

**CITY OF NORWALK
REDEVELOPMENT AGENCY
REGULAR MEETING
APRIL 12, 2016**

ATTENDANCE: Felix R. Serrano, Chairman; Commissioners Lori Torrano, Lisa Cooper, LaTanya Langley and Tom Devine

AGENCY COUNSEL: Marc Grenier, Esq.

STAFF: Timothy T. Sheehan, Executive Director; John Slovak, Comptroller; Susan Sweitzer, Senior Project Manager; Elizabeth Stocker, Director of Economic Development; Margaret Suib, Fair Housing Officer

OTHERS: Douglas Adams, GGP; Robert Jakubik, GGP; Robert B. Berry, GGP; Paul Madden, GGP; Henry Owainati, Keith Brown, Mike Mushak, Dom Palladino, Phyllis McCay, Daisy Franklin, Ernest Dumas, John Moseby, Former Mayor William Collins, Diane Lauricella, Colin Grotheer, Mitchell D. Palais

CALL TO ORDER

Chairman Serrano called the meeting to order at 5:40 P.M.

ROLL CALL

Chairman Serrano noted that a quorum was present.

**PUBLIC HEARING – TRANSIT ORIENTED DEVELOPMENT DISTRICT
REDEVELOPMENT PLAN**

Mr. Sheehan said the Agency has been working for a number of months with both the Agency Commission and the Planning Committee, as well as the Mayor's Zoning Task Force, on the review of the Transit Oriented Development District Redevelopment Plan and the associated zoning recommendations which they are making for the Zoning Commission's consideration that would provide the ability to effectively implement the plan. The draft redevelopment plan has been online since early February. It is going to be reviewed by the Planning Commission and the Zoning Commission, and there will be another public presentation with those two entities. The Planning Committee has been reviewing it for a couple of years, so there has been significant public review of the document and it has been evolving and changes have been made to it based on various public feedback.

The TOD Plan focuses on development clustered around the South Norwalk Train Station and instills safe pedestrian connections to that public transportation, including bicycle connections, and encourages higher density, lower parking ratios, and is predominantly mixed use in terms of development. The Cecil Group began working with the Agency on the Master Plan in 2010 and issued its final report in 2011. The community outreach involved 31 community interviews, seven stakeholder meetings, four planning coordination meetings and four community workshops to define the goals and objectives of what the public wanted to see in the plan.

(Ms. Torrano joined the meeting at 6:44PM)

The purpose of the plan is to support the transition from the current conditions, which are not favorable to the pedestrian and do not necessarily advance mixed use development centered around the train station, into a connected neighborhood with safe access for pedestrians, bicyclists and motorists. The area lends itself more to infill development projects because it has already been fairly well built out. The residents want to have new development come into the neighborhood that provides a benefit to the people and provides services to them that can be utilized and be a part of their everyday life.

Chairman Serrano said they are at the public hearing portion of the meeting, and he will read the names from the sign-up sheet.

Henry Owainati of Darien said TOD development along the Metro North line makes a lot of sense for the towns, and he was very encouraged to hear about the incremental nature and the small scale of projects that are envisioned because it allows members of the community to have skin in the development game, unlike large projects which tend to be done by outsiders and outside capital.

Keith Brown said he is in favor of improving the area around the South Norwalk Railroad Station and improving access to the railroad station, and he thinks this looks like a great plan.

Michael Mushak, 50 Elmwood Avenue, said Norwalk's greatest strength is its economic and racial diversity, which is why he lives there. Development and changes are coming to South Norwalk no matter what anyone says at this point. Folks of all incomes and abilities want to live in walkable neighborhoods near transit stops, so they have a clear choice. Development can happen like it is now without a plan following an obsolete and dysfunctional zoning code and it will displace more folks and gentrify South Norwalk faster than you can say Brooklyn, or it can happen with a plan that encourages infill development while maintaining existing racial and economic diversity and preserving the local community. The latter is what the TOD Plan does and that is why he strongly supports it.

