

Norwalk developer calls blame for library's parking problems 'unfair'

By Nancy Chapman [3:37 am EST February 20 2016](#) [10 Comments](#)

An artist's rendering of "The Lofts at Mott Avenue."

Updated, 9:50 p.m., Feb. 21, comment from Councilman Michael Corsello. Correction, 3 p.m. Feb. 20, Mary Pugh is not on library board although city's website said she was. Reference to her has been deleted. Clarification, 1:49 p.m. Feb. 20: The quote from Bruce Kimmel regarding eminent domain had some missing words that have been added.

NORWALK, Conn. — "Creative" ideas could solve the parking problem near the Norwalk library, said a Norwalk developer whose property has been mentioned as a reason to use eminent domain.

Jason Milligan's development at 11 Belden Ave. is indeed in the cross hairs: On Friday, library trustees went public with a plea for the city to acquire property in the area.

On Thursday, Milligan said not one of the library's trustees has ever reached out to him.

Milligan's proposal to build a six-story, 69-apartment building 58 feet from the Norwalk Public Library's windows inspired talk of eminent domain at February's meeting of the Redevelopment Agency.

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"It's time to acquire this development," former Mayor Bill Collins said, commenting that the parking lot had been sitting there for decades although "everyone has known that it is vitally necessary to the expansion and improvement of the library."

"11 Belden Ave was on the market for sale for approximately one year before we acquired it," Milligan said in a Thursday email to NancyOnNorwalk. "We acquired the property with the intent to develop it in accordance with the Norwalk Zoning regulations."

The Zoning Commission held a public hearing on Milligan's development, "The Lofts at Mott Avenue," in January. The proposal is an "as of right" development, meaning the Zoning Commission does not have the discretion inherent in a special permit application, but Zoning Commission Chairman Adam Blank at February's Plan Review Committee meeting asked for more time to review the proposal.

This means it will not be discussed again until the March committee meeting.

The Commission was also waiting for a design review from the Redevelopment Agency. Executive Director Tim Sheehan said he couldn't do a design review as the development clearly did not fit into the guidelines of the 2004 Wall Street Redevelopment Plan. His letter back to Zoning referred to zoning regulations not being in alignment with redevelopment plans.

That Wall Street Redevelopment Plan listed properties that could be taken by eminent domain; the list did not include 11 Belden. The Common Council subsequently took away the agency's power to use eminent domain, Sheehan said.

Collins suggested that Redevelopment approach the Common Council and get it back. Redevelopment Agency Chairman Felix Serrano said he didn't want to do anything in haste, that such an idea should be on a properly noticed agenda.

"I know we have to be relatively cautious with eminent domain because we found ourselves in an untenable situation regarding the police station with the latest eminent domain taking," Mayor Harry Rilling said in the meeting. "But, having said that, it's an option we should explore, if not at least looking to see if there is a willingness on part of the developer to consider an outright purchase."

On Friday, Norwalk Public Library Director Christine Bradley copied NancyOnNorwalk on an email that read: see next page.



On Friday, Norwalk Public Library Director Christine Bradley copied NancyOnNorwalk on an email that read:

To: Mayor Harry Rilling
Norwalk Common Council
Norwalk Redevelopment Agency
Norwalk Planning Commission
From: Norwalk Public Library Board of Trustees
Date: February 19, 2016
Re: Resolution to Acquire Adjacent Properties

At a special meeting on February 18, 2016, the Norwalk Public Library Board of Trustees voted unanimously to draft a letter to the Mayor, Common Council, Planning Commission, and Redevelopment Agency to represent the Board's position to immediately pursue the acquisition of adjacent properties in order not to preclude any expansion of the main library.

Thomas Cullen, Vice President
Jannie M. Williams, Treasurer
Patsy R. Brescia
Ralph Bloom
Taber Hamilton III
Mary O. Mann

Milligan, in his Thursday email, said, "Prior to filing our current application, I called Christine Bradley from the Library several times and I personally stopped in to see her in an effort to discuss my project. She clearly was not supportive of the project and basically brushed me off. Not one Library trustee member ever reached out to me to discuss the project."

Bradley did not reply to an email asking for comment.

Rilling did not reply to a Friday email.

An email asking all Common Council members how they felt about eminent domain for the Redevelopment Agency garnered no reply, except from Common Councilman Michael Corsello (D-At Large) on Sunday.

"Government taking property from one person and giving it to another (eminent domaine) is anathema to American rights and should be exercised judiciously as a last resort," Corsello said.

but on Thursday, Council President Bruce Kimmel (D-At Large) said he was "tentatively" open to the idea.

