

**CITY OF NORWALK  
PLANNING COMMITTEE OF THE COMMON COUNCIL  
REGULAR MEETING  
DECEMBER 6, 2012.**

**ATTENDANCE:** Nicholas Kydes, Chair; Carvin Hilliard, Michael Geake, Douglas Hempstead, Warren Peña, David McCarthy,

**STAFF:** Timothy Sheehan, Redevelopment Agency Director; MaryGrace Weber Redevelopment Agency

**OTHERS:** Council Member Bruce Kimmel, Council Member David Watts, Council Member Anna Duleep, Eva Erlich, Trinity Financial Project Manager; Kendra Halliwell, Icon Architecture; Curtis Law, Norwalk Housing Authority; Candace Mayer, Norwalk Housing Authority

**CALL TO ORDER**

Mr. Kydes called the meeting at 7:40 p.m. A quorum was present.

**MINUTES OF OCTOBER 4, 2012**

**\*\* MR. HEMPSTEAD MOVED THE MINUTES OF SEPTEMBER 18, 2012.  
\*\* THE MOTION TO APPROVE THE MINUTES OF SEPTEMBER 18, 2012 AS  
SUBMITTED PASSED UNANIMOUSLY.**

Mr. Peña said that he was pleased to see that some of the long term agenda items had moved forward.

**BUSINESS**

**A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

**1) Advance to the Common Council for Approval the Proposed Substantial Amendment to Norwalk's Consolidated Plan for Housing and Community Development Related to the City Neighborhood Program.**

**\*\* MR. KYDES MOVED THE ITEMS.**

Ms. Weber then gave a brief overview of the Proposed Amendment and said that it was to allow the Redevelopment Agency to better quantify the outcomes of the City's CDBG-funded activities. The strategies and target outcomes being proposed are consistent with the existing activities of the City Neighborhoods program which the City has supported with CDBG funding for each of the three years of the current Consolidated Plan for Housing and Community Development (ConPlan) period. The goal is not to compete with pre-established ConPlan

strategies by adding new targeted outcomes. The targeted outcomes that are being proposed are consistent with City Neighborhoods outcomes from the previous program year. Ms. Weber cited the example of technical assistance to businesses, and noted that this outcome will be fully achieved before the new round of CDBG funding is announced.

One letter was received during the 30-day public comment period on the draft Substantial Amendment. Ms. Weber stated that the letter as well as a copy of the Agency's response to the was included in the information packet along with a copy of the proposed amendment. Ms. Weber reiterated that the intent is to have clarification of the specific accomplishments to both HUD and the City.

Related to the CDBG program as a whole, Mr. Hempstead asked if there was a way to track the finances of the applicant to make sure that the agencies are on stable financial ground. Mr. Sheehan replied that they could make a review of financial statements part of the application process, Ms. Weber said that each subrecipient organization's financial statements are reviewed on an annual basis during the mid-year monitoring process. Regarding the Norwalk YMCA, she added that the YMCA had been awarded two grants for facility improvements, that those funds had not yet been disbursed, and that the funding would be re-allocated.

Mr. Watts asked what kind of mechanism was in place for a new program. He said that some programs that he thought would have received CDBG funding had not. Ms. Weber gave a quick overview of the process that was used to evaluate the newer programs. She noted that to ensure compliance with federal regulations and appropriate use of CDBG funds, CDBG awards are dispersed on a reimbursement basis which can be challenging to organizations with constrained budgets, but suggested that partnerships would be helpful for grass root organizations.

Mr. Hilliard said that it would be important not to make dramatic changes because one major organization had folded. He had concerns that this could be used as a reason not to fund a program.

Mr. McCarthy said that Mr. Watts' and Mr. Hilliard's comments were apt, but hoped that the evaluation would not become too cumbersome. Mr. Peña asked what the definition of "viable" would be. Discussion followed.

