

**200 TYLER STREET SUBCOMMITTEE  
(BLUE RIBBON COMMISSION)  
MEETING MINUTES  
TUESDAY, FEBRUARY 9, 2016**

The 200 Tyler Street Subcommittee (Blue Ribbon Commission) held a meeting Tuesday, February 9, 2016, at 7:00 P.M. at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Paul Carbo asks all to stand for the pledge of allegiance.

**Item #1**

Roll Call- all 5 members present.

Commissioner Marlene Asid makes a motion to appoint Danelle Feeley as temporary clerk.

Commissioner Steven DeLucia seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

**Item #2**

Approval of the January 25, 2016 meeting minutes.

Commissioner Charles Lang makes a motion.

Commissioner DeLucia seconds the motion.

No comments or changes.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

**Item #3**

Review draft letter of recommendation to the Mayor and approval of the same.

- Chairman Carbo says everyone had a chance to look through the letter, he is not going to read the entire letter; it basically states what they have gone over for the past 5 meetings. He thinks the main page to focus on tonight would be the Conclusion and Recommendations because that is what they feel is very important to let the Mayor understand coming from this meeting. He will read those and if they want to add/ask any questions about the body of the letter they can do so. Chairman Carbo reads the following:

## “E. Conclusion and Recommendation

After careful review of the public input along with the materials presented to-date, including the fiscal aspects of the proposals presented, this Commission recommends that the Town pursue a mixed-use plan for the property. It is recommended that any such plan should:

1. Ensure that the Town incur no cost (or nominal costs) in the sale and redevelopment of the building (rehabilitation costs should be borne entirely by the developer);
  2. Provide for the complete rehabilitation of the pool and gymnasium facilities at the property at the cost and expense of the chosen developer;
  3. Provide suitable, modernized operating facilities for the Historical Society and Teen Center and, if possible, negotiate for retaining or using a portion of the auditorium for artistic purposes;
  4. Limit the project to the 4.8 acre site and restrict the expansion of the project beyond the footprint of the existing building so as to protect neighboring residents;
  4. Require that any developer, prior to being chosen, provide proof of completion of similar, like-kind projects;
  5. Require that any developer demonstrate, prior to being chosen, the financial ability to complete such a project;
  6. Require historically-sensitive rehabilitation measures that will preserve the character of the building and the neighborhood;
  7. Encourage developers to pursue historically-sensitive rehabilitation grants, as opposed to other subsidies, in rehabilitating and operating the property;
- Chairman Carbo says those are the recommendations put into the body of the letter and he, for one, believes one he would like to add into this would be the wording as such that we would require that any developer not seek any type of funding so as to not be forced to offer low-income housing. In other words, something in it about low-income housing.
  - Sal Brancati (Director of Administration – Town of East Haven) states that he would not be specific as to specify about no financing, because there are financing tools available from the Federal and State Government that still don't mean you have to do low-income housing. He says we are not looking for a low-income project here and we will tell the developers and anyone we talk to straight out.
  - Chairman Carbo says affordable is one thing.
  - Commissioner Limoncelli asks Mr. Brancati if he doesn't want to use the word “restrict”.
  - Mr. Brancati says when it comes to the financing he wouldn't use the term restrict because CHFA has great programs, but it doesn't necessarily mean it is going to be low-income housing. There are historic tax credits that will make them be able to rent these apartments for less money because the overall cost of development is less; they could get credit back from the State but it wouldn't mean that he would be obligated to take low-income. Even with low-income, just to clarify,

those folks still go through a screening process, background and credit checks. Just for the record, those things all have to be done. A developer has the right to reject someone if they don't meet the criteria.