"Number one, I have to revisit the ordinance that took the power away and gave the Council final say," Kimmel said. "I would not restore it to the Redevelopment Agency in a way that removes the Common Council entirely from the process. I have always supported the use of eminent domain to advance a public use, and the main library is certainly a public use. So I would support moving on that question immediately. I support that, but some Council members, when it comes to eminent domain for private development and things like that, it's a little more complicated" because of the 2004 Supreme Court decision, *Kelo v New London*.

"Eminent domain is a complicated issue, and while I want to restore power to the Redevelopment Agency regarding eminent domain, I do not want to exclude the Council entirely from those decisions," Kimmel said.

The city would be required to pay Milligan or any other property owner in the area market value price.

The lot at 11 Belden Ave. was bought by 587 Connecticut Ave. LCC in February 2015 for \$2.65 million, according to the city's website.

Collins said the city could acquire the Eagles' property at 6 Mott Ave. to solve the parking problem. That property is not directly "adjacent;" it's appraised at \$949,000, according to the city's website.

The First Taxing District property at 3 Belden, which is adjacent to the library, is appraised at \$963,220, according to the city's website.

Milligan said: see next page.

Milligan said:

“Early on we met with Mayor Rilling and (Economic Development Director) Liz Stocker, who were both practical and reasonable in understanding the project. From that discussion, we did incorporate a number of parking spaces to be reserved for library use during particular hours of the day. We thought this was a positive as it was also at the time that the First Taxing District offered some of its parking spaces at the property located at 3 Belden Avenue, which is next door to the Library.

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“The lack of onsite parking at the Library was not caused by us and it is unfair to expect it to be solved by us. There may be other solutions to the library parking issue and the focus should be on thinking of creative ways to solve the issue. The key is raising money to help create or acquire additional parking in the general area.

“There has been a lot of talk about the apartment building causing an increase in demand for on street parking on Mott St. and the surrounding area. The project provides all of its required parking in accordance with the Norwalk Zoning regulations. We have not proposed any on-street parking.

“The proposed project is consistent with the Norwalk Zoning regulations and will provide reasonably priced apartments to a segment of the market that needs them.”

In April, Sheehan called Milligan’s idea “interesting.”

“He’s focused on the smaller units that aren’t carrying the heft of the rents that, for example, the Waypointe project is doing,” Sheehan said. “He is appealing to a younger demographic that can’t afford \$1,700 for a one-room apartment.”



At left, Mott Avenue property owned by The Eagles is highlighted; at center, the 11 Belden segment; at right, the property owned by the First Taxing District, directly next to the Norwalk Public Library.

The Norwalker [February 20, 2016 at 6:49 am](#)

Last year for a time I used the Library almost daily to access the Internet because I did not have any at home. I would be the first to park in the Library’s parking lot. The Librarians would park in the lot where the proposed building would occupy (11 Mott Ave).

What is not being discussed is all the people who park illegally in the Library Lot and the 11 Mott Ave Lot. Many of them are people going to the Courthouse and some to other businesses.

I think that the best answer of all these problem of 11 Mott Ave is for the city or the state to use eminent domain to acquire the 11 Mott Ave property. The State could use extra parking for the Courthouse and the City defiantly needs more parking on the Library side of Belden Ave.

Problem Solved!

diane lauricella [February 20, 2016 at 8:37 am](#)

Time to take a holistic short- and long-range look at this.

Glad to see Library Board and the Council finally take a more meaningful role in this important public discussion.

During the Zoning public hearing in January, I pointed out that this parcel should have been slated for eminent domain when the site went on the market...if not years before.

Once there is an approval of an application, the site is worth a lot more than if it was just an empty parking lot...the taxpayers lose out again.

In addition, I pointed out that this 11 Mott Avenue proposal did not match the Wall Street Master Plan from the Collin Administration's years or the 2004 update. I testified that the application also did NOT comply with the desires of the City Master Plan of Conservation and Development (POCD).

While this project was not a "Special Permit" application where one standard asks that the application be "consistent with the Master Plan of Conservation and Development", the Zoning Commission is supposed to CONSTANTLY APPLY studies like this to EVERY APPLICATION that runs by them in order to lay out a "well-planned community".

I am quite concerned that the staff again did not appear to remind the Commission of the need to dust off these important professionally-written documents.

Some questions to ponder: Why wasn't the 2004 Wall Street Document amended as more of the public began to complain about the Library building and its parking inadequacies?

Did the Norwalk Center Task Force advocate for this instead of just focusing on the Mall idea? Why did the Library Board take so long to officially look at eminent domain?