**\*\* THE MOTION TO ADVANCE TO THE COMMON COUNCIL FOR APPROVAL THE PROPOSED SUBSTANTIAL AMENDMENT TO NORWALK'S CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT RELATED TO THE CITY NEIGHBORHOOD PROGRAM PASSED UNANIMOUSLY.**

## **2. Discuss the Limited English Proficiency Voluntary Compliance Agreement.**

Ms. Weber said that following a compliance review of the City of Norwalk, HUD had issued a preliminary finding of non-compliance with Title VI of the Civil Rights Act in the area of access for persons of limited English proficiency. Title VI prohibits discrimination on the basis of race,

color and national origin in programs and activities receiving any form of federal financial assistance, CDBG or other programs. Failure to provide persons having limited English proficiency with meaningful access to services is considered to be discrimination on the basis of national origin.

The basis for HUD's preliminary finding was that Norwalk had not conducted a required analysis of the needs of its Limited English Proficient population as they relate to the provision of City services and had not, according to FHEO determination, implemented procedures to ensure non-discrimination against non-English speaking persons.

In order to avoid a formal finding of non-compliance that could jeopardize its future CDBG funding, the City of Norwalk entered into a Voluntary Compliance Agreement (attached) with HUD, effective September 28<sup>th</sup>, 2012, which establishes six specific provisions which the City of Norwalk must meet no later than March 31<sup>st</sup>, 2013, which are outlined in the memorandum provided in the packet for the meeting. In order to meet the regulations of the VCA, the staff will receive training from the Personnel Department in coordination with the Redevelopment Agency and the Human Relations Office.

Mr. Hempstead asked if there was a way to identify a way to move forward in this area. He pointed out that with the technology, there should be easier ways to do this. There are more than just five languages spoken in the City.

Mr. Kimmel said that he was concerned with the needs analysis and what the analysis actually shows. He said that the bigger issue was determining what was available in terms of translation. If 25% of the population speaks Spanish, then the Administration should have Spanish speaking staff available. Discussion followed.

### **3. Review HUD's Evaluation of CDBG Program Performance for PY37.**

Mr. Sheehan said that the copy of the November letter from HUD's Community Planning and Development office was a report card for the City regarding the CDBG funding. HUD is happy with Norwalk's performance.

### **4. Present CDBG Schedule for PY 39**

Ms. Weber reviewed the key points for the memo and timeline for applications with the Committee members.

### **5. Request for Approval of Mayoral Signature on Consolidated Plan Certificate of Consistency for the Norwalk Housing Authority Annual Public Housing Authority Plan.**

**A. The Agency, operating as the CDBG Administrator, deems the Norwalk Housing Authority's PHA Plan for Fiscal Year 2013 to be consistent with the City's Current Consolidated Plan and seeks Planning Committee Approval to advance the**

**Agency's request for Common Council approval for the Mayor to execute the require Certificate of Consistency that must accompany the PHA Plan when submitted to the U.S. Department of Housing and Urban Development.**

**\*\* MR. HEMPSTEAD MOVED THE ITEM.**

The Norwalk Housing Authority (NHA) is crafting their annual Public Housing Authority (PHA) Plan, summarizing NHA's strategy for providing affordable housing during the upcoming fiscal year. The NHA Board will be requested to approve the Plan. This PHA Plan will then be submitted to HUD.

Ms. Weber said that the staff had reviewed the process. She proceeded to give a brief overview of the schedule, which was included in the information packet.

Mr. Hempstead asked Ms. Mayer about the status of the appliances in the flooded apartments in Washington Village. Ms. Mayer came forward and updated the Committee members about the flooded units.

**\*\* THE MOTION FOR APPROVAL OF MAYORAL SIGNATURE ON CONSOLIDATED PLAN CERTIFICATE OF CONSISTENCY FOR THE NORWALK HOUSING AUTHORITY ANNUAL PUBLIC HOUSING AUTHORITY PLAN PASSED UNANIMOUSLY.**

**6.) Advance to the Common Council for Approval the Proposed revisions to the Citizen Participation Plan.**

**\*\* MR. KYDES MOVED THE ITEM.**

Mr. Sheehan said that there would need to be a small adjustment to the plan.

