

## Letter to Fairfield RTM Members

January 19, 2015

Greetings all. 'Sorry for getting this out so late in the weekend. The power outage in our section of the neighborhood at the beach did a number on my schedule Sunday.

I am the President of Fair Acres Association, Inc., a neighborhood association comprised of approximately 400 homes between Fairfield Beach Road and Old Post Road. Homes located in this district have "Deeded Beach Rights" on our Land Record Deeds. We are also responsible for maintaining the Pentways to Penfield Beach located at Lalley and Rowland. And yes, I am also a member of the PBC (Penfield Building Committee), and am the only member of that committee who lives near the Penfield Pavilion. I voted NO, to "Option 7A" for the Penfield Pavilion rebuilding project, and hope you will consider doing so as well.

There are several neighborhood concerns that I believe have not been recognized by the town committees who have thus far approved "Option 7A" (rebuild existing Pavilion same size and functionality, on a new foundation, but 3-4 feet higher off the ground).

In this letter I have attempted to summarize the most frequently raised concerns that have been brought to my attention, and have included some misleading statements that have been circulated or mentioned at some of the meetings I have attended. With all due respect, and no claim as to whether they were made intentionally or unintentionally, my goal is for you, and members of the RTM to have the most complete, and accurate picture in order to make well informed and thought-out decisions at the RTM meetings next week and subsequently.

### **Neighborhood concerns:**

Noise: while the parties are indoors, the Durell Pavilion is open until 11 PM and the newer Penfield 1 is open to Midnight. There can be anywhere from 25 to 175 cars parked there for the parties. When they leave, it is rarely quietly. There are loud conversations in the parking lots that can be heard for blocks, there is honking of horns, beeping of car alarms, all at hours of the night and early morning when area residents are trying to sleep. It is not uncommon for the noise to continue to 1 AM. Even the clean-up crews, who are allowed in the Pavilions for 1 hour after closing time, can be noisy. Stacking tables and chairs or dishes and glasses in

their trucks and vans can often be heard well into the morning hours. On nights when there are parties going on simultaneously at both pavilions, the noise is compounded. The town is projecting 185 parties per year at Penfield 1 alone. That equates to more than 3 each week, and probably every weekend of the year. Durell Pavilion, only a few hundred feet away, has approximately 100 party rentals per year.

One Fair Acres resident recently said to me: “ with both Pavilions rocking at the same time, it has the potential to be like ‘Clam Jam’ every weekend”. And one of the most common I’ve heard several times: “ if I wanted to live near a restaurant, bar, or banquet hall I would have bought a house on the Post Road.”

**Traffic:** unlike normal beach traffic which is spread throughout the day, party rental traffic, especially at the end of a party, is concentrated. More cars come out within a short period of time. While this may not pose a traffic problem at midnight, it does during afternoon parties that end around 5 or 6 PM.

**Safety:** The Pavilion is located in a residential neighborhood that is primarily families with children. This densely populated residential neighborhood is a favorite for jogging, walking, dog walking, biking, and children playing in front of their homes. Penfield 1 allows parties of up to 225 people. Conservatively that can be 112 cars or more. 4 hours of “open bar” at a typical wedding can produce a fair number of people that have consumed well in excess of the legal limit of alcohol. An afternoon banquet typically ends between 4 and 6 PM, when our children are still outside playing. This is not where we want to have the potential for an increased number of drunk drivers piling out of a wedding reception and driving into our neighborhood. Does the town want to take responsibility for an accident of this nature occurring? Even the presence of a single Police Officer, if one was hired, would not prevent that type of tragedy. Simply put, this is not the type of neighborhood for a large banquet hall.

Statements heard at recent meetings:

**Misleading:** There have been party rentals there for 35 years since the town owned the property. Residents knew before they bought their homes what to expect.

**More accurate:** Before the new banquet hall was put into action in 2011 as a year-round rental hall, there were only a fraction of the number of rentals of Penfield 1 each year. They were only seasonal, and were typically birthday parties, reunion parties, and school parties that ended by 9:30, except for the occasional one that ran until 11 PM. The banquet area was not designed for bigger parties and weddings. New banquet hall allows parties 7 days a week, year-round, to midnight. Parks and Rec director projecting 185 rentals per year. (more than 3 rentals every week).

**Misleading:** Rental income will help pay for the cost of the banquet hall and pavilion.

**More accurate:** The cost to build is bonded, and payments come from the taxes we pay to the town. The same payments have been made to cover the bond over the past 2 years when there has been zero rental revenue income. But our taxes can go up if there is another big expenditure to build another expensive pavilion with a banquet hall. The banquet hall is not a separate profit and loss center. Expenses are tied in with overall operating expenses of the pavilion itself, making it easier to mask the true cost of operating the banquet hall.

**Misleading:** Parking and concession revenues will be less with Option 9. (smaller pavilion)

**More accurate:** Those of us who live at the beach know that last year the beach was just about as popular as ever. The difference in parking revenues was due to the fact that Parks and Rec raised the daily parking fee on weekend days from \$25 to \$50 for non-residents. The overflow parking lot was designated as space for those willing to pay the \$50. Not many did, however, they found other areas to park, and parking on the streets farther away from the pavilion became such a problem that residents had to complain to Parks and Rec and the Police department, who ultimately posted signs farther up the streets and at the Sherman School parking lot, which had become a haven for out of town people using the beach.