- Chairman Carbo says what they are afraid of is that a developer is going to look to fill these apartments and they want to make sure any developer that does develop this property does not go looking for low-income tenants.
- Mr. Brancati says right, he would say that they are not looking for low-income tenancy; that is something they would want to write in the agreement. From day one, they never looked for a low-income project at this site.
- Chairman Carbo says he wants to be direct with it, they don't want to insult anyone but the truth of the matter is they don't want that.
- Commissioner Limoncelli says in the letter they use the words "require" and he doesn't know if this commission can require anything of a developer, is that correct?
- Mr. Brancati says they can't require anything but they can make suggestions, it is part of the negotiations; they will probably sit down for months with a developer to hash out the details of the agreement. One of their conditions is going to be that they don't want a low-income project here.
- Chairman Carbo says that will also separate any developer that is looking to do something like that because you let them know right from the beginning this isn't going to be a low-income project.
- Commissioner Lang says he would leave it right in there, he wouldn't change that word. He wouldn't change the next word either; encourage.
- Commissioner Limoncelli says in #8, he thinks the first word, somehow, should be "restrict", and as to what we would like to restrict it to is something the Chairman might suggest.
- Chairman Carbo says he is in on the Commission also and can suggest.
- Mr. Brancati says he is not playing developer, but if he sat on the other side of the table from himself, and was told where he had to get the money to do this, it is not fair to the developer.
- Commissioner Limoncelli says how about restrict from low-income housing to preserve the historical property.
- Commissioner Lang says they have to do that, because if they don't restrict it he will go some place where he is required to do that and we don't want that. We are looking to protect the neighborhood and the Town.
- Commissioner Asid says can they say to restrict the tenancy and occupancy from low-income housing.
- Mr. Brancati says that would work. That is one of the desires of the Town.
- Chairman Carbo says that is what they heard the majority of the time from the audience.
- Mr. Brancati says if a developer can't live with these terms, then he probably is not their developer.
- Commissioner Lang asks a question about #1; what are we talking about when it says that the Town will not incur costs then in parenthesis it says nominal costs.
- Mr. Brancati says he is trying to give them some latitude for negotiations, when you push down on a bubble in one place with a developer, keep in mind something is going to pop up somewhere else. For instance, he says no income

housing is allowed so the developer says you are limiting them from their marking ability so they may need the Town to help in the infrastructure costs, maybe lighting or sidewalks or something along those lines. You have to be able to give and take. He says he has already begun researching now, which would be a help to any developer. The State does have some money for the surveying for remediation; it could cost \$100,000 to do a survey to find out how much asbestos is in the building. He is trying to secure that money now, so he knows that he has access to that money as one of the bargaining chips.

- Commissioner Lang says with that in mind then, as far as #3 where it talks about “suitable” modernization for the Historical Society and Teen Center. What determines what is suitable? Even more so the Teen Center because he understands the Historical Society will end up with offices and display areas. What about the kids? The Teen Center now is not suitable.
- Commissioner DeLucia asks if they can put it in there that it is per their specs, same with the pool and gym, can it be per their spec?
- Mr. Brancati says in conversations he has had in the past, it would be that they develop a set of plans and specs, for example he would want a heating system and new bleachers, scoreboards, etc. He says that he is not an advocate for the developer, he is for the Town, but looking at both sides of the table, if you ask them to do so much that it becomes a \$4,000,000-\$5,000,000 renovation they are asking for, most developers are going to say it is probably worth \$3,000,000 to buy it; these are not real numbers, just examples. The developer will look at the budget done and the specs for the pool, gym, teen center, historical society. It may be that it is going to cost \$5,000,000 which is not economically feasible; they can't spend \$5,000,000 for something that is worth \$3,000,000 and expect to make any money on the project 3-5 years from now. He says so we have to be reasonable in what we ask them to do. He has walked through the building with Kevin and Bob Parente and has in mind things they want to do and see happen in the teen center and the gym. The historical society- he doesn't really know yet, right now it is a couple of classrooms with things stored and archived. He has a space he is thinking of in the old school but he doesn't know off hand what the cost to do that would be.
- Chairman Carbo says, what if, just throwing it out there, if they designate space for them and maybe the Town works with the developer.
- Commissioner Lang says that is the next thing he was going to say, looking at the numbers of what it has cost and what we are looking at possibly doing and looking to get back in taxes, it would be good if we broke even on our cost and had some money set aside in the budget to do some things. This other word he wrote down in regards to developers showing they are financially able is “bond”. He knows that bonds tend to disappear sometimes.
- Mr. Brancati says it is hard to bond for something that is going to be private property at that point.
- Commissioner Lang says if they are going to be doing something for us in terms of the pool or gymnasium; a bond should be required so that we are protected.
- Commissioner Limoncelli says he means a performance bond.

