, who along with her husband Dan owns a West Earle Street home listed on the National Register of Historic Places. One neighbor said the residents were "dangerous" and that they might start fires on the block. Others described scenes of "crazy people running through our yards with axes," she says.

Like most people on the block, the Wnuks got swept up by the emotion of it all, attending meetings and donating a few hundred dollars to help stamp out Gateway. After all, they had paid \$85,000 for their home and sunk another \$52,000 into improving it. "I told Dan, 'Nobody's going to want to buy our house if this is what the neighborhood's becoming,'" Chantal says. "This has to be stopped."

Little did they realize what a quixotic quest they were on. While the fear of falling property values may prod a neighborhood into taking action, municipal judges generally don't care. "If the project doesn't violate any zoning rules or present any sort of health or environmental hazard, then it has a right to go into a residential community," says Mark Pearlstein, a real estate attorney with Boehm, Pearlstein & Bright in Chicago. "The law is pretty clear on that."

Indeed, after a pair of legal challenges from the Historic Association (costing members some \$15,000), Gateway House opened in November 1987. Has the neighborhood been ruined? Not from the looks of it. In fact, many Earle Street homeowners say that within a year of Gateway's opening, they'd practically forgotten it was there. "Gateway buying the apartments and fixing them up has done the neighborhood a favor," concedes Rasberry.

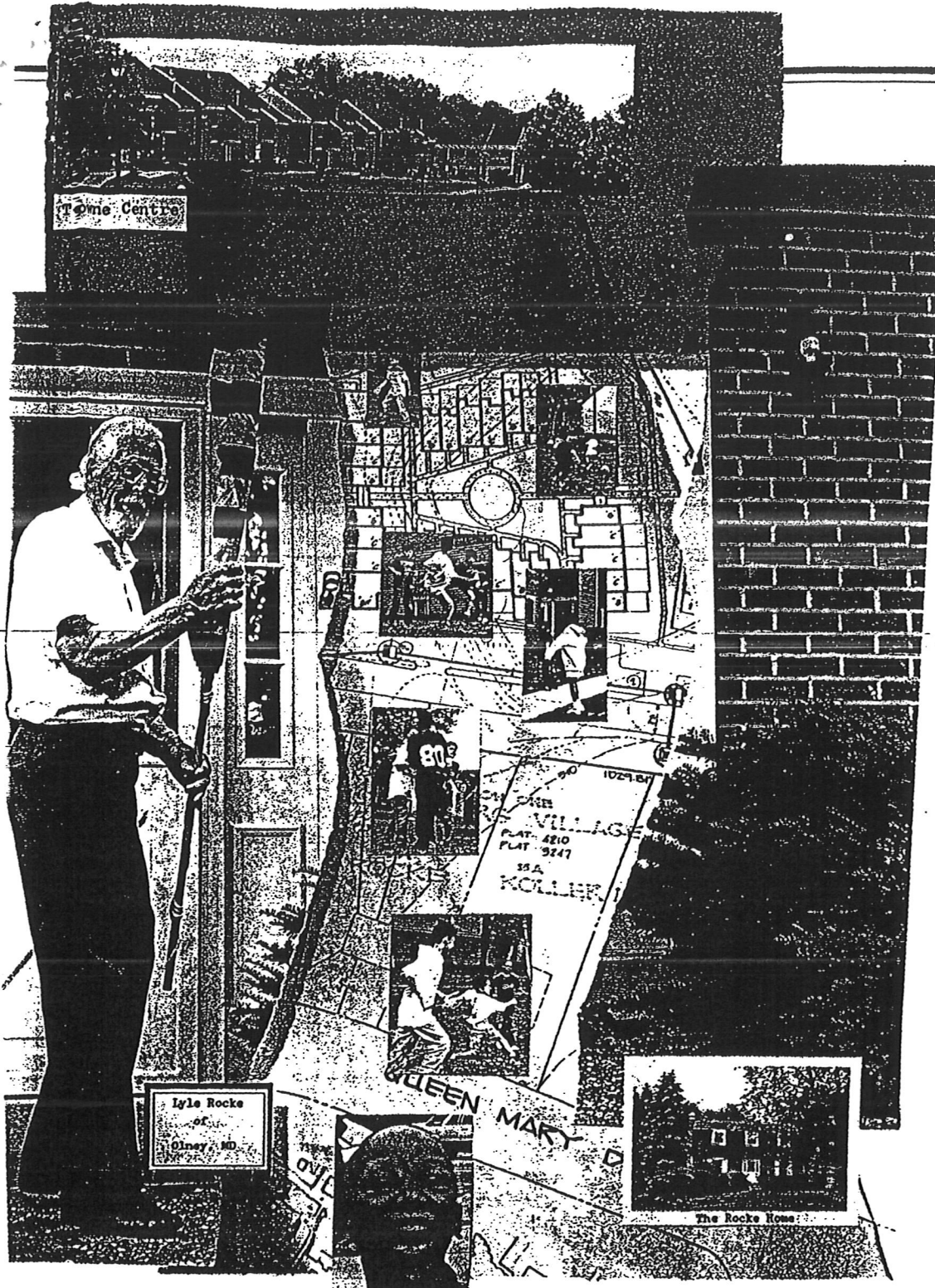
He won't get any argument from the Wnuks. Their grown son, Michael, was diagnosed as schizophrenic in 1993 and has since moved into the apartment building. Says Chantal: "Every day I thank God we lost and Gateway went in there."

