THE PLANNING COMMITTEE
OF THE COMMON COUNCIL

125 East Avenue
P.O. Box 5125
Norwalk, CT 06856

TO: MEMBERS, PLANNING COMMITTEE OF THE COMMON COUNCIL

FROM: JOHN KYDES, CHAIRMAN

DATE: JUNE 5, 2017

RE: **MEETING NOTICE**

A Special Meeting of the Planning Committee of the Common Council will be held on **Monday, June 12, 2017 at 6:00 pm** in the Common Council Chambers in Norwalk City Hall. Please Note the Time and Location.

PLANNING COMMITTEE OF THE COMMON COUNCIL
SPECIAL MEETING
JUNE 12, 2017
6:00 PM

CALL TO ORDER

ROLL CALL

PUBLIC PARTICIPATION

I. APPROVAL OF MINUTES
   A. May 4, 2017 Regular Meeting
   B. May 9, 2017 Special Meeting/Public Hearing
   C. May 15, 2017 Special Meeting/Public Hearing

II. BUSINESS
   A. **PLAN OF CONSERVATION AND DEVELOPMENT**
      1. Advance to the Common Council the contract for the Plan of Conservation and Development to Stantec in the amount of $195,000

   B. **TRANSIT ORIENTED DEVELOPMENT**
      1. Advance to the Common Council a resolution authorizing the submission of a Smart Growth/TOD grant application to the State Office of Policy and Management requesting the amount of $225,000

   C. **NORWALK ENTERPRISE ZONE**
      1. Follow up on incentives

ADJOURNMENT

CITY OF NORWALK
PLANNING COMMITTEE
PUBLIC HEARING
&
REGULAR MEETING
MAY 4, 2017

ATTENDANCE:	John Kydes, Chair; Douglas Hempstead; John Igneri; Thomas Livingston; Shannon O' Toole Giandurco; Faye Bowman (7:08 p.m.); Travis Simms (7:21 p.m.)
STAFF:	Timothy Sheehan, Executive Director; Tami Strauss, Director Community Development Planning; Eric Bernheim, Corporation Counsel
OTHERS:	Richard Bonenfant; Bruce Kimmel, Common Council members

PUBLIC HEARING

NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT PROGRAM FOR 2017

Mr. Kydes opened the public hearing at 7:00 p.m.

Mr. Jerry Stillman thanked the Committee for approving their past application for the Broad River Homes and said they are asking for $110,000.

Ms. Diane Cece spoke about the application form a North Gilford company that professes to do Google searching views for other businesses. She said she does not understand the coalition. In addition, she said that she felt it was a conflict of interest because the members are City of Norwalk employees.

There were no other members of the public who wished to speak and Mr. Kydes closed the public hearing at 7:05 p.m.

CALL TO ORDER

Mr. Kydes called the regular meeting to order at 7:05 p.m.

ROLL CALL

Mr. Kydes called the Roll.

PUBLIC PARTICIPATION

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Ms. Diane Cece said she spoke with a representative from the State who said it was highly unusual for a City to not pass all of the requests for the Neighborhood Assistance Act Tax Credit. There is not a lot of vetting at this level before it goes to the State and not a lot of vetting happens there either. She added that she had concerns about the Mechanics lien against the Wall Street project.

Ms. Bowman joined the meeting at 7:08 p.m.

Ms. Cece said that she wanted to be sure no action would be taken this evening following the discussion about GGP.

Ms. Deborah Goldstein spoke about amending the GGP items. She said the agreement has two parties and they should look at this as an opportunity to get what is fair and equitable. She said that Norwalk has a lot invested in this property and wanted a mixed use. The cash alone is not going to cut it. She suggested going for an A+ assessment.

There were no other members of the public who wished to speak this evening.

APPROVAL OF MINUTES

April 6, 2017 Regular Meeting

** **MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES AS PRESENTED**

** **MOTION PASSED UNANIMOUSLY**

April 17, 2017 Special Meeting

** **MR. IGNERI MOVED TO ACCEPT THE MINUTES AS PRESENTED**

** **MOTION PASSED WITH TWO (2) ABSTENTIONS (MS. BOWMAN AND MR. HEMPSTEAD**

BUSINESS

NEIGHBORHOOD ASSISTANCE TAX CREDIT PROGRAM FOR 2017

** **MR. IGNERI MOVED TO ADVANCE THE 2017 NAA TAX CREDIT PROGRAM APPLICATIONS TO THE COMMON COUNCIL**

Mr. Sheehan gave an overview of the program. He said the City received 13 applications. The Common Council acknowledged receipt of the applications and the projects will take place in Norwalk. Ms. Strauss explained the role of the Common Council. Mr. Sheehan said that the Common Council would be within its rights to remove an application if it did not receive the requisite document. He added that there is no statute that prevents a City employee from applying; however, the Common Council can take action to exclude applicants from a list.

Mr. Hempstead noted that the tax credits allowed to Norwalk are in the millions and Norwalk never came close to meeting that amount. Ms. Strauss said they only had six applications last year.

The Committee members discussed the application submitted by the North Guilford Studios and said that their program does not qualify for this program.

** **MR. IGNERI MOVED TO AMEND THE MOTION TO REMOVE BOTH OF THE NORTH GUILFORD STUDIOS FROM THE TAX CREDIT PROGRAM**

** **MOTION PASSED UNANIMOUSLY**

** **MOTION AS AMENDED PASSED WITH ONE (1) ABSTENTION (MS. BOWMAN)**

WALL STREET

** **MR. IGNERI MOVED TO APPROVE TERM SHEET FOR SECTION 108 LOAN TO NORWALK REDEVELOPMENT AGENCY ON BEHALF OF THE CITY OF NORWALK**

Mr. Kydes said that there is a Mechanic's lien on the property and as a result, is inclined to recommend tabling this item.

Mr. Simms joined the meeting at 7:21 p.m.

Mr. Frank Farraker explained that the only thing left to do is hang the sign, but they received a letter from the attorney for their contractor telling them to sign a paper that they were giving them $2 million dollars or the theater will not open. Mr. Farraker said they paid the contractor in full. Ms. Srauss said that the Wall Street theater will not have access to funding until the lien is cleared.

Mr. Hempstead explained that they have to have a Certificate of Occupancy; they currently only have a temporary Certificate of Occupancy. He said they could be putting the City and HUD funding at risk. He said he was not in favor of moving this item forward. Mr. Kydes said it would be irresponsible to move this forward and is inclined to table this item until there are no liens on the property.

** **MR. KYDES MOVED TO TABLE THIS ITEM UNTIL THERE ARE NO LIENS ON THE PROPERTY**
** **MOTION PASSED UNANIMOUSLY**

REED PUTNAM URBAN RENEWAL PLAN AREA

Discuss GGP's Proposal to Modify the Reed Putnam Urban Renewal Plan and Amendment #4 to the Governing LDA

Mr. Kydes announced that there will be two public hearings; the first on May 9th and the second on May 15th. Mr. Sheehan added that there will be roughly a half dozen public hearings. Ms. Bowman asked if there will be discussions after the public hearings. Mr. Kydes said there will be an action item to move this to the full Common Council at the May 15th public hearing.

Ms. Bowman said other uses came up at the District B meeting, such as educational uses. She said they need to think about everything. She said she hoped everyone is talking to each other. She also suggested putting some classes at the mall, even if it included selling some space back to the City.

Mr. Livingston asked Mr. Adams about the earnings call and asked how the Common Council should view everything on the table. Mr. Adams said that what drove that question was about the fundamental strength when the CEO said that the valuation is above the net asset of the company. He added that he is not privy to how it is being addressed, but it will be addressed.

Mr. Adams said this a high quality class A mall and is not purely a luxury center. The sales productivity do extremely well. He said they are not asking for an increase in size and anticipate filling the 300,000 sq. ft.

Mr. Kydes asked about the anchors. Mr. Bernheim explained they have a fully executed lease with Nordstrom for 20 years with six – 10 year options. Currently, Bloomingdales' has not filed their notice of lease, but it has similar terms. They also added in the LDA an acknowledgement that they fully expect the two anchor stores to open when the mall opens. Mr. Bernheim said the City should be fairly confident they will have a Bloomingdales' and Nordstrom when the mall opens.

Mr. Simms said he does not want to lose sight that he is thinking about the LDA with regard to the 10% housing on the property. He said he is now hearing they want to take out the hotel; that means they are going back to the original agreement of putting housing on the property. He said he wants to concentrate on the LDA.

Mr. Kimmel asked Mr. Sheehan what references were made to housing in the LDA. Mr. Bernheim said what they have now is the LDA to build the mall with housing, hotel or office on top of Bloomingdales'. They have to have the mall, public space and housing.

Mr. Bonenfant asked about the concept of the Enterprise Zone. He said he understood that they negotiated to pay 50% property tax for seven years. He asked if they would be taxed at 50% for personal property. Mr. Bernheim said personal property would be taxed at the full rate. The 50% tax rate starts with the first tax bill after the Certificate of Occupancy is issued.

Mr. Sheehan said if they did another investment, under the Enterprise Zone, they would be eligible for consideration. This piece has a phase in time frame. In addition, the Common Council would have to approve the application.

Ms. O'Toole Giandurco asked about a time frame for ground breaking. Mr. Adams said they hope to begin next week. He said they are prepared to pay the easement between now and next Wednesday.

Ms. O'Toole Giandurco asked Mr. Bernheim if there is any protection from them selling the property. Mr. Bernheim said they can sell the property with Common Council approval. He added that the Class A designation runs with the property, no matter who owns it.

Mr. Hempstead asked if any asked for a valuation of the property with the restriction of making it all retail. Mr. Sheehan said they have a valuation of the property with the mall and the hotel. They do not have a valuation with just the mall. Mr. Hempstead asked if they have the tax projection with and without the hotel. Mr. Bernheim said he will look into that.

Mr. Hempstead asked if the City opened the LDA contract and have its own ask. Mr. Bernheim said there were some leadership meetings and askes were made. Mr. Hempstead asked how they came up with $3.5 million. Mr. Bernheim explained the City asked for funding and the developer left and did not respond for a few weeks. They came back with a figure that leadership felt was fair.

Mr. Sheehan said the Redevelopment Agency did an analysis of 10 years of tax revenue for the hotel and the amount was close.

Mr. Kimmel said the use of the term leadership is used loosely; it was representatives of the Caucuses. Ms. Bowman said she would like to revisit all of this; there is no rush. Mr. Bernheim said if the anchor can't open in November 2019, they will back out. He said he does not know the construction time frame, but they said at all the meetings the reason for the rush.

Mr. Hempstead asked if anyone asked for a feasibility study. Mr. Bernheim said GGP provided one for three different ones, but none are feasible.

Mr. Kimmel said that he believed housing on top of Bloomingdales' with a view of Long Island Sound could be done. He asked how they came up with a 3% return. Mr. Adams said they spoke with the developer. The cost structure to build on top of the mall is such that the numbers will not work.

Mr. Kydes said that the Common Council members are free to vote and amend this. This is the recommendation of the leadership members who were at the meetings. He said the $3.5 million took in a lot of factors. Mr. Sheehan added that the amount is based on the existing hotel rooms and tax at the full rate.

Mr. Kydes asked for a breakdown of the tax value for the next meeting.

