

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
FEBRUARY 19, 2019**

ATTENDANCE: Eloisa Melendez, Chair; Michael Corsello (7:06 p.m), Thomas Livingston, Colin Hosten, Doug Hempstead, Chris Yerinides

OTHERS: Kevin Dailey, Mike McGuire, Katia Garcon-Mistretta, Adolph Nederland, Larry Allen Moore, Nancy McGuire, Bill Collins, Tod Bryant, Donna Smirniotopoulos, Bill Nightingale, Rich Bontefant, Diane Cece, Mark Allen, Tim Sheehan, Executive Director, Norwalk Redevelopment Agency, Jessica Casey, Chief of Economic and Community Development, Ray Burney, Norwalk Director of Personnel and Labor Relations

STAFF: Brain Candella, Corporation Counsel

1. ROLL CALL

Ms. Melendez called the meeting to order at 7:02 p.m. A quorum was present.

2. PUBLIC HEARING (possible action on)

Discuss and vote on Real Estate Tax Agreement Ordinance for Wall Street – West Avenue Neighborhood Plan Area (formerly known as the Innovation District).

Kevin Dailey 31 Park Hill Avenue was the first speaker and read the following (scanned document page 1). Dailey urged a No vote.

Michael McGuire 64 Wall Street read from a portion of his statement (scanned document pages 2-3) and said to vote No.

Katia Garcon-Mistretta 12 Wall Street read her statement (scanned document page 4) and asked that the Ordinance be tabled.

Adolph Nederland of Green Hill Road spoke next. Mr. Nederland's 2 page statement (pages 5-6) are attached.

Larry Allen a family business owner, who owns Universal Hair Salon at 40 Wall Street, favors a development, but wanted to know if a small business can still fit in after the development is completed. He said over the year many of the small businesses have not been able to afford the rents and are gone.

Nancy Maguire of Wall Street spoke on behalf of the Wall Street Neighborhood (scanned pages 7-8). Ms. Maguire said to vote No.

Bill Collins, Former Mayor of Norwalk, called the project a boondoggle. He said the developers will get a generous tax write off that will encourage them to build apartment houses. Mr. Collins said that is something they will already do. He said it's the principal that is wrong and it is not what uptown needs and not what any place in Norwalk needs. Mr. Collins said the need is to upgrade infrastructure to make the town more exciting and appealing to investors and residents.

Tod Bryant, 23 Morgan Avenue, President of Norwalk Historic Trust said low rents create a vibrant downtown. Mr. Bryant said Hudson, New York is an example of this. He said the entire length of Main Street is small businesses. Mr. Bryant said he encourages the Committee to protect the building and incentivize small business.

Donna Smirniotoplous read from a letter from attorney Candance V. Fay to the Norwalk Town Clerk (scanned pages 9-11). She then spoke for the Coalition of Norwalk Neighborhood Associations (pages 12-13). She said the CNNA cannot support the Ordinance and it should be tabled.

Bill Nightingale said he is against tax incentives for developers. Mr. Nightingale said development should be to create property values that pay more property tax to relieve the burden on home owners and not to tap into home owners to pay for development. He said once you give one tax incentive other business owners will want the same. Mr. Nightingale added the Enterprise Zone should be killed.

Rich Bontefont, 17 Park Hill Avenue, asked if a business cannot make it without a tax break is that a business you really want coming into town. He said please listen to the people.

Diane Cece, 37 Olmstead Place, agreed with the prior comments. She said tax incentives are not needed. She other factors than monetary incentives are what the city should be focusing on such as quality housing, health and safety, quality education and high graduation rates, infrastructure and child care. She said if these factors are taken into account tax incentives are not needed.

Mark Allen, Factory Underground Recording Studio 16 Issac Street was the last speaker. Mr. Allen has co-owned the business since 2010. Mr. Allen said if there is a need to give a tax incentive give it to the small business which is keeping Wall Street alive.

