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: DOUGLAS E. HEMPSTEAD, CHAIRMAN

DATE: JANUARY 30, 2015

RE: **MEETING NOTICE**

The next scheduled meeting of the Planning Committee of the Common Council will be held on **Thursday, February 5, 2015 at 6:30 pm** in Room A330 in Norwalk City Hall. Please Note the Time And Location.

PLANNING COMMITTEE OF THE COMMON COUNCIL
REGULAR MEETING
February 5, 2015
6:30 PM

A G E N D A

PUBLIC PARTICIPATION

A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

1. Applicant Presentations of CDBG Proposals for Program Year 41

CALL TO ORDER

ROLL CALL

I. APPROVAL OF MINUTES – January 5, 2015

II. BUSINESS

A. 95/7 JOINT REVIEW COMMITTEE

Planning Committee Representatives to provide update on Joint Committee's work in preparing a recommendation to modify the land uses and allocation of square footage for the 95/7 site.

B. WALL STREET REDEVELOPMENT PLAN AREA

Review of POKO monthly progress reports for October and November

III. OLD BUSINESS

IV. NEW BUSINESS

ADJOURNMENT

NORWALK re: DEVELOPMENT AGENCY

TO: MEMBERS, PLANNING COMMITTEE OF THE NORWALK COMMON COUNCIL

FROM: TAMI STRAUSS, DIRECTOR OF COMMUNITY DEVELOPMENT PLANNING

DATE: JANUARY 22, 2015

RE: PY41 CDBG APPLICATIONS

ANTICIPATED FUNDING AVAILABLE AND REQUESTED FUNDING

The amount of available funds is based upon an estimate of what will be allocated to the City of Norwalk by HUD. It is subject to change and is impacted by federal budget decisions. The amounts available per category are based on HUD's funding category caps. The following is a breakdown of what is anticipated to be available and what is actually requested by Norwalk's PY41 applicants.

Funding Category	Anticipated Funds	Funds Requested	# of Applications
Public Service activities	$176,941	$440,775	19
Public Facility & Housing activities	$1,213,295	$1,409,514	8
Planning & Administration activities	$216,106	$291,106	2
Total	*$1,606,343*	*$2,141,395*	*29*

SUMMARY OF SUBMITTED APPLICATIONS

A total of 29 applications were submitted for the PY41 CDBG program. Applications were received from 23 unique organizations, 12 of which did not receive CDBG funding for PY40. The 29 applications request 133% of the anticipated funding available.

As in past program years, there is a very high demand for Public Service funding (249% of funds available to the category). To assist in your analysis of the Public Service projects, we offer this review of the number and size of requests per demographic of beneficiary.

Demographic	# of Applications	Funds Requested	Average
Youth	7	$154,820	$22,117
Families	5	$125,000	$25,000
Elderly	3	$70,000	$23,333
Children	2	$25,955	$12,978
Adults	2	$65,000	$32,500
Total	*19*	*$440,775*	*$23,199*

Accompanying this memo is a binder with a summary spreadsheet and each application. The spreadsheet indicates which demographic of beneficiary will be served by each application.

AVAILABILITY OF APPLICATIONS FOR PUBLIC REVIEW

On January 23, 2015, submitted applications were posted on the City's website: http://norwalkct.org/index.aspx?nid=652. Organizations submitting an application were directly alerted to the availability of the applications and a notice was posted on the City's newsfeed and Agency's Facebook and LinkedIn pages.

CONFLICTS OF INTEREST AND THE REVIEW PROCESS

Agency staff are working with Corporation Counsel and HUD to secure waivers for any affected Council members and organizations. An update on this process is not available at the time of writing this memo, but can be presented upon Planning Committee request at the February meeting.

APPLICATION PRESENTATIONS

The Planning Committee meeting on February 5, 2015 is scheduled to begin at 6:30pm in room A330. Organizations submitting an application for PY41 are invited to make a brief (three minute) presentation to the Planning Committee during the public meeting portion of the Planning Committee meeting. Following each presentation, Planning Committee members may ask the organization questions.

As Planning Committee members review the applications and listen to the presentations, they may want to consider the following questions.

- Is this application to fund a new or continuing initiative?
- What capacity does the organization have to complete the project if full funding is not awarded?
- Does the organization indicate the capacity to meet its goals within the stated timeframe?
- Does the organization indicate the capacity to manage its finances and reporting responsibilities, including spending down the grant within the stated timeframe?

KEY DATES

- February 5, 2015 – Planning Committee meeting – CDBG applicants are invited to present their applications
- March 5, 2015 – Planning Committee meeting – The Committee is asked to recommend PY41 CDBG applications for funding
- April 2, 2015 – Public Hearing – Held at 6pm prior to the Planning Committee meeting to receive public comment on the draft 2015-2019 Consolidated Plan and PY41 Annual Action Plan
- May 7, 2015 – Planning Committee meeting – The Committee is asked to forward the 2015-2019 Consolidated Plan and PY41 Annual Action Plan to the Common Council for approval
- May 12, 2015 – Common Council meeting – The Council is asked to approve the 2015-2019 Consolidated Plan and PY41 Annual Action Plan for submission to HUD

NO ACTION IS REQUESTED AT THIS TIME.

CITY OF NORWALK
PLANNING COMMITTEE
SPECIAL MEETING
JANUARY 5, 2015

ATTENDANCE:	Douglas Hempstead, Chair; Richard Bonenfant; Bruce Kimmel; John Kydes; Shannon O'Toole-Giandurco; Travis Simms
STAFF:	Timothy Sheehan, Executive Director; Tammy Strauss, Director of Community Development Planning
OTHERS:	Alanna Kabel, Community Planning and Development Director

CALL TO ORDER

Mr. Hempstead called the meeting to order at 7:30 p.m.

