

**CITY OF NORWALK
PLANNING COMMITTEE OF THE COMMON COUNCIL
REGULAR MEETING
JULY 7, 2016**

ATTENDANCE: John Kydes, Chair; John Igneri, Tom Livingston, Douglas Hempstead, Travis Simms (7:12 p.m.)

STAFF: Timothy Sheehan, Redevelopment Agency Director; Susan Sweitzer, Senior Development Project Manager

OTHERS: Council Member Bruce Kimmel; Michael Wrinn, Acting Planning & Zoning Director; Jackie Lightfield, Diane Lauricella, Dan Reposo, Lou DiMeglio

CALL TO ORDER

Mr. Kydes Called the meeting to order at 7:02 p.m.

ROLL CALL.

Mr. Kydes called the roll. A quorum was present.

APPROVAL OF MINUTES

May 5, 2016 Regular Meeting.

**** MR. IGNERI MOVED THE MINUTES OF THE MAY 5, 2016 REGULAR MEETING.**

**** THE MOTION TO APPROVE THE MAY 5, 2016 REGULAR MEETING MINUTES AS SUBMITTED PASSED WITH THREE IN FAVOR (KYDES, HEMPSTEAD, AND IGNERI) AND ONE ABSTENTION (LIVINGSTON).**

PUBLIC PARTICIPATION

Ms. Lightfield said that she would be speaking about the TOD plan that would be advanced to the Council. She said that she objected to this plan being advanced because the TOD Plan only focused on South Norwalk. If there is going to be a TOD Plan, it should include all the other TOD areas.

Mr. Dan Reposo said that he was present to speak about the SoNo TOD plan and said that he understood why it was only for one area. Creating a plan for the overall City would be difficult because each area has different needs and characteristics. He said that he approved of this plan because it focused on the local businesses. He said that the Zoning

changes were being built into the Redevelopment Plan is a major difference and this was a game changer.

Ms. Lauricella said that the Committee would be looking at two major documents. She said that she agreed with Mr. Reposo. As a member of South Norwalk Citizens for Justice, she felt that while the area started as an industrial area but residential areas are now in the area, such as the AMEC Carting area. She said that the South Norwalk element needed to be treated separately, as will the center of Norwalk and East Norwalk. She said that the southern area should be extended to Bell Avenue and east to Water Street. There are many residential units and small businesses there.

In the past, the Zoning was an art rather than a science but now there are more residential units in that area. She said that when the plan is being considered, the area needs affordable housing that is affordable for the area, not just according to the State statute. There are many home owners there along with renters who have families.

As far as the Master Plan of Development, she said that in the past, the plan was just a wish list. She said that there were a number of mini-master plans that had been done and urged the Committee members to look at them. She said that the amount allocated for this project was not enough and suggested that more funding be allocated to the project. Once a new director is hired, it may help to reduce costs because the new director should have the ability to do a broader based review.

Mr. Lou DiMeglio of Lubrano Place came forward and said that he had looked at the Master Plan and felt that it should be extending down to Lubrano Place and over to Lexington Avenue. He said that there were a number of businesses that popped up over night and now are making life unbearable.

BUSINESS

A. Master Plan of Conservations and Development. (MPOCD)

1. Update on MPOCD planning process with Michael Wrinn, Acting Planning & Zoning Director

Mr. Kydes said that he had invited Mr. Michael Wrinn to update the Committee on the status of the Master Plan, which will expire in two years.

Mr. Wrinn said that the Mayor has assembled a group to review the current Master Plan and start to identify what goals have already been accomplished.

Mr. Simms joined the meeting at 7:12 p.m.

Mr. Livingston asked if \$50,000 would be enough for the consultant. Mr. Wrinn said that the City works with the funding they have.

Mr. Kydes asked if this was just an update. Mr. Wrinn said that in the past, there were a number of mini Master Plans and since the plan expiration is two years out, the work will be focused on the general overview. He explained that if the Committee had short term goals for the various departments, but those projects did not receive funding, the project would not get done.

Mr. Kydes said that there were some people who had issues about various projects.

Mr. Kimmel said that the key phrase was not "Wish List", but the focus should be to prioritize the projects. The big question is where Norwalk wants to be in 20 years. The Council is beginning to look at that issue now. He said that the next Master Plan should be looking at the future for the area between Liberty Square and the east Norwalk Train Station.

Mr. Hempstead said that the Plan was a few years away and it was important to realize that projections past three years are dicey. This would be good to have the departments list their priority projects and also include some of the non-financial road blocks such as zoning or state regulations.

