

**CITY OF NORWALK
ORDINANCE COMMITTEE
JULY 17, 2018**

ATTENDANCE: Eloisa Melendez, Chair; Michael Corsello;
Thomas Livingston; Beth Siegelbaum; Doug Stern;
Chris Yerinides

STAFF: Brian Candela, Corporation Counsel; Darin Callahan,
Corporation Counsel

OTHERS: Richard Bonenfant; Adolf Needleman

1. ROLL CALL

Ms. Melendez called the meeting to order at 7:00PM and called the roll. A quorum was present.

2. PUBLIC HEARING (POSSIBLE ACTION ON)

There was no public hearing held this evening.

3. PUBLIC HEARING DISCUSSION

Richard Bonenfant- 17 Park Hill Avenue

Mr. Bonenfant stated that the idea of an Innovation District is one of the worst ideas he has seen in a long time and urged the committee to put it to rest. He said it will be

choking Wall Street with apartments and technology companies and does nothing to bring Norwalk residents into the area to visit, and the opposite will happen and people will avoid this section because of the congestion and there would be no reason to go there. He said give folks a reason to visit such as restaurants, shops, family activities and things to do. He said not now, but some day this will evolve into developer friends looking for tax breaks and can easily foresee one and two story structures such as bakeries, diners and flower shops etc. being thrown out so that the landlords can demolish and build six story structures for the tax advantages. You're telling taxpayers to pay their taxes and someone else's too. Where will the children play, what school will they go to and do we really want thousands of more toilets flushing into the harbor as well as the strain to the police, fire, teachers and garbage. How do you enforce the post award compliance section. He encouraged the committee to look at all the ramifications before going too far with this.

**** MS. MELENDEZ MOVED TO CLOSE THE PUBLIC HEARING.**

**** THE MOTION PASSED UNANIMOUSLY.**

The public hearing closed at 7:04PM.

4. PUBLIC COMMENT

No one from the public commented.

5 ACCEPTANCE OF MINUTES

July 19, 2018

Under the correction of minutes change "Kary" to "Cary"

**** MS. SIEGELBAUM MOVED TO APPROVE THE MINUTES
AS AMENDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

6. OLD BUSINESS- INNOVATION DISTRICT

Mr. Livingston stated that a number of questions and comments have been raised including in the press and elsewhere regarding the conflict of interest and other matters with respect to the Redevelopment Agency in connection with the POKO matter, particularly legal misrepresentation and these are serious matters and need to be addressed. He said that he was going to originally propose that this matter be tabled until they were addressed however, today the Mayor had sent a letter to the Head of the Redevelopment Agency seeking answers to these questions, and he is willing to move forward with the consideration of this matter pending that information. He said to be clear he is not say there is or was any improper behavior put he is not personally willing to give any more power to the Redevelopment Agency until he is comfortable until all of the questions have been satisfactory resolved.

Mr. Livingston asked Mr. Candela where he had gotten the definitions. Mr. Candela said from various government websites and the Redevelopment Agency. Mr. Livingston asked what pedestrian friendly under mixed use means. Mr. Candela said the definitions were provided by the Redevelopment Agency and they did not provide any information as to where they had received them from. Mr. Livingston requested additional information on that. Mr. Livingston said that the categories are broader than what we are defining and seem to be inconsistent. Mr. Candela said he could get additional definitions for those things under mixed use. Mr. Livingston suggested under section h to change "substantial" to "directly or "indirectly, has ownership interest in".

**** MS. MELENDEZ MOVED TO SUSPEND THE RULES TO REOPEN THE PUBLIC COMMENT.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Adolf Needleman

Mr. Needleman stated that he has been a resident of Norwalk for over 55 years and has been in Silvermine for over 50 years, and he is active in NASH and CNNA. He said he thinks there is a very serious conflict brewing between the various commissions and the POCD, and the POCD is operating as the community voice for the city and the commissions may be operating on a different standard. For example, there was on overwhelming anti-residential and anti- high-rise construction by those people who had participated in the POCD meetings. He said last week when he heard Mr. Sheehan speak

and he got the impression that the latest Redevelopment plans were following the same pattern that was done at West Avenue, and that is in direct conflict with the POCD and residential stakeholders. He said two consultants have suggested that the direction of Norwalk is best defined by light industrial and light manufacturing as opposed to residential. He said he is concerned that Norwalk is not organized well enough for that and a plan is needed for light industrial to be a true organization.