Mr. Cafero said that in the last two-week period, between the circulator money and the easement money, GGP will have paid the City $1.9 million. That is being paid without any guarantee that any approvals will take place. He said that the revenue generated from this project is something the City has not seen before and that is without the assumption of a hotel.

OLD BUSINESS

No old business was discussed this evening.

NEW BUSINESS

No new business was discussed this evening

ADJOURNMENT

** **MR. IGNERI MOVED TO ADJOURN**
** **MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:10 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

CITY OF NORWALK
PLANNING COMMITTEE
SPECIAL MEETING
PUBLIC HEARING
MAY 9, 2017

ATTENDANCE:	John Kydes, Chair; Thomas Livingston; Shannon O' Toole Giandurco; Faye Bowman (6:19 p.m.); John Igneri (6:32 p.m.)
STAFF:	Timothy Sheehan, Executive Director, Norwalk Redevelopment Agency; Eric Bernheim; Mario Coppola, Corporation Counsel
OTHERS:	Richard Bonenfant; Bruce Kimmel, Common Council members

CALL TO ORDER

Mr. Kydes opened the public hearing at 6:10 p.m.

ROLL CALL

Mr. Kydes called the Roll.

PUBLIC HEARING ON THE PROPOSED MODIFICATIONS TO THE URBAN RENEWAL PLAN AND LAND DISPOSITION AGREEMENT OF THE REED PUTNAM URBAN RENEWAL PROJECT

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Lawrence Cafero, Attorney on the team of GGP said that it was important for GGP to speak because there have been a lot of rumors and miss information. It is time to set the re-set button. He said a preceding Common Council, Zoning Commission and Redevelopment approved the project to develop the 95/7 property to build retail space. The City was desirous to have a mixed-use project. Negotiations took place and they took seriously the City's requirement to have a mixed-use project.

GGP chose a hotel as the most feasible mixed use; however, despite efforts to sell and market a hotel, they were unsuccessful. They went to the City and explained that a hotel would not be feasible on top of the retail space. The other two successive uses were also not feasible.

Mr. Cafero said GGP was here to remove the hotel from the LDA. He noted that Bloomingdales and Nordstrom's would be the anchors. Nordstrom's committed to a 20 year lease and Bloomingdales' is also committed to a similar lease. What happens in 10-20 years if an anchor goes out of business. He said that GGP has an agreement with the City to be sure an anchor of high quality goes there. He said the only big difference with the project is that the hotel is no longer feasible.

Ms. Bowman joined the meeting at 6:19 p.m.

Mr. Cafero said the commitments with the two anchors is based on the agreement that they can open in October 2019. If they are unable to open then, they are not obligated to be the anchors. It is necessary for the approvals to be done by June 8, 2017.

Mr. Cafero said that GGP insisted on transparency, openness and honesty. He discussed the benefits to the City and noted that two weeks ago, they submitted checks for the circulator, waste water treatment plant and for the foundation. If this is passed by June 8^{th}, GGP will have handed over to the City, \$3.5 million by the end of calendar year 2017. He said they are looking at close to \$8 million in payments to the City of Norwalk. If this is stopped, then all payments to the City will stop.

Mr. Cafero said this is not the time to re-invent the wheel and hoped that this committee would be favorably inclined to this request.

Mr. Kydes asked Mr. Cafero if the plan was to pull the foundation permit tomorrow. Mr. Cafero said it was and they have the check in hand.

Ms. Patsy Brescia said she was in total support of this project. She said she has supported development of this land for decades. This opportunity is outstanding and it would be a huge mistake not to move forward with the project.

Ms. Wini Mola spoke in support of GGP's request for modification. She said it occurred to her that their request to eliminate the hotel is because a new hotel broke ground last week. She said that she is a lifelong member of the community and has been a real estate broker for 44 years. The land has been dormant for 25 years and now there is a group who is trying to bring something that no one dreamed would happen.

Ms. Mola said that Connecticut lost GE because they were not willing to negotiate with them and a lot of jobs were lost. She said Norwalk needs something like this to bring a vibrancy to the community.

Ms. Debora Goldstein said that almost 30 years ago, through eminent domain the City took properties. At that time, they attached a mixed-use requirement. She said GGP told their investors that a Class A mall would get \$700.00 per square foot, said that the City should hold out for a higher class.

Ms. Goldstein said that the loss of the hotel will mean the loss of jobs, but none of that was considered.

Mr. Igneri joined the meeting at 6:32 p.m.

Ms. Goldstein asked why the report stated that there would be no impact from the removal of the hotel. She asked how the project could be just as valuable without the hotel. She asked the Common Council to stop negotiating with itself. She said that when she looked at the Plan of Conservation and Development, retail was not listed. By redefining Class A, this opens the door to other uses that compete with the strip malls.

There were no other members of the public who wished to speak.

Mr. Bernheim confirmed that the Mayor received payment for the WPCA easement. They continue to work on creating language that is acceptable to put forward for a vote.

Ms. O' Toole Giandurco asked if a valuation of the property with and without the hotel could be provided. Mr. Coppola said this is a complex property. Mr. Sheehan said he believed that GGP offered to share their analysis. Mr. Bernheim said late this afternoon Mr. Adams e-mailed their analysis. He said he will circulate that analysis.

Mr. Bernheim said the hotel would have generated $3.5 million in tax revenue over 22 years. The City is getting an immediate payment of what it would have gotten over 22 years.

Mr. Livingston asked if the Tax Accessor could look at GGP's analysis.

ADJOURNMENT

** **MR. IGNERI MOVED TO ADJOURN**
** **MOTION PASSED UNANIMOUSLY**

There were no further comments and the Special Meeting was adjourned at 6:43 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

CITY OF NORWALK
PLANNING COMMITTEE
SPECIAL MEETING
PUBLIC HEARING
MAY 15, 2017

ATTENDANCE: John Kydes, Chair; John Igneri; Thomas Livingston; Shannon O' Toole Giandurco; Faye Bowman (7:10 p.m.)

STAFF: Timothy Sheehan, Executive Director, Norwalk Redevelopment Agency; Eric Bernheim, Corporation Counsel

OTHERS: Bruce Kimmel, Common Council member

PUBLIC HEARING

Mr. Kydes opened the public hearing at 7:03 p.m.

THE PROPOSED MODIFICATIONS TO THE URBAN RENEWAL PLAN AND LAND DISPOSITION AGREEMENT OF THE REED PUTNAM URBAN RENEWAL PROJECT

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Mr. Lawrence Cafero, attorney working with GGP said he was here to ask the Committee for their approval for the modifications to the urban renewal plan and the land disposition agreement. In addition, he asked that the third use that was previously approved be waived, because of the unfeasibility of the use. He said housing and office uses were unfeasible.

In lieu of that they are willing to pay the City $3.5 million, which equates to 20 – 22 years of real estate tax if the hotel use went through. Mr. Cafero said they met with several hotels, but it would be economically unfeasible. The other two uses were also unfeasible.

Mr. Cafero said they are asking for clarification for "anchors of high quality" to give them some flexibility in the unlikely event they are not with the project in the next 10-15 years. He said they want to be sure the City knows it has the right to challenge the anchors of high quality. He said they paid over $1.9 million to the City on the hope that the modification request would be approved. If GGP is unable to turn the property over for them to open in 2019, they will not be able to move forward.

Ms. Sue Haynie spoke in support of the mall. She said the land has been vacant and under used and under taxed for over 20 years.

Ms. Wini Mola spoke in support of the modifications being requested by GGP. She said that GGP actively sought out hotel companies, but noted that another hotel is being built down the street. Ms. Mola said it is obvious that the Common Council worked diligently to bring this to fruition. She said that after waiting for over 25 years, and losing taxes on the property, it is time to move forward. She asked the Committee members to think about the jobs this project will bring to the community.

Ms. Bowman joined the meeting at 7:10 p.m.

Ms. Mola said it is time to vote in favor and give GGP the modifications they are requesting. She asked the Committee members to vote yes, so they can meet their commitment for June 8th.

Ms. Sally Marsico said that the hospitality industry is quite large and feels that a hotel deal is doable. She said the Common Council has the right to know why GGP was not able to contract a hotel and which ones were approached and why they chose to forgo this site. She asked if GGP needed more parking. Ms. Marsico said the presence of a hotel on the City's skyline speaks volumes.

Norwalk has a lot of retail; it was a long and bumpy course for SoNo to gain its status. A hotel would be a capstone. It is in the City's best interest to have a hotel in conjunction with the mall.

Mr. Lou Ruffin said the City needs a proper negotiator. He asked if there is a fall back plan. He said the property has been vacant for 30 years because of prior administrations who knocked down businesses.

Ms. Patsy Brescia said that she was dedicated to the City and would like to see the property developed in something that is appropriate for all of Norwalk. The focus is to bring the community together and give it something it can be proud of. She said she was here to ask the Committee to move this project forward.

Ms. Donna Smirniotopoalos said she was excited about the potential development. She said that there are other ways to compromise with the developer. She said she is not sure $3.5 million is enough to cover the loss of the hotel. She implored the Committee members to proceed with caution and prudence to negotiate the best deal for the City.

Mr. Michael McGuire said that he values malls around the country for a living. He said this is a home run for Norwalk. This group paid $35 million for this property. A hotel is feasible on the site, if the mall is scrapped. The numbers do not lie; there is no other possible use, unless the entire project is scrapped.

Mr. McGuire said the housing market is going into a recession and it would be ludicrous to put housing there. This is an Enterprise Zone and the purpose is to stimulate economic growth. Retail is always modifying itself to be competitive. There is no way a mall being anchored by Nordstrom's and Bloomingdale's will go out of business, unless the whole area goes down. High end malls are doing very well and are the darling of the investment world.

Ms. Diane Lauricella asked the Committee members to look at changing the paradigm. She told them they have the power to think outside of the box. She asked them to think about the following:

Poor governance
More due diligence
Go further with the mixed-use model and suggested looking at other things such as a YMCA, Boys/Girls Club or an Incubator office space

Ms. Lauricella asked the Committee to press the pause button. She said she did not think housing should go there. In addition, she did not think $3.5 million was enough and asked how they came up with that number.

Ms. Lauricella said she felt that GGP would be willing to find an independent person to help with the negotiations and that they would be willing to install a YMCA and Incubator. Ms. Lauricella said she is not so attached to a hotel use. She asked what kind of impact more retail would have on the existing retail. She asked the Committee members to postpone the vote by a week or two.

Mr. McGuire said that changing retail to entertainment centers is a new successful model. Mr. Ruffin said the City needs a good negotiator and it can't be a politician.

Ms. Deborah Goldstein said that she had nothing new to say, because several meetings transpired, and there were somethings she would like to hear the Common Council discuss in public view. In 2014 when GGP began their presentations, they said the only possibly feasible option would be a limited use hotel.

Ms. Goldstein said the hotel is designed the way it is because the two anchor stores insisted the mall designed it the way they wanted it. Now GGP is coming in and saying that this will not work. She said the City is being asked to give up the last remaining mixed use, because the hotel is a little too hard. In addition, the City can't say no, because they have been told GGP will sue, Bloomingdale's will walk, etc. She said it is important to preserve the obligation to put in the hotel, because of the responsibility for every retailer in every area of the City. If the City brings in something big and fancy, they will put small retailers out of business. Ms. Goldstein said that small retailers in the City have to be protected. She said that if the City is going to give up on the hotel that it preserve the retail.

There were no other members of the public who wished to speak.