**Misleading:** Option 9 will cost 3mm, and won't have enough concession area or covered decks.

(Option 9 is a smaller pavilion than we currently have, and it has no lockers or banquet hall).

**More Accurate:** It has sufficient bathroom and shower areas, plenty of covered deck space, and a large concession area comparable to what is there today. While some current circulated estimates put Option 9 cost at approximately 2.8mm, we believe it can be done for less, and ZERO cost to the town or taxpayers as it can be approximately the same cost as the guaranteed monies we are receiving from the insurance company and CT grants.

**Misleading:** The town voted several years back to build the existing Pavilion, and the RTM approved it unanimously. We shouldn't even be discussing changing it now.

**More Accurate:** That vote, on 9/27/10 was not unanimous. 41 RTM members were present and 10 did not vote in favor of the new pavilion with a banquet hall. Several RTM members and Committee Chairs agreed and made known that a "feasibility study" had never been done as to what type, size, functionality, and cost of the new pavilion should be.

Residents (other than the few committees involved) had virtually no input into this project until at the last minute when some quick meetings were "attempted". Even then, the residents who would be most impacted by a year-round banquet facility in their residential neighborhood were not questioned or polled. The "full picture" and potential negative impact was not presented to the RTM for their consideration. Hence, the information the RTM members received was incomplete.

Today it is different. (thank goodness). There have been 3 separate venues for Fairfield Residents to voice their opinion on the Penfield rebuilding project since 2013. (in 2013, a town-wide meeting held at Roger Ludlowe school, attended by hundreds of residents and recorded on FairTV; an E-mail campaign in 2013 resulted in emails to the First Selectman's office, with a ratio of 3 to 1 in favor of a smaller pavilion or no pavilion at all; then in 2014 an invitation to the public to attend a Penfield Building Committee meeting and voice their opinion. Each was widely publicized, and responses came in from residents all over town. Again, each of the 3 venues, in person and via email, the overwhelming majority of residents have expressed their desire for a smaller pavilion with no banquet facility. (I hope our elected officials are listening to us).

**Misleading:** FEMA will reimburse us 75% of the cost of re-building the pavilion

**More Accurate:** FEMA reimbursements are not guaranteed. FEMA uses a number of calculations to determine what is and what is not eligible, and will not make that determination until AFTER we build or re-build a pavilion. There is just as much likelihood that we could be deeply disappointed in the amount of reimbursement as there is us being satisfied. The town has hired a FEMA consultant, but neither the consultant or our town Chief Fiscal Officer can GUARANTEE what level of reimbursement we will get from FEMA. (and it's not their fault, as no one can). Those of us in the beach area who were most affected by Storm Sandy have for the most part found FEMA to be disappointing to say the least. And, there has been recent published and documented cases written by towns and municipalities who have recently had the same disappointing results. Please do not be fooled..... a disappointing result on FEMA reimbursement means the town (taxpayers) will be footing more of the bill for rebuilding Penfield. Building "Option 9" would result in a lower dollar amount of FEMA reimbursement than Option 7A, (as Option 9 is a much less expensive option to build) but it would essentially be money that could be earmarked for additional projects or future use, as Option 9 cost will essentially be covered by regular insurance payment and State grant. I'm sure I'm not supposed to hint at this, but yes, any FEMA reimbursement we get if we build Option 9 less expensively might actually be a "surplus" to the town.

**Misleading: (at least partially)** The pavilion and banquet hall are for the entire town.

**More Accurate:** reserving the banquet hall is by a "lottery" system (which means even though you may try to book the banquet hall a year in advance, and may be first to submit your name, there is no guarantee you will get it), and 20-25% of people who rent it are non-residents of Fairfield. There are only 52 weeks in the year, and the Parks and Rec Director has forecasted approximately 185 rentals per year of the Banquet hall.

So, if you are not one of the "lucky 185" each year, (actually its only 138 to 148 residents if you apply the 20%-25% who are not), I'm not sure it is accurate to say the Banquet hall is a benefit to the entire town. A beach pavilion, however, that is open to the public and provides essential services such as food concession, shade, bathrooms and showers, is a benefit to anyone who chooses to come and use it.

Please don't allow others to confuse the issue. This is not a vote for having a Pavilion or not having a Pavilion. Almost everyone agrees there should be some type of Pavilion at Penfield. Your vote of "NO" to Option 7A can be accompanied by a message back to the PBC (Penfield Building Committee) to come up with a proposal for a smaller, less expensive Pavilion without a Banquet Hall, such as Option 9, and will prove to the taxpayers who elected you that you are listening to them.

Thanks for taking the time to read this. I hope I have answered the questions many of you have posed, and cleared up some of the confusion surrounding this issue. Looking forward to seeing you at the RTM meetings next week.

Best,

Ian

Ian Bass  
President, Fair Acres Association, Inc.

[ianbass123@gmail.com](mailto:ianbass123@gmail.com)  
203-981-4300