Why did poor use of eminent domain years ago scare officials from a BETTER, more deserving use of it recently?

Where was the Redevelopment Agency all these years...where they seem quite politically clever in other parts of the City?

Why would the STAFF even let this application get to the point of being set in motion? Why don't they invoke these master plans at each and every pre-applicant meeting and with the land use boards they staff?

The communication gap between Redevelopment and the Planning and Zoning department has got to stop. The taxpayers pay most of these staff salaries...are we getting the bang for the buck?

The public loses out over and over. There are many examples of this. AMEC, BJ's, MLK Oil Tank Farm, etc.. Each one, if a person studies it, shows that professional, City-blessed planning documents are ignored by staff and the commissioners they are supposed to advise.

How can we fix this? We have the tools...let's use them.

Some examples:

Defund key staff positions and create better job descriptions and positions that work in a modern City. Don't ADD another City Planner position, replace Mike Greene's position with a qualified urban/City planner and add look further down the chain.

Consider Organizational Chart changes: combining the best parts of Redevelopment Agency and the Planning and Zoning Department into a newly-named Department. Let the current staff try out for the newly-created positions, but look nationally for the Senior positions too.

Invoke current Charter Article giving Council the power to reorganize government when current organizational chart is not working....

Ordinance Changes

Eminent Domain: Need for a better-designed building. Take First District lot by eminent domain (allowed under Charter Chapter 1; Article 1-9), and/or the 11 Mott parcel in order to assemble a Library Center where building expands to accommodate first floor auditorium, modern technology, a café, and a welcoming, vibrant center for ideas and social gatherings in addition to the needed parking.

This is NOT just about the parking!

Oldtimer [February 20, 2016 at 9:07 am](#)

Mr Milligan certainly has a point. It is not his fault the City ignored the parking problem at the library for so long. Rather than place blame or talk about eminent domain, why not meet with Milligan and offer to buy extra parking from him, built into his project. It would probably require another level of parking under the planned new building and would have a substantial construction cost, not to mention the cost of delay building Milligan's project.

Jlightfield [February 20, 2016 at 9:28 am](#)

Again, the Wall Street Redevelopment plan makes no reference to what zoning recommendations were needed to support anything suggested in the plan. This has been brought to Tim Sheehan's attention numerous times, but hey it's more important to fund plans without implementation strategies because then it's easier to point fingers when unintended outcomes happen.

The property around the main library includes the First Taxing district property. They actually have seats on the library board! Not a peep from them about expanding the existing library ever. Again: The City has been tied up with Redevelopment projects that have land giveaways and deficient contracts. Let's remember that the Agency executed the City's own idea that building apartments on a municipal parking less than 300 feet from the library lot was a good idea. The City despite many requests by the Library and other groups could never get around to improving the pedestrian access from Yankee Doodle Garage or the municipal lot on Issacs. Oh wait, we can't really call it a municipal lot because it became part of the Agency's three phase Wall Street Place project. And the parking plan for the whole district? Well funny story about that. Zoning actually received \$25k for a parking study to address this issue district-wide. But the study as intended never got implemented because of the political expedience of way too many actors to list here, who had "better" ideas.

We still can't address what to do in this area btw, because there is no governing or unifying plan to guide policy. The Agency and the City spent hours on accommodating bike lanes and reverse angle-parking ideas instead of a more traditional demand forecast study and pedestrian counts. Does the library have a use study for its customers that includes how they get there? Does the Library have any strategic plan? This board of trustees has been doing what exactly then? Jason Milligan has every right to develop his property. For the Redevelopment Agency to blame zoning for its failing is laughable. The empty storefronts, lack of planning, and simplistic economic development goals have resulted in the downtown we have. Five years or a blighted building that no one can manage to enforce existing health, building and fire codes. Seven years of a vacant office building that once housed two federal agencies that employed hundreds of workers, but left because the building was falling apart and it continues to do so. Ten years and counting on apartment buildings projects that languished because in the end, neither developer could finance what he promised to build, and the City screwed up every aspect of leveraging city land in making the deals moved forward.

The Norwalk Center Task Force does not recommend that the Redevelopment Agency be granted any powers or encourage to "plan" any further in the Norwalk Central Business district. That administrative role belongs in planning and zoning with guidance from the Mayor's Economic Development Director.

continued next page

The planning committee of the common council has failed the city for decades as it maintains the illusion that it is even briefed on any city wide planning issues. If you have ever watched a redevelopment plan advance to the common council for approval, then you see first hand how no other department is brought in to advise the common council on whether the plan makes sense at the committee level. It is long past the time to address this deficiency by changing the staffing of this committee to an actual city department. The failure of the library board to function as a board has to be addressed. This letter they've drafted does nothing to demonstrate that they have any capacity for dealing with the core issues here. They don't have a strategic plan that has taken community needs and demographic forecasts about what buildings or services they require. It is completely the board's responsibility is to ensure the financial health of the library, yet it does not fund raise. No capital campaign, no gala fundraisers, no grants, no foundation support, no earned income plans.