The public hearing was closed at 7:45 p.m.

CALL TO ORDER

Mr. Kydes called the special meeting to order at 7:45 p.m.

ROLL CALL

Mr. Kydes called the Roll.

BUSINESS

** **MR. KYDES MOVED TO APPROVE ADVANCING THE PROPOSED MODIFICATIONS TO THE URBAN RENEWAL PLAN AND LAND DISPOSITION AGREEMENT OF THE REED PUTNAM URBAN RENEWAL PROJECT TO THE COMMON COUNCIL FOR APPROVAL**

In response to Mr. Kydes' question, Mr. Bernheim said the Tax Assessor said the $3.5 million is quite a reasonable amount and takes into account a very successful hotel. He said that Mr. Barron also said that amount was equal to 17 – 19 years of taxes and that it is a reasonable amount.

Mr. Bernheim spoke about the clarification of the terms to the LDA so that it was clear there would be major anchor stores. The Class A mall remains the same classification. GGP added language, that as of today, they expect Bloomingdale's and Nordstrom's to be the anchors of high quality when the mall opens.

Mr. Bernheim reported that GGP pulled the permit and started foundation work. The LDA encumbers the property, but they still have to comply with Zoning regulations.

Mr. Livingston asked about the difference between high end and first class entertainment. Mr. Adams said there is no difference between the two. Mr. Livingston said he would like the wording in the agreement to be consistent.

** MR. LIVINGSTON MOVED TO USE THE TERM HIGH END THROUGHOUT THE AGREEMENT

A discussion took place. Bowman asked for examples of high end grocery stores. Mr. Adams said that Balducci's, Wagman's and an upscale Whole Foods are some examples. Mr. Kimmel asked for an overview of GGP's due diligence with hotel chains. Mr. Adams explained that after they got their approvals, they worked with entities to design the right type of hotel. This process took close to 14 – 16 months. Last fall, they notified the City that they had a problem getting a hotel chain. They had three months of discussions with the City which led to the formal request.

Mr. Kimmel said that during all of the discussions, the hotel was not a deal breaker. He said the additional cost to build it on top of the structure should have been anticipated. Mr. Adams said the Common Council and GGP took a lot of time to make the size of the underlying retail as small as possible. They knew there were higher costs to build on top of Bloomingdales and underestimated the cost.

The Committee members discussed clarification of the plan. Ms. Bowman said she noticed that the funds to improve the neighborhood were being eliminated. She said she was under the impression that those funds would be used in South Norwalk. Mr. Kydes said he believed those funds need to go into the general fund. Mr. Bernheim added that the proceeds go into the general fund and there is a provision for dispersing the funds into the community.

** **MOTION PASSED UNANIMOUSLY**

** **MOTION AS AMENDED PASSED WITH ONE (1) ABSTENTION (MS. BOWMAN)**

ADJOURNMENT

** **MR. IGNERI MOVED TO ADJOURN**
** **MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:20 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

Memorandum

June 1, 2017

To: Planning Committee, Common Council

From: Steve Kleppin, Planning & Zoning Director

Re: Stantec – POCD Scope of Work

As you may be aware, the Plan of Conservation and Development (POCD) update process has begun. An oversight committee was established by the Mayor to work with the Planning Commission to guide the process. A request for qualifications for the plan update was prepared and six (6) responses were received. From the oversight committee and Planning Commission, volunteers worked with staff to screen the proposals and it was decided that four (4) candidates would be interviewed.

Two (2) firms were strongly considered, with Stantec the leader. After checking references, the group unanimously recommended to the Planning Commission that Stantec be selected as the consultant. Subsequently, the broader oversight committee was also informed that Stantec was the chosen firm. After several iterations, the Scope of Work was forwarded to the Planning Commission and oversight committee for approval. The attached document has incorporated final edits as requested by both groups. We are very excited to work with Stantec, who has a history of successful projects within the city. A couple of years ago, Stantec formed the "Urban Places Group" to be a boutique planning firm within the larger company. The expert planning staff within the Urban Places Group combined with the experience and knowledge of the city that Stantec already possesses is a real win for the city and will lead to a great Plan.

$50,000 has been allocated in the present fiscal year budget and an additional $150,000 has been approved for fiscal year 2017/2018. The total cost proposed by Stantec is $195,000, with an additional $5,000 available for incidental costs such as printing and meetings. Corporation Counsel is presently ironing out the final contract language with their counterparts at Stantec.

The timing of the Plan update is worth mentioning. The Plan update is being conducted while there are several other planning studies underway or about to kick off:

- West Avenue, Wall Street and Washington/South Main redevelopment plans,
- Manressa Island study,
- East Avenue Roadway Improvements,
- City-wide parking utilization study

In addition, there are several significant CT DOT projects being planned near the Merritt Parkway as well as the Walk Bridge project impacts. I feel one of my principal responsibilities is to ensure that none of these studies are done in a vacuum and that any study conducted should be consistent with the POCD. Already, there has been good cooperation and sharing of ideas on the staff and consultant level between Stantec and RPA, who is the consultant on the redevelopment plans. This will be important to prevent duplication of effort and "study fatigue" by residents which could lead to a lack of interest or participation in the process.

Pending approval by the Council, work is anticipated to begin in earnest at the beginning of July.

Feel free to reach out to me with any questions.

END

City of Norwalk Plan of Conservation and Development
Exhibit A - Scope of Services

The City of Norwalk, CT, has chosen Stantec to lead a consultant team to prepare a Plan of Conservation and Development (POCD) for the city. Stantec will be assisted by Hodge Economic Consulting.

TIME FRAME

It is expected that the POCD will be ready for adoption hearings within approximately 16 months of execution of the contract, assuming timely action by the client when needed. Final adoption is anticipated within 18 months but will depend on scheduling of public hearings by the client as required by City Charter and state statute.

FLEXIBILITY IN ALLOCATION OF RESOURCES

Community-based planning projects are responsive to issues that emerge from the community participation process, sometimes requiring rebalancing of activities. In collaboration with the client, Stantec may identify the need to shift resources within the project in order to meet unforeseen needs as the project progresses.

PROJECT MANAGEMENT, COLLABORATIVE PROCESS, AND CLIENT RESPONSIBILITIES

The consultant team will collaborate closely with the Project Manager, Planning Commission, an Oversight Committee established by the city, City staff and officials, citizens and other stakeholders.

Consultant lead. Stantec will have responsibility for management of the entire consultant team and development of the POCD. Larissa Brown PhD, AICP, will be the project director and manager for Stantec.

Planning Commission/Oversight Committee (PC/OC). The City has created an Oversight Committee of approximately 25 persons to function as a project management and advisory group. The PC/OC will provide oversight, guidance, and feedback to the consultant team through the City project manager, make departmental staff available as needed, and review and comment on the draft plan. PC/OC members will be expected to assist in identifying outreach opportunities, promote public involvement using their networks, and attend public engagement events.

Monthly progress reports. The consultant will provide monthly progress reports to the Project Manager.

Project manager. The City of Norwalk's project manager will be the Planning and Zoning Director, Steven Kleppin, who will act as principal liaison to coordinate all aspects of the project with Stantec's project manager. There will be regular consultation through email, telephone, and scheduled conference calls. The City's project manager will:

- Provide access to demographic and socio-economic data, GIS datalayers and map projects, assessor's data, regulations, previous planning documents, stakeholders' contact information, and other information

- Assist in making data and information held by other governmental bodies available to the consultant, as needed
- Assist in making City officials and staff available for interviews and review of draft documents, as appropriate
- Assist in scheduling and providing space for interviews, focus groups and committee/subcommittee meetings
- Assist with public outreach and any needed media approvals by the project manager and City public information and media staff
- Assist with logistics for public meetings, including identification of City-owned meeting space
- Attend PC/OC meetings
- Attend and assist at public forums, workshops, and open houses
- Assist in documenting comments and requests for revisions during public review

PUBLIC ENGAGEMENT PROGRAM

The public engagement program will include the elements below and include Spanish-language materials, as indicated. All PC/OC meetings will be open to the public.

Public and stakeholder involvement

- ***Planning Commission/Oversight Committee (PC/OC).*** The Oversight Committee was established by the City to complement and assist the Planning Commission. The Oversight Committee is composed of elected and appointed officials, City staff, neighborhood leadership, business leaders, and other stakeholders. The joint PC/OC will provide guidance and feedback to the consultant team, review milestone elements of the plan, and review the entire first draft of the plan There will be up to 8 PC/OC meetings (7 are scheduled and one additional meeting will be available if needed).
- ***Interviews and focus groups with City staff and officials and key stakeholders.*** Interviews early in the process with City staff, officials and other stakeholders, up to a total of 30 groups or individuals, will orient the consultant team about Norwalk issues, initiatives and expectations. Repeat and additional interviews may be needed at later stages of the project. The economic development specialist may interview up to 10 more stakeholders relevant to economic development. The City will be expected to assist the consultant team in identifying key people and groups to interview and in setting up the interviews.
- ***Branding.*** The consultant team will develop a name and logo for the project, to be approved by the PC/OC, with up to three options and three revisions.
- ***Public workshops and open houses.*** The planning process will include the following meetings to be led by the consultants: 2 citywide interactive public forums; four topic-based workshops; and 8 community open houses for comment on planning directions.
- ***Community Events.*** The consultant team will work with the City project manager and the PC/ OC to schedule events with community organizations, such as the Coalition of Norwalk Neighborhood Associations, business organizations, and Hispanic and African-American groups, to expand public involvement. Consultant team members will lead five of these meetings and will provide materials and support for City staff and PC/OC members to attend others.
- ***Draft documents available for public comment.*** Draft documents will be posted on the web page and the CiviComment digital platform and deposited at City Hall and in public libraries to provide opportunities for public comment via the website and via email to the City project manager.
- ***Public hearings.*** The consultant team will present the draft POCD to one public adoption hearing of the Planning Commission and to one public adoption hearing at Common Council.

Digital engagement

- ***Web site.*** Stantec will provide the City project manager and IT Department a project web page design and requirements for location on the city's web site as an information resource about the POCD project. The web page will provide for sign up for notifications, a calendar of events, and a library of images, data and documents for download.
- ***CiviComment.*** Stantec will provide a web-based platform for public comment on interim and draft documents which allows users to comment directly on pdf documents and to respond to the comments of others. Commenters will be asked to indicate whether they are residents or non-residents.
- ***Social media.*** Working with the City, the POCD project will work with existing Facebook and Twitter feeds owned by the City and its departments, and look for community partners to expand public knowledge about the project through social media. Our experience is that providing information for accounts with existing followers is more successful than setting up new accounts for a project.
- ***E-list.*** Through the web page, stakeholder groups, sign-ups at meetings, and other methods the consultant team will develop and maintain an email list to inform interested persons about project activities and documents.
- ***Smartphone surveys.*** Brief surveys will be made available to the public and to specific groups to seek public opinion on topics relevant to the future development of Norwalk. The surveys can be completed on line or with mobile devices. This survey technology will also be used as in-meeting polling. The surveys allow for multiple choice and free answer questions. After answering a question, the respondent sees the survey results to date for that answer. Respondents will be asked to indicate whether they are residents or non-residents.

Outreach, Communications and Media

In addition to digital outreach and communications, diverse media and communication methods will be used to communicate with the Norwalk public about the POCD and opportunities for public participation.