- Commissioner Lang says yes, that is what he means, something to protect the investment. The cost they looked at as far as the pool and the chemicals, they are still going to have those costs.
- Commissioner Limoncelli says he thought he saw the word maintain in there.
- Commissioner Lang says he saw the word but are they going to be maintaining the heat and everything.
- Commissioner DeLucia says the equipment should be renovated so it is more efficient and the cost should go down.
- Commissioner Lang says it has been costing them \$300,000 or more, if they save it and break even it's a plus.
- Chairman Carbo says if they replaced the filter, which is one of the big things using their resources and the heating, right there it should take care of some of it.
- Commissioner Lang says if it comes out a wash that is fine, he thinks. We end up with what we really want.
- Chairman Carbo says if a developer were to take over and have the pool and the gymnasium and were maintaining it, they would have more control over public use. He wants us to have control over public use.
- Mr. Brancati says what usually happens in a situation like this is that they are going to put a number on the table with a developer, then they are going to come back with a budget for what they want done to those facilities such as historical society, pool, gym, etc.; the developer will come back and say they are looking for the Town to contribute "x" amount of dollars for their space, they will do the majority of the work but if the Town goes above and beyond what they feel is a fair investment on their end, they ask if the Town will fill some of that gap. That's all part of the negotiations.
- Commissioner Lang asks if this is where he is looking to see if there is anything out there from the State.
- Mr. Brancati says yes, he is trying to secure money for instance to do a survey for asbestos and if there are other funds he could find, he would give that. His goal is never to commit Town funds for something; it is always to try and find the money somewhere else.
- Chairman Carbo says that is why they are going in this direction.
- Mr. Brancati says does he anticipate they are going to spend some money before this project is over? Absolutely.
- Chairman Carbo says that is why Town Council is going to be overseeing everything that goes on here.
- Commissioner Limoncelli says part of the giveback could be how they are going to present the property to them, as far as costs.
- Mr. Brancati says they will have an idea, any developer that walks in that building has already done their due diligence and knows what the property is appraised at.
- Commissioner Limoncelli says and what it is going to cost them if they were chosen as a developer.
- Mr. Brancati says they will also know based on the specs that he wants the dessert air system changed, the new furnace put in the pool, a new heating system for the water done, new tiles, the bathrooms redone, the locker rooms, etc. He then will go back and do a budget. The same thing will go for Bidy

Basketball, the floor done, heating, lighting and bleachers done, bathrooms and showers, etc. They will add all that stuff up and come back and at that point they may say it doesn't work. They may say they are the wrong developer for the Town of East Haven.