ROLL CALL

Mr. Hempstead called the Roll; a quorum was present.

JOINT MEETING BUSINESS

A. **Review and coordinate with the Redevelopment Agency Commission the process by which the public parties will consider Norwalk Land Development's Requested 4th Amendment to the Land Disposition and Development Agreement (LDA) by and among the Norwalk Redevelopment Agency, the City of Norwalk and Norwalk Land Development LLC and as allowed for in Section 23.14 of the governing LDA.**

A discussion about the Enterprise Zone will be added to next month's agenda.

MINUTES – December 4, 2014

** **MR. KYDES MOVED TO ACCEPT THE MINUTES OF DECEMBER 4, 2014**

** **MOTION PASSED UNANIMOUSLY**

BUSINESS

A. DAY STREET OPTION AGREEMENT

1. Review and approve Corporation Counsel's recommended modifications to the Day Street Option Agreement between the Norwalk Housing Authority and the City of Norwalk

Mr. Sheehan explained that the option agreement has been approved by the Common Council; this is the agreement between the City and the Housing Authority. There were some modifications that needed to be incorporated into the Agreement. The Corporation Counsel is seeking advancement of the amendment to the Common Council. Mr. Hempstead pointed out that the language change in paragraph 3 is from the Law Department. Mr. Sheehan added that they are requirements relative to the law.

Mr. Sheehan said that any substantive changes have to go back to the Common Council. If the Zoning Commission took action to reduce the required parking, they would take the benefit associated with the reduction. They traded out open space for parking spaces.

Mr. Simms asked why the dry egress was not submitted. Mr. Sheehan explained that is not part of this approval. That is a DEP approval. The issue relative to the design is yet to be determined. The Ryan Park Advisory Committee is going to hire a Landscape Architect. He said that to say a dry egress will go through Ryan Park is not accurate; it is a concept plan.

Mr. Sheehan said that there is a lack of understanding of what a dry egress is. They indicate that the dry egress is a 4 ft. wide path. It is not part of the option agreement and is not a City issue. Mr. Hempstead said that the Common Council did not approve anything for Ryan Park.

Mr. Sheehan said that the dry egress through Ryan Park was never part of the plan. DEP came back with conditions for building in a flood plain and one of them is a dry egress. He added that this project is bringing $1 million of investment to Ryan Park. Mr. Hempstead said that the contract has a provision that if this fails, the property reverts back to the City.

Mr. Sheehan explained that the DEP looked at the development in the flood plain and put a condition in that there has to be a dry egress in the event of a flood event. There will be no project if there is not a dry egress. He noted that there are paths in all of the parks in the City. He said that whatever is done will ultimately have to be approved by the City of Norwalk.

Mr. Hempstead said that the egress will come back to this Committee sometime in the future. He said that he does not believe anyone wants the dry egress in the middle of Ryan Park.

** **MR. KIMMEL MOVED TO APPROVE CORPORATION COUNSEL'S RECOMMENDED MODIFICATIONS TO THE DAY STREET OPTION AGREEMENT BETWEEN THE NORWALK HOUSING AUTHORITY AND THE CITY OF NORWALK**
** **MOTION PASSED UNANIMOUSLY**

B. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

1. Review Federal Conflict of Interest Policy

Ms. Kabel explained that the Conflict of Interest policy is an important subject. The regulations are fairly broad as related to the CDBG. She said that they look to see if anyone in the decision making position or if any of their immediate family stands to benefit from the decision. She described what constitutes family and who a covered person would be.

Ms. Kabel said that in the regulation, there is an exception process. There must be public disclosure and an option is required from the Corporation Counsel that there is no violation of State or Federal law.

Mr. Kimmel asked if it is enough for a Common Council member to recuse themselves. Ms. Kabel said that in this instance, that is not enough. She said that there are seven factors that need to be addressed. She said that they look at whether or not the benefit was available before the person became involved. She said that it is important to get the request to them before any discussion or action takes place. She said that they are willing to work with the City and try to respond quickly. The City will have to have a conflict of interest policy in place.

Ms. Kabel said that if there is a covered person, that person cannot participate in the discussion. She said that there is no conflict of interest if there is no financial interest.

Mr. Bonenfant asked if someone leaves the room during the discussion, would they be allowed to vote on the total package. Ms. Kabel said that they would not be allowed to vote, because the total package would include their program. The covered person can participate if an exception is granted.

Ms. Strauss asked Committee members to forward any questions to her and she will share them with Ms. Kabel.

2. Review Proposed Consolidated Plan priority needs and goals

Ms. Strauss explained that the Committee heard from Mr. Cahill last month and they identified four priority areas. She said that they set 10 goals to meet over the five year period. Each of the goals is associated with a CDBG activity code. She said that they hope to streamline the process. Mr. Hempstead said that he likes the idea of shortening the process.

Ms. Strauss said that the biggest needs are housing and social services. Mr. Kimmel said that he likes the idea of rotating different organizations. He said that there are so many excellent programs, but each year the money is less. Ms. Strauss said that a lot of non-profits get repeated funding. The Summer Youth program had no salary. No jobs would be lost if the Committee said no. Mr. Sheehan said that the Neighborhood Coordinator's salary and benefits are paid by the City; the same is for the Summer Youth Coordinator. Mr. Kimmel asked if there is anyone in City Hall capable of teaching youth how to hold a job.

Mr. Kimmel said that he has reservations that Neighborhood Cleanup is a priority. He said that if there is a priority based on one program, then there is a reasonable chance that it would get funded. He said that it should be addressed sooner rather than later. Mr. Hempstead said that the City instituted bulky waste pick up and asked if that is a Neighborhood Clean up project. He asked if DPW could ask for CDBG funding. Mr. Kydes said that City Carting did the bulky waste pick up.