- ***Public participation outreach.*** The consultant team will work with the City's project manager to use multiple avenues, digital and traditional, to inform the public about the project and public meetings. Depending on the most effective ways to reach Norwalk residents, the consultant team may employ outreach methods such as email blasts, free notifications through the press and broadcast media, flyers, contact with business and other organizations, and so on. Event flyer dissemination to community residents may include school backpack inserts: church bulletins; business canvassing; neighborhood associations; non-profit community organizations; grocery stores; employee notices; and similar options.
- ***"Meetings in a Box" and participation in meetings of existing organizations.*** As noted earlier, the team will attend five meetings of representative community organizations and support City staff with materials that they can take to additional meetings. In addition, the team will also provide the opportunity for groups and organizations to independently use a set of materials, questions, and workshop exercises in their own meetings.
- ***Information hubs.*** Libraries or similar locations will serve as "information hubs" where hard copies of information and, eventually, the draft plan, are deposited for public access.
- ***Media.*** The team will also perform the following tasks, subject to consultation with and approval by the City:

- Drafting of press releases
  - Participation in earned media, as desired, such as live interviews on local radio stations, cable access TV etc. to publicize events and provide progress reports.
- ***Spanish language services.*** The Stantec project manager speaks Spanish and can work with Spanish-speaking groups. The team will provide the following in Spanish: flyers and similar outreach materials; visioning forum exercises; vision and values statement; executive summary. Summaries of other written materials will be made available based on budget and consultation with the City. Full translation of the POCD can be provided at additional cost.

Logistics tasks

- **Meeting locations**. With city assistance, the consultants will identify and secure appropriate venues (i.e. size, parking, recognizable to cross-section of community, accessible, etc.); and plan and coordinate logistics aspects, including IT, security, layout, logistics with other partners, in advance to ensure smooth deployments. The consultants expect that the City will provide or procure meeting locations free of charge for the POCD process.
- **Public meeting refreshments**. The City will provide refreshments at public meetings.

PLAN PHASES, TASKS, AND PRODUCTS

Please note: Although the tasks are presented below in a series, many activities will be undertaken and pursued simultaneously, so phases will sometimes overlap.

PHASE 1 | PROJECT INITIATION AND EXISTING CONDITIONS

Time Frame: Months 1-4

A. Project Kickoff Meetings and Finalization of Work Plan

Stantec's project manager will attend a kickoff meeting with the City's project manager and interested members of the PC/OC to discuss details of the project work plan, project schedule, and the public engagement program.

B. Brand and Logo

Stantec will develop up to three options for a project name or brand and corresponding logo for approval by the City, with up to three revisions.

C. Web Page and Social Media

Stantec will work with the City to create a dedicated section of the City's website for the POCD. Through the website, city residents will have interactive opportunities in addition to access to presentations, draft documents, maps and other graphics. The team will work with the City to take advantage of social media opportunities in Norwalk, such as existing Facebook and Twitter accounts owned by the City and Common Council members.

D. Planning Commission/Oversight Committee Meeting #1

Stantec team leadership will meet with the PC/OC to discuss the project work plan and schedule and the City's key assets and challenges

E. Existing Conditions Research and Analysis

- **Data collection and analysis.** The consultant team, with the assistance of the City's project manager, as needed, will collect information and data including existing plans, GIS data and map projects, socio-demographic data, economic data, City ordinances and regulations, current projects, and other relevant information, including housing and economic development data.

  The consultant team will review existing data, plans, and reports. In addition, we will research a range of data covering demographic and socio-economic patterns: population and household data; educational attainment; income and poverty; school enrollment and characteristics; housing types, age, tenure, and cost: the local labor force; business establishment and industries in Norwalk; commuting patterns; educational attainment; land/building valuations and property taxes; and vacant and developable land.

  Key data sources will likely include:
    - Census Bureau data (5-year estimates from the American Community Survey and 2010 census data) for resident-based data
    - Last five (5) years of capital budgets and ten (10) year capital plan
    - Connecticut Department of Labor data on employment, labor force, and unemployment rates for residents and jobs, wages and establishments by industry for economic activity in Norwalk
    - Connecticut Department of Revenue Services and/or local assessor databases on property values, property taxes, tax rates, etc. for Norwalk, including data by use (industrial, commercial, residential, vacant) to better understand how land use connects to economic development
    - CT DOT Major Projects within or directly affecting Norwalk, including but not limited to Walk Bridge, Merritt-7 ramping, Glover Avenue/Grist Mill Road, etc.
    - CT DECD Town Profiles
    - *CT DEEP coastal management plan/boundary and National Wildlife Refuge https://www.fws.gov/refuge/Stewart_B_McKinney/wildlife_and_habitat/islands.html*
    - *Norwalk Harbor Management Plan* http://norwalkct.org/963/Harbor-Management-Plan
    - Other local/regional data compiled by sources such as the City and WestCOG.
    - ESRI Business Analyst Data

In addition, the consulting team will work with the City project manager and other City staff to obtain data on significant private development projects and public infrastructure improvement projects currently underway or pending within the planning period.

- **Interviews and focus groups.** Members of the team will interview 25-30 City staff and other key stakeholders. The interviews will take place individually or in focus groups organized around topics. The team will need assistance from the City project manager in securing an interview space in City Hall and in scheduling. In addition, as needed, the economic development subconsultant will interview or hold focus groups for approximately 8-10 additional local/regional experts and stakeholders for the development of recommendations on economic development.

- **Field visits and photo documentation.** The team will visit all parts of Norwalk to take photos and gain an understanding of different parts of the city.

- **Survey.** The team will develop a short digital survey for the public at large focused on residents' values, level of satisfaction with Norwalk and preferences for improvements and changes. The survey questions will be submitted to the PC/OC for approval before the survey is made available to the public.

F. Buildout Analysis

The team will prepare a buildout analysis for the next 10 years based on existing development, private development projects and major infrastructure projects under construction or in the planning process and trends under existing City policies and land use regulations.

G. Draft *Norwalk Today and Tomorrow* and *Norwalk At A Glance*

Based on interviews, field visits, and analysis of data, information, existing plans, and survey results Stantec will draft an existing conditions chapter/element for the plan identifying assets, opportunities, challenges, and future trends—*Norwalk Today and Tomorrow.* This will be accompanied by a short, highly visual summary document with infographics, *Norwalk At A Glance.* This report will include a population projection for 2028. We will submit the drafts to staff and the PC/OC for comment, revise them as needed, and post them on the web page.

E. Planning Commission/Oversight Committee Meeting #2

The team will meet with the PC/OC to discuss the existing conditions data and trends and the structure of the Community Visioning Forum in the next phase of the project.

Deliverables:

- Meeting with project management group
- Finalized work plan and schedule
- Brand and logo; Web presence and social media set-up
- Interviews and focus groups with stakeholders
- Field visits and photo documentation
- Digital survey
- Buildout analysis, including a draft update of the city's land use map
- *Norwalk Today and Tomorrow* and *Norwalk At A Glance*
- PC/OC Meetings #1 and #2 scheduling and attendance

City activities:

- Identification of staff and stakeholder interview subjects
- Location and scheduling assistance for interviews
- Identification of potential community partners for public engagement
- Set up of web presence for the project
- City social media contacts
- Assistance in procuring data and information
- Attendance at PC/OC meetings
- Timely responses to draft materials documents

PHASE 2 | COMMUNITY VISIONING

Time Frame: Months 3-5

A. Outreach materials and activities for the Community Visioning Forum

The Stantec team will create outreach materials and work with the City to promote public awareness of the POCD process, access to the website, and participation opportunities at the Visioning Forum.

B. Citywide Visioning Forum

The Stantec team will structure and facilitate an interactive community forum focused on identifying the elements of a long-term and 10-year vision for the City of Norwalk. The consultant team will prepare exhibits, such as analytical maps, and other materials for review, along with handouts on the comprehensive master planning process and *Norwalk At A Glance.* The Forum will begin with a brief presentation to set the context for the comprehensive master planning process and outline the challenges and opportunities facing the city. It will include exercises with smartphone polling that give participants the opportunity to see real-time responses by the group as a whole. We will follow that with small-group activities. Participants will identify assets and areas of concern, both in terms of policy and for physical locations (identified using maps). After each participant has a chance to write a short personal vision for Norwalk and share it with their small group, the group will spend time identifying its top priorities. Finally, the small groups will present their priority results to the larger group.

C. Five community organization events and "meetings-in-a-box"

The Stantec team will work with City staff and the PC/OC to identify representative community organizations for events at these organizations' meetings, such as CNNA, Latino and African American organizations, environmental organizations, and so on. The Stantec team will lead the events, which will include presentations and handouts as well as interactive exercises.

In addition, Stantec will offer "meetings-in-a-box" to neighborhood associations and other groups, consisting of maps, information, exercises, and instructions. The organizations can follow the instructions with their members and then return the materials to the City and the team to include in the analysis of public sentiments and drafting of a vision statement. These materials could also be used by City staff or members of the PC/OC who go to organization meetings to publicize the POCD project.

D. Digital forum and mini-surveys

Digital workshops widen the range of voices contributing to the plan and allow input from those whose schedules or mobility limit in-person participation. For those who are unable to attend the visioning forum, the website will provide interactive exercises similar to those at the forum for online submission of ideas, preferences, and priorities. These will be used to confirm, validate, and refine the vision and principles developed based on the input received at the citywide visioning forum. In addition, the team will create an online and smartphone-optimized brief survey for the public to gauge their response to the vision priorities identified through the Visioning Forum.

E. Draft Norwalk Vision and Values Statement

The team will prepare a draft vision and values statement based on the results of the Citywide Visioning Forum, organization meetings and workshops, and digital outreach. The document will take the form of an 11" x 17" mini-poster with the vision and principles on one side and a description of the visioning process on the other side.

F. Planning Commission/Oversight Committee Meeting #3

The team will meet with the PC/OC to review, approve, and endorse the vision and values statement.

Deliverables

- Materials for Citywide Visioning Forum
- Citywide Visioning Forum
- Materials for community organization events

- Five community organization events
- Meetings-in-a-box
- Digital workshop materials
- Vision and Values Statement: draft and final
- PC/OC Meeting #3

City activities:

- Logistics – procure a meeting space and refreshments for the Community Forum
- Outreach assistance
- Printing of flyers/outreach materials and Forum handouts
- Attendance at Community Forum
- Collaboration and attendance at community organization events
- Responses to Vision and Values
- PC/OC Meeting #3 scheduling and attendance

PHASE 3 | Plan Development

Time Frame: Months 5-10

After endorsement of the Vision and Values, the consultant team will work closely with the PC/OC and staff to develop the elements of the POCD update, including the implementation and action plan. The update will cover all state-required elements, either separately or integrated into other elements: goals and policies; land use; housing; economic development; natural and cultural resources; open space and recreation; services and facilities; circulation; and implementation. Through this process and further discussion with the PC/OC, we will identify the issues that are the most complex and difficult to resolve or balance, and focus special attention on those difficult, high-priority issues. The description of the plan organization below will be subject to modification based on the public engagement process and discussions with the PC/OC, City officials, and staff.

A. Planning Commission/Oversight Committee Meeting #4

Stantec will meet with the PC/OC to discuss priorities for discussion in the community workshops, the structure of these events, and outreach opportunities.

