CITY OF NORWALK
REDEVELOPMENT AGENCY
REGULAR MEETING
NOVEMBER 13, 2018

ATTENDANCE: Felix R. Serrano, Chairman; Commissioners Lisa Cooper, William Speirs, David Westmoreland and Tom Devine (via teleconference)

AGENCY COUNSEL: Marc Grenier, Esq.

STAFF: Timothy T. Sheehan, Executive Director, John Slovak, Comptroller; Susan Sweitzer, Senior Project Manager; Tami Strauss, Director of Community Development Planning; Tim Carney, Housing Development Project Manager

OTHERS: William Collins; Diane Lauricella

CALL TO ORDER
Chairman Serrano called the Regular Meeting to order at 5:31 PM

ROLL CALL
Chairman Serrano noted that a quorum was present.

PUBLIC PARTICIPATION
Former Mayor Bill Collins said he read about all the things the Agency is doing in the Quarterly Reports, and the list is very impressive, but he did not see any emphasis on retail activation in the Wall Street-West Avenue Redevelopment Plan, specifically restoration of angled parking in parts of Wall Street, Main Street and West Avenue. Angled parking increases the amount of parking and is critically important to retailers and is not a major expenditure, but we haven't done that. In Lisbon they have awnings in many places, which provide protection for pedestrians. Spain has built coverings over certain portions of its sidewalks which provide more appeal for the retailers, but he is not aware that we have even talked about that in Norwalk, and unless we do something positive particularly on West Avenue going down towards the mall, we are not going to see any pedestrian traffic there. He doesn't think that the consultant's report on Wall Street-West Avenue is terribly thoughtful, and that we should have gone farther afield to get consultants to come up with something a little more exciting. In the past he has brought up things such as designating specific buildings for demolition and eminent domain which allow you to take control of buildings and put them out to bid for developers, and he hopes they will see something more concrete on some of these issues in the not too distant future.

Diane Lauricella said she echoes what former Mayor Collins said about angled parking. She was in New Canaan recently where they have angled parking. The town was packed, but there were no accidents that she could see, so she really thinks that it is something worth dusting off at DPW. She is mainly there as a representative of the South Norwalk Citizens for Justice. In your Quarterly Report there is a very enthusiastic discussion of the Ryan Park cleanup, and a few months ago she had a meeting with Redevelopment Agency staff, the engineering company it used, DEEP and others. Questions were put forward about how much hazardous material was left in the ground, what is the material, where is the material, and how deep is the material, but these questions have yet to be answered. They also asked that they place maps on the tables so the citizens could kind of touch and see where the material was instead of having it flashed up on a PowerPoint, and that was not addressed either. She was once a member of the Redevelopment Agency's Brownfields Task Force, and she thinks it is time to revive that, but she mainly wanted to ask for direction of who she can ask to receive the documents and data she requested almost three months ago.

Mr. Sheehan said he doesn't believe she ever advanced that request in writing to him, and asked if she contacted Ms. Swetizer. Ms. Lauricella said she believes she sent her an email. Ms. Sweitzer said she would have to go back and check.

Mr. Sheehan said they will deal with the consultants in providing that information, and in the future please feel free to direct their request directly to him so that he has knowledge of it.

I – A. APPROVAL OF MINUTES

A. Minutes of September 11, 2018 Regular Meeting.

** **MR. WESTMORELAND MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 11, 2018 REGULAR MEETING.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

B. Minutes of October 9, 2018 Regular Meeting

** **MR. WESTMORELAND MOVED TO APPROVE THE MINUTES OF THE OCTOBER 9, 2018 REGULAR MEETING.**
** **MR. SPEIRS SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

I – B. FINANCE

1. Approve Norwalk Redevelopment Agency Quarterly Revenue and Expenditures Statements and Balance Sheets for All Funds for Year-to-Date September 30, 2018.