Ms. Diane Cece asked to speak. She said that from a process point of view, this meeting was not on the City calendar. She said that it is major when things are not on the calendar page and you have to click through to committee and board agendas to see whether or not there is going to be a meeting.

Mr. Sheehan said that the City calendar is not part of FOI. Ms. Jackie Lightfield said that she signed up on the City website for e-mail alerts, but never gets them.

NEW BUSINESS

There was no new business discussed this evening.

OLD BUSINESS

There was no old business discussed this evening.

ADJOURNMENT

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

There was no further business and the meeting was unanimously adjourned at 8:42 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

CITY OF NORWALK
JOINT REVIEW COMMITTEE
JANUARY 13, 2015

ATTENDANCE:	Douglas Hempstead, Chair, Planning Committee; Felix Serrano, Chair, Redevelopment Committee; Torgny Astrom, Chair Planning Commission; Lisa Cooper;Travis Simms (6:43 p.m.)
STAFF:	Timothy Sheehan, Executive Director
OTHERS:	Mark Grenier, Esq., Redevelopment Agency Counsel, Robert J. Gibbs, Gibbs Planning Group, by phone

Mr. Hempstead called the meeting to order at 6:04 p.m.

REVIEW THE PURPOSE OF THE COMMITTEE, THE SCOPE OF ITS INTENDED RECOMMENDATION AND THE LEGISLATIVE PROCESS FOR ADVANCING SUCH RECOMMENDATION

Mr. Serrano explained that this is a sub-committee and they will bring recommendations to their committees. He said that they want to keep the process moving and asked that anyone with questions send them to Mr. Sheehan. Mr. Sheehan said that public information will be available on the website.

REVIEW THE COMMITTEE'S APPROACH TO PUBLIC PARTICIPATION

Mr. Hempstead said that they would not have public participation this evening.

SET THE COMMITTEE'S CALENDAR

Mr. Sheehan reviewed Mr. Gibbs' background.

The Committee will meet on Saturday, January 24th and Saturday, January 31st from 10:00 a.m. to noon at a location to be determined.

PROVIDE COMMITTEE MEMBERS THE FOLLOWING STUDIES

Mr. Hempstead explained that everyone has been provided with the following studies. Mr. Sheehan highlighted each of the studies. Mr. Serrano noted that with the hotel study, it was important to note that they made the distinction between limited services vs. full service. The Committee members did not have any questions about the reports.

a. Multi-Family Housing
b. Retail
c. Hotel
d. Cost Benefit Analysis

Mr. Hempstead said that GGP is showing that they are covering North Water Street. He said that he needs to know if that conflicts with any ordinance or MetroNorth. Mr. Serrano asked staff to calculate how it will look.

Mr. Sheehan said that the staff engaged Tighe and Bond to look at the issues of the impact on North Water Street. They will look at the impact over the roadway. He said that they assume that nothing will go any lower than the railroad bridge.

Mr. Hempstead asked Mr. Sheehan to forward copies of all of the reports to the full Common Council.

DISCUSSION REGARDING THE CURRENT ECONOMIC STATUS OF RETAIL MALLS AND SINGLE USE DEVELOPMENT VS. MIXED USE DEVELOPMENT

Mr. Gibbs explained that the centers being built tend to be luxury centers and the luxury retailers are doing very well.

Mr. Serrano asked Mr. Gibbs to talk about the state of malls and where they are headed. Mr. Gibbs said that there is a lot of press about declining shopping malls and they are exaggerated. They are not building as many as they used to. Now they are building one – two a year in very select locations. The luxury malls are outperforming the other retail classes. The malls that are dying are dying due to the location and the type of anchor stores.

Mr. Hempstead said that there are a lot of mixed messages in the report. Mr. Serrano asked Mr. Gibbs for his opinion on what was recently put out by Greenstreet Advisors. Mr. Gibbs said that was a bias study. The ones reported on were mixed level malls anchored by Sears and J.C. Penny's and were in rough locations.

Mr. Gibbs said that there is a trend to build malls in city centers and they are leading the way.

Mr. Simms joined the meeting at 6:43 p.m.

Mr. Serrano asked Mr. Gibbs to comment on the correspondence received from F.D. Rich (copy attached) regarding the contemplation by GGP to include a 150 room hotel. Mr. Gibbs

elaborated about the benefits of an on site hotel and what that would bring to the site. He said hotels bring more leisure travelers.

Mr. Sheehan said that he had conversation with the Corporation Counsel and there is a clear understanding that before anything can be advanced, it has to go to the Common Council for approval.

VIEW ATTACHMENT ONE OF THE AMENDMENT REQUIRED ENTITLED PROPOSED DEVELOPMENT PLAN

a. Preferred Development Plan
b. Preferred Development Volumes
c. Proposed Zone Changes

Mr. Hempstead asked if the Enterprise Zone could be changed. He asked about State reimbursement. Mr. Sheehan said that he will contact the DECD and ask them to make a presentation to the Committee.

POINTS FOR REVIEW AND FURTHER DISCUSSION

a. Retail Square Footage Spread
b. Scale and Density
c. Adequacy of Office/Hotel Square Footage
d. Lack of a Housing Component
e. Review Letter from F. D. Rich Regarding Allowing non-retail uses on the site
f. Use of Air Space over North Water Street

LEGAL DISCUSSION: HANDLING OF DISCUSSION OF TERMS OF LDA. LEGAL OPINION OF WHAT MAY OR MAY NOT BE PART OF ANY EXECUTIVE SESSIONS

Mr. Hempstead said that he prefers all discussions to be out in the open and asked what would be a reason to go into Executive Session. Attorney Grenier said that it would depend on the nature of the question. He said that he can come back with some scenarios.

Mr. Serrano said that this sub-committee is not taking action; they are going back to their respective committees with information.