B. Community Workshops

Building on the shared vision created in Phase Two, the consultant team will structure and lead a series of four interactive, topic-based public workshops to help develop strategies for the POCD update. The topics themselves will be selected based on discussions with the public and the PC/OC as well as themes that may emerge during the existing conditions research phase. Potential topics could include:

- Sustainable and resilient Norwalk: resource-efficiency as a way of life and adapting over time to climate change; *focus on coastal management of Norwalk Harbor and the islands*
- Connected Norwalk: multi-modal transportation and land use
- Prosperous City: attracting good businesses and good jobs
- City Design: community and neighborhood character and East Station TOD design as an example

Opportunities for digital input through online exercises and surveys will be available for those who cannot attend meetings.

C. Plan development and proposed organization of the plan

The plan will be divided into sections of one or more related elements. Each section introduction will provide a summary of the main recommendations in that section and its relationship to other sections of the plan. Each element will include a set of goals; associated policies for decision makers; key findings and challenges based on the existing conditions report; a summary of community priorities as gathered through public workshops and organization meetings, interviews, and the PC/OC; and a set of strategies and actions for achieving the goals. Best practices in urban design, sustainability and resource-efficiency, resilience, and equity will be integrated throughout the planning process and the plan, with some elements offering more detailed discussion of these topics.

The team will review carefully and, as appropriate, integrate into the plan projects completed since the 2008 POCD such as the Norwalk Connectivity Masterplan, various park plans and transportation projects, and other local and regional plans, projects, and initiatives. The final section of the plan will comprise a Future Land Use, Zoning, and Design element—describing the land use implications of the previous, topic-based elements—and a final element on Stewardship and Implementation. The Implementation section will appear as a matrix of plan goals, strategies and actions indicating responsible parties, timeline, and potential resources for carrying each one out.

1. Housing and Neighborhoods

The Housing and Neighborhoods element will profile existing housing stock, including condition, values, cost (ownership and rental), relative affordability, and trends to analyze current and future housing needs. It will draw on the population projection prepared in the existing conditions phase. This element will set out goals and policies for housing and neighborhoods as well as strategies and actions for developing a balanced housing market and diversity of types to meet current and future community needs. The element will also discuss neighborhood form and recommendations for regulatory changes and guidelines to achieve the goals.

This section of the plan will include a set of Neighborhood Information Sheets (approximately 3 pages each) for eight Neighborhood Clusters, based on census tracts, that consolidate geographically-linked neighborhoods to include a map with key locations, a short history, assets and challenges, priority issues, photos and other images. The team will work with City staff, the CNNA, historical association, and other groups to prepare these Neighborhood Information sheets.

2. Economic Development

Dan Hodge of Hodge Economic Consulting will have primary responsibility for the POCD's economic development element, working closely with City staff, members of the PC/OC and the Norwalk Redevelopment Agency. During Phase 1, the existing conditions analysis, he will update the data-driven profile of economic activity for Norwalk, interview a range of stakeholders and experts on local, regional, and state economic development, and incorporate comments from the general public on economic development goals in the visioning process.

Working from the data analysis, interviews and public meeting input, Dan will develop a strengths, weakness, opportunities, and threats (SWOT) analysis for Norwalk. This work will emphasize the city's assets that can serve as an organizing tool for achieving economic development objectives around job creation, tax base expansion, and strengthening Norwalk's educational and workforce development foundation.

With an eye toward maximum effectiveness and providing the level of detail needed for strategy development, the analysis will focus on three areas: 1) Norwalk's key industries and economic growth opportunities; 2) physical assets such as transportation, sites and buildings, and other infrastructure (water, sewer, telecommunications, energy); and 3) educational and workforce development. This will allow the team to make clear distinctions between business-growth needs and opportunities for Norwalk and to identify key areas for enhancement. This assessment will also consider the City's supporting services and responsiveness for business permitting, site development plans, and coordinated delivery of local, regional and state economic development services for business start-ups, expansion and attraction.

The Economic Development element will include analysis and recommendations on:

- Norwalk's competitiveness and regional economic position
- Strategies to encourage new business to locate within the city, including regulatory changes, permitting and project-approval processes and streamlining, business retention, and relationship between quality of life and economic development
- Commercial and industrial areas, including an evaluation of land availability and potential development sites for future industrial economic development
- Maximizing attractiveness and functionality of commercial areas to enhance business development
- Planned public infrastructure improvements in promoting growth in commercial and industrial areas, alignment with existing regulations, and recommendations for any changes in zoning or other regulations
- The impact of continued downtown revitalization, the potential SoNo Collection development, and South Norwalk TOD redevelopment on overall business benefits and potential.

3. Natural and Cultural Heritage and Resources

Stantec will build on the City's park, open space, and trails planning to identify needs for resources, connectivity, and recreation, analyze and recommendations for enhancements and future activities. The team will also review and analyze Norwalk's historic resources and This element will include:

- Mapping and identification of natural resources, including but not limited to fresh water and coastal resources, open space, parks, conserved lands, etc., and existing National Register and local historic districts, individual resources listed on the National and State registers, and cultural resources, including key requirements
- *Special section devoted to the Coastal Area Management (CAM) Plan, Norwalk Harbor Management Plan and preservation of the Norwalk Islands*
- Potential additional strategies for preserving and enhancing historic and cultural resources, as well as natural resources *and promoting public access to the waterfront*
- Analysis of zoning and recommendations on zoning and other regulatory changes to enhance conservation and preservation of natural and cultural resources
- Land use recommendations, trade-offs, and identification of future recreation needs in the context of the Norwalk Vision and projected population and development trends. The consultant team will review the number and type of recreational fields and areas, with a general assessment of condition based on staff and user reports and site visits. The condition assessment will not include a detailed review of field turf, facilities,

provision for ADA, amenities, or similar needs for every recreational area within the city.

4. Transportation and Mobility

A review of transportation data and issues, this element will lay out recommendations for improvements, connectivity among neighborhood and city destinations, active transportation, alternatives to reliance on single-occupancy vehicles, and regional transportation. Stantec's experience with the Bicycle and Pedestrian Master Plan, the Route 7-Merritt Parkway interchange project, and other transportation projects in the City provides a head start understanding these critical mobility issues. The discussion will include:

- A summary of existing transportation network and characteristics
- Public transit, active transportation, and ADA access for all residents, including vulnerable populations
- Transit analysis of the need/market for new stations and the potential for a dedicated rail shuttle for SONO/Merritt 7
- Opportunities for a Complete Streets program in Norwalk
- Value of pavement management and how to incorporate it in transportation planning
- Regulatory requirements

5. Community Services and Facilities

This element will identify future needs for community services, including human services, public safety, and library services, and for the city's physical facilities. It will include an inventory of human services provided by Senior, Veterans, and Public Health services and an analysis of long-term public service needs for an aging population, homelessness, and substance abuse with a forecast and recommendations.

Working with City department heads, the team will inventory public facilities and identify future needs based on the judgment of department heads, proposed and likely changes in activities, and best practices. This assessment will include police, fire, public works, and library. We will consult any existing facility studies for public buildings. For this project, the team will not prepare detailed facility studies or facility master plans.

6. Infrastructure

The POCD update will examine water and wastewater needs, stormwater management, and best practices in a "one water" system of management for water quality and quantity. We will work with the Water Pollution Control Authority to assess current projects and anticipated future needs especially in light of resiliency concerns. We will set out recommendations for any needed regulatory changes and general facilities improvements.

7. Sustainability and Resilience

The POCD update will include an element on sustainability and resilience. Stantec will explore best practices and highlight recommended strategies and actions to increase resource-efficiency and resiliency in terms of consumption, infrastructure, natural systems, the economy, and social systems. Specific coastal issues will be emphasized. Other strategies for green infrastructure to reduce nonpoint source pollution, reducing greenhouse gases, and moving toward renewable energy, water- and other resource efficiency will also be included.

8. Land Use, Zoning and Design

The Land Use element will include a policy map, showing plan policies as they affect land uses and a GIS-based future land use map. The generalized future land use map will accurately reflect the results of the other elements to show the distribution of general land use categories, including residential, commercial, industrial, open space and recreation, transportation and other purposes, including mixed-use areas. The team will identify zoning and other regulatory changes needed to reflect the future land use map and recommend urban design principles consistent with the future land use map. Issues covered in this element will include:

- Future land use principles, *including preservation of water dependent uses in accordance with the Coastal Area Management Plan*
- Future land use policy map/diagram
- Future land use map (GIS) with generalized land use categories and general densities shown for all parcels of land, *including the Norwalk Islands*
- Graphic concept plans or scenarios illustrating up to three exemplary opportunity sites including East Avenue Station TOD
- Urban design principles and general guidelines
- Review of existing zoning and zoning best practices
- Best practice and regulation recommendations

10. Stewardship and Implementation

The Stewardship and Implementation element will provide a system for ensuring that the plan remains a living document. The "stewardship" section will focus on recommendations about keeping the plan updated, integrating it with departmental work plans and capital plans, transparency and communication with residential and business stakeholders, and best practices in customer-driven government. The focus of this element will be an implementation matrix detailing the *what, how, who, when,* and *how much* for each goal, strategy and action in the plan.

D. Preliminary draft goals and policies and Planning Commission/Oversight Committee Meeting #5

The team will develop preliminary draft goals and policies for a meeting with the PC/OC which will also include a review of the results of the topic workshops.

E. Public open houses on planning directions and digital input

As the goals and strategies are developed for the POCD elements, the consultant team will lead and manage up to eight public open houses, to solicit public feedback on the planning directions that are emerging during the plan development process. These open houses will be drop-in events held in the evening. At these events stakeholders can come to view, give their opinions, and discuss the strategies emerging in the topic-based POCD elements. The open houses will give them the opportunity to see how public input has been transformed into planning goals and strategies. These events will be organized with display boards showing the planning directions; self-directed exercises for participants to rank priorities; and the opportunity for participants to speak one on one with members of the planning team to give their thoughts about the emerging plan. These materials will also be posted on the web site and CiviComment platform in interactive formats that will make it easy to comment and identify priorities. Additional online/smartphone surveys will also be available. Input from the open houses and digital input will be incorporated into the First Draft of the POCD update.

Deliverables

- Materials for topic workshops
- 4 topic workshops
- Materials for public open houses
- Up to 8 public open houses
- PC/OC meetings #4 and #5
- Preliminary draft plan goals and policies, including draft GIS Land Use Map

City activities:

- Identification of locations for topic workshops
- Printing of flyers, outreach, and handouts materials
- Collaboration on public outreach for meetings and open houses
- Attendance at PC/OC meetings
- Timely responses to draft materials and documents

PHASE 4 | DRAFT PLAN AND REVIEW

Time Frame: Months 10-14

A. First Draft Plan of Conservation and Development Update

The team will produce a complete first draft of the POCD update for review by City staff and the PC/OC.

B. Planning Commission/Oversight Committee Meetings #6 and #7

The consultant team will submit the draft plan to the PC/OC in advance of two meetings to review the entire draft.

C. Revisions and Creation of Public Hearing Draft

The team will revise the first draft plan as directed by the PC/OC and staff and prepare a "Public Hearing Draft" that will be available for public review before being submitted for public hearings.

