

**CITY OF NORWALK
PLANNING COMMISSION & ZONING COMMISSION
Special Meeting
December 18, 2017**

DRAFT: NOT APPROVED BY THE COMMISSIONS

PRESENT: Fran DiMeglio, Chair of the Planning Commission; Planning Commissioners: Tammy Langalis; Brian Baxendale; Nora King; Stephen Ferguson; David Davidson; Mike Mushak

Nathan Sumpter, Chair of the Zoning Commission; Zoning Commissioners: Louis Schulman; Mike Witherspoon; Galen Wells; Joseph Passero; Richard Roina; Rod Johnson (arrived at 7:22 p.m.)

STAFF: Steve Kleppin; Mike Wrinn; Dori Wilson

OTHERS: Craig Seymour; Tim Sheehan; Emily Innes; Tod Bryant; Bob Gioletto; Vic Palladino; Diane Lauricella; Bob Barton; Kate Deamer; Tom Rich; Former Mayor Bill Collins; Charlene Lewis; Bruce Beinfeld; Clay Fowler; Craig Grotheer; Jaq Quinn Jordan Byron; Allen Eisenberry; Adam Blank; Christine Deamer;

I. CALL TO ORDER

Mr. Sumpter called the meeting to order at 7:07 p.m. He explained why the Planning and Zoning Commission were meeting together. He explained the Transit Oriented District. Ms. DiMeglio introduced herself.

II. ROLL CALL

Mr. Wrinn called the roll, first the Zoning Commission and then the Planning Commission.

III. PUBLIC HEARING ON SONO STATION DESIGN DISTRICT PROPOSED ZONING AMENDMENTS AND PROPOSED CHANGES TO THE BUILDING ZONE MAP:

(a) #X-17M – Norwalk Zoning Commission – Monroe Street/South Main Street/Day Street/Hanford Place & vicinity - Proposed change to the Building Zone Map from D Residence, Neighborhood Business, Industrial #1 and SoNo Station Design District (in part) to entirely SoNo Station Design District as shown upon a certain document entitled “Comparison of Existing Zoning Districts within Expanded SSDD” and dated December 2017 and

(b) #X-17R – Norwalk Zoning Commission – Proposed amendments to Section 118-506 SoNo Station Design District to as shown on a certain document entitled “#X-17R – Norwalk Zoning Commission – Proposed amendments to Section 118-506 SoNo Station Design District, and related provisions, to encourage higher density Transit Oriented Development (TOD) in proximity to South Norwalk Railroad Station” DRAFT dated November 30, 2017.

Mr. Sumpter asked Mr. Kleppin to begin with a background of the project. He introduced two of the consultants on the project, Craig Seymour from RKG and Emily Innes from Harriman (formerly Cecil Group). He began with how the city got to this point. He went through the process which began with the Planning Commission and then the Zoning Commission. He showed them the original bounds of the Transit Oriented District (“TOD”) map and then the revised. He discussed how the Zoning staff and Redevelopment Agency worked together on the revisions. He explained why this was happening. One of the reasons was that much redevelopment was happening around transit stations because that is where millennial and empty nesters desired to live. People would use cars less and create a

more walkable city which does not happen overnight. There was a concern that later on, developers could demolish buildings and not allow for affordable housing in this area. He discussed the current zone regulations, which there are four zones. They would become one zone. He discussed the current affordable housing regulations. He noted that there were several questions that the commissioners should consider when they reviewed these proposed regulations. Mr. Sumpter asked that Mr. Kleppin discuss the median income. There was a request for the impact of these regulations on Norwalk education system. Mr. Kleppin noted that Mr. Seymour was not charged with that.

Craig Seymour began the presentation by explaining the economics of affordable housing in the TOD. He discussed the current rent structures. He explained which projects they studied. He also discussed the various structures that were being built as well as what types of units are being rented. He explained why there is less demand for 3 bedrooms. He showed them the pro forma model that was used by developers for apartment complexes. He did note that every developer has their own model, however. He also discussed how they looked at other real estate markets throughout New England. He then discussed the difference in risk that was associated with developers in areas such as Norwalk.

There was a discussion as to whether the discussion should be about how much developers could make on these projects. He explained the challenges for finding people to rent the affordable housing units. It takes a bit more work for people to qualify which means there is an additional cost. He discussed the rent assumptions that were used in their study. Again, he reiterated how each development project was different. He discussed expected return which he believed were profitable in Norwalk. If there was 20% affordable units, the rate of return would go down. He said that they also looked at 10% affordable units but that would not add more units to the amount that Norwalk had. There was a discussion about changing the model so that they could change the percentage of affordable housing units. Ms. DiMeglio asked that that slideshow be provided to the commissioners so it could be uploaded to the website for the public. There was a discussion about the density of the area and how the land was priced by how many units were on property. There were concerns about the assumptions used in their study which would impact Norwalk's Public Education system and the city's infrastructure system. Since there were questions about the impact of having retail in these buildings, Mr. Seymour explained that the analysis did focus on the first floor of the projects which would be commercial. Mr. Sumpter noted that there should be 3 bedroom units since there would be families looking for these types of units. He asked that this be included in the study. There was a request for the Board of Education to provide findings about the number of children that were living in some of the projects and were attending the city's schools.

