

**CITY OF NORWALK
PLANNING COMMITTEE
REGULAR MEETING
AUGUST 5, 2010**

ATTENDANCE: Douglas Hempstead, Chairman; Carvin Hilliard, Laurel Lindstrom, Kelly Straniti, Clyde Mount, John Tobin, Andy Conroy

OTHERS: Richard Bonenfant, Bob Maslan, Andrew Kydes, Robert Virgulak

CALL TO ORDER

Mr. Hempstead called the meeting to order at 7:38 p.m.

ROLL CALL

Mr. Hempstead called the roll and introduced the members of the Committee present. There was a quorum present.

APPROVAL OF MINUTES

July 1st, 2010 Regular Meeting

**** MR. TOBIN MOVED THE MINUTES OF JULY 1ST, 2010**

Pg 3, paragraph 2, last sentence: please change the following from: "He said that there had only been a five minute discussion in public session in a Council meeting about this, and an hour and half of discussion in Executive Session." To : "He said that there had only been a five minute discussion in public session in a Redevelopment meeting about this, and an hour and half of discussion in Executive Session."

Pg. 3, paragraph 7, line 2: please change "He said that the fact this was discussed with the Council in Executive Session bothered him." To "He said that the fact this was discussed with the Redevelopment Agency in Executive Session bothered him."

Pg. 3, paragraph 7, line 2: please change: "this would fit within the perimeter of the Executive Session guidelines." To "this would fit within the parameter of the Executive Session guidelines."

**** THE MOTION TO APPROVE THE MINUTES OF JULY 1ST, 2010 AS CORRECTED PASSED UNANIMOUSLY.**

BUSINESS

Update on NEDC/Redevelopment Agency

Mr. Hempstead said that it was his understanding that the Redevelopment Agency would be discussing the issues from the last meeting in the coming week. Mr. Hempstead said that he had requested Mr. Sheehan to come to give an update on the various projects.

Update on 95/7, POKO & Waypointe

Mr. Sheehan came forward and said that he would review the POKO project. It has been less than 3 years since the LDA was executed for this particular project. POKO was to present a conceptual master site plan, which would provide the land use, the height and the mass of the project. The construction plans were the next plans to be presented and would include floor plans for the Phase 1 of project, and the exterior and interior components. Both of these have been completed and presented for approval. The working drawings are the next items and these are inspected for “material changes” and other details. This term is defined in the LDA. Mr. Sheehan then reviewed the details of the definition with the Committee. A third party architect is usually hired and reports back to the Redevelopment Agency and the Planning Committee. He said that the Cecil Group would most likely be reviewing the plans since they had worked on the other portions of the project. The completion of the review is contingent upon how well the plans conform to the previous plans.

Mr. Sheehan then displayed the building plans for the Committee’s inspections. He explained that the plans had been submitted on August 4th and no one had the opportunity to review the new plans. He explained that the project had already been approved by Zoning and that the plans would be reviewed by the Redevelopment Agency, Zoning and DPW to insure that all the requirements of the LDA had been met and that everything was consistent with all the previous approvals. Discussion then followed about the details of the plans.

Mr. Hempstead requested a simple timeline spreadsheet. Mr. Sheehan said that with the submission of the building plans, the construction must start within 90 days from the final approval. The original performa for the project had a significant amount of tax credits associated with it. At that time the tax credits were trading at slightly over a dollar. Since then, the tax credits have dropped to around .75¢, which has created a financing gap.

Mr. Sheehan said that these plans were covering Phase 1 and reviewed what was required during this phase.

Mr. Conroy asked about types of housing that would be available. Mr. Sheehan said that he believe it to be a 60/40 split, with the 40% being “affordable”. The tax credit rental rate for Fairfield County is very close to the rental rate with less than a \$200 variance.

Mr. Hempstead reiterated his request for a timeline. Mr. Sheehan said that he would email this information to the Committee members.

Mr. Andrew Kydes came forward and said that he would like to comment on the presentation. He stated that the LDA called for construction plans. He said that his concern was with the conveyance of the parking lots at Isaac Street, which happened two years ago. He then said that POKO was receiving the money from the parking meter and would like to know where that money was going. He said that there was a stipulation that no money would be required for the Isaac Street and Leonard Street lots until one year after they opened. He said that this was a disgrace. Mr. Kydes said that the financing needed to be in place or that the developer was in violation of the agreement.

Mr. Robert Virgilak, a real estate broker and life long resident. He said that he had just heard the presentation and was confused as to which plans were actually approved by the Council. Mr. Hempstead said that the basic site plans, with proposed parking areas, landscaping and a break out of how much of the building would be retail, residential and site plans were the items that that Council approved.

Mr. Virgilak had several questions about what those approvals. He repeated his questions as to why the property was turned over to the developer and where the revenue from the lots was going. Mr. Hempstead said that the Parking Authority had taken over the management of the parking lots. Mr. Sheehan said that when the LDA was filed, a site plan was attached. Secondly, there were the Phase 1 construction plans, all of which have been approved by the various legislative bodies. The final submission of the plans is the working drawings, which were submitted on August 4th. The conveyance of the parking lots to the developer were part of the LDA that was agreed to by the City, the Redevelopment Agency, and POKO. Mr. Sheehan then reviewed the details of the conveyance to POKO. Mr. Virgilak asked how much the conveyance fee was. Mr. Sheehan said that it was one hundred thousand dollars. Mr. Virgilak said that the parcel was worth 7 million dollars. Mr. Sheehan explained that the City had wanted to build on top of the parking resources, but that the actual surface parking lot was only worth 2 million.

