

**CITY OF NORWALK
PLANNING COMMITTEE
SPECIAL MEETING
JULY 18, 2019**

ATTENDANCE: John Kydes, Chair; Mayor Harry Rilling; Douglas Hempstead;
John Igneri; Thomas Livingston; Eloisa Melendez; Barbara Smyth;
George Tsiranides,

STAFF: Tami Strauss, Acting Executive Director, Norwalk Redevelopment
Agency; Mario Coppola, Corporation Counsel;

OTHERS: Colin Hosten, Common Council Member

PUBLIC HEARING:

Mr. Kydes opened the public hearing at 7:03 P.M.

MUNICIPAL HOLDINGS LLC, PROPOSAL FOR PHASE I OF THE WALL STREET PLACE PROJECT, WHICH INCLUDES PROPOSED AMENDMENTS TO THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT (“LDA”) BY AND BETWEEN THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK AND POKO-IWSR DEVELOPERS, LLC, DATED NOVEMBER 14, 2007 (AS AMENDED), AND THE LOAN RECOGNITION AGREEMENT (“LRA”), BY AND BETWEEN POKO-IWSR DEVELOPERS, LLC, THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK, CITIBANK, N.A., DATED NOVEMBER 14, 2007 (AS AMENDED).

Public comments are not verbatim and represent a summarization of statements unless otherwise noted.

Mr. Adam Bovilsky, Executive Director, Norwalk Housing Authority, spoke in support of the project, noting the long waiting lists for subsidized housing in Norwalk.

Ms. Cristy Stewart, Director, Fairfield County Housing Opportunity, spoke in support of the project, noting that it has the potential to deliver economic benefits to Norwalk.

Ms. Brenda Penn-Williams, President NAACP, spoke in support of the project, noting that it will bring affordable housing to Wall Street. She said all families and kids need to have access to the same opportunities.

Mr. Ralph Bloom said that he watched this area change since the flood of 1955. He said his problem is with the proposed design and not the use. The designer needs to reconfigure the building.

Mr. John Romano spoke in opposition to the project and said that 100% affordable housing is too big of a bite from the taxpayer standpoint. He said that he wished other groups speaking in support of affordable housing would go to other towns that are below state requirements and give their speeches there. He said Citibank should take the hit and do what is best for the City. The potential for 100 kids in the building would cost a lot more than what can be put on the backs of the taxpayers.

Ms. Ursula Caterbone spoke in support of saving the Garden Cinema and creating an arts center. She said it is a treasure and the film buffs would support it.

Mr. Peter Fullam said this is their 50th year in business on Wall Street. He said Norwalk was a vibrant town in the 1970s, but it has gone down. The Garden Cinema is a little jewel and it would be a shame to get rid of it. Making POKO 100% is going in the wrong direction. It was supposed to be mixed units. Norwalk is moving in the wrong direction.

Ms. Lisa Brinton spoke in opposition to the project and said she is all for development for Norwalk that benefits the tax rolls, but this is not one. She said that 500 students were added to the school system over the last six years, with over 50% receiving free or reduced lunches. More people equal more cost. This is a poorly conceived plan without corresponding tax revenue. She noted that the first bill paid for by the City is the Board of Education. All the plans will mean nothing and will go on the back burner because they will have to pay for the Board of Education because of bad planning.

Mr. Jonathan Riddle said that Connecticut is failing and losing 260 people a month.

Mr. Darnell Crossland said that businesses come and go from Wall Street. The public/private partnership began in 2014. Today, they are proposing 100% affordable units. Market rate units bring in people who can shop at the local business. Children living there have to be educated. He said that Norwalk residents can't be expected to do the heavy lifting.

Mr. David Davidson urged the Committee to reject the proposal and have the bank divest itself of its asset. The project provides inadequate parking. He asked why the project costs so much.

Mr. Tod Bryant, President, Norwalk Preservation Trust said the project has a lot of challenges with the design. He presented a rendering for the building that was created in 2005. He said a solution would be a design between the one presented and the proposed design. With the possible exception of the mall, this building is the most important building in Norwalk.

Mr. Adolph Neaderland asked the Committee to reject the project because it is not in line with the POCD and it does not conform to the area. Having affordable housing is trying to solve a

botched project and is inexcusable. He suggested taking advantage of Mr. Milligan's suggestion to put together a group of people to solve the problem.