D. Citywide Public Forum on Draft Plan (Public Hearing Draft)

The consultant team will structure a second interactive citywide forum to present the Public Hearing Draft to the public. The team will prepare exhibits, a presentation, and exercises to elicit responses from the public. The team will collaborate with the City on outreach for the forum. At the forum, the team will provide graphic presentation boards on the plan elements, with opportunities for public comment, and then present the plan. Seated at tables, participants will complete exercises to respond to the major directions of the approval draft of the POCD update—both individually, and as a group at the table. The group exercise will require participants to exchange perspectives as they consider the draft plan. The forum will also provide an opportunity for questions about the plan recommendations and implementation.

E. Public Review of the Plan and Documentation of Public Comment

A public review period of four to six weeks will follow the forum. The draft will be available online and in public places, such as the library or city hall. City staff and the consultant team will document all comments received. The comment document will be in the form of a matrix that will include columns for consultant response and recommendation on comments, and a staff recommendation to the Planning Commission.

Deliverables

- Draft POCD
- PC/OC Meetings #6 and #7
- Revisions responding to staff and PC/OC comment
- Public Hearing Draft
- Outreach and public meeting materials
- Citywide Forum on Public Hearing Draft
- Documentation of public comment

City activities:

- Staff review of First Draft POCD
- Staff review of GIS map projects, any new map data, and databases
- Attendance at PC/OC Meetings #6 and #7
- Identification of a location for the Public Forum on the Public Hearing Draft Plan
- Collaboration on public outreach for the Public Forum
- Printing of flyers, outreach materials, and handouts
- Refreshments for the Public Forum
- Attendance at the Public Forum
- Assistance in documentation of public comment

PHASE 5 | Plan Presentation and Final Plan

Time Frame: Months 14-16

A. Presentation of Approval Draft to Planning Commission

The team will present the draft POCD update to the Planning Commission.

B. Revisions As Needed and Production of Final Plan After Approval

The consultant team will make any revisions required by the City and deliver the final plan in both digital graphic version (PDF) and editable format which is compatible with the city's current software; GIS data in ArcView format, including build-out analysis; and one digital copy of tables, charts and graphs, images, maps, boards, PowerPoints and similar presentation materials in editable formats and PDF, as needed, as well as the required hard copies of the plan.

Deliverables

- Presentation of the POCD update to the Planning Commission for approval
- Presentation of the POCD update to the Common Council for approval
- Revisions, as needed after approval, and final electronic and hard copies of the plan: 30 bound copies; 1 loose-leaf reproducible copy in PDF; a jump drive or CD of documents and project data, GIS maps, GIS data, boards, presentations, and similar files.

Memorandum

May 31, 2017

To: Planning Committee, Common Council

From: Steve Kleppin, Planning & Zoning Director SK

Re: 2017 Responsible Growth/TOD Grant Proposal

Grant Background:

The State of CT Office of Policy and Management (OPM) has solicited a request for applications to promote smart growth and/or opportunities for transit oriented development (TOD). The Planning and Zoning Department is proposing to submit an application in the amount of $225,000.

Grant applications are due by June 23rd and require a certified resolution from the municipality's legislative body in order to proceed. There is no local match required as part of the application and there is no local match proposed; however, local matches do help in the scoring of the various proposals. The supporting material, submitted as part of the grant application, will outline planning and funding efforts that have directly and indirectly occurred around the projects proposed for approval. For your convenience, I have attached a copy of a portion of the grant application.

While the grant applications are due to the state by June 23rd, the certified resolution from Council is due by July 21st. I understand that the full Council is scheduled to meet on June 13th and June 27th. Should the Planning Committee look favorably on the proposal, I would happy to seek the full Council's endorsement at your June 13th meeting.

Proposal:

There has been well documented interest locally, state-wide and nationally regarding developing around transit facilities such as train stations. The Redevelopment Agency conducted a thorough study around the South Norwalk Train Station and is currently working with the Zoning Commission on approving a revised set of zoning regulations which strategically enhance development potential in and around that train station while requiring more affordable units within the developments. The State of Connecticut is strongly encouraging the development of strong urban centers in order to attract residents and employment alike. The City has taken steps in these areas by strengthening its urban core. In order to build on that I am proposing to submit a planning grant application (East Avenue T.O.D./Wall Street Railroad Station Analysis) on behalf of the city to study two (2) areas in more depth:

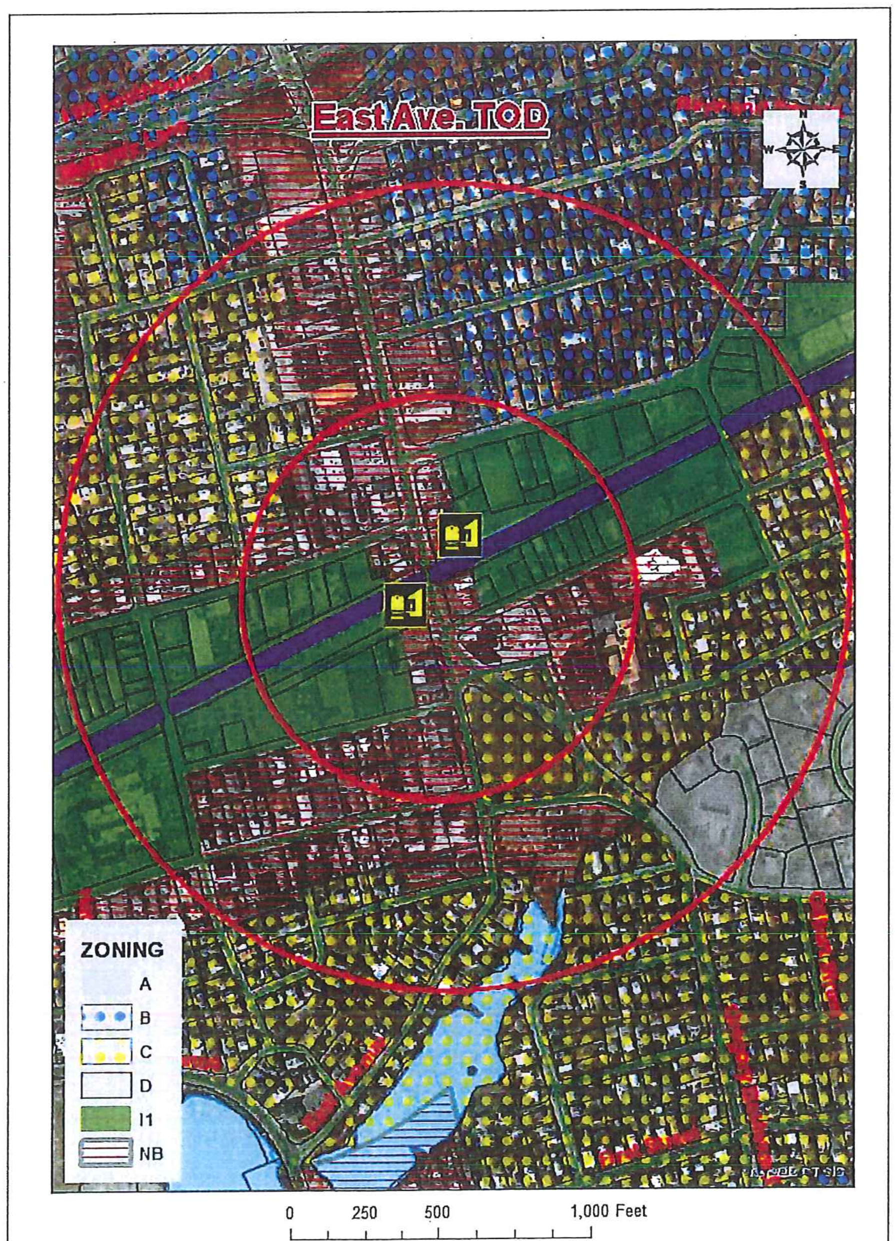
1. East Avenue TOD Analysis.
2. Wall Street Train Station Viability and Location Analysis.

East Avenue TOD Analysis:

The East Avenue Train Station is an underutilized asset. While that is a reasonable conclusion reached by simply visiting the area, the extent to which development should occur around the station and where those bounds should be is a much more complicated issue.

The map below is an aerial view depicting the east and west station platforms, and includes 1/4 and 1/2 mile circle radii from the East Avenue Bridge. This area has been looked at preliminarily in the past by staff and others and it is clear from studying the area more closely that simply applying an arbitrary circle around the stations based on documented and accepted walking distances for TOD is not the appropriate starting point for this area.

East Avenue is a complex study area due to the existing road constraints, the established and stable neighborhoods surrounding the station, some thriving businesses in the area, differing land uses, the gateway to the Sound this area represents and the existing traffic concerns.



My preliminary recommendation is that the TOD study examines some initial questions to establish baseline conditions for the area.

Initial Questions:

1. What is the vision for this area? This will be answered by the property owners, residents, businesses and others within the city.
2. What are the infrastructure (roadways, sanitation, energy, etc.) possibilities and limitations in this area?
3. How will planned roadway improvements and eventual replacement of both the East Ave and Walk Bridge affect the area and potential for redevelopment?
4. What are the employment numbers and businesses within the Industrial One Zone and what impacts would regulation changes have on these businesses?

Based upon the data and conclusions reached from the initial phase, the second part of the study will establish more finite details.

Secondary Considerations:

1. What should be the bounds of a potential TOD area?
2. What's the appropriate density and massing of a potential TOD area?
3. Establish building and streetscape design guidelines for a potential TOD area.
4. Recommended zoning regulations for any new TOD area, which could include Village Districts or Form Based Code.

I envision the final plan including graphic representations of the potential build-out which reflects any proposed regulation amendments as well as graphic representations and examples of any new design standards.

I have spoken with the Third Taxing District as well as the East Norwalk Neighborhood Association and the East Norwalk Business Association and they are interested in partnering with the city on this phase of the study, pending further discussion of the proposal. It should be noted that applications that demonstrate partnering with interested parties score higher.

