

**CITY OF NORWALK
PLANNING COMMITTEE
FEBRUARY 1, 2007**

ATTENDANCE: Matthew Miklave, Chair; Douglas Hempstead; William Krummel; Carvin Hilliard (7:32 p.m.); Reverend Bolden (7:40 p.m.); Nicholas Kydes (8:05 p.m.)

STAFF: Timothy Sheehan, Executive Director; Jack Burritt, Assistant Executive Director; Munro Johnson, Senior Development Project Manager; Michael Moore; Susan Sweitzer, Senior Project Manager

Mr. Miklave opened the Public Hearing at 7:30 p.m.

Mr. Hilliard arrived at 7:32 p.m.

PUBLIC HEARING: WALL STREET REDEVELOPMENT PLAN

Proposed Amendment to the Wall Street Redevelopment plan to require a parcel by parcel affirmative vote of the Common Council prior to the exercise of the power of eminent domain and to extend the date for the exercise of that power consistent with the modified Plan.

Mr. Johnson presented the Wall Street modification plan. He reviewed the appropriate state statute relevant to the plan. Mr. Miklave asked if in respect to eminent domain, the Common Council will be required to render a separate vote for each property. Mr. Sheehan said that the Common Council wants a property by property vote. Currently 28 properties are slated for eminent domain.

Reverend Bolden arrived at 7:40 p.m.

Mr. Sheehan said that those 28 properties that are potentially slated to be acquired were deemed by the master plan to be essential for redevelopment purposes. He said that this action cedes the power of eminent domain back to the Common Council.

Mr. Miklave invited comments from the public.

Mr. Michael Coffey, president of the Common Council thanked the Redevelopment Agency for listening to the Common Council members and said that this will put the accountability back to the elected officials. He said that he fully supported this change.

There were no further comments.

CONSERVATION COMMISSION

Retain consultant to Assist in Wetland Evaluation – Permit Application

Ms. Chierchetti explained that this is a request to hire a consultant to view complex wetland applications. She said that the costs are covered by the applicant. She explained the cost structure.

**** MR. MIKLAVE MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN ON-CALL RETAINAGE AGREEMENT WITH THE FOLLOWING VENDORS FOR WETLAND AND ENVIRONMENTAL ENGINEERING CONSULTING SERVICES FOR A TWO YEAR PERIOD BEGINNING JANUARY 2007 (ACCT. #01-000-2333):**

- MILONE & MACBROOM, INC.
- STERNS & WHEELER, LLC

**** MOTION PASSED UNANIMOUSLY**

PRESERVE AMERICA – FY 2007
Resolution of Support- Grant Application

**** MR. MIKLAVE MOVED THE FOLLOWING RESOLUTION:**

WHEREAS, THE CITY OF NORWALK IS DESIGNATED A *PRESERVE AMERICA COMMUNITY*, UNDER THE UNITED STATES ADVISORY COUNCIL ON HISTORIC PRESERVATION; AND

WHEREAS, THE CITY OF NORWALK IS COMMITTED TO PRESERVING AND CELEBRATING ITS HISTORY AND HERITAGE, AND TO PURSUING THOSE ENDS THROUGH HISTORIC PRESERVATION INITIATIVES;

NO, THEREFORE, THE CITY OF NORWALK IS SUBMITTING “THIS HISTORIC WEST AVENUE LIGHTING PROJECT,” A GRANT APPLICATION TO THE *PRESERVE AMERICA* PROGRAM;

AND FURTHER, THE COMMON COUNCIL OF THE CITY OF NORWALK SUPPORTS THIS APPLICATION TO *PRESERVE AMERICA* FOR FEDERAL RESOURCES, TO SUPPLEMENT ITS OWN, IN PURSUING PRESERVATION INITIATIVES TO PROTECT AND ADVANCE NORWALK’S HERITAGE

**** MOTION PASSED UNANIMOUSLY**

PUBLIC HEARING: WEST AVENUE REDEVELOPMENT PLAN
Stanley M. Seligson Properties Presentation of Proposed Concept Plan for Plan Area B. (No action required)

Mr. Miklave opened the public hearing at 8:00 p.m. This item will be voted upon at the next meeting and moved to the full Common Council.

Attorney Frank Zullo presented the development team

Mr. Kydes arrived at 8:05 p.m.

Mr. Richard Heeps of Streetworks, LLD gave a presentation of the conceptual plan. He said that the plan has evolved in response to stakeholders' comments.