Ms. Melendez closed the Public Hearing at 7:55 p.m.

3. PUBLIC HEARING DISCUSSION

Mr. Livingston asked Mr. Sheehan for his reaction to the comments. Mr. Sheehan stated the plan does include small business. He said if you are taking an existing property and as long as you are improving it by 100 percent the owner is eligible for tax incentives.

Mr. Hempstead wanted to know what the Hospital is included in the Neighborhood Plan. She Sheehan said the goal was to have consistency in the plan area. Mr. Hempstead said he believed the map should be redrawn to remove the Hospital and the YMCA property. Mr. Hempstead said initially it was an Innovation District, but his is not innovation the plan has put anything under zoning into the hopper and everybody is eligible. Mr. Hempstead said he's been with 5 different Mayors and seen 5 different plans for Wall Street and we cannot even get the fence around Freese Park on the other side of the parking lot fixed. He stated it's the micro businesses that are driving a lot of the future of cities not the macro.

Hempstead concluded he did not think this is needed. If single family homes are over 50 percent of the tax revenue for the city and housing prices are basically flat, he asked what tax incentive are we offering for home owners to fix up their homes and landscaping and increase property values.

Mr. Hosten commented on the Plan of Conservation and Development (POCD). He said the Committee could wait for the new one, but there will be another one in 10 years. Mr. Sheehan said the POCD and the Planning Commission have already approved the Redevelopment Plan as being consistent with the new POCD plan.

Mr. Hosten commented that markets change and commercial priorities change and he asked about a municipal impact analysis. He wanted to know what an analysis would look like. Ms. Casey said they can offer a sample to show what the benefit to the community is.

Mr. Hosten asked about the metrics and how the Enterprise Zone had impacted the city. He wanted to know how that zone impacted infrastructure, population and finances.

Mr. Livingston proposed the following amendments to the Ordinance:

99-2 First paragraph delete the words "which is recognized by the City of Norwalk as blighted and substandard"

99-6(d) Second word "Applicant" should be capitalized

Add Section 99-6(g)

No project that requires or involves the demolition of or significant damage to the architectural integrity of a contributive building in the Wall Street Historical District shall be eligible for tax incentives under this ordinance. The determination of significant damage shall in the event of dispute be made in the discretion of the Chief of Economic and Community Development, the Norwalk Historical Commission or an architectural historian or historical architect and certified by the Connecticut State Historical Preservation Office.

99-7(a) delete “or” and “may require the Applicant to obtain an independent third party Municipal Impact Analysis”

99-7(e) references to (b) and (c) should be (c) and (d). Add a sentence at the end “Within 30 days after such public hearing the Planning Committee shall determine whether to advance the application to the Common Council”

99-7(j) delete everything after the word approval.

99-8 subsection (e) after apply for insert “apply for or receive any other tax benefit”. Then add subsection (f) appeal the tax assessment of the subject property and then change (f) to (g)

The Committee debated whether 36 months is sufficient for applicants to complete the project.

**** MR. LIVINSTON MOVED THE PROPOSED AMENDMENTS.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead proposed the following amendment:

99-6(g) After Wall Street Historical District add included in the Norwalk Historic Resource Inventory

**** MR. HEMPSTEAD MOVED THE PROPOSED AMENDMENT.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead proposed the following amendment. He added to 99-6(a)(1) - obtained a building permit or any other land use approvals.

**** MR. HEMPSTEAD MOVED THE PROPOSED AMENDMENT.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead along with the rest of the Committee proposed an amendment adding section 99-7(k)

In the event of a vacancy in any of the positions named in this ordinance, the individuals acting in such capacity shall assume the responsibility of such position for purposes of this ordinance.

**** MR. HEMPSTEAD MOVED THE PROPOSED AMENDMENT.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead and Mr. Livingston proposed an amendment to the end of 99-7(h):

Which period can be extended for up to an additional 6 months by the Chief of Economic and Community Development for delay upon a finding of compelling circumstances.