Mr. Sheehan addressed questions about the impact of the economics of changing the percentage of the affordable housing units. He also noted that they could ask the Board of Education how many students were in each apartment complex over the last 15 years. He explained that one density bonus was 3 bedrooms in this area since they had heard from the community.

Emily Innis explained the beginning the Master Plan for the TOD area. The final report was provided in 2011. She discussed the process. She noted that this area is different than Boston and New York. She explained the goals, parking needs in the area. She also discussed the Redevelopment plan which would also need state approval. There was also input at 2 public hearings. She said that tonight's meeting was addressing the zone changes. The slide show would be provided for the public's access on the website.

Mr. Kleppin explained what was already on the website and what would be added. He took a moment to explain how the TOD was broken out into 2 elements. At this time, the hearing was opened to the public for comments.

Tod Bryant, 23 Morgan Avenue, of the Norwalk Preservation Society, noted that he was speaking as a member of the Norwalk Preservation Society. He said that he felt the memorandum

was a bit of a dichotomy because it said they would preserve buildings but in some places it stated that they would not be saved. He noted that if the regulations said that developers were allowed to build 6 stories that this is what they would get. He was concerned about the possibility of losing historic buildings. He asked if all historic buildings could be saved. He spoke in support of the design guidelines in these regulations which he thought were good.

Bob Gioletto, 15 Trailside Drive, representing CONNECT, which connected churches lower Fairfield County, addressed the definition of affordable in this area. He thought that many people may need to spend over 40% of their salary for housing. He addressed in issue about possible discrimination by realtors and where they show apartments. He also agreed with the commissioners concerns about the effect of affordable units on the public school system.

Vic Palladino, 107 Water Street noted that he and his brothers own property in this TOD area, which has been rented as an auto body shop since 1951. He asked whether the commissioners decided what was in the regulations or the consultants. He asked whether the state was going to be involved in this matter. He noted that this is the 3rd zone change in his lifetime at this property. He asked if any commissioners had a property interests in this area. He also noted that no variances would be allowed in this area and what was meant by "personal and business services." He wanted to know if he and his brothers could continue to rent the property as it was at this time. Would some of these businesses be "zoned out" of this area, Mr. Palladino asked?

Diane Lauricella, 21 Blue Mountain Ridge Road, noted that this was a great opportunity for the community and spoke for the South Norwalk Citizens for Justice. She noted that many residents in the area were concerned about what would happen to their homes. She asked about leaving the public hearing open which Ms. DiMeglio said would happen. She noted that they would like to see more than 10% of affordable housing. She said that they would like to absorb some of the residents in Darien, Westport, etc. who needed affordable housing with the help of the state. She wanted to make sure that some blighted sights were decreasing in value. She also asked that they could be notified about code enforcement notification of all the illegal contractor yards in this area. She noted that the Whistleville area would be left for later and she thought values would decrease. She noted that some residents should be entitled to free or discounted parking in this area. She was concerned about the effect of these new units on the educational system.

Bob Barton, 155 Kessler Avenue, Lanesborough, MA, and operates 70 South Main Street. He now owns 72 and 74 South Main Street which he operates for people that need affordable housing. He said that several of these lodges have now been placed on the National Historical Register. He made suggestions, be gentle with historic properties, believe developers can make a profit even with 15-20% of affordable housing. He suggested that there should be 3 bedroom units in the regulation. He suggested boutique farming/agriculture which would include roof tops and vegetables in pots. He also suggested that these regulations should not be perfect. He asked that they vote the regulations in and then learn about what they still need to perfect. He was asked to point out the properties that he had rehabilitated that offered 20% affordable housing. Several of them were 100% affordable and the developer was still able to make a profit. Some were in Rhode Island as well as in South Norwalk. There was a discussion about the boutique agriculture. He handed in his remarks to Mr. Sumpter.

Kate Deamer, owns 40 and 42 Concord Street. She owned one and her daughter lived in the other. She wanted to confirm that these houses would be grandfathered and not saddled down with regulations because of the new zone. Would the developer handle the infrastructure necessary for this area? She was concerned because the area had water drought problems already and if there was higher density, who would pay for it?

Tom Rich, 222 Summer Street, Stamford, CT, thanked everyone for allowing him to speak. He said that the burden of solving the city's affordable housing problem should be shared by the city's residents. He thought that those that built office buildings should share the burden. He noted that the

proposed amendments had numbers that were incorrect. He also noted that the doubling of affordable housing to 20% would hurt the area. The increase in land density could drive it but he did not believe it would help it. He then said that Washington St. was a fragile area which needed less density, not doubling it. If the density doubled, then affordable housing would automatically double.