<u>Wall Street Train Station Viability and Location Analysis</u>:

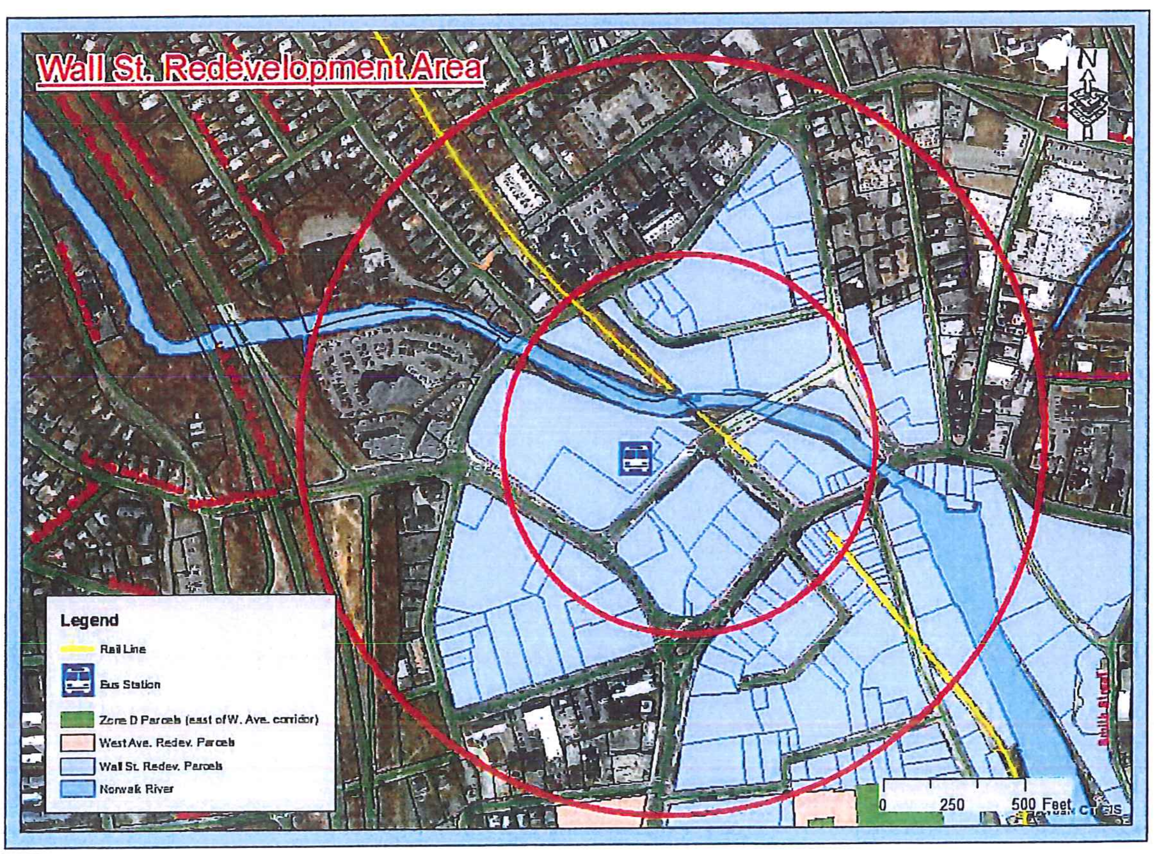
There has been considerable interest in adding a Danbury Branch train stop in the Wall Street area in order to assist in the revitalization and marketability of this historic section of the city. However, there needs to be the ridership and demand in order to justify the expense of constructing the station infrastructure and demonstrated ability to sustain ridership over the long haul. In addition, there are additional significant infrastructure hurdles, such as track electrification and the availability of sufficient public parking that must be overcome in order for this vision to become reality.

Some of the initial fact finding is currently being conducted through the Wall Street Redevelopment Plan being conducted by the Redevelopment Agency. That plan will look at existing densities and development potential based on existing zoning as well as recommended regulations changes that are more appropriate for the area.

This portion of the TOD study will utilize the data and results obtained from the redevelopment plan and identify what is needed in order for rail service to be restored to this area, not only from an infrastructure standpoint, but also from a ridership perspective. In addition, the study will also further explore the possibility of combining functionality of the existing Wheels Pulse Point bus station with a new train station. The Pulse Point station currently serves as Fairfield County hub for transit, including the Coastal Link to Bridgeport and Milford but also links to Danbury and Stamford.

The study will explore whether this new station could function more as a true transit hub, offering both bus and rail service, from one location, which could very well increase ridership for both modes of transit. It is also important to note that the Harbor Loop portion of the Norwalk River Valley Trail also circulates through this area and potentially could service as a means for further connecting bicycle and pedestrian users to the station.

The map below is an aerial view depicting the Wall Street Redevelopment Area and includes 1/4 and 1/2 mile circle radii from the Wheels Pulse Point bus station. For reference, the existing bus station is approximately 1,500 foot from the southern portion of the redevelopment area and approximately 500 feet from its northern bounds. The study will also explore whether the zoning to the areas to the north of the Wall Street redevelopment area is adequate to accomplish the TOD goals necessary to attract and sustain the ridership needed to justify an investment in a new rail station for this area. If additional areas are identified as needed and appropriate, for consideration of rezoning to justify a new rail station, the appropriate standards will be included in the plan.



Wall Street Train Station Viability and Location Analysis goals:

1. Identify viable locations for a new rail station in the Wall Street area.
2. Identify the infrastructure obstacles that must be met in order to accommodate a train station in this vicinity.
3. Provide preliminary estimates on costs for infrastructure shortfalls.
4. If a new rail station can be located and constructed in conjunction with the existing bus terminal, what are the potential benefits verse other identified locations.
5. Are there existing shortfalls within the current zoning designations and/or regulations that are preventing a rail station?
6. If there are zoning designations and/or regulations identified, what changes are needed to accommodate a rail station and are they appropriate for the area and consistent with the area's identified vision and goals.
7. Work with the Norwalk Transit District and Metro North on furthering the vision established in this study.

END

Certified Resolution of the Norwalk Common Council

2017 Responsible Growth and Transit-Oriented Development (TOD) Grant Program

The Common Council of the City of Norwalk met on ______________ and adopted a resolution by the vote of _________ to ________ which:

(1) authorizes submission of the **East Avenue T.O.D./Wall Street Railroad Station Analysis** in accordance with the 2017 Responsible Growth and Transit-Oriented Development (TOD) Grant Request for Applications;

(2) authorizes **Mayor Harry Rilling or his successor**, to sign the grant application, attached hereto, and to sign any other documents associated with administering the grant, if awarded, including but not limited to the final grant agreement and any amendments thereto.

(3) In administering the grant, if awarded, the **City of Norwalk** hereby agrees to comply with the terms and conditions in the final grant agreement, as executed, including the local match requirement contained in such agreement. The local match presented in the initial Application Form shall form the basis for the match requirements of the grant agreement.

Attested to by:
Name:____
Title:____
(City/Town Clerk or COG equivalent)
Date:____

Request for Applications (RFA)

2017 Responsible Growth and Transit-Oriented Development Program

State of Connecticut, Office of Policy and Management

A. INTRODUCTION

The Office of Policy and Management (OPM) is seeking applications from municipalities and regional councils of governments for projects to promote (1) responsible growth consistent with the Conservation & Development Policies: The Plan for Connecticut 2013-2018 (C&D Plan) and/or (2) opportunities for transit-oriented development (TOD), as defined in Section 13b-79o of the Connecticut General Statutes.

B. ELIGIBLE APPLICANTS

Only Connecticut municipalities and Regional Councils of Governments (COGs) may submit applications. Joint applications and collaborative partnerships with developers, non-profits, and other outside entities are encouraged. Eligible applicants may submit multiple applications.

C. PROGRAM OBJECTIVE

Develop an inventory of high-quality projects for consideration of funding through this grant program, or other state-agency programs, which advance State and local goals for responsible growth and/or TOD. Priority may be given to applications from municipalities awarded implementation grants under CTNext's Innovation Places program, in accordance with Public Act 16-3.

In general, proposals shall:

- Identify key problems or critical barriers preventing responsible growth and/or transit oriented development;
- Identify pragmatic strategies for problem-solving or eliminating these barriers, and develop implementable work plans;
- Demonstrate strong local support for the proposal;
- Improve or expand opportunities for future private investment in responsible growth and/or TOD; and
- Leverage other investment.

D. ELIGIBILITY REQUIREMENTS

A wide range of planning and construction projects will be considered, provided applicants meet the minimum requirements as follows:

- Proposals are consistent with the State C&D Plan and local plans of conservation and development (POCD) of the affected municipalities;
- Proposals will further State goals relating to responsible growth and/or TOD;
- Only Connecticut Municipalities or COGs are eligible to apply. Please note, to be eligible to receive funding under this program, municipalities shall have (1) adopted a plan of conservation and development (POCD) within the past ten years, pursuant to C.G.S. § 8-23, as amended by P.A. 15-95, or (2) have applied for, and received, a waiver of the discretionary state funding

prohibition from the OPM Secretary, in accordance with the process described in CGS § 8-23; and

- Proposed projects cannot supplant other grantee funding or operational costs, as detailed in Section 16 of the General Grant Conditions.

E. SELECTION PROCESS

This is a competitive grant program, in which proposals shall be selected on a rolling basis at the discretion of the OPM Secretary, and subject to availability of funding approved by the Bond Commission. Selected applicants will work collaboratively with OPM, and other State agencies, to develop detailed implementation strategies based on the applicant's completed **APPLICATION FORMs**. Only complete applications will be evaluated. OPM reserves the right to contact applicants in order to seek clarification and additional detail, as needed.

F. PROGRAM FUNDING LIMITS

Grant awards under this program shall be not less than ten thousand dollars ($10,000) and not more than two million dollars ($2,000,000). OPM reserves the right to award funding outside of those limits at the discretion of the OPM Secretary.

G. PROGRAM FUNDING SOURCES

Bond funds have been authorized for these purposes under Section 2(a)(1) of Public Act 16-4 (May Special Session), and Sections 2(d)(3) and 32(a)(2) of Public Act 15-1 (June Special Session). Funding is contingent upon Bond Commission approval, and OPM reserves the right to select the funding source it deems most appropriate for each grant award.

H. MILESTONE DATES AND SUBMITTAL REQUIREMENTS

(1) Wednesday, May 10, 2017 at 4:00 pm – Deadline to submit written questions on the RFA. All questions must be directed, in writing, to the Official State Contact: Matthew Pafford, at either Matthew.Pafford@ct.gov or Office of Policy and Management, 450 Capitol Avenue MS# 54ORG, Hartford, CT 06106-1379. Proposers are required to limit their contact regarding this RFA to the person(s) named herein.

(2) Wednesday, May 24, 2017 at 4:00 pm– Deadline for OPM to post responses to RFA questions on its website. Written responses to all questions received will be posted to the Office of Policy and Management website:

http://www.ct.gov/opm/cwp/view.asp?a=3006&Q=383284&opmNav_GID=1386

and the Department of Administrative Services (DAS) website:

http://das.ct.gov/cr1.aspx?page=12

(3) Friday, June 23, 2017 at 4:00 pm – **Deadline to submit completed APPLICATION FORM. In no event shall the content of any proposal be modified after this date; however, municipalities or COGs that need additional time to complete the Certified Resolution or COG letter requirements shall ensure that any such documents are received by no later than Friday, July 21, 2017 at 4:00 pm, in order for the application to be deemed complete.**

Completed applications and attachments are encouraged to be submitted electronically to OPM.Responsiblegrowth-tod@ct.gov If an applicant prefers to submit a hard copy of their application, it should be mailed to Matthew Pafford, Office of Policy and Management, 450 Capitol Avenue MS# 54ORG, Hartford, CT 06106-1379. All applications must be received by the deadline specified in Section H. All applicants will receive acknowledgement of receipt via email.

Any addendums to this program will be posted to the websites listed in subsection (2). It is the responsibility of the applicant to monitor these websites for any updates.

All communications with the State or any person representing the State concerning this RFA are strictly prohibited, except as permitted by this RFA. Any violation of this prohibition by proposers or their representatives may result in disqualification or other sanctions, or both.

In addition to the requirements in this RFA, applicants agree to comply with OPM's Special, and General Grant Conditions, or any terms and conditions required by the administering agency, if other than OPM. For informational purposes, a copy of OPM's Grant Condition are included in Section U of this RFA.

I. MINIMUM SUBMISSION REQUIREMENTS.

Proposals must be (1) submitted before the deadline, (2) follow the required format, (3) include all required forms, and (4) be duly executed. Proposals that fail to meet these minimum submission requirements may be disqualified and not reviewed further.

RIGHTS RESERVED TO THE STATE

J. The State reserves the right to award in part, to reject any and all bids in whole or in part for misrepresentation or if the proposer is in default of any prior State contract, or if the bid or proposal limits or modifies any of the terms and conditions and/or specifications of the RFA. The State also reserves the right to waive technical defect, irregularities and omissions if, in its judgment, the best interest of the State will be served.