After the presentation, Mr. Sheehan said that the Redevelopment Agency has some concerns and are in the midst of a 30-day review of the plan.

Mr. Miklave invited comments from the public.

Mr. Nick Willette, representing the YMCA read a statement in support of the plan.

Mr. Mark Blitzer, owner Devon Accura said that the latest plan cannot work for his business. He asked why the roads are being placed to destroy his business. He said that he would like to work with the developer and would like to see a plan that is a cooperative effort. He said that now is the time to do a parcel by parcel analysis.

Mr. Michael Mushak, landscape architect said that he has no business or personal relationship with the developer. He said that it is clear that the City and the developer have been sincere in listening to the concerns of the residents. He spoke in favor of the plan.

Mr. Tom Shrum, Norwalk realtor spoke in support of the plan. He said that it is critical that this plan take place to create a cohesive down town.

Mr. Keel Evans, 539 West Avenue said that the plan looks great, but not for his property. He said that he is afraid to do anything with his property because no one has talked to him. He said that he would love to be a part of the plan, since he is already a property owner.

Mr. Gordon Tulley said that he supports the project wholeheartedly and urged moving forward with this project.

Mr. Sean McDonald, Norwalk Hospital said that the hospital is developing a 6-year plan and nothing would please them more than to have the approach to the hospital revamped. He said that they looked at the project to try and align both of the projects.

Ms. Nancy Esposito, Casey Sheet metal said that she get sick when she looks at the plan. She said that it is a plan to make money and uses the system to do something wrong; taking properties from the rightful owners and handing them to the wealthy developer for the sake of the almighty dollar. She said that when she was at the Redevelopment Agency meeting and Mr. Seligson was named the developer, she saw a wink and a nod. Ms. Esposito said that the only silver lining would be if the economy crashes. She said that she would like to become a part of the project instead of loosing her business.

Mr. Edward Musante, Norwalk Chamber of Commerce said that their Board saw this presentation and are unanimously in favor of the plan. One concern is that a clear signal must be sent that appropriate uses need to be integrated into the plan. It is up to the City to allow the developer to work with those business owners to reach a satisfactory solution.

There were no further comments from the public and Mr. Miklave invited comments from the Committee members.

Mr. Krummel said that the project has moved magnificently forward to access pedestrian space, but in light of the Council's partnership, wanted to comment on the written presentation. He said that Quincy Street needs to be included in the plan. He also would like to hear about the effect of the transfer trucks moving up and down Crescent Street and the access for 95 to the West Avenue area.

Mr. Krummel said that he was bothered by the cost of the infrastructure and asked if there was a way to reduce those costs. He said that he did not want to see present residents undergoing more flooding because there is no money to repair current infrastructure.

Mr. Kydes said that he was extremely enthusiastic about what he has seen tonight. He said that once the plan is complete Norwalk will be on the maps as a city that has restructured and redesigned itself. He said that he is saddened by people who rightfully so, are concerned about their property. He said that they should think about what they can do to be a part of the development instead of hoping for an economic disaster. As members of the Common Council who have an interest in the City they are going through and weighing all of the pros and cons. He said that he believes the pros outweigh the cons. Mr. Kydes said that he is fully in support of the plan.

Mr. Hempstead asked if the existing bank near the Acura dealership will remain. He was told that the existing plan shows the bank remaining.

Mr. Hempstead said that he was disheartened that a person who could be affected by eminent domain was not contacted. He said that he wants to be sure that the best efforts are made and that opportunities for partnership are explored. He said that the overall plan sparkles.

Mr. Miklave said that the developer needs to make a substantial process to avoid the taking of eminent domain if at all possible.

Rev. Bolden said that the concept plan is beautiful and well done. She said that she is also concerned that the developer is not communicating with all of the property owners.

Mr. Hilliard asked who was responsible for funding the relocation of the businesses if they are taken through eminent domain. Mr. Sheehan said that it is the responsibility of the developer, unless it is a public improvement issue.

Mr. Seligson's representative explained that they spoke with all of the property owners and had a number of outreach meetings. There were many property owners who were willing sellers. They understand the concerns of the remaining property owners and realize they have a lot of work to do.

Mr. Sheehan pointed out that the City has yet to approve a concept plan, so the issue is that once they have a confirmation from the City they can then deal with the property owners.