Margaret Suib, Fair Housing Officer, said she thinks the TOD Plan sounds great, but her concern is that it could have the effect of sweeping out low-moderate income people. The plan encourages infill development with apartment or condo developments of 12 or more units that will have 10% affordable units, but how many developments of twelve or more units would there be and how many housing units are likely to be knocked down. It is already a very stable neighborhood, and it is important that the TOD does not gentrify and does not push people out. The plan says support development that does not displace neighborhood residents or businesses, but there is nothing concrete that would accomplish that. The Plan of Conservation and Development is dated 2008, so it does not reflect the priorities of today, and she thinks the City should decide what its POCD plan is first and then come up with a TOD Plan that agrees with it. She thinks the way to make that happen is for the Mayor to create sort of a 35/65 housing panel so that people earning in the \$35k-\$65k income are part of the actual planning, because without actual planning, they will be swept out. She would encourage one for one housing replacement, and when Redevelopment acquires multifamily homes, renovates them and sells them in the TOD, those units should be offered back to the people who had lived there or to other people living in the neighborhood. TOD seems to conflict with the fair housing idea that you don't concentrate in poverty areas, but their rail station areas are usually

the oldest areas of their communities and often their lowest income areas. HUD has said that you can make transit oriented development elsewhere by running transit to it, so they should be scattering their affordable housing around the city and doing infill development in other places. TOD can be broader than just South Norwalk, and affordable housing certainly could be scattered and should be scattered outside of South Norwalk.

Dom Palladino said he grew up on Hanford Place in South Norwalk. In 1951 his father had a repair shop on the corner of Water and Hanford Place, and he never thought he would see people walking down there at night, because when his dad had his shop you didn't even walk down Water Street during the day. They were there when it was nothing and they want to be there when it is something and be part of the progress.

Phyllis McCay said she is all in favor of upgrading their environment so they have something for their children and grandchildren so they can be successful. It is long overdue.

Daisy Franklin said TOD sounds good but she is concerned that they are losing low rental housing and that the character of Norwalk will change. Gentrification might be good, but gentrification will chase out the people who live there now because they won't be able to afford it. She agrees that the 35/65 group is something that they need and she would love to see a housing panel that could work with the TOD.

Ernest Dumas talked about quality of life, and said Amec Carting has lessened the quality of life in South Norwalk by storing almost 1,000 containers and parking solid waste vehicles at their site on Hemlock and Chestnut Street, not to mention the noise they make at 4:00 in the morning when they are moving the containers around. He is concerned that whenever it rains, whatever is in those containers and trucks is leaching into the soil, and this should be stopped.

John Moseby said when he came to Norwalk in 1955 there were plenty of jobs and you could buy a home and raise a family here, and he would like to see more jobs come to the area.

Bill Collins, 32 Allen Road, said the plan is not a bad one, but the main problem is the housing issue. If a developer is proposing a project of under 12 units, he doesn't have to provide anything for the neighborhood or for the City, and he thinks not having that recommended as an option, that everybody would have to participate say from three or four units up, is a very serious flaw. 10% of the units will have to be made available to people of low and moderate income, but the target market for most of these units is people who take the train, so they will be largely white people who work in the New York metropolitan area that will integrate the neighborhood. They are not going to be marketed to people who live in the neighborhood now, and he thinks they need a better definition of what to expect will happen to all of these different units, including who will occupy them, what is their income and what are their chances of staying in the neighborhood. They have a great many people who obviously come from different cultures, and how are they going to make it through all of this? It has not been addressed in the plan, and he thinks they ought to wait until they have a much better idea what is going to happen.

Diane Lauricella, 21 Blue Mountain Ridge Road, submitted several documents for the record, and said she thinks there is a need to add some things to the plan. They need to look at mixed income but they need to look at scattering, and it needs to be emphasized more in the TOD goals and objectives. They are a coastal community and the 100 year flood plain reaches

beyond and west of Water Street, and some of those buildings should be pulled back and out of the flood plain into the TOD area. A lot of these recommendations are going to be turned into zoning recommendations, so this is an opportunity to finally get their zoning department to enforce the very laws that they expect them to, and the Amec Carting site is just one of the many sites that are within the TOD zone that needs to be looked at. Sustainability and resiliency has to be included in this document, otherwise it is not a modern document, and the phraseology Environmental Justice should be used in all the documents that relate to land use. The sustainable design guidelines that the Redevelopment Agency has need to be across the board in their Planning and Zoning Department, because without sustainability, making sure environmental efficiency and the like as well as sustainable building design, clean water, efficiency of water and heating and fuel are in the plan, why are they there.