The State reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a grant already made to a proposer and subsequently awarding the grant to another proposer. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the grant with the initial proposer is deemed to be void *ab initio* and of no effect as if no grant ever existed between the State and the proposer.

K. The State may amend or cancel this RFA, prior to the due date and time, if the State deems it to be necessary, appropriate or otherwise in the best interests of the State. Failure to acknowledge receipt of amendments, in accordance with the instructions contained in the amendments, may result in a firm's proposal not being considered.

L. Any costs and expenses incurred by proposers in preparing or submitting proposals are the sole responsibility of the proposer.

M. No additions or changes to the original proposal will be allowed after submission. While changes are not permitted, clarification of proposals may be required by the State at the proposer's sole cost and expense.

N. All responses to the RFA must conform to instruction. Failure to include any required signatures, provide the required number of copies, meet deadlines, answer all questions, follow the required format, or failure to comply with any other requirements of this RFA may be considered appropriate cause for rejection of the response.

O. This RFA is not an offer and neither this RFA nor any subsequent discussions shall give rise to any commitment on the part of the State or confer any rights on any proposer unless and until a contract is fully executed by the necessary parties. The contract document will represent the entire agreement between the proposer and the State and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for payment of services under the terms of the grant until the successful proposer is notified that the grant has been accepted and approved by the State. The grant may be amended only by means of a written instrument signed by the State and the proposer.

P. All proposals in response to this RFA are to be the sole property of the State. Proposers are encouraged NOT to include in their proposals any information that is proprietary. All materials associated with this procurement process are subject to the terms of State laws defining freedom of information and privacy and all rules, regulations and interpretations resulting from those laws. The Connecticut Freedom of Information Act (FOIA) generally requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption. An example of an exemption is a "trade secret," as defined by Connecticut General Statutes Section 1-210(b)(5)(A). Confidential information must be separated and isolated from other material in the proposal and labeled CONFIDENTIAL and enclosed in a separate envelope.

If the proposer indicates that certain documentation, as required by this RFA, is submitted in confidence, by specifically and clearly marking said documentation as CONFIDENTIAL, OPM will endeavor to keep said information confidential to the extent permitted by law. OPM, however, has no obligation to initiate, prosecute or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. As set forth below, the proposer has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. In no event shall OPM or any of its staff have any liability for disclosure of documents or information in the possession of OPM which OPM or such staff believes to be required pursuant to the FOIA or other requirements of law.

IMPORTANT NOTE: If the information is not readily available to the public from other sources and the proposer submitting the information requests confidentiality, then the information generally is considered to be "given in confidence." A convincing explanation and rationale sufficient to justify each exemption from release consistent with Section 1-210(b) of the Connecticut General Statutes shall be prepared by the proposer and shall accompany the proposal. The rationales and explanation shall be simply stated in terms of the prospective harm to the competitive position of the proposer that would result if the identified information were to be released, and you shall state the reasons why you believe the materials are legally exempt from release pursuant to Section 1-210(b) of the Connecticut General Statutes.

Q. Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of the RFA is to be the sole property of the State.

R. Proposers may be asked to give demonstrations, interviews, presentations or further explanation to the RFA Selection Committee.

S. The proposer represents and warrants that the proposal is without collusion or fraud. The proposer further represents and warrants that they did not participate in any part of the RFA development process, had no knowledge of the specific contents of the RFA prior to its issuance, and that no agent, representative or employee of the State participated directly in the proposer's proposal preparation.

T. All responses to the RFA must conform to instruction. Failure to include any required signatures, provide the required number of copies, meet deadlines, answer all questions, follow the required format, or failure to comply with any other requirements of this RFA may be considered appropriate cause for rejection of the response.

U. OPM GRANT CONDITIONS

- **GENERAL GRANT CONDITIONS, Updated November 4, 2015:**

  http://www.ct.gov/opmathome/lib/opmathome/general_grant_conditions_revised_november_4_2015.docx#47984

- **SPECIAL GRANT CONDITIONS**

☐ 1. The Grantee agrees to complete and submit to OPM a revised project narrative not later than thirty (30) days after signing this grant award. The Grantee must contact OPM program staff at ______ regarding the required revisions.

☐ 2. Specific funding limitations have been applied to this grant. Please contact OPM program staff at _____ for further detail on these funding restrictions.

☐ 3. The Grantee is required to participate in training session(s) on______. The Grantee must contact ___________ to schedule training and determine if there are other technical assistance opportunities.

☐ 4. The Grantee must submit to OPM for review and approval a revised budget itemization for any proposed change (1) which will alter a budget category by more than 10% of the budget category or by more than $500, whichever is greater, or (2) which places resources in a budget category not previously funded. Significant changes in the use of funds within a budget category, while not requiring a formal budget revision, should be reported to OPM by letter.

☐ 5. The Grantee must submit to OPM for review and approval a revised budget itemization for any proposed change (1) which will alter a budget category or (2) which moves resources between budget categories or (3) which moves resources to a line-item not previously approved by OPM.

☒ 6. The Grantee, including all other recipients of assistance under the grant, whether by contract, subcontract, or subgrant, upon request, agrees to cooperate with research and evaluation efforts of OPM or any party designated by OPM for such purpose. The

Grantee further agrees that such cooperation includes but is not limited to: (1) collecting and maintaining project data, including client data, (2) supplying project data to OPM or its designee; and (3) permitting access by OPM or its designee to any and all project information whether stored by manual or electronic means.

☐ 7. Grantee's attendance at all training events, seminars and conferences must be approved by OPM prior to submitting registration for the event. Requests to attend training events must include names of staff, purpose of training, justification/need for training, location, dates and costs. Staff attending training events may be required to present a summary of the training to OPM and/or other Grantees.

☐ 8. It will be the sole responsibility of the Grantee, and its staff, to insure that any report, article, computer program, database or other product or publication, whether oral or in writing, resulting from the performance of duties pursuant to this grant application and grant award, protects the privacy of confidential information and complies with confidentiality and privacy rights and obligations created by any federal and state law, court rules, or rules of professional conduct applicable to the work performed by the Grantee.

☐ 9. The Grantee certifies that the application on which this grant is based was presented to the superintendent of schools for its school district and his or her comments thereon were given consideration prior to the submission of the application to OPM.

☐ 10. The Grantee shall comply with the following statutes, regulations, guidelines and requirements, to the extent applicable and mandated by the controlling underlying federal grant program:

- ☐ Section 3789d(c), Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- ☐ 28 C.F.R. Part 42, Subparts C, D, E.
- ☐ 28 C.F.R. Part 23 (Criminal Intelligence Systems).
- ☐ 28 C.F.R. Part 38 (Equal Treatment of Faith Based Organizations).
- ☐ U.S. Department of Justice, Office of Justice Program (OJP) Financial Guide.
- ☐ To avoid duplicating existing networks or IT systems in any initiatives funded by Bureau of Justice (BJA) for law enforcement information sharing systems, which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the Grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

☐ 11. The Grantee agrees to and shall comply with all other applicable attachments provided by the federal government, as may be amended.

☒ 12. The Grantee agrees to and shall comply with the scope of work in the Grant, as may be amended.

☐ 13. The Grantee shall comply with all requirements of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, as amended, that are attached hereto.

☐ 14. If applicable, the Grantee shall grant to other Connecticut municipalities or towns and/or the State limited, non-exclusive and royalty free license to use any Proprietary Computer Software or related electronic applications and all updates, upgrades and modifications developed pursuant to this Grant, but excluding Third-Party Software. For the purpose of this grant "Computer Software" means (i) computer programs that comprise a series of instructions, rules, routines, or statements, regardless of the media in which recorded, that allow or cause a computer to perform a specific operation or series of operations; and (ii) recorded information comprised of source code listings, design details, algorithms, processes, flow charts, formulas, and related material that would enable the computer program to be produced, created, or compiled.

☐ 15. If applicable, during the term of this Grant, including any extension thereof, Grantee and, if applicable, Grantee's subcontractor, shall install, run and maintain all upgrades, enhancements, and new releases of Grantee's proprietary Computer Software and Grantee's subcontractor's Computer Software and provide copies of such to all third parties granted a license to use such Computer Software.

Revised November, 2012

THE PLANNING COMMITTEE OF THE COMMON COUNCIL

125 East Avenue
P.O. Box 5125
Norwalk, CT 06856

DATE: JUNE 5, 2017

TO: MEMBERS, PLANNING COMMITTEE OF THE COMMON COUNCIL

FROM: ELIZABETH STOCKER, AICP, DIRECTOR OF ECONOMIC DEVELOPMENT

RE: INCENTIVES FOR DEVELOPMENT

This memo is a follow up to the November 2016 and January 2017 meetings at which time I introduced options that may help to incentivise private development investments that are stalled and to attract additional development to the Wall Street/West Avenue area that will help to create jobs and increase the grand list.

The Committee felt that the option to grant an incentive on a case by case basis for a significant development project that met the planning goals of the area under discussion would be a preferred alternative. The Enterprise Zone expansion and the Tax Incremental Financing (TIF) options were not preferred options. It was further discussed whether the city needed to incentivise additional residential development within the Wall Street/West Avenue area.

Connecticut General Statute Section 12-65b would be the recommended tool to meet the concerns of the Planning Committee. The statute allows the City to fix the increase in assessment from a development that meets set parameters (use, investment amount & time limit for fixing the assessment) and requires the approval of the legislative body for any agreement. The use of the incentive is discretionary

Other Connecticut municipalities that have utilized the statute have considered projects on a case by case basis. Some have adopted guidelines for their legislative body to consider during the negotiation process others have adopted an ordinance. It has been suggested by Corporation Counsel that Norwalk adopt an ordinance to utilize the statute. I requested a report from CCM to learn more about the options for use of the statute i.e. guidelines vs ordinance.

The following guidelines are offered for discussion and approval

- Discretionary – each incentive agreement must be approved by legislative body
- Minimum investment $15,000,000
- EZ Max is $82,000,000 (do we set a cap?)
- Improvements must include at least one of the following uses:
    - Mixed use provided a minimum of 25% of the project is commercial use
    - Office

  - Retail
  - Structured multilevel parking necessary in connection with a mass transit system
  - Information technology
  - Recreation facilities
  - Transportation facilities
- Fix the increase in assessment for up to 7 years – using a phased in formula (same as EZ) or a fixed % such as 50% over the seven year period – option may be negotiated with developer

Year	Percentage of Increase Deferred
First	100
Second	100
Third	50
Fourth	40
Fifth	30
Sixth	20
Seventh	10

- Only property located on the following roads will be considered for the incentive
  - West Avenue from the intersection with CT Ave. north to and including Belden Ave.
  - Wall Street from Belden to (former) South Smith Street
  - Cross Street
  - North Avenue
  - Main Street between Wall Street & North Avenue
- Development project must be in compliance with area Redevelopment Plan, if applicable, and the Norwalk Plan of Conservation and Development

Action Requested

Approve advancing to the Ordinance Committee a request for an ordinance that incorporates the guidelines above in compliance with Connecticut General Statute 12-65b

Or

Approve advancing to the Common Council a request to approve the guidelines above for use in offering an incentive on a case by case basis provided the proposed development is in compliance with the Area Redevelopment Plan and Plan of Conservation and Development.