- Operating Fund 100 had revenues of $374,876 versus budgeted revenues of $449,499 with an unfavorable variance of $74,622. This was largely due to $41,789 of undrawn salary and benefits for an open position.
- Actual operating expenditures are $360,317 versus a budget of $449,499 resulting in an $89,182 favorable variance of which $41,789 is due to an unfilled vacancy under city positions. There is also a favorable variance of $27,531 for taxes and benefits mostly due to our switch from Anthem to the CTPP 2.0 City Medical Insurance Plan. There is an unfavorable $17,299 legal fees line item due to unforeseen unbudgeted ongoing litigation.
- There is an operating surplus of $14,559 versus a budgeted breakeven bottom line resulting in a $14,559 favorable operating variance.

- Operating Fund 100 Balance Sheet has $8,366,376 in cash, accounts receivable and due from other funds, and $28,097 in net loans receivable and other assets. There are $3,587,969 in Deferred Revenues which will be earned when expended, and $4,253,537 in Net Assets.
- The GGP Operating Fund 115 has revenues of $31,482, expenditures of $31,482, resulting in a breakeven bottom line. The balance sheet has $729,399 in current assets, and $729,399 in liabilities which include $514,570 for the circulator, and $214,829 in GGP security deposit.
- CDBG Revolving Loan Fund 200 Statement of Revenues and Expenditures has $7,994 of interest income from notes receivable, expenditures of $1,573, and a $6,422 operating surplus. The CDBG Revolving Loan Fund Balance Sheet has $588,672 in cash and due from other funds, $449,373 net loans receivable, $539,218 in liabilities, and $498,826 in net assets.
- CDBG Non-Revolving Loan Fund 300 Statement of Revenues and Expenditures has revenues of $4,557, program expenditures of $101,124, and an operating deficit of $96,568 which will be drawn down from CDBG. The Balance Sheet for CDBG (NRLF) Fund 300 has $363,659 in cash, receivables, and due from other funds, $124,643 in net loans receivable, and $488,302 in liabilities and net assets.
- Norwalk Redevelopment Agency Project and Program Fund 500 Statement of Revenues and Expenditures include Capital Budget Grants from the City of Norwalk, grants from State DECD, and Choice Neighborhoods Federal grants. There was $1,351,076 in revenue and $1,833,016 in program expenditures and a $481,940 deficit which be reimbursed by the DECD Grant. The NRA Project and Program Fund balance sheet has $345,008 in cash, receivables and due to other funds, and $345,008 in liabilities and net assets.

Mr. Slovak said the Commissioners received the quarterly statement of revenues and expenditures and balance sheets for year to date 9/30/18 in their packages, and asked if there were any questions.

** **MR. WESTMORELAND MOVED TO APPROVE THE AGENCY QUARTERLY REVENUE AND EXPENDITURES STATEMENTS AND BALANCE SHEETS FOR ALL FUNDS FOR YEAR-TO-DATE SEPTEMBER 30, 2018 AS PRESENTED.**
** **MR. SPEIRS SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

2. Draft of the Audited Norwalk Redevelopment Agency Fiscal Year End 6/30/18 Financial Statements presented by the auditor.

Mike Solakian, Solakian and Company, said that because the Agency spent more than $750,000 of federal dollars in the CDBG grant program, a Federal Single Audit Report was required, which is technically not due until next March. An audit is very much a paper chase going out and looking at sample disbursements and receipts, especially on the federal grant side, and he is happy to report that they didn't find any "significant deficiencies or material weaknesses" in the internal control system, which is a very important finding. He thanked Mr. Sheehan, Mr. Slovak and Agency staff for the cooperation he gets. The report is still in draft form and won't be finalized until the Commissioners vote on it at the Agency's next meeting. Mr. Sheehan said they will have a month to review the statements, and will have access to either staff or the auditor to answer any questions they might have.

