



**CITY OF NORWICH**  
CONNECTICUT

**AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH**  
**April 19, 2021**  
**7:30 PM**

**PRAYER**

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMENT GENERAL (30 Minutes on non-agenda items)**

**SECOND READING AND ACTION ON THE BELOW ORDINANCES PREVIOUSLY PRESENTED**

1. AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN OF THE CITY OF NORWICH (to be postponed until May 17, 2021 @ 7:30 pm)
2. AN ORDINANCE AMENDING CHAPTER 3 SPECIAL DISTRICTS BY ADDING SECTION 3.11 BUSINESS MASTER PLAN DISTRICT (BMPD) TO THE NORWICH ZONING REGULATIONS

**PUBLIC HEARING**

1. AN ORDINANCE AMENDING ORDINANCE #1714 ADOPTED FEBRUARY 17, 2015 AND SUBSEQUENTLY AMENDED BY ORDINANCE #1785 ADOPTED MAY 18, 2020 PERTAINING TO THE ADAPTIVE REUSE AND REHABILITATION OF THE HISTORIC PONEMAH MILLS TO CLARIFY THAT MILL BUILDING #1 WAS DEVELOPED IN THREE (3) PHASES AND THE TAX ABATEMENT RELATED TO THE REAL PROPERTY IMPROVEMENTS

**SECOND READING AND ACTION ON THE ABOVE ORDINANCE PREVIOUSLY PRESENTED**

**PETITION AND COMMUNICATION**

1. Letter of resignation of Steven Becker from the Board of Public Utilities Commissioners.

**CITY MANAGER'S REPORT**

*Betsy Bennett*

City Clerk

**AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN OF THE CITY OF NORWICH**

**WHEREAS**, plan changes have been proposed to the City of Norwich Volunteer Firefighters Pension Plan; and

**WHEREAS**, on or about October 5, 2020 the City of Norwich Finance Department received an analysis of the financial impact of the proposed changes prepared by the actuarial firm overseeing the pension fund; and

**WHEREAS**, the Volunteer Firefighter Relief Fund Committee at a special meeting held October 13, 2020 reviewed this financial analysis and voted to recommend the proposed plan changes to the Council of the City of Norwich

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Norwich, that the following amendments to Sections 8-74, 8-75, and 8-77 of Article IV of Chapter 8 of the Code of Ordinances listed as follows:

Section 8-74(a)(v)(6);

Section 8-74(a)(v)(7,) (to be added);

Section 8-75(a) (i) and (ii), (subpart (ii) deleted in full);

Section 8-75(c)(vi), (amending 8-75(c)(vi) by deleting (i) and (2) and restating (vi));

Section 8-75(c)(vii), (to be added);

Section 8-77(d)(i)(1)(a) and (b);

Section 8-77(d)(i)(l)(c), (to be added).

BE AND HEREBY ARE ADOPTED.

Sec. 8-74. – Service

(v) Contribution rate. A plan member shall contribute the following amounts for purchase of credited service during the following periods:

(1) \$60.00 for plan years prior to January 1, 1995.

(2) \$84.00 for plan years on or after January 1, 1995 but prior to January 1, 2000.

(3) \$120.00 for plan years on or after January 1, 2000 but prior to January 1, 2006.

(4) \$180.00 for plan years on or after January 1, 2006 but prior to January 1, 2011.

(5) \$216.00 for plan years on or after January 1, 2011 but prior to January 1, 2014.

(6) \$264.00 for plan years on or after January 1, 2014 but prior to January 1, 2021.

(7) \$288.00 for plan years on or after January 1, 2021.

Sec. 8-75. - Retirement benefits.

(a) Normal retirement.

~~(i) For members joining the plan prior to January 1, 2015, the~~ A plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 20 years of credited service.

