

**CITY OF NORWALK
PLANNING COMMITTEE
REGULAR MEETING
SEPTEMBER 18, 2012**

ATTENDANCE: Nicholas Kydes, Chair; Michael Geake, Douglas Hempstead,
David McCarthy

STAFF: Timothy Sheehan, Redevelopment Director; Munro Johnson,
Redevelopment Agency

OTHERS: Council Member Bruce Kimmel, Atty. Robert Maslan, Corporation
Counsel

CALL TO ORDER

Mr. Kydes called the meeting to order at 6:34 p.m.

ROLL CALL

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

APPROVAL OF MINUTES - AUGUST 2, 2012

**** MR. MCCARTHY MOVED THE MINUTES OF AUGUST 2, 2012.
** THE MOTION TO APPROVE THE MINUTES OF AUGUST 2, 2012 AS
SUBMITTED PASSED UNANIMOUSLY.**

BUSINESS

A. WALL STREET REDEVELOPMENT PLAN

**1. Review and approve the suggested significant terms of the proposed Smith
Street LDA**

Mr. Johnson said that the summary was encapsulated in the memo in the info packet. He said that there was a proposal to exchange pieces of public land for public amenities. There is a draft of legal language for the Committee to review.

Mr. Sheehan said that in general terms, the Agency was looking for consensus of the general terms before creating the formal LDA. Mr. Kydes said that if Smith Street is turned over to a developer, he wanted a guarantee that there would be shovels in the ground. Until he sees that there is actual construction underway, he would like a guarantee that Smith Street will remain

with the City. Mr. Sheehan said that this would become a financing issue because a developer can't get financing without having control of the parcels. He suggested a performance bond at 150% of the cost of the public improvements. Mr. Kydes said that he wanted a specific reference to this in the document. Discussion followed.

Mr. Kydes said that he would like to see what kind of improvements could be done with the Smith Street Jail and the Mill Hill area rather than another section of the project since Mill Hill would be directly impacted by this proposal. Mr. Sheehan indicated where this was located in the document.

The discussion then moved to the Tighe and Bond list of improvements. Mr. Kydes said that he wanted to see more improvements to Mill Hill, such as improvements to the Jail or the school. Mr. Sheehan said that Tighe and Bond was not looking outside of the project area. Any improvements on structures offsite would be considered offset work. Mr. Kydes said that at one point there was talk of improvements to Freese Park. Mr. Sheehan said that Freese Park was not part of this project. Mr. Hempstead pointed out that one of the improvements was the construction of a staircase from the Town House to the level of the jail for parking purposes. He said that as long as the dialog is happening with the developer, he was happy. Mr. Hempstead said that this was really a concept rather than a project and asked whether or not the Committee was approving the request or supporting it.

Mr. Sheehan said that he would not object to rewording the proposed language to "support".

2. Review and approve advancing the proposed License Agreement for environmental testing on the City owned property related to the proposed Smith Street LDA to Corporation Counsel for review and comment

There was a brief discussion regarding the environmental testing that would be done on the site.

**** MR. MCCARTHY MOVED THE FOLLOWING:**

1. SUPPORT THE EXCHANGE OF PUBLIC LAND AS OUTLINED ON FIGURE 1 ON THE ASSOCIATED MEMO FOR AN EQUIVALENT VALUE OF PUBLIC AMENITIES IN CONNECTION WITH THE HEAD OF THE HARBOR (SOUTH PARCEL) LAND DISPOSITION AGREEMENT; AND

2. DIRECT COUNSEL AND AGENCY STAFF TO NEGOTIATE LAND DISPOSITION AGREEMENT BASED ON THIS EXCHANGE.

**** THE MOTION PASSED UNANIMOUSLY.**

B. WEST AVENUE CORRIDOR REDEVELOPMENT PLAN

1. Review Milone and MacBroom's draft West Avenue Landscape Design Master Plan.

**** MR. GEAKE MOVED THE ITEM.**

Ms. Weber came forward to give an overview of the need for a comprehensive approach that would position West Avenue as a well-connected urban corridor uniting SoNo, Wall Street and Mathews Park with the substantial planned and existing development along West Avenue. Mr. Sheil and Mr. Williams of design and engineering firm Milone and MacBroom came forward to present the draft of the landscape design Master Plan being proposed for West Avenue Corridor.

Mr. Sheil displayed large aerial photographs of the area as it exists today and a graphic that identified five zones having characteristics that distinguish one section of the West Avenue corridor from the next. Mr. Sheil noted that the section of West Avenue between North Main to Garner is already built with businesses. While the Reed Putnam area from Garner Street to the 95 overpass has not yet been developed, the street has already been widened and the character will change when Reed Putnam is completed and as the area becomes more pedestrian friendly. Between I-95 and the Lockwood Mansion, there are no businesses and a large stretch of concrete wall supporting the Route 7 extension, but that the section does have an Art Park and Heritage Wall. The corridor has a different feel north of Mathews Park where the Waypointe development is underway. The northernmost section near to Wall Street of the corridor is another established hub, containing the library and a high concentration of businesses.