Mr. Hempstead asked who is going to do a specific comparison of the development of what works. He asked how this proposal compares to the Eastern Town Center and how do the uses blend in with the retail use to make it successful. Mr. Serrano asked if it is

fair to say that the feasibility of the office component is not a feasible use. Mr. Hempstead said that it appears that 600,000 sq. ft. will not work now. Mr. Hempstead asked for a an update on the feasibility of office space in lower Fairfield County.

Mr. Hempstead asked that all questions be funneled to Mr. Sheehan. Mr. Sheehan asked for an update on multi-family units. Mr. Hempstead asked if office space will become retail space.

NEW BUSINESS

There was no new business discussed this evening.

OLD BUSINESS

There was no old business discussed this evening.

ADJOURNMENT

** **MR. HEMPSTEAD MOVED TO ADJOURN THE MEETING TO JANUARY 24, 2015 AT 10:00 A.M.**
** **MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 7:09 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

F. D. Rich Company
222 Summer Street
Stamford, Connecticut 06901
(203) 359-2900
(203) 328-7980 (fax)
www.fdrich.com

Thomas L. Rich
President & CEO

DEC 17 2014

December 15, 2014

Mr. Felix R. Serrano, Chairman
Norwalk Redevelopment Agency
City of Norwalk
P. O. Box 5125
Norwalk, CT 06856-5125

Dear Felix:

I hope this letter finds you well. I am writing to you because I recently became aware that it is the Redevelopment Authority's position that the shopping center development being contemplated by General Growth Properties for the former 95-7 development site should also include a 150 room hotel or, alternatively, other non-retail possibilities, except for housing. I am told that the reasoning behind this is an attempt to make the project more active during the period where the shopping center will be slow and to maximize the site's development potential. I think this direction is a mistake and wanted to respectfully convey my position to you and the other members of the Commission.

It is important that I point out that I am not only a stakeholder in the area, as one of the larger property owners in the SONO historic district but also that I have a long track record in urban redevelopment having been a part of the team that redeveloped much of downtown Stamford over the last 40 plus years. Worth noting is that our firm in partnership with the Taubman Organization developed the Stamford Town Center Mall. Our 50% ownership interest was sold in 1998. We have learned through that experience and it is from that vantage point that I offer my comments which I hope will be taken constructively.

Let me also state for the record that the Rich Company is 6-9 months away from the start of construction on a 110 room Residence Inn by Marriott to be located in the heart of SONO next to the police station (an approved project we have been trying to launch for the last several years) and that we are in no way opposed to another hotel being developed in SONO. It is questionable, based upon the report by Signature Hotel Advisors that was recently completed for the Redevelopment Authority that the SONO area can support two hotels but, that is not our primary concern.

As to the issue at hand, I do not believe that there should be an overriding goal with regard to the shopping center project to try to make it into more of a mixed use development. Nor should there be a drive on the part of the City to try to maximize the potential of available zoning floor area simply for the sake of ending up with a larger project. The goal seems misguided as the addition of a small hotel will not come close

to achieving the desired result. If the goal is to have in effect, some semblance of 24-7 activity at that location, the project would have to be expanded well beyond the addition of a small hotel and there would need to be a significant multiplicity of uses. However, even if there were enough room to expand the project's uses widely (which there isn't) that is not a good idea as the project should not become its own neighborhood but rather an integral part of the existing neighborhood. Further, the shopping center will not benefit materially in any way by the inclusion of a hotel.

Again, it is my strong view that the way to think about the development of that site is to consider it as a piece of the larger area surrounding it, with a particular emphasis on its relationship to the adjacent streets and its connectivity primarily to its immediate neighbor, the nearby SONO area and its historic district.

By its very nature, the shopping center will ultimately be an incredibly appealing and captivating project which will likely result in capturing customers, who will most likely visit the shopping center by car, do their business and may leave without visiting the surrounding area. So, the goal has to be how to enhance the chances for maximizing the project's potential spillover effect for the benefit of the surrounding neighborhood. The way to do this is to make it less insular rather than more. A roving shuttle that circulates through the neighborhood would be one thing (among many ideas) that may be helpful.

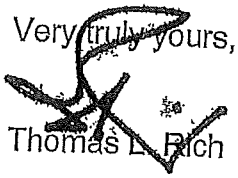
The Redevelopment Authority should really think about doing the opposite of what is contemplated and prohibit non-retail uses to deemphasize the project's mixed use nature. A hotel next to a shopping center with powerful anchor stores and in line shops as magnets is not needed to make the shopping center work; however, on the contrary, it could be a boon to areas that need additional customers and foot traffic. It is a better idea is to encourage hotels (and other neighborhood anchors) to locate near highly walkable areas, transit (the train station) and in this case, that area is the heart of SONO, within close proximity to the eclectic mix of restaurants, the movie theatre and stores that could benefit from this additional support.

Let me also suggest the same thinking applies to restaurants at the planned shopping center. The Redevelopment Authority (and Zoning Board) should consider limiting the shopping center to a small defined number of allowable restaurants with a cap on total restaurant square footage. This may help to ensure that non-mall restaurant owner/operators spread throughout the area have an increased chance of survival given the strong competition that will result from restaurants at the mall. This will also help with the connectivity issue and increase the chance for meaningful cross pollination.

The true heart of SONO, Washington, Main and Water Streets, are fraught with vacancies and the local economy is fragile. It has been severely damaged by the Parking Authority's "vice grip" and many years of overzealous ticketing practices and the emergence of other "restaurant towns" that now compete with SONO. The area needs all the help it can get to survive. If a second hotel is wanted, and let me be clear, we are 100 percent in favor of a second hotel in SONO, it should be located in close proximity to restaurants, support services and transit (like where have plans for the Residence Inn by Marriott), and not next to a shopping mall that clearly does not need a

hotel to help ensure its success. I am more than happy to meet in person to discuss this matter further. Thank you for your consideration. Happy Holidays.

