

**DRAFT
CITY OF NORWALK
PLANNING COMMISSION
August 21, 2018**

PRESENT: Frances DiMeglio, Chair; David Davidson; **Mary** Peniston; Brian Baxendale; Tammy Langalis; Nora King; Steven Ferguson (left at 9:20 p.m); (Mike Mushak after the roll call)

STAFF: Steven Kleppin; Mike Wrinn

OTHERS: Atty John Bove; Tom Hamilton; Reginald Roberts; Charlie Taney; Francisco Gones

I. CALL TO ORDER

Ms. DiMeglio called the meeting to order at 7 p.m.

II. ROLL CALL

III. DISCUSSION AND/OR DECISION

a) Subdivision #3649 – J&L Soyland – 25 Highbrook Road – 2 Lots – Preliminary review

Mr. Wrinn began the presentation by orienting the commissioners to the location of the property on an aerial photo on a new Smartboard. He noted that most other lots in the area had already been subdivided.

Atty John Bove continued the presentation with another aerial photo on a board. He noted that all of the other lots were the same size as the lots the applicant was proposing. He said that there was water and drainage. He said that there was a sidewalk which would remain. The subdivision conforms to the regulations. The garage would be removed and moved to the other side of the house in order to subdivide. There was a question about the timing of the public hearing. The commission is required to send it to a public hearing. It would be on the Planning Commission agenda in September.

b) Action item on Special Appropriation – Board of Education – In the amount of \$5,000,000 for Norwalk High School – General improvements and c) Action item on 8-24 Referral – Board of Education – Norwalk High School – Facilities Master Plan improvements

Ms. DiMeglio said that this presentation could be held together for these two items.

Mr. Hamilton introduced his team in order to begin the presentation. He noted that for many years there was almost no investment in school facilities. In 2015, there was a Facilities Assessment study done to see what facilities needed to be upgraded, renovated, etc. in order to meet rising enrollment. It would have been a \$250 million investment. This was later scaled back to \$130 million. He noted what schools would be new, schools that would be renovated and new programs at many of the schools. He then discussed in particular, Norwalk High School. The last time any work had been done was in 2005 which only included new mechanicals and looks half finished. Parts of the building cannot be used nor can they meet the needs of the students. They would like to make it look more modern and even to be more like a college campus. He noted what the \$6.5 million would be used for which included electives that would take them to a capstone project in senior year. He explained that learning has become more collaborative which requires changes in furniture, etc. Courtyards would become usable spaces for the students. There would be safety improvements as well. The auditorium has not been updated since it was built in the early 1970s. Acoustical engineers would be brought in to provide for 21st century performances. He emphasized that they were not backing away from the Jefferson school renovation. He noted that they would have to eliminate portable classrooms but that they needed space at other schools since they were short seats at Jefferson. Staging has become an issue. The cost at Jefferson would go up since renovations would be pushed out further because of the staging issues.

Reginald Roberts, principal of Norwalk High School, noted that the look of the building was as of a prison. He showed the commissioners many pictures of the different rooms at the high school. He felt that many of the rooms make the kids feel as if they are being corralled and not working collaboratively. He said that the courtyards are not wheelchair accessible. Part of the renovation would make the school handicapped accessible. The school has been painted recently and makes it look spruced up. The high schools have recently hired many new staff so that more programs could be staffed. The courtyards are not supervised so students could not go into them.

There was a concern that the Jefferson School would not eventually be funded and may not happen. There seemed to be no commitment to later fund it. Ms. King asked where the money would come from. Mr. Hamilton said that the Mayor said he was fully committed to the Jefferson School project. He said that the Mayor would support a special appropriation to fund an item that was needed sooner rather than later at the Jefferson School. There was a continued discussion about how the funding would happen for both Norwalk High School and Jefferson School. There was also a discussion about the logistics of students would be moved from Jefferson to other schools. Ms. King asked for additional language in the resolution so that Jefferson

School renovations would be funded in later years. Ms. DiMeglio did not think that any additional language would mean anything in later years. There was a discussion about the new schedule for renovations to Jefferson School which would change the completion by 1 year. It was contingent on the completion of the Ponus school renovation. There was a discussion about why Norwalk High School renovations were being discussed now. Mr. Hamilton reminded them that the funding request was originally \$250 million. There was a discussion about how the plan was extended into the current year making it a 6 year and \$142 million plan.