Mr. Hempstead said that when the last Master Plan was done, they had a number of small groups such as the Norwalk Hospital and other organizations giving input. He said that some of the groups contributed some valuable insights.

Mr. Hempstead asked if there was ever a situation where the zoning regulations went backwards, such as having a multiple family zone go back to a one or two family residential zone. Mr. Wrinn said that he had never heard of a developer coming in and asking to make a five unit building into a two unit building.

Mr. Kydes asked if there would be improvements on the plan. Mr. Wrinn said that there would be a number of public hearings on the Plan. There are numerous smaller meetings and then a number of hearings before it is approved and sent to the full Council.

Mr. Kydes said that he would like to receive a copy of the quarterly report. Mr. Wrinn said that he would send it out.

Mr. Hempstead said that during the development of the last Plan, the previous Chairman, Rev. Bolden, had really moved the plan along. He cautioned everyone about getting tangled in the minutiae of the plan and work towards completing the plan.

B. Transit Oriented Development District Redevelopment Plan.

1. Advance Transit Oriented Development District Redevelopment Plan to the Common Council.

Mr. Sheehan then presented a PowerPoint presentation on the South Norwalk TOD [Transit Oriented Development] District Redevelopment Plan.

The presentation included the following topics.

- A definition of a Redevelopment Plan and that it is not.
- A definition of what a TOD (Transit Oriented Development) is
- A brief overview of the Draft Redevelopment Plan
- A definition of Blight

Mr. Livingston asked why the City was required to comply with the State zoning regulations. Mr. Sheehan explained that the power flows from the Federal Government to the State Government and the State delegates that authority to the various municipalities.

- A review of the Plan Findings, including
 - issues such as flooding issues,
 - sufficient Housing existing for Relocation
 - consistency with the City's COPD
- South Norwalk TOD Redevelopment Area Potential Expanded Plan Area

Ms. Sweitzer came forward to give an overview of a previous study on the Village District Zone. There were a number of incompatible uses, one of them being lots that are in two zones. The proposed zoning would reduce the height of the buildings and also reduce the density. This would help keep the neighborhood in character.

Mr. Livingston asked whether the expanded TOD area would be included if the Committee approved this plan. Mr. Sheehan said that originally the area had been included, but later it was thought the area would benefit more as a Village District. He said that the neighbors had pointed out that there would be a greater level of protection with the TOD rather than the historic Village District. Discussion followed about the distinctions between the TOD and Village District.

Mr. Hempstead pointed out that the expanded area was quite large and he would like to see the original TOD plan be approved. Mr. Sheehan said that the Committee could approve the main plan and then amend the plan later. Mr. Hempstead had concerns about someone acquiring a number of three to four family properties and converting them into something else. Mr. Sheehan reviewed the reasons why this could not be done with the Committee members.

Mr. Igneri asked what the advantages would be to including the property. Mr. Sheehan repeated that this could be taken up later as an amendment. However, he explained that the community feels encroachment today. Once the plan was adopted, a company could not expand beyond their current borders. He cautioned everyone that the Zoning Commission had not yet provided comment on this.

Mr. Hempstead asked what would happen to a business if the plan was approved. Mr. Sheehan said that the current businesses would be grandfathered in and the owner could conceivably sell the property to someone else for a similar use. However, once a use changes, it cannot revert back to a previous use.

The discussion moved to the fact that if a set number of units were taken out of service, the current regulations would require the same number of units be brought back into service with 50% of those units made available at a State median income. This would seriously reduce the profitability of a development.

Mr. Igneri pointed out that if the area becomes part of the TOD, the commercial businesses would become less valuable over time and eventually it would be more valuable to have the property converted to housing. Mr. Sheehan agreed. He explained that the Agency was no longer using eminent domain but instead uses incentive zoning to change the areas.

Mr. Hempstead asked about a recent meeting with the Zoning Commission. Mr. Sheehan said that there had been a joint meeting with the Zoning Commission. The Zoning Commission had not put forward any direct questions for the Redevelopment Agency to respond to and they had no specific comments to the plan as it was presented that night. He went on to explain that Mr. Davidson of the Zoning Commission had a question regarding density and the Agency has a response for the Zoning Commission. There has been no comments or questions submitted to the Redevelopment Agency from the Planning Commission. He said that the Planning Commission would be receiving the information in the upcoming week.

Mr. Igneri said that if the Committee approved the TOD plan tonight, it would go to the Council, the Zoning Committee and the Redevelopment Agency. Mr. Sheehan explained that remaining steps for approval that the Plan would be required to go through to complete the process.