Very truly yours,



Thomas L. Rich

cc: Honorable Harry Rilling, Mayor, City of Norwalk
Timothy T. Sheehan, Executive Director, Norwalk Redevelopment Agency
Joseph Santo, Chairman, Zoning Commission, City of Norwalk
Mike Green, Planning & Zoning Director, City of Norwalk
Jackie Lightfield
Robert Koch, The Hour

DRAFT

CITY OF NORWALK
95/7 JOINT REVIEW COMMITTEE
MINUTES - JANUARY 24, 2015

ATTENDANCE: Douglas Hempstead, Chair, Planning Committee; Felix Serrano, Chair, Redevelopment Agency; Torgny Astrom, Chair, Planning Commission; Lisa Cooper, Redevelopment Agency, Travis Simms, Planning Committee

STAFF: Timothy Sheehan, Executive Director, Redevelopment Agency

OTHERS: William Hennessey, Esq., GGP; Larry Cafero, Esq., GGP; Peter Nolin Esq., GGP; Jim Adams, Esq., GGP; Doug Adams, GGP; members of the press

ROLL CALL

Mr. Serrano called the meeting to order at 10:15am.

REVIEW AND APPROVAL OF MEETING MINUTES OF JANUARY 13, 2015

The minutes of the January 13, 2015 Joint Review Committee meeting were approved as amended upon motion of Mr. Hempstead and second of Ms. Cooper.

REVIEW THE TIMELINE GOING FORWARD AND THE STATUS OF THE COMMITTEE'S VARIOUS REQUESTS

REVIEW OF COMMITTEE QUESTIONS WITH MR. ROBERT J. GIBBS, ASLA

(a) Overview of general questions (staff)

In response to a series of questions regarding concerns expressed by the Committee following the last meeting, Mr. Gibbs responded via teleconference as follows:

- There are five primary land uses that define mixed use developments according to the Urban Land Institute (ULI); residential, retail, hospitality, office and public realm. The ULI standard requires a minimum of three of these land uses in order to classify as a mixed use project.

- The minimum size to be defined as a regional mall facility such as the one being proposed is 650,000 to 700,000 SF of total leasable space, including the department stores, although the exact square footage depends on the business model of the specific mall.

- On the 95/7 site it would be a stretch to do 700,000 SF of retail plus two additional land uses.

- Residual retail expected around a regional mall can be roughly equal to the size of the mall itself.

- The proposed center will expand the trade area to SoNo and bring people on a regular basis that are not going there now. This applies to both preexisting and new construction.

- Restaurants should see a special uptake in sales and traffic because of the mall and will benefit more than the retail.

- Higher sales and higher performance are usually seen the closer you get to a mall, and the mall will serve as an anchor. Studies from the International Council of Shopping Centers and the ULI should bear this out (Mr. Gibbs to seek research that documents this).

- People will drive to the mall and then combine that trip with a dining or shopping experience in SoNo and will drive between the two.

Mr. Astrom said he thinks a trolley system run on a high frequency basis is the key. Mr. Sheehan said the City is looking into a circulator and in fact has been trying to advance a circulator in the urban corridor for eight plus years. It is not just GGP that wants the circulator, it is every developer in the corridor. Some of them are already providing shuttle service. Mr. Adams noted that Stamford has 78 shuttles from the transportation center throughout town, and they would like to avoid that.

- A hotel will expand the traffic into a mall, business and leisure travelers will be staying overnight and there will be 24/7 traffic in a hotel and all the benefits of that. Studies also indicate that hotels located in retail centers have 20% to 30% higher occupancy.

- Substations of police departments are common in urban malls.

- The new trend is to put restaurants on the outside of the mall and give them dual entries to allow them to enliven the street and expand the trade area.

- Committee members should visit some other centers or at least study them online, and follow up with the Urban Retail Institute. Mr. Serrano suggested that staff put together a couple of those different comparables so they have something to look at.

- Public realm could include a park or a plaza, an exceptionally good streetscape design or a police station. Impact of public realm improvements depends on design.

- To ensure a level of quality of the stores, you need to have the right anchors.

REVIEW NORWALK LAND DEVELOPMENT, LLC'S (NLD) RESPONSE TO COMMITTEE QUESTIONS

(a) NLD to review its pre-prepared responses

(b) Committee to comment on the responses provided and seek any additional information necessary from the property owner

William Hennessey, Esq. representing Norwalk Land Development LLC thanked the Committee for meeting on Saturdays and moving the process along. He noted that the

applicant owns the property and has the financial resources to execute the development plan immediately.

Committee Member Simms arrived at the meeting at 11:10am.

Doug Adams of NLD explained that they restated the questions asked and gave their answers in color coding. He addressed the treatment of North Water Street, which is the only public road on the site. He went over the site section that shows the various heights and said they believe it will create a signature gateway entrance to the center. Larger sets of the elevation drawings have been provided. There is a cross section from West Avenue all the way through to the railroad bridge, which is shown on the drawings.

Mr. Adams said, relative to the North Water Street crossover, they are not aware of any conflicts with existing city ordinances. They understand the process is to secure an easement from the City. The proposal will be submitted to the Public Works Committee and then referred on to the Common Council through the department of Public Works and to the Planning Commission for review. He cited the 900 Main Avenue easement process.

Mr. Adams gave an extensive presentation on the conceptual master site plan. He showed a detailed, floor-by-floor building plan and went level by level to show what is traversing the road. He also discussed possible traffic impacts of the mall, stating that GGP is considering building a below-grade entrance to the parking garage to make for a smoother transition from West Avenue to the parking garage. There is only one entrance to the mall, which is North Water Street. There is no entrance on I-95.