3. Approve Board Resolution for Litigation Costs

Mr. Slovak said the litigation expenses were unanticipated and unbudgeted, creating a line item deficit in the NRA operating statement for Professional Fees – Legal. To prevent this going forward, staff seeks the Commission's authorization to use $150,000 from Deferred Revenue to make a budget amendment to increase Grants – NRA Project Funds Revenue from $$669,974 to $819,974 and increase the Professional Fees – Legal expenditure line item from $17,189 to $167,189. Mr. Sheehan said this will prevent carrying an ongoing negative balance in the legal line item on the Agency's annual operating budget, and there was consensus among the Commissioners at the last meeting that we would do the transfer from Deferred Revenue to the Operating Budget to cover those costs.

Mr. Westmoreland asked if deferred revenue is the same as unearned revenue. Mr. Sheehan said deferred revenue is revenue that has come back into the Agency but hasn't hit the operating budget and is deferred until it is needed. The $150,000 is an estimated balance. He can't guarantee that that is going to be the total cost, but it should be a good chunk of what we need.

** **MR. SPEIRS MOVED TO APPROVE THE NOVEMBER 13, 2018 MEMO AS PRESENTED.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

II. <u>DESIGN REVIEW</u>

A. Approval of the final project site design for *1 Chestnut Street* as recommended by the Third Party Design reviewer, DeCarlo & Doll, in their final report as presented October 9, 2018.

Ms. Sweitzer said this is the first time the Agency has done a design review in concert with Planning and Zoning as a single effort, and she thinks it has been an efficient process. Mr. Grzywacz, the third party design reviewer, has recommended approval with some conditions. Mr. Sheehan said Mr. Grzywacz reviewed the zoning associated with the project as well and advised the Zoning Commission with regards to those issues.

Colin Grotheer, Beinfield Architect, said they also found the process helpful. He referred to a PowerPoint presentation and said the project is an amalgamation of a couple of parcels at the train station. The existing building at 11 Chestnut Street is currently being renovated, and 16 apartment units are nearing completion and the office space on the first floor is in construction. Their office is going to be moving into that location, which they are very excited about. The proposal they have been reviewing at 1 Chestnut Street is for 106 new residential units and a co-working space and a potential retail tenant on the corner of Monroe and Chestnut Street. He went through the renderings and described how the building on the corner of Monroe Street was stepped back above the fourth story in accordance with the new design regulations to reduce the massing on the street. The first level is residential with a small amenity courtyard. The units are mostly studios with a couple two bedrooms. There are some private terraces on the fourth level, and they are proposing a rooftop amenity comprising of a roof deck with recreational potential. There will potentially be some sort of a signature gateway element on the corner of Station Place and Monroe Street which will be lit up at night to give a sense of arrival to the neighborhood for people coming in by train. The open work space fronting on Chestnut will occupy most of the façade with the corner. These co-work spaces are a growing concept and are communal spaces for residents and people in the neighborhood to come together and activate the street level.

Eric Rains said the architectural treatment of the façade of the garage is a horizontal cable system that they thought would be interesting. It will contrast with lines of vegetation that will give it a geometric design, and they could down light it so that at night those lines would be more dominant and will provide a sense of safety and a visual interest to that façade, and there will be a long linear louver screen to screen the parking and provide a consistent backdrop for the lighting and the foreground features. As you transition up Station Place, there are some little parklets where people could stop and have a coffee, answer an email or read a book for a short time while they were waiting for the train or an Uber.

Mr. Robert Grzywacz commented that an element of this project is the amount of window area, which you don't see in a lot of projects today. The height of the windows very much mimics the factory buildings that they were trying to conjure up in this project, and he thinks that deserves a lot of credit. Another design thing they worked very much in advocating for was the lighting of the exterior. When you come out of the South Norwalk railroad station the signature gateway is the first thing you will see and will make you feel safe at night coming out. They have three conditions they recommend for the approval, particularly the development along Station Place.

Mr. Sheehan said right now Station Place is a private way that is actually managed by the Parking Authority, and it is the long term objective of the city and the Agency to make it a public street, so the issue that Mr. Grzywacz is raising will be taken up as we move forward in the engineering and design for the street. The conditions that are put forward are agreeable to the development team as well.