Former Mayor Bill Collins, 32 Allen Road, noted that everyone understood that Norwalk needs more affordable housing. Existing residents would probably be forced out of this area. He noted that they should take note of those who got off the train in the mornings from Bridgeport because they couldn't live in Norwalk. They were people who provided services that were necessary to the community. He discussed the 3 bedroom unit bonus for developers. He thought they would not work. He believed that the need was for family housing, not for 1 bedroom. He also noted that there were actually people being thrown out of their houses to build new projects, which were market rate and not subsidized. He thought that the solution should be fee in lieu of building the apartments, which was used around the country. The fee could be used by non-profit developers which used to be in the city many years ago. He suggested that the commissioners should direct the staff to look into this further. He was asked to clarify his remarks about the project on Chestnut Avenue where the tenants have to leave their homes.

Charlene Lewis, 3 Scott Street, explained that she was concerned about 96 South Main Street and 98 Raymond Street, which was a church. She noted that she was a member of the Mt. Zion Church, which recently celebrated its 95th anniversary, and whether it would be impacted by the proposed regulations. Mr. Sumpter did not have an answer but did note that they usually stay in the area. Mr. Kleppin noted that a church would be an allowed use in this area.

Bruce Beinfeld, 2 Nearwater Street, noted that these proposed regulations would damage the area and Norwalk. It would halt mixed use and hurt the businesses on Washington Street. He was concerned that developers would do business elsewhere and the area would remain blighted. South Norwalk was the poorest census tract and noted a case that said this was discriminatory. He was concerned that Norwalk would lose Federal housing funds. He thought that the regulations should apply to all over the city. He then discussed Stamford's affordable housing stock.

Clay Fowler, 71 Rowayton Ave., noted that he understood the position of the commissioners as well as noting that his company had built many homes in South Norwalk. He agreed with Mr. Rich and Mr. Beinfeld. He was concerned about the affordable housing unit increase. He did not think 20% would work because the numbers would not work for their bottom line. They did support the 10% and asked for a 100% tax break on the affordable units.

Craig Grothier, 10 West Rocks Road, said he agreed with many of the comments from the developers. He noted that he also agreed with Mr. Rich and that they should encourage a more varied supply of housing. He said they should encourage small and mid-sized developers by easing parking regulations, etc. He also noted that the city of Hartford eliminated parking minimums. He asked that perhaps they waive parking minimums. Some of the projects of the developers do not use as much city services as other buildings with a CVS or a restaurant.

Jacqen Jordan Byron, 100 San Vincenzo Place, has lived in Norwalk for 20 years. She has noted that there has been an increase in traffic and that there will be more traffic with the increase of density. Many streets don't have lines and the sidewalks need to be repaired. She requested better signage for pedestrians and vehicles.

Allen Eisenberry, 82 Partridge Road, North Stamford, explained how he had an adult child that wanted to purchase a building in South Norwalk. He came to the public hearing for his son. He believed that millennials did not want to drive, but rather, they would use public transportation. He believed that they needed to find a way for them to get to work, not just with the train.

Adam Blank, 49 Bartlett Ave, explained that although he had not been on the Zoning Commission for over a year, he decided this was important for him to come to. He said that this was the area that they needed to develop in the TOD area. He explained that housing was probably the best development, rather than retail. He asked that the level of affordable housing should remain at 10%. He agreed with Mayor Collin for a fee in lieu for affordable housing.

Christine Deamer, 42 Concord Street, asked that there been an oversight committee for utilities because there is a strain on energy in this area. She asked for a report of the impact on this area. She would also like a report on whether there would be grandfathering in for some of these homes. There is no single family housing allowed and will they continue to be allowed in the area because of these proposed regulations. Mr. Mushak reminded them that as long as the premises' use remained the same it would not be changed.

Tod Bryant spoke about the design review for the TOD area and Whistleville. He would like to see a study for form based zoning for Village districts and TOD in general. He also asked if they could submit written comments.

There was a discussion about whether to reconvene as a group, or only allow written comments. There was also a discussion about commercial entertainment facilities which Ms. King asked for clarification. She wondered whether a Dave and Busters would be allowed there. Mr. Kleppin said that there would have to be a public hearing with the Zoning Commission. Ms. DiMeglio said the public hearing would close for written comments on January 2, 2018.

IV. ADJOURNMENT

Mr. Sumpter made a motion to adjourn.

Mr. Passero seconded.

Nathan Sumpter; Louis Schulman; Mike Witherspoon; Galen Wells; Joseph Passero; Richard Roina; Rod Johnson; Fran DiMeglio; Tammy Langalis; Brian Baxendale; Nora King; Stephen Ferguson; David Davidson; Mike Mushak voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 9:33 p.m.

Respectfully submitted,

Diana Palmentiero