Mr. Adams pointed to the common area and said it is close to 180,000 SF. It is the size of a fairly good sized office building. The restaurant or restaurants would likely be located around the public plaza on the southwest corner, and would typically be national chains. He said only five to six percent of the retail space would be dedicated to restaurants, as opposed to a typical GGP mall in which restaurants account for 10 to 12 percent of retail space. The mall developer is intentionally under building the number of restaurants because of the large number of restaurants in the area already.

Mr. Adams went through the tax programs available to businesses that locate within this development. They are projecting $800,000 in personal property taxes that they would begin paying immediately in full, and the real estate taxes in year three are estimated to be about $2.2M a year and then go up from there to the full $4.2M. Right now the real estate taxes on the vacant land are approximately $170,000.

Mr. Simms asked about having a water taxi service going uptown back down to South Norwalk. Mr. Adams said the boardwalk that the City has invested in connects from all along Oyster Shell Park down past the Maritime Aquarium. As people pass along the boardwalk, they can go to Oyster Shell Park or directly into their center, which would be 100' from where that boardwalk is today. They like the idea of a water taxi, but it would be more of a tourist attraction or event type activity than a commuting activity, and they were focusing on a street circulator and getting people around on the street. They believe that Oyster Shell Park is extremely important as the connectivity to the water, but a water taxi would require docking infrastructure and parking and people dedicated to that.

Mr. Adams said there is transportation that exists today that goes from South Norwalk and the train station up to the PulsePoint and back, which is pretty efficient, and they have met several times with Lou Shulman and his team and will meet with the new head to see if that can be scaled to accommodate the new development. Mr. Shulman thought that everybody in the State would be in favor of that because it drives not only getting people around, but it drives ridership on MetroNorth, which is a priority of the State. They have a breakdown of how people arrive at some of their other centers, including employees, and they will share that information. A question also came up about examples of education space in their other centers and they will provide that in advance of next week's meeting.

Mr. Cafero said they are confident that the proposal they put before them is by industry definition a mixed use project with at least three of the five categories.

Mr. Hempstead said there was a lot of time spent with the original 95/7 development going over certain environmental aspects and green building technology, and he knows times are different but could they put a couple of key areas on the table for discussion, whether it is a solar power unit, or whatever it is. Mr. Sheehan said because the mall is in an urban renewal plan area, it has to go through an environmental sustainability design review and they will have to indicate what level of certification they will be attempting to achieve, because ultimately the developer has to choose the standard that they seek to employ and provide the measurement standards that the building will incorporate.

Mr. Adams said sustainability is a big issue for them, and GGP's website includes a sustainability report that is very transparent and you can get a flavor for what they do portfolio wise.

Mr. Hempstead asked them to talk about time-wise for the next session, because these projects tend to either get flipped or things change, and the citizens of Norwalk have sometimes gotten the short end where they have given up some of their publicly owned properties in trade for trying to get a development. The site is public land that the City went through eminent domain to achieve and/or public streets that it had abandoned.

Mr. Sheehan said retrospectively they should have incorporated a component piece in the original 95/7 LDA that put a time limit on the developer to pull the building permit for the first phase of the improvements.

Mr. Serrano said he is trying to move ahead and start eliminating so they can focus on where they need to be, and he asked if they have a consensus that office is not a feasible use at this time.

Mr. Sheehan said based on the last meeting and the request for an outlook relative to office, they contacted C.B. Richard Ellis, who will be providing a memorandum basically looking at the current market and projections about two years out in terms of where the office market is projected to go. He thinks they can take whatever action they want today, and if there is any information that comes to light via that report, to go back and reconsider that.

Mr. Serrano said so they will move onto the hotel. The Agency has studies that define limited service hotel as a feasible use, which is what is being proposed, so he would go back to his consensus approach that a hotel is a good use for the site.

Mr. Sheehan said his only cautionary note to the committee at this point is the developer has indicated that they want to advance a hotel, but their own study says if another hotel is developed in the time frame that they are looking at, the market becomes more questionable, so the thought process was to allow some level of flexibility for that 175,000 SF to be either a hotel use or to allow it to revert to an office use.

Mr. Serrano said so they have a consensus with regards to office and hotel. His ask then is to provide for their next meeting more defined numbers as to what is doable, and if 500,000 SF is not, then give us what number is that you're asking for. And number two is they were talking about breaking out what is defined as the public realm versus mall common area, not just the hallways but is there a place for a performance and what is that square footage, because going back to their respective bodies their recommendations need to be based on square footage allocations and land uses, so he would ask them to get more defined and drill down on that.

Mr. Adams said the original LDA was structured with square foot ranges, so GGP left it that way. He does not want to leave the committee with the feeling that 500,000 SF of real estate is acceptable. That's why they submitted the concept master site plan with the square footages that they need to deliver a successful center. Their intention is to build the hotel use, but they like the flexibility because over years they can see what can happen.

Mr. Hempstead said so the hotel space could be that or could be office space?

Mr. Adams said the LDA currently allows the flexibility. If the hotel is not built, that space could be converted to office space, and they didn't see any reason to change that.

Mr. Hennessey said the LDA is a document structured with the notion that it will be built over years and in phases, and they kept the structure that the document was built upon, but what they intend to do is build the project in a single phase.

Mr. Sheehan said the hotel study says if there is the introduction of another hotel in the South Norwalk marketplace, which we know that there already is one being contemplated, that that brings into question the overall feasibility of a hotel use. No matter what you put into an LDA, you can't make a developer construct something that is not economically feasible.

Mr. Hempstead said the site plan that you're proposing in conceptual format at this point shows more power for the hotel, so his follow-up question is does the office building work if that's a fallback position, or do you want to leave as a third option the hotel becoming housing, so it gives you more options in an LDA. One of the three is going to happen, because the worst thing to do is nothing happens.