**** MS. MELENDEZ MOVED TO CLOSE THE PUBLIC COMMENT**

**** THE MOTION PASSED UNANIMOUSLY.**

The discussion regarding the Innovation District continued as follows:

Mr. Stern stated that his concerns in many ways echo those articulated by Mr. Bonenfant and if the purpose of this proposal is to create a certain set of rules within a certain geography to provide the Common Council flexibility when it comes to encouraging certain sorts of industry, and the purpose of that is to encourage certain new industries to come to Norwalk and job creation he could accept that, he just does not see how mixed use developments as its commonly understood accomplish that goal and he does not think changing the definition would satisfy him in terms of elevating that concern. Mr. Livingston said you might have a business that will come in but they need to have a residential component of it to make it work, or as Mr. Sheehan said last time, to provide apartments for the workers. Mr. Yerinides said the other argument is what we don't know what the market is going to want in the future and don't want to not include the mixed use component now and not be able to include it in the later on when the market may be different. Mr. Stern said that he has a fear that once something like this is done there will be a flood of developers claiming poverty as to reasons why they can't approach certain parts of town for certain types of development, and he does not think that is a necessary tool in our toolbox and if market factor change to the extent that we need to include it we can discuss it at that time. Ms. Melendez asked Mr. Stern if he meant residential developments and he said yes, and the five-six story Waypointe size mixed-use buildings and he thinks their applications should be made through zoning and go through the normal course of the application. He said what we are trying to do here is to create different kinds of incentives to encourage certain kinds of industries to this particular geography of town and he does not know why mixed used residential needs to be a part of that. Mr. Livingston said there may be some project that has a residential component but he is not opposed to putting some sort of limit on that.

Ms. Melendez said she thinks jobs and the types of things we are trying to bring are directly connected to mixed use and the residential piece and she knows in some ways it's worked in the Merritt 7 section of town, and if we are going to do this ordinance we have to include possibilities for everything and that it does not make sense to take away

the it may possibility. She said that she does think the idea that Mr. Livingston had of limiting it is not a bad idea, but she does not have the knowledge to determine the appropriate number or percentage.

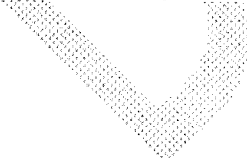
Ms. Siegelbaum said she does not see why Norwalk needs more apartments right now and all these new apartments and from what I have been hearing about town, nobody is happy about it.

Mr. Corsello said that he thinks approving this is a very slippery slope and he would hope that any Common Council is going to take it very, very seriously and scrutinize any applicant that comes before it and is not something that should be done lightly.

**** MS. MELENDEZ MOVED TO APPROVE SCHEDULING A PUBLIC HEARING.**

**** THE MOTION FAILED WITH THREE IN FAVOR (MS. MELENDEZ, MR. CORSELLO, MR. LIVINGSTON AND THREE (3) OPPOSED MR. STERN, MS. SIEGELBAUM AND MR. YERINIDES)**

Ms. Melendez said she is uncertain of her options regarding the tie vote and that the chairperson of other Committees can move a matter to the full Council for a vote without the Committee's approval, she said, asking Assistant Corporation Counsel Brian Candela if she could do the same for a public hearing. Mr. Candela said that he would research it. Ms. Melendez said that if the vote had been four to two, she wouldn't be considering it and that this issue has been on the agenda for couple of meetings and not that many people have spoken, but she has read a lot of chatter so she doesn't know if actually saying there is a public hearing on this issue will bring more people out because people definitely have opinion on them so that is why she would like to bring it to public hearing. There was further discussion ensued and it was decided the Ms. Melendez would schedule a public hearing and wait for an answer from Attorney Candela.



7. NEW BUSINESS

There was no new business discussed.

8. DISCUSSION ITEM: CHAPTER 12 ARTICLE 1 12-1 OF THE ORDINANCES OF THE CITY OF NORWALK

Ms. Melendez said that it has come to their attention that there is an ordinance that was adopted in 1957 limiting the sale of alcohol on Sundays from 12:00PM-9:00PM, and it is not being enforced and suggested that the committee change it so business owners don't continue to violate the law, and also so it does not detour future business's. Mr. Callahan said that he received a call from a business that was interested into coming to Norwalk and opening a restaurant and questioned the ordinance. Mr. Livingston asked if there is a separate ordinance for bars, and if there is any legislative history on this ordinance. Mr. Candela said he would have to research that but from all of the ordinances that he has looked at six of the municipalities site the state statute, and the rest have times that have not been changed in over 30 years and are similar to what Norwalk has. Mr. Corsello said that his concern is that if this is just being ignored or does it just not pertain to the businesses we think it pertains too and there are various types of liquor permits.

9. ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 8:06 PM

Respectfully submitted,

Dilene Byrd

Telesco Secretarial Services