- Chairman Carbo says or they may come back and say they can do this, if we can do this. That's where the negotiations come in.
- Commissioner Limoncelli says they have come up with a fair market value of \$10,000,000 for the property right?
- Mr. Brancati says he thought Mike Milici had it down at like \$5.2 million dollars. They had an appraisal done on the property as of 9 months ago so he knows the dollar amount from an appraiser. They know what it is worth right now in it's condition. He has an idea of where his negotiations will go and he is pretty sure any developer will have done the same thing they did.
- Town Attorney Joseph Zullo does not advise that the dollar amount be shared.
- Commissioner Limoncelli says in their minds they need to differentiate what their recommendation will be and what the development agreement will be.
- Mr. Brancati says they will never know what the development agreement will be right now.
- Commissioner Asid says they are only making a recommendation right now.
- Chairman Carbo says keep in mind their recommendation is only the start of this; it has to go to Town Council, the Board of Finance.
- Commissioner Asid says she knows that is what she is saying; they are only making a recommendation they don't have the resume and the professional skills to do the development part of it. That is not what this committee is doing.
- Commissioner Lang says they know this has to go to the Town Council, they are genuinely concerned about this and it will hopefully be something that is profitable to the Town of East Haven, something that will maintain the historical value it has, he would love for it to still look the way it does. He doesn't want anyone to think he is looking to knock it down.
- Commissioner Asid says that is a good point, it is mentioned in there what the revenue would be back to the Town, maybe that is one of their recommendations that what they are looking for is something that is going to generate tax revenue back to the Town; maybe that needs to be spelled out as one of their recommendations.
- Commissioner Lang says he has mentioned it once before, if it is possible to find one of those programs out there because this is a historical building that they are looking to turn into something, not tear it down.
- Mr. Brancati says sometimes historical structures cause more of a problem.
- Chairman Carbo indicates it is not on the historic registry though.
- Commissioner Asid says but they want to maintain the historical essence of the building, the façade for the neighborhood.
- Commissioner Lang asks if it was the first High School built?
- Mr. Brancati says yes, East Haven and Hamden were built at the same time.
- Chairman Carbo says something else he wanted to bring up was that someone mentioned during their talks about the wing on the far left, the 73 wing, where they had the in and out driveway, knocking that down so they don't even have to go to that back driveway, they could fence it off.

- Mr. Brancati says we don't know yet, when a developer looks at it and wants to get say 50 units in there and says they can get that in there without the 73 wing it can be taken down and gives better circulations and parking; the windows can't be used for housing anyway. But, at this point, they haven't talked to a developer so they don't know. There hasn't been a developer who came in and said they can fit 80 units without that wing or 100 units without that wing and decide to take it down. He had a couple of drawings done with the 69 wing /73 wing off, circulation, what it looks like, etc. He has looked at the possibilities but doesn't know the square footage, do you want a 500 or 700 sq. ft. apartment; how many units do you get in taking the wings off.
- Chairman Carbo says another question he had was he would like to see more 1 bedroom units because that is going to keep out the parents that have kids coming in and staying and how do you get them out.
- Mr. Brancati says if he had his way they would be all 1-bedroom and studios. Then you wouldn't have to put an age restriction on it anymore, which would make all of our lives easier. He can imply that in their conversations.
- Commissioner Lang says it should be more profitable for them with 1-bedroom apartments.
- Mr. Brancati says it depends how many they get in. There are other issues, if you do all 1-bedroom units and get more, does that affect the parking and the ability to get enough parking spaces. Mr. Brancati shows samples where he says he played around with it, taking the 69 wing down, leaving the 73 wing up; reversing it putting it the other way. One area would be the Town's with the historical society, teen center, pool and gym stay and trying to keep an area of the auditorium for Council meetings and Arts Commission plays on the stage. When he is asking a developer to cut the auditorium in half and he wants to keep the stage, they may say he can have it and keep it for plays and Council chambers. If the developer wants one side to provide services such as medical or yoga classes or bingo, etc. they take half of the big auditorium; they let the Town keep it but they won't spend a dime on it. Those are the things that happen when you begin discussing options with developers.
- Commissioner Limoncelli asks if current parking requirements are going to apply here, 250 spaces?
- Mr. Brancati says it certainly applies now and they would have to look it over carefully; the old baseball park probably gets paved over where the grass is, the little outbuildings get demolished; they have to try and maximize as much parking as they can to meet the parking requirements on this site. Maybe a wing coming down solves that problem completely but they don't know they haven't done the actual specs on it.
- Chairman Carbo says getting back on track as far as their recommendations, is there anything else to add?
- Commissioner Asid says she has a few minor things, 2 notes. One of them can go in the public opinion area on pages 5 and 6; she thinks she needs to address that many of them were concerned about the shortened timeline for them and that the Commission is comfortable with the timeline because they are only making a recommendation and it is a base to start. They don't feel it is a rush to judgment because they are not making the ultimate decision, they are just

making a recommendation and based on the information at a number of meetings they are comfortable with that. It's not in the recommendations, she is saying where it talks about public comment it doesn't mention it in there. She wants to get it in some place that they mentioned it and they are comfortable with it because they are not making a decision, they are only making a recommendation.