Mr. Davidson read his opposition for the special appropriation into the record. He said that there were 4 reasons for it. The first reason was that although he supported the massive school building and modification program and the massive cost involved, he did so with the assurance from Bob Baron that the BOE funding would “return to normal levels” after the 5 year period. The BOE has now indicated that no return to normal levels will be tolerated. IN addition to the additional \$5 million, overruns of \$7.6 million are already anticipated. Mr. Davidson believed that they should see the program already approved and implemented before providing additional resources. The second reason was that the 5 year capital budget starves needed funds from other city functions, such as Recreation and Parks, Public Works and many others to fund the needed school building and improvement program. He does not support continuing to starve the other functions beyond the already defined period. The third reason was that the approved school improvement program will result in massive increases in Norwalk’s debt service, from just over \$25 million last year to over \$47 million for many years after 2022. From a 7.5% debt service % of the expense budget last year the debt service ratio will reach 11.4% in a few years. He is not sure where these additional funds will come from, in view of the lack of growth of the grand list, other than from increases in property taxes. He cannot support a further addition to Norwalk’s tax burden. The last reason is the inability of the current City management to be honest with city taxpayers. He showed them a picture of the Mayor in “The Hour,” holding a picture of the proposed bookmobile and promoting a special appropriation to fund it. He quoted the Mayor from the article, “This is something that is really very easy to support. You cannot learn, you cannot grow if you cannot read or have difficulty reading.” While they could agree with sentiment, the Planning Commission had approved a modest \$75,000 in this year’s capital budget, only to have the Mayor eliminate it in his subsequent review. He said that the Mayor rejected a capital request when there was no photo opportunity involved. They cannot expect his office to protect their capital funds and assure that they are being used effectively. For these reasons, he would vote “nay” on the special appropriation.

Ms. King said that she would support the special appropriation. She did not think the 5 year plan was feasible. There was a discussion about the timing of the special appropriation. Mr. Hamilton noted that the city had a committee working on this. There was also a discussion about the handicapped accessible areas in Norwalk High. There was a discussion about moving funding around to different projects. Mr. Davidson said he did not have a problem with funds being moved to different projects. There was also

a discussion about when the projects are done, which is mostly in the summer, as well as combining projects which could lead to savings. There was a discussion about the negative effects to learning in environments that look like prisons. Mr. Mushak did not think that the grand list would remain stagnant. He said he would not vote against the special appropriation request. Mr. Ferguson agreed with Mr. Mushak and asked if the Board of Education could work with the Human Relations Department about the ADA requirements for Norwalk High. He also wanted to see more design for the auditorium, Maker Space, etc. There was a discussion about that but it was noted that they were waiting to see if they received the funding. Ms. Peniston had questions about the overcrowding at Jefferson School. There were also questions about whether the request would be enough for Norwalk High School. Mr. Hamilton noted that renovations would work with what they had but that the building was structurally sound. There was no need to add space for additional students and Norwalk High would accommodate the anticipated growth in their number. Mr. Hamilton noted that some of the elementary schools were tight but not as much at middle schools and high schools. Mr. Hamilton was asked whether this appropriation was a good financial decision and he thought it was because \$5 million was not a large request in relation to the grand list. Ms. DiMeglio said that there resolution would next to go to the Common Council.