Mr. Krummel suggested that the next step will be to take into consideration the people who have successful businesses there. As a member of the Common Council, he said that he would like to be reassured that there is an important reason that Elm Street is placed where it is and whether or not there are any alternatives.

Mr. Hempstead asked if there were any elevation drawings available.

Mr. Miklave said that he hoped the development team will continue to listen carefully. He said that he would prefer that the property owners will not have to wait until March to learn about their property. Mr. Miklave told the development team that they need to start talking with the property owners. Attorney Zullo said that the developer has assured reasonableness. They hope there will be no need for condemnation, but there might be.

Mr. Miklave said that he is concerned that a road is proposed to go through the Devon property.

The public hearing was closed at 9:20 p.m. and Mr. Miklave called for a brief recess.

CALL TO ORDER

The meeting reconvened at 9:25 p.m.

PUBLIC PARTICIPATION

There was no further public participation

APPROVAL OF MINUTES – January 4, 2007 Regular Meeting Minutes

The approval of the minutes was deferred to the next meeting.

BUSINESS

WALL STREET REDEVELOPMENT PROJECT – PARCEL 3

License Agreement for Geo-technical Environmental Testing

Mr. Burritt explained that this is part of the due diligence for the Wall Street project.

**** MR. MIKLAVE MOVED TO AUTHORIZE THE EXECUTION OF T
TEMPORARY LICENSE AGREEMENT BETWEEN THE CITY OF
NORWALK AND HELLER & JOHNSON OF STRATFORD,
CONNECTICUT, A LICENSED ENGINEERING FIRM FOR THE
PURPOSE OF GEO-TECHNICAL AND ENVIRONMENTAL TESTING
ON CITY OWNED PROPERTY COMPRISING REDEVELOPMENT
PARCEL 3 IN THE WALL STREET REDEVELOPMENT PROJECT; AND**

**TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE
ALL DOCUMENTS NECESSARY TO EFFECTUATE A TEMPORARY
LICENSE AGREEMENT BETWEEN THE CITY OF NORWALK AND
HELLER & JOHNSON FOR THE PURPOSE OF GEO-TECHNICAL AND
ENVIRONMENTAL TESTING ON CITY OWNED PROPERTY
COMPRISING REDEVELOPMENT PARCEL 3 IN THE WALL STREET
REDEVELOPMENT PROJECT**

Mr. Hempstead disclosed that Heller & Johnson has done work for Stew Leonard's where Mr. Hempstead is employed.

**** MOTION PASSED UNANIMOUSLY**

WASHINGTON-SOUTH MAIN IMPROVEMENT AREA II

20 North Water Street – Affordable Housing Proposal

Mr. Burritt said that this plan has been in existence for 20 years. Last July the Common Council approved an amendment to the plan for the purpose of changing the zoning. Part of the urban renewal plan is the requirement for 10% affordable housing. If the plan calls for less than 10% or for the housing to be constructed off site, they have to go before the Common Council for approval.

The plan calls for 13 affordable housing units off site at 1 Elmcrest Avenue/Connecticut Avenue. The Zoning Commission has approved the plan and the affording housing plan is included in the packages.

Mr. Karl Keener explained the justification for the off site affordable housing units. He said that they would convert 13 of the 29 units to affordable units. As they do that they hope to raise money and make 29 affordable units instead of 13. There are three buildings that are rented at the market rate of \$1,200 - \$1,600 per month. The units at 20 North Water Street would be rented at \$2,000 per month. The ultimate goal is to make Elmcrest Terrace/Connecticut Avenue 100% affordable.

Mr. Krummel said that he was very much in favor of inclusion and very much against putting affordable housing in one area. He said that he wants to see affordable housing included with market rate housing. He said that he is not comfortable with people being shunted off to Connecticut Avenue.

Mr. Mikalve said that he shared Mr. Krummel's discomfort with the proposal. The location of the proposed affordable housing units is substantially different from SoNo. There are more transportation opportunities in SoNo and it is closer to the water and museums. He said that he is very concerned that when they move affordable housing off site, they change the character of the housing they are creating. Mr. Miklave said that he would prefer to have further discussion and would not support this.

Mr. Hilliard agreed and said that this Committee emphasizes affordable housing that would not be segregated. He said that he would vote against this proposal.

Mr. Kydes said that \$2,000 a month is not affordable. He suggested looking at building affordable units in areas that have not been explored yet. He said that he does not like to hear "not in my backyard" arguments. He said that if they are talking about inclusion, to make the entire City inclusive.