Colin Grotheer, 16 West Rocks Road, said he is an architect for Bruce Beinfeld, and is also involved with the Bike Walk Task Force. The cost of providing a parking space adds \$250 to \$350 to the rent, so an apartment renting for \$1400 is going to be less affordable by default when you add the cost of a parking space to the rent. Instead of talking about twelve units, they should be talking about duplexes, some residential over commercial uses that are on small lots, as housing like that can be accomplished much more cheaply and can house people in a very affordable way. Development is coming at some point whether we like it or not, so it is just figuring out where that densification is going to be or the small incremental developments that are going to build neighborhoods over time and replace some of the single family dwellings. Another suggestion is to allow people in the transit oriented development district to have an apartment on their property which they could rent out to a college student or someone taking a train into the city, which would be beneficial to property owners or people struggling to pay their rent or mortgage and is a nice way to provide some income to people and also provide lower cost housing to people and more residents to use the area. The bus system in Norwalk is woefully inadequate and he thinks there needs to be focus on providing good quality transit for the residents, particularly between the SoNo station and the downtown Wall Street area, which would run at least until midnight.

Henry Owainati said hearing the concerns, he highly recommends that the members of the committee get in touch with a nonprofit called Incremental Development Alliance.

Mitch Palais said he would like to know whether they have looked at the overall economic impact of higher density and its impact on schools and the potential additional income that would come from tax levy and how that would translate. A lot of the land is empty or quasi commercial lots that could become residential, which would generate families and more children in the schools, but would the underlying tax structure support the additional students and the additional services required from city government.

Mr. Sheehan said he would be happy to go through the documentation that examines those very issues, and they will make sure that that information is posted for those who have a concern. They have looked at projects that have been placed in service over the past decade that are in the urban corridor, and the total impact on the Norwalk Public School system is approximately 25 students in total, so the impact on the school system is relatively minuscule.

Commissioner Langley said she has heard many people say that no one hears them and no one on the Commission understands the low income community, that there are no black people or Hispanics on the Commission, and she wants to make it very clear that she was born and raised

in South Norwalk and she cares about Norwalk, and she hears them and the people on the Commission hear them on these issues, and they are not issues that they take lightly and they will look at all the comments and talk them through and work with them on it.

Mr. Sheehan thanked everyone who participated and offered their comments. The plan is in no way in its final form. There will be a joint meeting with the Zoning Commission and the Planning Commission, which will be posted, and if they provide their email address on the signup sheet, they will make every effort to make sure they are personally informed.

Chairman Serrano thanked everyone on behalf of his fellow Commissioners. He wants to echo the fact that hearing from the community is an important part of the process, and they will make sure that their concerns are addressed and followed up with staff.

I. APPROVAL OF MINUTES

A. March 8, 2016 Regular Meeting

Mr. Serrano said they will table the minutes until the next meeting since neither he nor Commissioner Langley were at the meeting.

II. FINANCE

A. NRA Statement of Revenue and Expenditures for February 29, 2016.

Mr. Slovak reported on the Financial Statements as follows:

- Operating Fund 100 had actual revenues of \$1,023,471 versus budgeted revenues of \$1,044,224 for a \$20,753 revenue deficit.
- Actual operating expenditures are \$954,975 versus a budget of \$1,042,574 resulting in a \$87,599 favorable expenditure variance.
- There is an actual operating surplus of \$68,496 versus a budgeted operating deficit of \$1,650 resulting in a favorable net operating variance of \$66,846.