Mr. Hempstead commented that the developer was currently paying property taxes on the parcel and that when the Parking Authority took it over and to the best of his knowledge, the lot was barely breaking even at that time. Mr. Sheehan said that he could get that information to the Committee members. Mr. Hempstead said that this would be appreciated.

Mr. Conroy asked if the seven million dollar figure for the parking lots was accurate. Mr. Sheehan repeated that the value of surface parking was about 2 million, but that when the additional structured parking is added, the increased parking spaces would increase the

amount. Mr. Sheehan said that one aspect that had a significant cost was that the developer was required to replace the parking. There are a series of default conditions in the LDA. From a development standpoint, the independent pieces are not as important as a whole. The entire project is necessary to have the critical mass needed to make the development successful.

The discussion then moved to Waypointe. Mr. Sheehan said that the developer has paid the taxes and owns 85% of the area for the property. The developers are currently looking for a footing to get through Phase 1 of their projects. The City can not assist the developers during these difficult economic times, so the developers are focused on revising Phase 1 of their project in order to move forward. The Council and the Committee may see some revised plans for their Phase 1 projects. He said that he expected the developers were working on developing retail and residential units in the first stage of the Project.

Mr. Hempstead asked about the status of the five million bond that the State had issued for this project. Mr. Sheehan then read the statement from the State regarding this. The way that the language is worded the State has the option to withdraw the funding for any reason at any time. Mr. Hempstead said that it would be important to remember that if the State pulled those funds, it would not only be a loss for the developer, but that the City would lose the benefits of the 5 million that the State was willing to invest in Norwalk.

Mr. Conroy asked what the next major milestone was that would be achieved. Mr. Sheehan reviewed the steps, which included a letter that would be delivered to the Council. He said that he did not believe that there was any resolution needed. There is no executed plan for the project, so there is no master development agreement or timeline. The developer must build in accordance with the City's development plan. Discussion then followed about the amount of property that the developer had acquired for the development and the level of financial involvement of the City.

The discussion then moved to the 95/7 project. Mr. Sheehan then gave an overview of the public infrastructure component for 95/7. He then reviewed the completed components such as the Pine Street connection and the Reed Street underpass.

Regarding the addition of the lanes on West Avenue, the curbing will be removed shortly and the traffic will be able to utilize the new lanes. There were concerns about the trees that had been planted after the planting season. They will be removed and replanted in the fall. The utility work is ongoing. Yankee Gas has just about completed their portion of the project, which included relocating a gas regulator. SNEW had difficulty with installing a duel system for King Chemical. The duct work for SNEW is ongoing on the west side of West Avenue in front of Walgreens.

Another challenge is the fact that there are 30 mast arms required for traffic signals. The State is requiring higher standard for the mast arms than what the original specs were in the RFPs. Also the State wants to have signage with the same dimensions as those on the highway. The Redevelopment Agency does not agree with these items.

Mr. Hempstead said that he had asked what would constitute “start of construction”. Mr. Sheehan said that he would provide the Committee with the relevant portions of the agreement that would address this. He said that the infrastructure was moving forward and should be completed by the middle of next year. He said that currently until the available Office Space Class A stock recedes somewhat, Spinnaker is working on moving the project forward by developing a concept for Parcel 4. At this time, the density of the parcel will be much less than previously expected. Mr. Sheehan then indicated how this would be done on a site plan.

Mr. Tobin asked when Reed Street would open. Mr. Sheehan said that there was a drainage issue on Reed Street that would require repaving, so when the repaving is done on Crescent, the small section of Reed Street will also be done. This should be accomplished in four weeks.

UPDATE on CDBG Education Grant

Mr. Sheehan said that the Committee had expressed a desire to develop a more comprehensive after school program. This would be accomplished by having difference agencies focused on specific aspects and coordinated the enhanced training provided by one vendor. Enhancement training would include something such as college prep, or academic support. Mr. Sheehan reviewed the details of the financing. Since the Agency has already been awarded the grant funding, the Agency could act as the fiduciary, but the CDBG funds are reimbursable, so the various programs would have to come up with the money for the program. Mr. Sheehan said that he would describe this as a work in progress for the first year. He pointed out that most of the funding would be going to the vendor who would be enhancing the programs.

OTHER BUSINESS

Mr. Tobin said that he had a question about Ben Franklin Gardens. He said that there had been some confusion about the mortgages. Mr. Sheehan gave a brief overview of the four potential options for the tenants. Mr. Hilliard said that he had attended at least four of the meetings about this and Mr. Carney had explained the four options with the tenants very clearly. He said that most of the tenants were “pleasantly surprised” with the options. Discussion followed.

Mr. Mount asked how the infrastructure was factored into the equations when almost a thousand units of residential housing were added to the housing stock. Mr. Sheehan gave

a brief overview of the formula. Mr. Sheehan said that he felt that Class A Office was the best use of the land since the personal property tax was also collected, and there were no students to add to the educational population.

ADJOURNMENT

**** MR. MOUNT MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