Ms. Audrey Cuzzaran, Norwalk Citizen Traffic Safety said she was concerned about the safety of bicyclists and pedestrians. The project needs to take into account the entire streetscape for a better quality of life.

Mr. Marc Allen, Factory Underground said the owner of the Garden Cinema was approached by investors, but it was already under contract to be sold. The plan was to create a film center that would partner with other non-profits in Norwalk. He noted that Westport lost its own Garden Cinema in 1999. He asked that other options be considered.

Mr. Frank Farriker, Wall Street Theater urged the Common Council to make a commitment to the arts in this project. He said this is an opportunity with motivated people, to make it an arts district. He suggested working with Mr. Allen and the Wall Street Neighborhood Association to find a permanent home for the Garden Cinema. He said this could be the start of a dynamic arts community.

Ms. Debora Goldstein said she sees a trend in Norwalk that is disturbing. Norwalk is chasing an old trend. This is an opportunity to do something creative to help Wall Street activate the community. A theater will activate the street. Another opportunity is to populate single properties with artists or musicians. She asked the Committee to safeguard the City's interest.

Ms. Donna Smirniotopoulos said that Norwalk has become upside down. When the community spoke up about the Garden Cinema, Mr. Kydes accused them of spreading misinformation, but now they are considering a plan to demolish it. She asked that the character and the history of the neighborhood be respected.

Mr. Mike McGuire, Wall Street Neighborhood Association said they are going to be stuck with this project because the process is broken and the public was not involved. He recommended moving the Garden Cinema inside the existing structure and expanding the retail component of the project. He also recommended building a train station. He said that this is an \$80 million project and it is an absurd amount of money relative to an apartment building.

Mr. Andy Glazer said that when developing projects, the surroundings need to be taken into account. Market rate citizens attract businesses. This is a key project for Wall Street and they need to figure out what works for the community.

Ms. Marcia Witnick, Westport resident said she goes to the Garden Cinema and Pontos Restaurant and hopes a creative solution can be found.

Ms. Marjorie Partch said her parents moved from Brooklyn to Norwalk in 1968 because of the diversity. In NY she watches a lot of phases of gentrification and noted it was successful when they had planned diversity. All stakeholders need to be invited to the table.

Ms. Tami Lee asked that the Committee reject the proposal and reactivate the streetscape.

Ms. Joanne Horvath spoke in opposition to the project and said that Phase I should be demolished and started over with a new developer. The structure is out of place. In addition, the project does not have adequate parking. She said she does not understand why Planning and Zoning does not have an architectural review board.

Mr. Jamal Bezer, II, said he grew up in Norwalk and Norwalk needs new leadership to do its due diligence. In addition, it needs to preserve the arts.

Mr. James Mitchell asked if anyone had seen a movie at the Garden Cinema. He said that wherever artists go, money always follows.

There were no other speakers and the Public Hearing was closed at 8:16 p.m.

A recess was called at 8:17 p.m.

The meeting resumed at 8:30 p.m.

CALL TO ORDER

Mr. Kydes called the special meeting to order at 8:30 p.m.

ROLL CALL

Mr. Kydes called the Roll as follows:

ATTENDANCE: John Kydes, Chair; Mayor Harry Rilling; Douglas Hempstead;
John Igneri; Barbara Smyth; George Tsiranides, Tom Livingston

STAFF: Tami Strauss, Acting Executive Director, Norwalk Redevelopment
Agency; Mario Coppola, Corporation Counsel;

I. WALL STREET-WEST AVENUE REDEVELOPMENT AREA

1. PRESENTATION BY AGENCY COUNSEL OF THE SECOND AMENDMENT OF THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK AND POKO-IWSR DEVELOPERS, LLC, DATED NOVEMBER 14, 2007 (AS AMENDED), AND THE SECOND AMENDMENT OF THE LOAN RECOGNITION AGREEMENT BY AND BETWEEN POKO-IWSR DEVELOPERS, LLC, THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK, CITIBANK, N.A., DATED NOVEMBER 14, 2007 (AS AMENDED)

Mr. Kydes said he wanted to address the questions that came up during the public hearing. Attorney Peter Nolan said that the developers were open to revising the design. He said this is the beginning of the process.

Mr. Livingston said this is an important building and it is being built in an historic district. He asked if the developer was willing to have the Historical Commission sign off on the design. Mr. Nolan noted that it is not an historic building; however, the developer is willing to work to make it integrate with the area. He wants the best project for the site.