**** MS. TORRANO MOVED TO APPROVE THE FINANCIAL REPORT AS PRESENTED.**

**** MR. DEVINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

III. BUSINESS

A. REED PUTNAM URBAN RENEWAL AREA

1. Authorize staff to advance GGP's March 29, 2016 request to modify the Reed Putnam Urban Renewal Plan as a plan modification in accordance with CGS Chapter 130 Sec 8-136
2. Approve scheduling a public hearing on the Reed Putnam Urban Renewal Plan as approved by the Common Council and the requested modification to the plan for May 10, 2016 at 5:30 p.m.
3. Approve that GGP's March 25, 2016 request to modify the approved Conceptual Master Site Plan does not meet the definition of "substantial change" as defined in section 7.4 of the governing LDA.
4. Approve the Cecil Group memo recommending approval of the final design plan for the North Water Street Underpass Area

Mr. Sheehan said the first action is a request by GGP to modify the Urban Renewal Plan as the figures in the Conceptual Master Site Plan no longer relate to the project overall. The second has to do with setting a public hearing on the Urban Renewal Plan and the requested modification, which they are suggesting would be at the next regularly scheduled meeting.

The last component is GGP has asked for a modification to the CMSP in conformance with Section 7.4 of the Land Disposition Agreement. Originally there was to be a tunnel in West Avenue and the traffic that was coming into that tunnel was to go to a below grade parking garage. GGP has refined that and now the main entrance off of West Avenue is going to be at grade, and they are seeking to modify the building articulation at the northwest corner. They are also looking to add a rooftop terrace, and Agency staff and the Cecil Group are fully supportive of those modifications. And they are seeking to modify the east façade and North Water Street overpass measurements, and the Agency is reserving its right to consider the specifics of the change as it relates to the comprehensive design review of the entire project.

- ** MR. DEVINE MOVED THAT (1) THE REDEVELOPMENT AGENCY AUTHORIZES STAFF TO ADVANCE GGP'S MARCH 29, 2016 REQUEST TO MODIFY THE REED PUTNAM URBAN RENEWAL PLAN AS A PLAN MODIFICATION IN ACCORDANCE WITH CGS CHAPTER 130 SEC 8-136; (2) THAT THE REDEVELOPMENT AGENCY APPROVES SCHEDULING A PUBLIC HEARING ON THE REED PUTNAM URBAN RENEWAL PLAN AND REFERENCED MODIFICATIONS ON MAY 10, 2016 AT 5:30 P.M.; AND THAT (3) THE REDEVELOPMENT AGENCY DETERMINES THAT GGP'S REQUESTED MODIFICATIONS DO NOT MEET THE DEFINITION OF A SUBSTANTIAL CHANGE AS REFERENCED IN THE PROJECT LDA AND AUTHORIZES STAFF TO PROVIDE WRITTEN NOTICE APPROVING THE MODIFICATIONS TO THE CMSP, WHILE RESERVING THE AGENCY'S RIGHT TO FURTHER CONSIDER THE SPECIFICS OF SAID MODIFICATIONS AS PART OF THE PROJECT'S COMPREHENSIVE DESIGN REVIEW.**
- ** MS. TORRANO SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

5. Approve the GGP Public Realm Plan

Mr. Sheehan said when the Commission approved the CMSP, there were two conditions that both the Commission and the Common Council wanted to have brought back. One was how the underpass was being treated on North Water and the other was with regards to the public realm plan. As to the underpass, the Agency and the Common Council were to engage an architectural and design firm to review the whole underpass area, which they did with the Cecil Group, and the consultant was to provide a technical memo assessing the design and the aesthetics, and that memo is in their package. Between the GGP team, the Redevelopment Agency and the Cecil Group, there were at least eight project meetings looking at various aspects of not only the underpass area but the project in general, and as a result the underpass area has been significantly improved. The other issue was the slip ramp, and that has been completely redesigned, and they think that they have clearly met the objectives of what they tried to put forward as concepts and ideas as to how this area could be activated with the underpass being the primary challenge.

Ms. Torrano said she is elated, because those issues have been her big concern, and this looks really great, so she is very pleased.

Chairman Serrano said he as well wants to commend the work of both the developer and staff and the Cecil Group. The purpose was to get everyone together and figure it out and get the best project possible for their City and he thinks they have gotten there.

Mr. Adams said it has been a very collaborative effort and a positive experience working with Tim and staff and the Cecil Group over the past five months, and as a result they made significant improvements to the plan and have a better plan.

Mr. Sheehan said they have reviewed the public realm plan at the staff level and Cecil has reviewed it, and there is a review memo from Steve Cecil in their package. He believes that the developer has met the objectives of the definition and have more than sufficiently met the requirement under both the LDA and the land use.