Mr. Adams said their goal is to move this along as quickly as possible, but the possibility of residential is almost a no, and the possibility of a brand new office tower going in there is as remote as the residential. That could change over time, but their time is now. They

DRAFT

want to build this now, and it's going to be a hotel. The fact that the LDA has the existing flexibility to go back to office is fine. They did not propose adding any additional flexibility for residential.

Mr. Hempstead said there are still some open ended questions for their next meeting. Mr. Sheehan said he can certainly provide some updates relative to the questions.

Corporation Counsel will be making a recommendation to the Common Council for a firm to operate as outside counsel, which should happen at the next meeting of the Common Council.

They did contact the State of Connecticut to set up a presentation with regards to the EZ benefits, which is probably more beneficial for the Committee to understand the State program directly from the State of Connecticut than through the developer or the Redevelopment Agency. That can't be on a Saturday, obviously, so if the committee can come up with a time that might work for them.

Mr. Sheehan said his is advancing a request to have an update of the Multi Family Market study.

The Committee package from the last meeting includes what is eligible to go into executive session, and the requirements thereunder.

Mr. Sheehan said that the CBRE office market memo will be available the second week in February, and he would assume there is a similar timeframe for the update of the Multi Family Housing Market. In the meantime everyone should start jottingdown questions and try to get focused.

Respectfully submitted,

Karen Pacchiana

POKO-IWSR Developers, LLC
c/o POKO Partners LLC
225 Westchester Avenue
Port Chester, New York 10573

October 31, 2014

Norwalk Redevelopment Agency
City Hall
125 East Avenue
Norwalk, CT 06856

Attention: Tim Sheehan, Executive Director

RE: Progress Report
Wall Street Place

Dear Mr. Sheehan:

Please accept this as a Progress Report for the development at Wall Street Place, Norwalk, CT ("WSP") through October 31, 2014.

Below please find certain specifics about the areas where the development has progressed.

Construction Loan - Citibank

POKO-IWSR Developers, LLC ("POKO") continues to work closely with Citibank on the construction loan for this project. Citibank's Term Sheet for a construction loan for $21,696.000 remains in place, but they are working on updating the Term Sheet they have provided us.

We continue to have productive conversations with productive meeting Citibank officials and are working closely with Citibank to complete the requirements needed for them to issue a more formal commitment. A material issue arose as to the certain conditions precedent to issuing the Term Sheet which we have been working diligently on. At this point, we believe we have a resolution that is agreeable by both parties and should have this resolved by the end of the year.

Urban Act Grant

As we have reported over the last several months, POKO was fortunate enough to receive a $5,000,000 Urban Investment Grant ("UIG") from the Department of Economic Development ("DECD") late last year. Our attorneys have begun to review the first few documents that need to be executed and we are hoping for a closing by the end of this year, at least for the first $500,000 of the UIG that will be funded.

Affordable Housing Component

As mentioned earlier, POKO submitted a proposal for a 9% LIHTC award in response to the CHFA's NOFA. We were informed in early April, 2014 that we had been awarded federal 9% Low Income Housing Tax Credits in the fourth round of Connecticut's Competitive Housing Assistance for Multifamily Properties (CHAMP) initiative. This will result in a Tax Credit Award of $864,014 (LIHTC equity: $8.64 million) and $3.5 million in DOH Capital. The announcement of the award allowed us to complete our capital stack and therefore allow us to move forward as expeditiously as possible to complete work with our other capital providers and move forward with the project.

POKO is continuing to work with its counsel at Blank, Rome concerning how to structure this piece of the transaction. During this period, we have worked closely with counsel concerning the carryover allocation which will allow us to make use of the LHTC award in 2015.

NRA-POKO Deliverables

As previously reported, POKO had a meeting on September 5, 2014 with the Mayor Rilling and heads of various agencies within Norwalk to begin the discussions about ways to resolve the improvements that need to take place on Wall Street and at the intersection of Beldon Avenue, Wall Street and West Avenue. This is a critical piece of the development process and POKO looks forward to making progress working side-by-side with the NRA in the coming months.

Demolition Preparation

As previously reported, demolition was started on some of the properties that make up Phase I of development in September. Demolition of the properties continued in October and should be completed sometime in November.

Zoning Commission/Site Plan Approvals

We have been awarded a Zoning Permit and we are working diligently on securing a Foundation Permit. We have been working closely with the site civil engineering firm Redniss & Mead to provide the necessary documentation that would allow us to secure this permit.

Parking

We continue to work with our preferred vendor for the automated parking equipment. We have also hired a professional parking operator to work through our operating projections and work with us on our logistics as we move forward.

However, any progress report on POKO's activities would be remiss if we did not reiterate that it is imperative that the City of Norwalk (the "City") commit to creating a rational and viable parking meter pricing system. Unfortunately, it remains a tremendous hurdle in our underwriting. We once again request that the City and the NRA ensure that: (i) meters are placed on the street in advance of our project commencement; and (ii) a rational format for parking charges that is commensurate with the charges in South Norwalk. This still remains a priority and we need to work collaboratively to fix the situation as we move closer to breaking ground.

We have also engaged a group to assist us with our Wayfinding logistics as we continue to tie up any loose ends with the overall design for the development.

Please note that the status of this is unchanged, and they we need input from you and the NRA to move this piece forward.

Architectural and Engineering

POKO introduced the architects it will be working with going forward on Wall Street Place, Kitchen & Associates ("Kitchen"), in September. Since that time Kitchen has been working on making certain small design modifications that we all believe will be beneficial for the development.

Assistance from the NRA

Additionally, we once again are requesting the NRA's assistance as we move forward. Therefore we are respectfully requesting assistance in engaging the First Taxing District and the Traffic Commission to resolve on street parking issues as well as the re-configuration of the intersection at Beldin, Wall and West Streets.