ONE MIGHT assume, after all the Col. Elias Earle Historic Association went through on Gateway House, that it would have

learned its lesson. But its experience shows just how stubborn people can be about their property values. Last year, Project Care, a local AIDS home, scooped up one of Earle Street's homes to open a halfway house for terminally ill patients—and hell broke loose all over again.

It wasn't as if the AIDS home, known as Stephen's House, was going to be an eyesore. Like Gateway House, it would look no different from any other house on the block. There wouldn't even be a sign outside. The opponents' explanation: They felt another group home in the neighborhood would be too much.

Brush fires over Stephen's House were breaking out all over the neighborhood. Maryland Shytles, a retired journalism professor, had lived near Earle Street for 50 years. Not only was she mortified that Stephen's House was moving directly behind her, she couldn't believe her church was actually supporting it. To confirm her



Historic Association is really in hot water. Fed up with what it considers the neighborhood's hate tactics, Project Care filed a complaint with the federal Department of Housing and Urban Development. If HUD finds the association's suits against the home were intended to harass the project, it may be hauled back into court for damages.

It's no fun having HUD on your tail. Right now in Bakersfield, Calif., on HUD's recommendation, the Justice Department is suing five neighbors who tried to keep a for-profit home for the retarded off their block.

The neighbors, convinced they were each looking at up to \$20,000 in property-value losses, were pretty rough on the home. They complained to town zoning officials. They griped to their elected officials. Once, according to the home's owner, neighbor Linda DeRose even tried to shut down a Fourth of July picnic in its backyard because it "didn't have a permit." (DeRose insists they had "a pleasant exchange.") Finally, they sued. "We thought, 'Oh my goodness, now we're never going to get all the money out of our houses,'" explains David Fitzgerald, who lived right next door. "We couldn't

Roche admits that the object of his rage hasn't turned out all that bad.

worst fears, Shytles marched down to Christ Church Episcopal one morning in late June to confront the Rev. Bob Long in his office.

"I was baptized in this church, and I plan to be buried here," Shytles said. "But I don't believe I'll come back if you continue to support this."

"That's too bad," said Long. "We're supporting it."

Meanwhile, Chantal Wnuk, in favor of Stephen's House after having opposed Gateway, angrily shooed opponents away from her doorstep. "Property values?" she snarled. "You can go and sing that song somewhere else."

But now, after suing twice to stop Stephen's House (and losing both times), the

stand by and let that happen."

They may wish they'd taken their lumps. The government is seeking at least \$75,000 in compensatory damages and untold thousands in punitive awards. The case is set to come to trial this November. "From what I can tell, the feds really want to make this hurt," says Fitzgerald. "I wrote to my congressman and he won't help me. It's pretty lonely out here." ●