Mr. Adams said they are really pleased at not only how the spaces came out, but the specificity of the design and how the spaces will be utilized. They made a conscious decision that the square footage of the public realm would be higher than what is required.

Mr. Robert Berry of RTKL said he would reiterate what Doug said; working with Mr. Sheehan and the Cecil Group was a pleasure. They had great conversations and at the end of the day they got a better project out of it.

Mr. Berry said there are four different areas in the plan where they are allocating public realm. Level 1 is along West Avenue and is their interior public realm space, Level 2 is the first typical level of the center itself, the sculpture garden is on level 3 which has indoor/outdoor space, and then on level 4 is the rooftop terrace. He discussed the various areas, which include a public plaza, outdoor dining, landscape plantings and street furniture, the sculpture garden and rooftop garden, and a water feature and other pedestrian amenities, all of which provide gathering spaces for events such as a farmers markets, health and wellness activities, concerts, cultural presentations, community displays, food and wine events, holiday activities, educational programs, charity functions and art exhibits. They want to have some sort of art amenity within the sculpture garden in order to bring people to it time and time again, and also have an abundant level of landscaping as well as soft seating so it is not just an open hard area. The roof garden, which is the top level of the parking, has direct access from a couple of different public areas within the mall as well as vehicularly, so it is strategically located and they think it is going to be a great amenity for the project. It is 19,000 SF, and being outside, has an opportunity for varying types of activities such as the farmer's market and community activities. It will have an event lounge which could also accommodate exercise and health activities. They are proposing some film opportunities, a summer concert series or a spring concert series, depending on the weather, and potentially an artificial skating opportunity. A public fountain and retail kiosk will activate that area, and they believe it is really going to become a draw for the City and the community. The interior spaces will be subject to the operational hours of the center.

Mr. Adams said the sculpture garden and the SoNo garden on the roof were two key elements that didn't exist last September and he thinks they are huge additions to the plan. From the

very beginning, one thing they heard was is there going to be real places where they can gather and take advantage of the views to the east and to the southeast towards Long Island Sound, and they have achieved that.

**** MS. TORRANO MOVED TO APPROVE ACCEPTANCE OF THE CECIL GROUP MEMO AS AN APPROVAL OF THE FINAL DESIGN OF THE UNDERPASS AREA FOR THE SONO COLLECTION PROJECT, AND APPROVE GGP'S PUBLIC REALM PLAN FOR THE SONO COLLECTION PROJECT.**

**** MS. LANGLEY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

B. TRANSIT ORIENTED DEVELOPMENT

1. Discuss TOD Redevelopment Plan draft, review status and timelines
2. Review the statutory effective status of the existing Urban Renewal Plans in the proposed TOD Plan Area and impact on project design review
3. Approve attached Request for Qualifications for Urban Circulator Feasibility Study and authorize the Executive Director to advertise for such consultant

Mr. Sheehan asked that the Circulator item be tabled. Agency staff had further discussion after the agenda had gone out with the Transit District, which is advancing an overall analysis of the operating systems for the Transit District in general and they want to highlight the Circulator Feasibility Study as a subpart of that. They have funding to do it, and it makes sense for the Agency to pair up with the Transit District as opposed to doing this on their own.

**** MS. LANGLEY MOVED TO TABLE ITEM III-B, SUBSECTION 3.**

**** MR. DEVINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Sheehan noted that there are two plan areas that have expired, so at this point they have no statutory authority over those areas.

Chairman Serrano said he wanted to make sure that the Commissioners understood the importance of moving this process along and understanding the TOD because they don't have a governing document right now.

C. LOAN PORTFOLIO

1. Quarterly Report

**** MS. TORRANO MOVED TO TABLE THE LOAN PORTFOLIO UNTIL THE NEXT AGENCY MEETING.**

**** MR. DEVINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

IV. NEW BUSINESS

None.

V. OLD BUSINESS

None.

ADJOURNMENT

There being no further Old or New Business, upon motion of Ms. Langley and second of Mr. Devine, the Norwalk Redevelopment Agency meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Karen Pacchiana