- Mr. Brancati gives a ballpark idea for them to think about, the space they are looking to retain between the gym, pool, part of the auditorium, the historical society and teen center comes to about 34,000 sq. ft. that they would like to retain. He asks Commissioner DeLucia for a number per square feet, \$200? Based on what they are looking at now, they are asking a developer to spend \$7,000,000 to rehab that space, is that practical? Probably not in reality. They have a lot of negotiating to do; there will be a lot of give and take.
- Commissioner Asid said her number two note she knows it was mentioned in here, but it needs to be as a note that with the public comment and his data, sometimes they didn't realize with their recommendations the size of the building versus their recommendations and that needs to be clarified and addressed in there.
- Mr. Brancati says speaking off the cuff, ideally, another school becomes vacant and the Town gets another school; is it cheaper to take the school and move the historical society, arts commission, teen center, etc. to an abandoned or vacant school? Absolutely.
- Commissioner Asid says yes, she asked about that as well but that is not what this commission is doing.
- Chairman Carbo says more of a cultural arts center.
- Commissioner Asid says it is a bargaining chip, we can ask for what we are asking for and if they say no and a school closes like it says, can we use that as a plan B. She doesn't think some of the people realize how massive that building is. One person wanted to use the building for pre-school like New Haven has, they would have 20 kids for 200,000 sq. ft.
- Mr. Brancati says they have to remember we are keeping a lot of space, 34,000-35,000 sq. ft. to tell a developer to rehab it and they have to give it to us. We would be giving them a building that isn't worth anywhere near what we are asking them to spend.
- Commissioner DeLucia says there would have to be a lot of negotiating. When they are done they will make a return on their investment or they wouldn't do it.
- Commissioner Limoncelli says he thinks they need to narrow their discussion to come to a conclusion whether they approve or disapprove their letter including a couple of changes, because they can talk this to death. Bringing in DC Moore School has just blossomed this.
- Commissioner Asid says no it is just a bargaining chip they have, they want the developer to do what they are recommending meanwhile if they say no during the negotiations and a school closes that could be an alternative.
- Commissioner DeLucia says that is the bargaining part of it not the recommendation, which is for later.



- Commissioner Asid says she has a couple of grammatical things; she notes the needing of page numbers, closing of gap spaces, suggests removing of a few words throughout, and adding in a word or two.
- Chairman Carbo says before they vote on this, he would like to thank everyone for their hard work, taking time away from their families coming down there; they haven't been the most popular group in East Haven throughout this procedure.
- Commissioner Asid wants to make sure that all of the notes were added and Sal's presentation, financials, etc. in the appendix. It should be a report with the minutes and the summaries as appendices because it will be referred to a quick reference document for the Board of Finance, Town Council and Zoning when they start getting these questions during public comment.
- Commissioner Lang says what he brought up and the areas discussed, the explanations were just what he needed to hear; he is all set.
- Commissioner DeLucia says the only thing he has it further down the road when the developer is picked and the negotiations are done, is it possible to get a committee whether it be the building committee or someone to watch the developer while they are doing the areas per their spec to be sure it is done right; he knows there is a building inspector but he is looking at code. He would want to make sure everything is done per the specs.
- Mr. Brancati says it was his intent to have a clerk of the works reviewing the work; he could do it administratively. We are going to do the specs, so he will have to have someone monitor the specs and make sure they are being done properly.
- Commissioner DeLucia says he is interested in something like that; he would volunteer to do it.
- Commissioner Limoncelli says he is fine with the amended document.
- Mr. Brancati says he thinks under the conclusions portion the nominal costs to the Town sums it up; they have to anticipate there will be some costs. They did conclude they would write in there that they are not looking for low-income housing.
- Attorney Zullo asks if he can make a recommendation as to the wording of that. He has a slight concern about using that word. He thinks that a good way to say it is that they ensure that any development plan, in so far as the numbers and types of housing be consistent with the Town's overall plan of development. Our plan of development does address that issue; where it is best suited, where it is best located. We do have a fair housing policy and even that specifies the need to not be so rigid with respect to what we expect from renters and developers.
- Chairman Carbo says in hearing all of the public comments, it was very clear that people did not want this to be a low income housing project.
- Attorney Zullo says he knows but there was a zoning matter here once because people didn't want a Church because, quite frankly, they didn't like the color of the skin of the people who were coming in to apply. That might be what people said, but for the Town to comply with that would be terrible; just because the people say it doesn't mean this board should endorse that.
- Commissioner Lang says he was on the Council when they had that housing matter and none of the people were there to talk against it when it was voted in, the document for the Fair Housing.