Mr. Williams then came forward to present the landscape improvements proposed in the draft Master Plan. He noted that wayfinding would be critical and indicated proposed locations of wayfinding signage on the large scale site map he displayed. He identified the streetscape elements and brick crosswalks being proposed throughout the corridor. He recommended that the existing medians be replanted and the islands should not be solid concrete. He noted that street trees would help to unify the corridor but that varying the species of trees can help to distinguish one section of the corridor from the next. He suggested that the Art Park be made more visually appealing through the addition of vegetation and that the concrete wall just north of the 95 overpass be softened by planting trees and removing the invasive vegetation that is cascading over the top. Mr. Williams then highlighted the landscaping and lighting proposed for Heritage Park. North of the Lockwood Mansion, there are sections of on-street parking that are sheltered by painted triangles which provide an opportunity to locate planters that increase vegetation along the corridor and which serve to buffer pedestrians from the street. Mr. Williams then displayed a design concept for enhanced bus stops and a proposed amenity package of bus shelters, benches, trash receptacles, etc. He noted that using the same furnishings throughout the corridor helps unite the area.

Mr. Sheil said that it would be important to think about this Master Plan for the West Avenue corridor as a living document that could be done in pieces and that could be changed as needed.

Mr. Sheehan noted that the Agency felt this was a good stopping point in the process of developing the landscape design Master Plan to hold an informational session and to provide the Committee members with an opportunity to give feed back.

Mr. Kydes said that he liked what he was seeing and hearing. Mr. Hempstead asked if the 95/7 and Reed Putnam developers were obligated to do any public improvements. Mr. Sheehan responded that the developers were only responsible for the improvements on the private land.

The discussion then moved to the Lockwood Mathews Mansion and what could be done for that area. Mr. Sheehan said that the State maintains the 95/7 on and off ramps twice a year. He added that one of the questions was how the City could maintain these proposed improvements and indicated that Milone and MacBroom are looking into maintenance costs and that the Agency will be working with other departments to plan for the ongoing maintenance that will be required following the implementation of any landscape design improvements.

Mr. Kydes asked about the chain link fence along the 95 exit ramp that borders the Mansion. Mr. Sheehan said that he had spoken to the State about this, and that their concern was preventing animals from wandering onto the ramp, but that the State could be open to an alternative design if the effort was coordinated at the local level.

C. CDBG

1. Approve scheduling of a public hearing to be held during the regular meeting of the Planning Committee on October 4th at 7:30 p.m. to review CDBG program performance during the FY11-FY12 program year and a proposed amendment to the City's Consolidated Plan for Housing and Community Development.

**** MR. HEMPSTEAD MOVED TO APPROVE THE SCHEDULING OF A PUBLIC HEARING TO BE HELD DURING THE REGULAR MEETING OF THE PLANNING COMMITTEE ON OCTOBER 4TH AT 7:30 P.M. TO REVIEW CDBG PROGRAM PERFORMANCE DURING THE FY11-FY12 PROGRAM YEAR AND A PROPOSED AMENDMENT TO THE CITY'S CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT.**

**** THE MOTION PASSED UNANIMOUSLY.**

D. PROJECT UPDATES

Mr. Sheehan then stated that the Poko Wall Street Project has been awarded funding from the State. Mr. Olson has been contacted and asked to give an update on the project.

Mr. Kydes then turned the meeting over to Mr. Hempstead and recused himself. A quorum was no longer present. Atty. Maslan said that the Acting Chair could entertain a motion to recess.

**** MR. GEAKE MOVED TO RECESS.**

**** THE MOTION PASSED UNANIMOUSLY.**

E. WALL STREET REDEVELOPMENT PLAN

1. Globe Theater – Further consideration of the Resolution as approved on July 2, 2012 and additional requirements for future consideration of a Section 108 loan.

An informal discussion then followed about the Status of the Globe Theater. Mr. Hempstead distributed copies of updated resolutions to those present. Mr. Farricker and Atty. Maslan came forward for the purpose of discussion. Atty. Maslan then gave a brief summary of the memo dated September 14, 2012 from the Redevelopment Agency to the Planning Committee members that was included in the information packet.

Mr. Farricker then gave a brief history of his tenure at "Heroes' Village". He provided a number of legal documents regarding his involvement in the Globe Theater project. He pointed out that regarding the confusion regarding the name of the project, the relevant point is site control. All of the work product that has been made to this Committee has been done by Mr. Farricker. He stated that he did not know what Mr. Richardson's issue was, but he has declared that he has "killed" the project. Mr. Farricker said that he has been open and transparent with the Committee and had acknowledged his errors.

Mr. Farricker said that he had sent the Redevelopment Agency two resolution proposals. There is a possibility that Mr. Farricker may be able to complete the 108 loan. The second proposal would cover what would have to be done if the 108 loan falls through.

Mr. Hempstead expressed concerns about Atty. Maslan's recommendations that the Council use caution with the project. Mr. Hempstead said that there were a number of flags that have been raised.

Mr. Farricker said that there had been a number of memos regarding his information.

Mr. Kimmel said that for a number of years this project has had complicated issues. He said that from the view point of the Council members, this issue has become even more complicated. He pointed out that there were a number of members who were not in attendance.

Mr. Farricker said that he had control of the building.

Mr. McCarthy said that he had followed the history of the project. He added that he did not want to be held hostage by someone who was not present or involved in the project.

Atty. Maslan said that he had two concerns. The item came to the committee and was sent to the Council as the "Globe Theater, Inc.". Mr. Farricker does not have legal rights to represent it. The Globe Theater, Inc. does actually exist. The resolution as it stands now is for the Globe Theater, Inc. The action needs to be rescinded. If the Committee decided to approve Mr. Farricker's entity, it would be best to rescind the previous action. Mr. Hempstead agreed, but pointed out that the committee did not have a quorum to do so.

The packet of documents submitted to the Committee was given to Mr. Sheehan for duplication and distribution to the Committee members.

ADJOURNMENT

Mr. Hempstead declared that the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services