**\*\* THE MOTION TO ADVANCE TO THE COMMON COUNCIL FOR APPROVAL THE PROPOSED REVISIONS TO THE CITIZEN PARTICIPATION PLAN PASSED UNANIMOUSLY.**

**B. WASHINGTON VILLAGE REDEVELOPMENT PLAN.**

Mr. Sheehan said that there had been much discussion about the Day Street parcel and various presentations in the last few months. The Housing Agency did receive a grant and Trinity Development Group has won the bid. There are some small language changes. Trinity Financial will present the Site Plan and it is expected that the plan will come back before the Committee in January. In March, the plan should be ready to be submitted to HUD and will conclude the planning process for Choice Neighborhoods for Washington Village.

All of the 136 housing units will be transferred into the new development if the City is fortunate to get the full grant.

Ms. Eva Erlich, a Project Manager for Trinity Financial, and Ms. Kendra Halliwell of Icon Architecture came forward to greet the Committee members. Ms. Erlich said that her group had been selected by the Housing Authority. Trinity Financial has done a number of public redevelopments in both Connecticut and Massachusetts. One project was in New Haven. She then displayed a site plan for the proposed Washington Village and said this would be a mixed income community. These will be mixed with low income, work force housing and market rate units.

Icon and Trinity have worked together on low income public housing. The first stage of redevelopment will reconnect Raymond Street to the river. There will be active uses at Raymond and Day and at Ryan Park. By putting larger apartments on the lower levels and having stoops at the front doors, Ms. Erlich said this should help generate activities. The buildings will be 3 - 4 stories tall with elevator access and parking located underneath. The Village is in a flood zone and there are a number of solutions that can be used to deal with those issues.

Mr. Peña said that he was pleased this was being done in the downtown area. He added that Trinity has been in the market for some time and has done wonderful work in the Northeast. There have been concerns expressed about Ryan Park and he hoped that the dialogues would continue. Mr. Peña went on to list numerous areas of concern. However, he said that he was very pleased, but reiterated that the development process needed to include the residents.

Mr. Hilliard said that he had been watching this project develop from the beginning. Concerns are being addressed and Mr. Hilliard felt that the parcel of land that was being turned over for a dollar would end up with market rate residences that will generate taxes.

Mr. Hempstead then explained that the reason that the full council had not voted on the parcel was because the design phase had to be completed first. Now that this site plan has been completed, the issue of the land being turned over to the developer will come before the Council.

Mr. Hempstead asked about the urban planning that involved a major thorough fare. He wondered whether or not it would be worthwhile to consider rotating the buildings to face the side streets. Discussion followed.

Mr. McCarthy said that he was excited to see the plans and that the City was putting some skin in the game. He hoped this would turn into something that people would be excited to live in.

Mr. Watts had several questions regarding the sale of the land parcel to the developer for a dollar. He said that as a Council member, he wanted to see the Grand List grow. Mr. Kydes explained that the developer had nothing to do with the City of Norwalk's taxes. Mr. Sheehan cautioned everyone to remember that the return on the replacement of the public housing units

would not provide as big a yield as it would if the entire development was a market rate development.

### **C. ECONOMIC DEVELOPMENT MASTER PLAN**

#### **1) Review of Recommendations of Norwalk Parking Master Plan and Implementation Methodologies**

#### **2) Review public comment from the West Avenue Public Improvement Workshop.**

#### **3) Discuss budget for master planning work.**

Mr. Sheehan said that the first item had to do with the Norwalk Master Parking Plan. Essentially, the Master Parking Plan is a 10 year program corresponding with the phasing of Norwalk's redevelopment. He said that the goal was to get to an 85% utilization rate and moving towards eliminating minimum requirements. When the build out of the corridor has been completed, then the maximum TDM would be instituted. Mr. Kimmel asked for clarification. Mr. Sheehan then gave a detailed explanation. He said that there should only be short term parking on the street and that more than an hour and a half should be in a garage.