Overall, throughout this past October we continue to make good progress on many of the pre-closing issues that need to be completed as we continue to move forward with the Wall Street Place development. Besides completing the construction financing for the project, POKO will need to greater clarity concerning the infrastructure improvements required to be completed by the City.

As always, please let me know if you need any other information or documentation to assist you in your review.

Very truly yours,

Kenneth M. Olson,
Managing Member

POKO-IWSR Developers, LLC
c/o POKO Partners LLC
225 Westchester Avenue
Port Chester, New York 10573

November 30, 2014

Norwalk Redevelopment Agency
City Hall
125 East Avenue
Norwalk, CT 06856

Attention: Tim Sheehan, Executive Director

RE: Progress Report
Wall Street Place

Dear Mr. Sheehan:

Please accept this as a Progress Report for the development at Wall Street Place, Norwalk, CT ("WSP") through November, 2014.

Below please find certain specifics about the areas where the development has progressed.

Construction Loan - Citibank

POKO-IWSR Developers, LLC ("POKO") continues to work closely with Citibank on the construction loan for this project. Citibank's Term Sheet for a construction loan for $21,696.000 remains in place, but they are working on updating the Term Sheet they have provided us.

The material issue that arose between us and Citibank last month continues to be discussed and we feel a resolution is close. We have had a series of conversations that I believe resolves how to move forward collaboratively and we fully expect that it is no longer a hurdle to them issuing a more formal Term Sheet. We are still targeting the resolution of all open issues if not by the end of the year, then by the first week in January. Once this issue is resolved, we believe there will be no major hurdles that need to be resolved.

Urban Act Grant

As we have reported over the last several months, POKO was fortunate enough to receive a $5,000,000 Urban Investment Grant ("UIG") from the Department of Economic Development ("DECD") late last year. Our attorneys have provided comments to the documentation we have received and the document flow is picking up. We are targeting executing the documents by the end of December, with the first $500,000 be disbursed shortly thereafter (especially given that these documents need to reviewed by the Attorney General's office and that usually takes approximately 2 weeks).

Affordable Housing Component

As mentioned earlier, POKO submitted a proposal for a 9% LIHTC award in response to the CHFA's NOFA. We were informed in early April, 2014 that we had been awarded federal 9% Low Income Housing Tax Credits in the fourth round of Connecticut's Competitive Housing Assistance for Multifamily Properties (CHAMP) initiative. This will result in a Tax Credit Award of $864,014 (LIHTC equity: $8.64 million) and $3.5 million in DOH Capital. The announcement of the award allowed us to complete our capital stack and therefore allow us to move forward as expeditiously as possible to complete work with our other capital providers and move forward with the project.

As mentioned previously, the carryover allocation issue was resolved and we are waiting to completing the remainder of the equity stack before moving forward on this segment.

NRA-POKO Deliverables

As previously reported, POKO had a meeting on September 5, 2014 with the Mayor Rilling and heads of various agencies within Norwalk to begin the discussions about ways to resolve the improvements that need to take place on Wall Street and at the intersection of Beldon Avenue, Wall Street and West Avenue. This remains a critical piece of the development process and POKO looks forward to making progress working side-by-side with the NRA in the coming months.

Demolition Preparation

As previously reported, demolition was started on some of the properties that make up Phase I of development in September. Demolition of the properties that needed to be completed for Phase I has now been completed.

Zoning Commission/Site Plan Approvals

We have been awarded a Zoning Permit and we are working diligently on securing a Foundation Permit. We have been working closely with the site civil engineering firm Redniss & Mead to provide the necessary documentation that would allow us to secure this permit. During this process it became apparent that to secure the Foundation Permit we needed to apply under one address, so we needed to consolidate all the tax lots into one. Presently, we are in the process of doing that and we hope to have this completed by early December, 2014.

Parking

We continue to work with our preferred vendor for the automated parking equipment. We have also hired a professional parking operator to work through our operating projections and work with us on our logistics as we move forward.

However, any progress report on POKO's activities would be remiss if we did not reiterate that it is imperative that the City of Norwalk (the "City") commit to creating a rational and viable parking meter pricing system. Unfortunately, it remains a tremendous hurdle in our underwriting. We once again request that the City and the NRA ensure that: (i) meters are placed on the street in advance of our project commencement; and (ii) a rational format for parking charges that is commensurate with the charges in South Norwalk. This still remains a priority and we need to work collaboratively to fix the situation as we move closer to breaking ground.

We have also engaged a group to assist us with our Wayfinding logistics as we continue to tie up any loose ends with the overall design for the development.

Please note that the status of this is unchanged, and they we need input from you and the NRA to move this piece forward.

Architectural and Engineering

POKO introduced the architects it will be working with going forward on Wall Street Place, Kitchen & Associates ("Kitchen"), in September. Since that time Kitchen has been working on making certain small design modifications that we all believe will be beneficial for the development.

As part of the requirements to secure a Foundation Permit, Kitchen submitted plans to a third-party reviewer (E2 Engineers) for approval. These plans were approved in November and we continue to press forward to secure that permit.

Assistance from the NRA

Additionally, we once again are requesting the NRA's assistance as we move forward. Therefore we are respectfully requesting assistance in engaging the First Taxing District and the Traffic Commission to resolve on street parking issues as well as the re-configuration of the intersection at Beldin, Wall and West Streets.

Overall, throughout November we continued to make good progress on many of the pre-closing issues that need to be completed as we continue to move forward with the Wall Street Place development. Specifically, we made strides with Citibank which is a critical issue. But as we move forward with Citibank, we are acutely aware that we will need to greater clarity concerning the infrastructure improvements required to be completed by the City and timing being envisioned as to the completion of such work.

As always, please let me know if you need any other information or documentation to assist you in your review.

Very truly yours,

Kenneth M. Olson,
Managing Member