And yes @EveT, when a conceptual plan was brought to the board on how to acquire additional space as part of the mall development, the board rejected it. No investigation, no plan, no vision, no responsibility for ensuring the growth of a 21st century library, or restoring the Carnegie building to the public.

So here we are, concert hall crisis time with the same players who brought us here looking for a solution without a plan, without funding, without any idea really on what Norwalk needs to address its current and future population. We can only hope we don't have to wait until 2030 before the City gets its house in order and is run by people who understand that Norwalk is no longer just for the ossified old guard baby boomers who pine away for the good old days of their fictional Rydell High while today's generation sits in the 10 temporary trailer classrooms at Jefferson School up the hill from a library.

EveT [February 20, 2016 at 9:55 am](#)

It's not Milligan's fault the city ignored the library's need for parking for all these years. It's also not his fault that our zoning allows offsite parking in that location — a highly unrealistic Rube Goldberg setup that will inevitably result in tenants occupying library parking spaces or on-street spaces when it's more convenient for them to do so than park behind the medical buildings across the street.

But, maybe it's not too late for the city to remedy these problems. Can Redevelopment, Zoning, Council and the other decision makers get their act together and make a solution happen? Or will it come down to a few library-lovers linking arms in front of the bulldozers?

Jlightfield [February 20, 2016 at 11:03 am](#)

Hi @evet the reason zoning allows for offsite parking in both the CBD & SoNo is because many of the historic buildings occupy the full footprint of their property. To require on-site parking would lead to buildings being torn down to accommodate our own regulations. For new building construction, the parking requirements can be met if a project is within 800 feet of a municipal parking lot or garage.

In an urban downtown area this is a reasonable policy as its intended outcome is to increase density and promote walk ability. How we actually implement it relies on the consistency of review boards. Adam Blank is doing a good job moving some discretionary things, like sidewalks, into zoning code. We still, need Public Works to adopt a new sidewalk design guideline which thankfully Eloise Melendez is working on with the Norwalk Center Task Force along with the support of the public works staff.

All this stuff takes time, teamwork and permanent policy change with the requisite professionalism and vetting. We already see how the major DOT projects are going to impact our ability to work with city staff because they are essentially understaffed. The lack of dedicated project managers is a huge problem. There is no one point of contact on any project for the state, developers, utilities etc to coordinate with. This opens the city up to enforcement issues, delays, and adverse impacts to all residents but especially the businesses who hang on in the urban centers.

Lisa Thomson [February 20, 2016 at 12:19 pm](#)

Thank you Jackie Lightfield! So long as residents allow this city to be governed by the Norwalk Class of '65 who pine for the good old days, without any concept of modern urban planning – this city will simply become a snarled mess of cheap unattractive apartment blocks and one bedroom condos – that are one step away from becoming Section 8 housing. Of course, most of those running the city will either be dead or retired down south with their taxpayer funded pensions.

I don't often agree with Dave McCarthy, but the other day he had an ominous closing line in one of his op-eds which stated the only difference between Norwalk and Bridgeport was time.

Both elected and appointed officials and their political groupies running this city need to address the real governing issues – rather than feathering their nests with longer terms and more pay, authorized by appointed cronies.

Mayor Rilling, please do the right thing by this town! Demonstrate leadership and fix this urban planning mess – give new instructions to the charter revision committee and bring Norwalk government into the 21st Century!

Lisa Lenskold [February 20, 2016 at 12:48 pm](#)

Spot on, Jackie. But who is actually paying attention?

Adolph Neaderland [February 20, 2016 at 12:55 pm](#)

Bravo, the city is finally waking up to the fact that our city's planning agencies are dysfunctional, and that the Mayor is not proving creative change leadership.

I advocate that the Mayor find a way to declare a moratorium on all approved multifamily residential projects until any negative impact on the community, regardless of current zoning, has been reviewed.

It will be too late to wait for all the nitty-gritty details to be resolved. The barn door is already open.

The Norwalker [February 20, 2016 at 5:11 pm](#)

Parking will always be "the problem" in that area unless more public parking is made available.

If that building is built the residents will always look for a open parking space on Mott Ave before going to the parking lot across Belden Ave, it is the path of least resistance.