*Ms. Duleep left the meeting at 9:00 p.m.*

Mr. Sheehan explained the pricing structures and how they need to be coordinated. It is important to maintain an 85% occupancy rate.

Once the economy starts to move again, the parking will become premium. There are currently 8,000 parking spaces in a 1.5 mile corridor. It will be important to control the number of parking spaces so that the demand and availability are balanced. Currently the number of parking spaces is excessive.

Mr. Hempstead asked if this was to be incorporated into the Master Plan. Mr. Sheehan said that it would be important for this committee to have at least a quarterly meeting with the chairs of the (2nd page). This would clarify the Planning Committee's concerns with the other Land Use Commissions and Committees.

Mr. Sheehan then explained that the Master Plan is viewed as an advisory plan. Mr. Hempstead agreed and said that unless it is implemented by Zoning, nothing will happen. That is the reason why Mr. Hempstead feels it is important to include this in the Master Plan.

Mr. Kydes asked how the Committee could implement having a meeting with the other Land Use chairs. Mr. Sheehan said he would extend an invitation and try to set up something in February. Mr. Peña said that he was in favor of inviting the other chairs of the Land Use Commissions and

Committees. He agreed that spending money on research without implementation was frustrating.

Mr. Kimmel said that this was the first time he had seen some flexibility with the issue of parking. He said that the zoning regulations in terms of parking and other areas needed to be examined. It will be important to think long term.

#### **D. DEVELOPMENT PROJECT UPDATE**

**Wall Street Place  
Waypointe  
95/7  
Norwalk Company  
Oyster Shell Park**

**Wall Street Place** - Mr. Sheehan reported that the 5 million dollar grant is in play. Has met with Redevelopment Agency Commissioners and expressed concerns about the developer's ability to meet the time line. The developer has not requested an extension of the LDA timeline, and the staff has some concerns about this. There are also concerns about the New Market Tax Credit financial component piece and the ability to close on the finances before the deadline. The discussion then moved to a bank technical default on a loan.

Mr. Kydes asked what happened to the parking spaces on Isaac Street. He asked Mr. Kydes to review the terms regarding this issue. Mr. Sheehan said that he could not offer a legal opinion. Mr. Kydes requested that Corporation Counsel report to the Committee where the City stands on the LDA and the viability of the project. Discussion followed.

Mr. Sheehan said that currently the developer is not in default with the LDA, and reiterated that the staff has expressed concerns about the ability of the developer to complete the project on time.

Mr. Kydes said that he would like to have the highlights of the LDA outlines and a definition of what would constitute a default. Discussion followed about the details and whether there were any plans if the Mr. Sheehan repeated that currently, the developer was not in default of the LDA.

**95/7** – Work is being done on the south parcel and there was a positive outcome with the bank of record. The issue of Spinnaker not moving forward is not due to finances, but of the market. The originally proposed office space is not moving on the market. The bank of record must release Spinnaker from the originally agreed upon plan so they can start construction on the new plan at the site.

**Waypoint** - The construction fencing went up this week. The financing is short term. Mr. Sheehan said that he hoped that equity funding would be in place by the end of the month.

**Norwalk Company** - The demolition is completed.

**Oyster Shell Park** - The entrances that were closed have been reopened, except for the one by the transfer station. The Recreation and Parks has to replace the bollard at the entrance. The project is approximately 98% completed and work is impressive.

Mr. Sheehan noted that the Public Comment on the Community Workshop in the information packet.

*Mr. Kydes recused himself at 9:30 p.m. Mr. Hempstead took over chairing the meeting.*

#### **A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CONT'D**

##### **7) Globe Theater. – Progress update on development of Section 108 Loan Application.**

Mr. Hempstead said that Mr. Sheehan has sent a letter to Mr. Farricker on November 13th, but that there has been no response as of yet. Mr. Hempstead said that right now, the City has completed all of its obligations. Mr. Sheehan said that this letter documents that the 108 Loan Application has been adjusted and outlines the requirements requested by the Common Council before approval.

#### **ADJOURNMENT**

**\*\* MR. HEMPSTEAD MOVED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services