Mr. Westmoreland asked about the possibility of moving the Pulse Point to that area. Mr. Sheehan said there is a potential discussion of moving the Pulse Point, which has been an objective for quite some time. Mr. Grotheer said that is what drove the exploration of the widened turn lanes for the bus turning motions, and also there was a widening of the receiving lane as there was a conflict between moving people by buses and moving people by bicycle.

** **MS. COOPER MOVED FOR APPROVAL OF THE FINAL PROJECT SITE DESIGN FOR *1 CHESTNUT STREET* AS RECOMMENDED BY THE THIRD PARTY DESIGN REVIEWER, DECARLO & DOLL, IN THEIR FINAL REPORT AS PRESENTED NOVEMBER 13, 2018 WITH THE FOLLOWING CONDITIONS: THAT THE FOLLOWING BE INCLUDED IN THE APPLICATION FOR BUILDING PERMIT: (A.) LOCATING THE SEATING AREAS FAR ENOUGH BACK FROM RAILROAD PLACE SUCH THAT THE SEATING AREAS WILL BE LEVEL. SHOW SPOT GRADES TO CONFIRM THIS CONDITION; (B.) INDICATE LIGHTING BETWEEN VEGETATED CABLES ON SECTION – ELEVATION ALONG RAILROAD PLACE; AND**

(C.) ADD THE NOTATION "TEMPORARY" TO THE RAIN GARDEN ON THE CIVIL DRAWINGS.

** **MR. SPEIRS SECONDED.**

** **THE MOTION PASSED UNANIMOUSLY.**

III. WALL STREET-WEST AVENUE REDEVELOPMENT PLAN

A. Approve advancing the Wall Street-West Avenue Redevelopment Plan to the public approval process.

B. Approve holding a public hearing of the Wall Street-West Avenue Redevelopment Plan at the meeting of the Norwalk Redevelopment Agency on January 8, 2019.

Ms. Strauss said the redevelopment plan has been about a year and a half in the making and has involved a very public and engaged process. The plan was developed with their consultant, the Regional Plan Association, and with the Connecticut Economic Resource Center. She won't go over it page by page, but the Commissioners are welcome to make an appointment and she will go through the document with them. The policies and recommendations in the plan aim towards creating a healthy and vibrant urban core neighborhood with a strong economy driven by innovation and collaboration that is accessible, authentic, lively and affordable for residents and visitors. The plan does not talk specifically about retail activation because activation of ground floor spaces is not going to be driven by retail anymore, but what the plan does suggest is looking at zoning to allow for a flexibility of uses on the ground floor, not just retail, and we are working with P&Z staff to submit a zoning recommendation that would support the goals of this plan. Mr. Sheehan said before the Commission approves the plan, zoning will be part of it.

Ms. Strauss said the plan includes a market feasibility analysis by the Connecticut Economic Resource Center, which looked at the demographic, housing and economic trends, geography and the opportunity sites that they see as catalysts for development in the neighborhood. The plan considers opportunities for incorporating micro residential units and we will be addressing the feasibility of that through zoning. With the Commissioners' approval to begin the approval process, she will text Steve Kleppin and let him know that he can distribute the plan to the Planning Commissioners at their meeting tonight and hopefully next month get their determination that the plan is consistent with the draft POCD. If all goes well, we will have final approval and adoption of the plan in March 2019, but tonight they will just be approving holding a public hearing on January 8th.

Mr. Westmoreland said he would echo Mayor Collins' comments particularly on the parking plan. He is not sure why we haven't spent a few thousand dollars on paint and restriped Wall Street and Main Street, as it would add so much parking and change the dynamic. Wall Street is a pretty heavily used through street, so putting in angle parking is probably fairly dangerous. He knows that Mike McGuire feels very strongly about putting the meters back to encourage turnover, so whatever we can do to get this stuff going, we just need to do it.