**Board of Education – In the amount of \$5,000,000 for Norwalk High School
– General improvements**

MS. DIMEGLIO MOVED: BE IT RESOLVED by the Planning Commission that the special project appropriation request from the Board of Education, to appropriate \$5 million for additional capital improvements to Norwalk High School be **APPROVED**; and,

BE IT FURTHER RESOLVED that an appropriation reduction request in the amount of \$5.0 million dollars for Jefferson School is part of this approval; and

BE IT FURTHER RESOLVED that the funding for the Jefferson School Capital Budget Improvement Project be fully restored by \$5 million to allow the construction to begin on the revised schedule; and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council and other appropriate agencies.

Mr. Ferguson seconded.

Frances DiMeglio; Nora King; Mary Peniston; Brian Baxendale; Tammy Langalis; Steven Ferguson; Mike Mushak voted in favor.

David Davidson opposed.

No one abstained.

8-24 Referral – Board of Education – Norwalk High School – Facilities Master Plan improvements

There was a discussion about how this tied into the \$5 million special appropriation.

MS. DIMEGLIO MOVED: BE IT RESOLVED by the Norwalk Planning Commission in accordance with Section 8-24 of the Connecticut General Statutes, the referral made by the Board of Education for the Norwalk High School capital improvement in the amount of \$11.5 million which reflects the original \$6.5 million appropriated with an additional \$5 million, be **APPROVED** with the following comments:

BE IT FURTHER RESOVLED that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development goal to “Provide Norwalk Citizens with efficient, well-kept buildings.” (D.2.1. pg. 30); and
- 2) To implement the Plan of Conservation and Development goal to “Provide sufficient school facilities and programs in order to afford all citizens the opportunity to obtain a quality education.” (D.3.1. p.30-31); and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council.

Ms. King seconded.

Frances DiMeglio; Nora King; Mary Peniston; Brian Baxendale; Tammy Langalis; Ferguson; Mike Mushak voted in favor.

David Davidson opposed.

No one abstained.

At 8:26 p.m. the commissioners went on a break. They returned at 8:32 p.m.

d) Manresa Island – Presentation and discussion

Mr. Kleppin noted that there was a Manresa study. The Planning Department took it over the study

Charlie Taney, a citizen in the area, who started the Manresa Association to help decide what to do with the property and various uses of the property. It is now a public – private partnership. They worked with UConn and then with the city. They then worked with Fitzgerald Halliday to make it more robust. Manresa is owned by NRG and is private property. Ms. DiMeglio noted that the owner could decide to sell the property to developers. They are all trying to work together to make the property viable. They have

also reached out to Connecticut's US Senators and Congressman who are in support of the work that is being done. The property is zoned B residential.

Francisco Gones, of Fitzgerald Halliday, asked if any of the commissioners had been to their public meetings in Norwalk and several had. He noted that there were environmental issues because of the coal processing plant and the coal ash. There was fill which was for the power plant. He described the buildings on the property which is massive. It is dormant. It doesn't take 27 years to clean up but rather to be re-purposed. It has already sat for 5 or so years. It is regulated by CT Department of Energy and Environmental Protection (DEEP). NRG would only spend \$500,000 on soil remediation which is a minimum. He described the remedial activities up until this point which has been slow. A forest has grown so that the land is restoring itself so there are no plans to change this. There are good signs that the waste is contained on the site. It was not breached during Hurricane Sandy. He showed them where coal ash had been stacked. NRG strategy was to leave the buildings alone and untouched. Mr. Gones then discussed a more robust way to remediate to allow re-use of the site. Material on site would be contained and put down a lot of clean material. This would allow for re-use. One example was solar panels. Nothing has been finalized between NRG and CT DEEP. This robust engineering was not approved by CT DEEP, either. There would be restrictions on use in the future. There was a discussion about where the soil could be taken to be remediated. He said that they demolish all buildings and structures on the site. It is unknown whether the hazardous materials went under the foundation. It could be costly to demolish them. It is within a flood zone. He then discussed the market conditions. The driver is residential development with high destiny properties. However, local traffic could not support high density properties. He showed them a matrix of positive and negative uses of the property. He noted that there were options that may not be viable, including a hotel or resort which was not supported by the POCD. He showed them survey results. He then discussed the recommended reuse options which include a conservation option, a walkway, a marina reuse project. It was noted that this was already a harbor which brought in coal, then oil. It was noted that NRG is currently paying \$500,000 in taxes. There was a discussion about keeping one of the smoke stacks because boaters use it as a beacon. Marinas are profitable but there was a discussion about how to make this work. Remediation costs would be high. It was noted that NRG wanted an exit strategy for this property. Mr. Gones said that they needed to leverage the property. He then noted that it could be used as a marina/solar farm reuse but it was a long time to break even. Another concept was to do a marina/solar farm and educational facility. The educational purposes could enhance Norwalk's reputation. There was a discussion about the use of solar farm on the property. The next concept is marina and residential reuse. Their model was Harborview in Norwalk. There was also a discussion about residences constructed on land being in the flood zone as well as being near a substation. He then discussed the key findings and project needs and next steps. They are going to try to convince NRG to meet with the CT Congressional delegation especially if there are federal funds available to help. There was a discussion about the joint statement from the CT Congressional delegation which would be added to the record. Mr. Kleppin said that the consultants for the POCD knew about this and