- Mr. Brancati says they do it every year. Commissioner Lang says there was nobody there to say they couldn't do that.
  - Attorney Zullo says it is one thing to listen to people, people have the right to say whatever they say whether it is smart or not, but it is another thing to actually endorse those policies and they should be careful with that.
  - Commissioner Asid says that has been her concern.
  - Attorney Zullo says he thinks the Administration is more than aware of the feel of the neighbors and the Town is always going to be proactive in how it recruits housing because, quite frankly, there are people across Town that do want affordable housing because there are benefits to it because it is consistent with the Town's plan of development.
  - Mr. Brancati says it is very smart to write it that way.
  - Commissioner Asid wants to make sure that Item #8 is phrased by the Town Attorney's opinion.
  - Attorney Zullo said that would be it, it would read "Ensure that any development plan in so far as the numbers and types of housing be consistent with the Town's overall plan of development with the character of the neighborhood."
  - Commissioner Asid asks if they are going to add a recommendation that they ensure that the property in whatever development occurs that it not increase taxes for the Town but will bring in revenue.
  - Chairman Carbo says the whole idea of what they are talking about here does that. It is not necessarily going to reduce taxes but it will generate them.
- Attorney Zullo wants to read the items he noted as their recommendations. He says the following- It is recommended that any such plan should:
    1. Result in the property, or a substantial portion thereof, becoming a tax-generating property for the Town;
    2. Ensure that the Town incur no cost (or nominal costs) in the sale and redevelopment of the building (rehabilitation costs should be borne, as much as possible, by the developer);
    3. Ensure that any development plan with a housing component, insofar as numbers and types dwellings, be consistent with the character of the neighborhood and the Town's overall plan of development;
    4. Provide for the complete rehabilitation, per the Town's specifications, of the pool and gymnasium facilities on the property at the cost and expense of the chosen developer;
    5. Provide suitable, modernized operating facilities to Town specifications for the Historical Society and Teen Center and, if possible, negotiate for retaining or using a portion of the auditorium for artistic purposes;
    6. Limit the project to the 4.8 acre site and restrict the expansion of the project beyond the footprint of the existing building so as to protect neighboring residents;
    7. Require that any developer, prior to being chosen, provide proof of completion of similar, like-kind projects;
    8. Require that any developer demonstrate, prior to being chosen, the financial ability to complete such a project;

9. Require that any developer post adequate performance bonds with respect to any rehabilitation work to be performed for the benefit of the Town;
  10. Require historically-sensitive rehabilitation measures that will preserve the historic components of the building and the character of the neighborhood;
  11. Encourage developers to pursue historically-sensitive rehabilitation grants, as opposed to project-based subsidies, in rehabilitating and operating the property.
- Chairman Carbo asks if they are all in agreement with the listed changes and the grammatical changes.

Commissioner Asid makes a motion to accept the letter and what will be the complete document with the amendments to me forwarded to the Mayor.

Commissioner Lang seconds the motion.

Roll call vote: all in favor-none oppose- none abstain. Motion carries.

- Commissioner Asid makes sure that this will all be public record.
- Chairman Carbo says he mentioned earlier as soon as it is amended and completed it would be public record.

#### **Item #4**

Adjournment.

Commissioner Limoncelli makes a motion.

Commissioner Asid seconds the motion.

Voice vote: all in favor-none oppose-none abstain.

Meeting is adjourned at 7:45PM.

Respectfully Submitted,

Danelle Feeley

200 Tyler Street Subcommittee, Temporary Clerk