Mr. Kydes said that the City goes above and beyond in affordable housing and that burden is going to fall to the taxpayers. He said that he would vote in favor of the proposal.

Mr. Hempstead said that the City has not defined how it wants to approach affordable housing. In creating the policy they are not creating any answers.

Mr. Miklave said that this Committee has been receptive to dealing with this issue on a case by case basis. He said that he is concerned that the housing for working families would become clustered. He said they all have to be part of the solution.

Mr. Hempstead asked if an acceptable proposal will come back to the committee. Mr. Miklave said that he was not prepared to give consent to build the units off site. Mr. Kydes said that the plan was amended to allow 10% affordable housing off site.

Mr. Kydes asked the developer if they would be willing to come back and present the financial benefits to the truly needy. Mr. Keener explained that the goal is to take the assets and transfer them to the shelter. North Water Street would be market rate units that are privately owned.

Mr. Hempstead requested that the developer put their proposal in layman's terms.

**** MR. HILLIARD MOVED TO TABLE THE ITEM TO THE NEXT MEETING**

**** MOTION PASSED UNANIMOUSLY**

REED PUTNAM URBAN RENEWAL PLAN PARCELS 1,2 & 4
Response to Planning Committee Request for Additional Design Information

Mr. Clay Fowler presented the site plans for the project. He said that they shared some of the responses that were brought up a few weeks ago. He said that the parking garage is in the right location and the rest of the parking will be spread out throughout the site. He discussed ways to disguise the parking garage.

There will be a series of small streets which will slow the moving traffic. They want to have a fountain on the site and the streets will be lined with new shops. Rev. Bolden asked if a helicopter could land on the tallest building in the event of a disaster. She was told that was possible.

Mr. Krummel told the developers that they need to do more creative thinking about the parking garage. He asked about the use of alternative energy. He was told that they are exploring that. Mr. Fowler said that from day one, they have wanted this project to be for the 21st century, while at the same time, respecting the past. He said that the environmental conscious construction industry is very advanced.

Mr. Hempstead said that he would like to see the parking garage greened up and that whatever is being proposed to be truly sustainable. He said that he would also like to see Heritage Park enhanced. Mr. Hempstead said that the yellow brick Methodist Church is very unique and asked if there is any chance to rescue it because it is part of the character of SoNo. Mr. Fowler said that they feel that is an important building and it will stay.

Mr. Kydes said that he appreciates Mr. Hempstead's concerns, but does not know if this Committee has the authority to direct the developer in philanthropic issues. He said that he is concerned that when they talk about these concerns they become requirements.

Mr. Miklave said that the plan is still subject to agency review. There continues to be big concerns about the mass and height of the project. He said that he is very concerned about the location of the parking lot and about the physical barriers that would unite this project with the next project. Mr. Miklave said that the developers need to be very creative on how to bridge that gap. He said that integration with Heritage Park is very important.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Notice of Funding Availability – PY33

Mr. Moore said that they are experiencing declining CDBG resources. As a result he has come up with the concept of a mini entitlement initiative. He described the initiative. Mr. Krummel said that he would like to see feedback next year showing results of the reorganization.

**** MR. KYDES MOVED TO AUTHORIZE THE STRUCTURE OF THE PY33 NOFA TO REFLECT THE TENETS OF THE URBAN HOUSING MINI-ENTITLEMENT INITIATIVE AS OUTLINED IN THE INFORMATION PROVIDED**

Mr. Sheehan said that they want an affirmative allocation of 57% to be set aside for housing. Mr. Kydes said that he would prefer to see the split closer to a 50/50 allocation.

**** MR. KYDES MOVED TO AMEND THE MOTION TO REFLECT A 50/50 ALLOCATION**

**** MOTION FAILED WITH ONE (1) VOTE IN FAVOR (MR. KYDES), ONE (1) ABSTENTION (MR. HEMPSTEAD) AND FOUR (4) VOTES IN OPPOSITION (REV. BOLDEN, MR. HILLIARD, MR. KRUMMEL AND MR. MIKLAVE)**

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. KYDES)**

Mr. Hempstead disclosed that he is employed at Stew Leonard's. Attorney Frank Zullo is the General Counsel for Stew Leonard's and Barken & Ness and Desmond Properties have done work for Stew Leonard's.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

There was no further business and the meeting was unanimously adjourned at 11:30 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services