Mr. Sheehan said part of the problem on the canopy issue was that folks wanted to put the name of their business on the canopy and that is where they ran into an issue with zoning. Ms. Strauss said we will incorporate some language in the final zoning recommendation.

** **MR. SPEIRS MOVED TO APPROVE ADVANCING THE WALL STREET-WEST AVENUE REDEVELOPMENT PLAN TO THE PUBLIC APPROVAL PROCESS.**
** **MS. COOPER SECONDED.**

Mr. Devine asked how do they define a blighted area and how can they assume a brownfield and what ramifications would that have on a company or industry. He is concerned that there will be some effect on property values, so he doesn't know if he could vote in favor of the plan the way it is presented.

Mr. Sheehan said the Common Council is required to make a finding of blight for any redevelopment plan area under the statute, as the Commissioners are as well, but blight can go into how much of the land area is in the flood plain, how many houses have exposure to lead paint and the age of the housing stock, so there is a whole host of statistics that ultimately lead to a finding of blight. With regard to the potential of brownfield, there was a study that we undertook with EPA that identified those based on a Phase I and Phase II. He doesn't believe there is anything specific to his property that is in the plan. Mr. Devine said they are assumed a brownfield according to the report, and he doesn't like seeing that they are also labeled as blight.

Mr. Carney said as to the brownfield, anybody that uses solvents or stores number two fuel oil or has machinery on site is considered a potential brownfield. It is very broad.

Attorney Grenier said what is presented is just an advancement of this plan to the Planning Commission and also to schedule a public hearing. It is not an endorsement. This is going to be coming back before the Commissioners at another meeting for approval after further public input.

Chairman Serrano said he would suggest that he follow up with staff on some of those points so they can have the opportunity to research it a little bit better.

Mr. Westmoreland said he thought there was already a blight determination made by the Council. Mr. Sheehan said there has been for both of the redevelopment plans. Ms. Strauss said the blight determination was made when we were advancing the Wall Street Theater project.

Attorney Grenier noted that Mr. Speirs made the motion, Ms. Cooper seconded, and now they need to vote.

** **THE MOTION PASSED UNANIMOUSLY.**

** **MR. SPEIRS MOVED TO APPROVE HOLDING A PUBLIC HEARING OF THE WALL STREET-WEST AVENUE REDEVELOPMENT PLAN AT THE MEETING OF THE NORWALK REDEVELOPMENT AGENCY ON JANUARY 8, 2019**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

Mr. Westmorland said he has to leave for another meeting, but he wants to thank the staff for putting together the Project Status Report. Mr. Sheehan said it was our first time doing it, so let them know if there is something more that you want and we will include it.

Chairman Serrano asked are there any questions on the Quarterly Project Review. This is going to come up quarterly, so we will be working on that. Ms. Cooper said she thought that the information was well put together.

Chairman Serrano said moving onto item V, we will need to go into executive session.

** **MR. SPEIRS MOVED TO GO INTO EXECUTIVE SESSION AT 6:48 PM. FOR THE PURPOSE OF DISCUSSION AND POSSIBLE ACTION RELATED TO THE RESOLUTION OF THE CLAIM REGARDING 79 BEACON STREET, NOWALK, CT.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **CHAIRMAN SERRANO MOVED TO COME OUT OF EXECUTIVE SESSION AT 7:00 PM.**
** **MR. SPEIRS SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **MR. SPEIRS MOVED THAT WE APPROVE THE RESOLUTION OF ALL CLAIMS CONCERNING 79 BEACON STREET, NOWALK, CT AS NEGOTIATED, REVIEWED AND OUTLINED BY AGENCY COUNSEL IN THE EXECUTIVE SESSION.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

VI. NEW BUSINESS
(None.)

VII. OLD BUSINESS
(None.)

ADJOURNMENT

Upon motion of Ms. Cooper, second by Mr. Speirs, the Norwalk Redevelopment Agency meeting was adjourned at 7:02 P.M.

Respectfully submitted,
Karen Pacchiana