would incorporate it. There was a discussion as to whether the zone should be changed now or wait until later. The commissioners thanked Mr. Gones and Mr. Taney for the presentation. There was a discussion about the testing of the site. Toxins are not airborne but in the soil. The site is operating under a Special Permit. There was a discussion about making it an ecological site. Mr. Gones said there are worse uses for the site. There was a discussion about NRG could sell the property the way it is. There was then a discussion about whether the city should purchase the property. Mr. Taney thanked many people in the city's government who worked on this project, including Mr. Kleppin and Mr. Wrinn. There was a question about whether a change in zone would help this project.

e) Discussion regarding POCD

Mr. Kleppin began the presenatin and discussed the Oversight Committee meeting. He had sent notes to StanTec consultants. He also was going to schedule a call with them. He would share a revised draft with them which he would probably receive in September. Ms. DiMeglio suggested that the commissioners view the city from Norwalk Hospital. She thought that they could all go together. Mr. Kleppin said he would arrange it with someone from Norwalk Hospital. Mr. Wrinn suggested that they break it into 2 groups.

IV. APPROVAL OF MINUTES: July 17, 2018

Before he left, Mr. Ferguson left his changes with the Secretary.

MS. DIMEGLIO MOVED to approve the Planning Commission minutes of July 17, 2018, as amended.

Ms. Langalis seconded.

Frances DiMeglio; David Davidson; Mary Peniston; Brian Baxendale; Tammy Langalis; Mike Mushak voted in favor.

No one opposed.

Nora King abstained.

V. COMMENTS OF THE DIRECTOR

Mr. Kleppin showed the commissioners a map which would be used by the commissioners for the TOD study. He asked them to drive around the neighborhoods and note on them what worked in the area and what did not.

VI. COMMENTS OF COMMISSIONERS

Mr. Mushak noted that there is an archaeological dig happening in Norwalk which is important to Norwalk and the country. They have dug under the rail bed and discovered many important finds. The location is being kept secret and guarded.

There was a discussion about the parking spaces in the circle at IronWorks.

Ms. Langalis noted a mistake in the narrative for the subdivision that evening.

Ms. DiMeglio discussed how they should put an item on the agenda. They should request it at the Planning Commission meeting, it would be voted on at that meeting and then put it on the next month's meeting. Mr. Davidson then suggested that this be written into the Planning Commission's by-laws.

VII. ADJOURNMENT

Ms. Langalis made a Motion to Adjourn

Ms. King seconded.

Frances DiMeglio; Nora King; Mary Peniston; Brian Baxendale; Tammy Langalis; Mike Mushak voted in favor.

David Davidson opposed.

No one abstained.

The meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Diana Palmentiero