Mr. McClutchy said that certain aspects of the building cannot be changed, but they will take into consideration exterior finishes and facades.

Ms. Smyth said she would like to see more brick. Mr. McClutchy said he would like input from the West Avenue Neighborhood Association to enhance the façade. In addition, they would like to work with the arts community to enhance what is in the neighborhood.

Mr. Hempstead asked if once the Common Council signs off on the LDA, would the Redevelopment Agency be the gatekeeper. He said he is concerned that they will wind up with a mall look. He added that he is trying to establish that once it leaves the Common Council's hands, that the developer is amenable to putting in an arts center; however, the way the LDA is worded it is not required. Mr. Coppola said if it is an art use within the building, they may not have to amend the LDA. There have been requests to have a Garden Cinema type use in the development. Also, the Zoning Commission has the authority to refer this to other commissions such as the Historical Commission. He said that design review is a substantial process. Mr. Coppola suggested that the applicant schedule a meeting with the neighborhood to go over the design review. Mr. Nolan said they would schedule a meeting before the formal application is filed.

Mr. Kydes said the LDA is a large document and the Committee members want a clear understanding.

Attorney Carlin explained that Citibank took over the title of the property and subject to the LDA and their negotiations, they selected a proper redeveloper to finish the project. He reviewed the LDA and said that the public will be able to comment on the full Zoning application. Mr. Coppola said that both proposed amendments were posted on line.

Attorney Cavolo reviewed the LDA. Mr. Kydes asked what were they committing to as far as esthetics on this site plan. Ms. Cavolo said that the architectural details will be subject to design review. They are not locking themselves into a specific design.

Mr. Hempstead asked if the Redevelopment Agency has the final say. Ms. Strauss said that Planning and Zoning require design review. The same design review will be presented to both parties. Mr. Coppola said there will be a joint review process with Planning and Zoning and the

Redevelopment Agency. The Zoning Commission will have the authority to deny the application if the design is not acceptable. He said there are specific design guidelines for the Central Business/Wall Street area. He will provide a copy for Tuesday's Common Council meeting.

Ms. Cavolo reviewed the project site and the changes in the parking plan. Mr. Livingston asked how they decided upon the final number of parking spaces. Ms. Cavolo said that it was based on what could be included. She said the number of parking spaces did not include on-street parking.

Ms. Cavolo described the change to the retail space and said the language mirrors the Zoning regulation. There is a reduction in square footage. Mr. Coppola noted that the Zoning regulations include cultural arts.

Mr. Livingston asked about the timing of the process. Mr. Coppola said the goal is at a minimum one year from this August or September.

Ms. Cavolo reviewed new language for financing and in response to Mr. Livingston's question, said that Citibank is party to the LRA.

Mr. Hempstead asked if anything in the LDA obligates the City for infrastructure. Mr. Coppola said it did not. He added that certain remediation work has to be done to secure the property. Mr. Hempstead said he did not want anyone to be short sighted. Ms. Cavolo said that improvements will be accomplished during Phase I.

Ms. Cavolo said that a condition of the approvals is that they have the funding in place; they will not be in a position to default. Mr. McClutchy said that funding from the State has been approved. He explained the process for obtaining State funding and \$50 million in fresh capital. He also explained how the tax credits work.

Mr. Livingston asked what would happen if they do not get funding. Mr. McClutchy said Citibank is committed to doing this. Mr. Coppola asked Mr. McClutchy to provide the document confirming State funding to date. He also asked for the developer to get in writing from Citibank confirmation that funding is committed for this project. Mr. McClutchy said he would talk to Citibank tomorrow. Mr. Coppola said that if the developer does not have evidence of financing, they will be in default.

Mr. Hempstead asked for a red lined LDA showing the changes.

Mr. Kydes said that the full Common Council has to look at this and said he wants a full presentation on Tuesday night.

**** MR. TSIRANIDES MOVED THE FOLLOWING TO THE FULL COMMON COUNCIL:**

2. ADVANCE MUNICIPAL HOLDINGS LLC'S PROPOSAL INCLUDING THE PROPOSED AMENDMENTS TO THE LDA AND LRA FOR PHASE I OF THE WALL STREET PLACE PROJECT TO THE COMMON COUNCIL FOR APPROVAL

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. LIVINGSTON) AND ONE (1) ABSTENTION (MR. HEMPSTEAD)**

ADJOURNMENT

**** MS. MELENDEZ MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:51 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services