**** MR. LIVINGSTON MOVED THE PROPOSED AMENDMENT.**

**** THE MOTION PASSED 5-1 (MR. YERIDIES OPPOSED).**

The issue of defining Certified Artist and the definition of Artist Workspace were debated.

Ms. Melendez said the definition of Artist Workspace should be tabled.

Mr. Hempstead said the map (Exhibit A) should be redrawn. He said the intent is to remove the Hospital Property and the YMCA property. Mr. Hosten said the property should not be named. Mr. Hempstead said maybe a lot number should be used instead of the name.

**** MR. YERIDIES MOVED TO TABLE THIS ISSUE TO THE NEXT SCHEDULED MEETING**

**** THE AMENDMENT PASSED UNANIMOUSLY**

Mr. Corsello left the meeting at 8:38 p.m.

4. PUBLIC COMMENT

Mr. Collins talked about how the Social Services/Community Services Department had been abolished. He said at the present time there is no governmental agency to help people who need the help. He said he is pleased that this is being considered.

Barbara Meyer Mitchell of 10 Allan Road said she concurred with Mr. Collins. She said Norwalk is missing out on getting grant dollars because it does not have a central office where money could come in to help people.

5. ACCEPTANCE OF MINUTES

MEETING OF JANUARY 15, 2019 – ordinance committee regular meeting

Mr. Livingston proposed the following amendments:

On page 2, under old business in the second paragraph change “genius” to “genesis”

On page 3, second paragraph, line 5 change “contusive” to “conductive”

On line 7, change “improved” at “approved”

On line 13, change “passed” to “past due”

On line 18, remove “the” before “but for”

On line 20, remove “\$” and add “square feet”

On line 21, change “Can under” to “done”

**** MR. LIVINGSTON MOVED TO ACCEPT THE AMENDMENT TO THE MINUTES OF THE JANUARY 15, 2019 MEETING.**

**** THE MOTION PASSED 4-0 WITH ONE ABSTENTION (MR. HOSTEN).**

MINUTES OF JANUARY 30, 2019 – ordinance committee special meeting

**** MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES OF THE JANUARY 30, 2019 SPECIAL MEETING**

**** THE AMENDMENT PASSED UNANIMOUSLY.**

6. OLD BUSINESS

Noise Ordinance

**** MS. MELENDEZ MADE A MOTION TO TABLE THE NOISE ORDINANCE TO THE NEXT MEETING ON MARCH 19, 2019.**

**** THE MOTION PASSED UNANIMOUSLY**

7. NEW BUSINESS

• Community Services Department

Mr. Ray Burney spoke about the new Community Services Department. He said last spring the Mayor proposed a series of consolidations and various reorganizations in the city. Mr. Burney said one thing we did not move forward at that time was the new Community Services Department. He said the city is ready to move forward with the remaining portion of the reorganization and need an ordinance to be passed. He requested that the Committee to authorize a Public Hearing.

Mr. Hempstead asked who reports to this person. Mr. Burney said it will have a Chief of Community Services who will be a new person for the Department of Human Services. He said some of the function will include public assistance. Mr. Burney said there are things the city does not provide to people who are the most in need including food, homeless and immigration issues.

**** MR. LIVINGSTON MOVED TO SEND THIS ISSUE TO A PUBLIC HEARING AT THE NEXT ORDINANCE COMMITTEE MEETING ON MARCH 19, 2019**

**** THE MOTION PASSED 4 IN FAVOR, 1 OPPOSED (HEMPSTEAD).**

8. DISCUSSION ITEM

There was no discussion item.

9. ADJOURNMENT

**** MR. LIVINGTON MOVED TO ADJOURN.**

**** THE MOTION TO ADJOURN PASSED UNANIMOUSLY.**

The meeting adjourned at 9:58 p.m.

Respectfully submitted,

Greg Venuto

Telesco Secretarial Services