Mr. Simms said that with the expansion of the TOD plan, there would be some legal steps that would be needed because AMEC had purchased property in the area with the idea of expanding. He asked if the Redevelopment Agency would purchase any of the property that might come onto the market because of the change in the zoning. Discussion followed.

Mr. Kimmel pointed out that as Mr. Sheehan had said earlier, this was a joint effort and he felt that the Zoning Commission and the Redevelopment Agency would basically be in agreement.

Mr. Hempstead asked where in the main Master TOD Plan it addressed the fact that Redevelopment will not use "eminent domain". Mr. Sheehan said that it was mentioned on page 4 but also on page 6 in Section 7A. Mr. Sheehan said that he would email the exact reference to the Committee members.

Mr. Kimmel asked what the consequences of making this area as part of the TOD plan. Mr. Sheehan said that once the additional area was part of the TOD plan and the TOD plan was approved, there would be more control in the area. He added that the residential inventory was much more stabilized than it is around the original TOD area. This would help to preserve the area.

Mr. Kimmel asked what would be a reason not to incorporate the area. Mr. Sheehan said that the only thing that he could think of would be that the Committee could end up thinking of specific requirements for this specific area.

Mr. Hempstead said that he would like to insure that there was an assurance that the use "eminent domain" outside of public use would be in the hands of the elected officials. Mr. Sheehan said that he would send Mr. Hempstead the reference. Mr. Hempstead said that he liked the language that was used in the Wall Street document.

Mr. Hempstead then said that he was perplexed by statements on page 12. Mr. Sheehan gave an overview of the marine requirements.

Mr. Hempstead asked if there was a calculation formula for areas such as the self-sustaining community such as Washington Street with all the restaurants and the relationship of pedestrians and those who use bicycles. Mr. Sheehan pointed out that a developer would not get the financing he needs without having adequate parking. The Zoning Commission has been aggressive in reducing the amount of parking required, but the tenants often want more parking available, so it appears that the parking will be driven by market demand.

Mr. Sheehan said that some communities were looking at parking maximums rather than parking minimums. He also said that he thought that the residents in that area were using the public parking garages such as Haviland deck, the Maritime garage or the Webster Street lot. Discussion followed.

**** MR. KYDES MOVED TO AMEND THE CURRENT TRANSIT ORIENTATED DEVELOPMENT DISTRICT REDEVELOPMENT PLAN TO INCORPORATE THE RECOMMENDED ADDITIONAL AREA TO THE TOD PLAN AS RECOMMENDED BY THE REDEVELOPMENT AGENCY.**

Mr. Hempstead that he was being cautious due to an abundance of caution because the TOD Redevelopment Plan was on the agenda, but the recommended addition was not on the agenda. He also pointed out that there was no map available for the new area, it was not included in the legal notice and there was virtually no backup documentation. Mr. Sheehan reminded everyone that there was nothing that would prohibit the Committee from modifying the plan in the future. Discussion followed.

Mr. Kimmel asked Mr. Sheehan if he would be able to provide more back up and maps in time for the Council meeting on Tuesday. Mr. Sheehan said that he would be able to provide the Council Members with additional information by the next Council meeting.

Mr. Hempstead that he was concerned when things come in from the blue. This item does not have any supporting documentation. He said that while he supports the original TOD plan, he could not support the amendment at this time.

Mr. Kimmel said that he was concerned about the timelines and would like to hear more from the public. He said that this was just a committee and when it is sent to the Council, they would have the final vote.

**** THE MOTION TO AMEND THE CURRENT TRANSIT ORIENTED DEVELOPMENT [TOD] DISTRICT REDEVELOPMENT PLAN TO INCORPORATE THE RECOMMENDED ADDITIONAL AREA TO THE TOD PLAN AS RECOMMENDED BY THE REDEVELOPMENT AGENCY PASSED WITH FOUR IN FAVOR (KYDES, IGNERI, SIMMS AND LIVINGSTON) AND ONE IN OPPOSITION (HEMPSTEAD).**

**** MR. SIMMS MOVED TO ADVANCE THE TRANSIT ORIENTED DEVELOPMENT DISTRICT REDEVELOPMENT PLAN AS AMENDED TO THE COMMON COUNCIL.**

**** THE MOTION TO ADVANCE THE TRANSIT ORIENTATED DEVELOPMENT DISTRICT REDEVELOPMENT PLAN AS AMENDED TO THE COMMON COUNCIL PASSED WITH FOUR IN FAVOR (KYDES, IGNERI, SIMMS AND LIVINGSTON) AND ONE IN OPPOSITION (HEMPSTEAD).**

ADJOURNMENT.

**** MR. LIVINGSTON MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services