~~(ii) For members joining the plan on or after January 1, 2015, the plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 25 years of credited service.~~

(b) Deferred retirement. A plan member who is satisfactorily able to perform fire duties may remain an active member and continue to earn credited service beyond his/her normal retirement date while he/she continues to collect benefits. The first day of the calendar month following such deferred retirement shall be known as his/her deferred retirement date.

(c) Calculation of retirement benefits. The monthly amount of retirement benefits payable to a plan member shall be calculated as follows:

(i) For retired members with a break in service prior to January 1, 1995, \$7.00 times 20 years of service, for a maximum of \$140.00.

(ii) For retired members with a break in service on or after January 1, 1995 but prior to January 1, 2000, \$8.00 times number of years of credited service, with a maximum of 30 years, or \$240.00.

iii) For retired members with a break in service on or after January 1, 2000 but prior to January 1, 2006, \$10.00 times number of years of credited service, with a maximum of 30 years, or \$300.00.

(iv) For retired members with a break in service on or after January 1, 2006 but prior to January 1, 2011, \$15.00 times number of years of credited service, with a maximum of 35 years, or \$525.00.

(v) For retired members with a break in service on or after January 1, 2011 but prior to January 1, 2015, \$18.00 times number of years of credited service, with a maximum of 40 years, or \$720.00.

(vi) For retired members with a break in service on or after January 1, 2015 but prior to January 1, 2021, \$22.00 times number of years of credited service, with a maximum of forty years, or \$880.00;

~~(1) Forty years, or \$880.00, for members who joined the plan prior to January 1, 2015~~

~~(2) Thirty years, or \$660.00, for members who joined the plan on or after January 1, 2015~~

(vii) For retired members with a break in service on or after January 1, 2021, \$24 times number of years of credited service, with a maximum of 40 years, or \$960.00

Sec. 8-77. - Death benefits.

(d) Death after retirement.

(i) Qualified spousal and child benefits. A plan member who is under the age of 65 as of January 8, 2001 and is an active member is entitled to have benefits pass onto his/her qualified spouse and child(ren), subject to the restrictions and calculations described herein.

(1) Qualified spouse is entitled to death benefits until death or remarriage, calculated as follows:

a. Plan member who died between January 8, 2001 and July 16, 2006. Fifty percent of the deceased plan member's retirement benefit;

b. Plan member who died ~~after~~ between July 16, 2006 and January 1, 2021. Ninety percent of the deceased plan member's retirement benefit.

c. Plan member who die after January 1, 2021. One hundred percent of the deceased plan member's retirement benefit.

**Mayor Peter Albert Nystrom  
President Pro Tem Mark M. Bettencourt  
Alderman Stacy Gould**

**AN ORDINANCE AMENDING CHAPTER 3 SPECIAL DISTRICTS  
BY ADDING SECTION 3.11 BUSINESS MASTER PLAN DISTRICT (BMPD)  
TO THE NORWICH ZONING REGULATIONS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT:

**3.11 BUSINESS MASTER PLAN DISTRICT (BMPD)**

**3.11.1 Statement of Purpose**

3.11.1.1 The City of Norwich recognizes that there exist properties located proximate to Interstate 395 and the Taftville-Occum area of the City which represent important opportunities for economic growth and community development. There may also be other areas in the City which may be identified from time to time which present such opportunities.

3.11.1.2 The City Council may establish a site specific BMPD for those properties suitable for the development of uses as permitted in a BMPD as set forth in these regulations. The BMPD is a floating zone governed by a Master Plan. The Master Plan will be subject to review and approval by the City Council, acting as the City's zoning authority, as a zone change, subject to a public hearing and the terms and conditions of these regulations. The Master Plan requires certain fluidity in order to accommodate market changes during the complete development of the property or properties comprising the BMPD, and as such may change over time. Any substantial and material changes shall be subject to the City Council's sole discretion and shall be subject to the same procedural and public hearing requirements as the original zone change adopting the BMPD. Any development on the zoned property will be subject to the specific BMPD requirements as set forth herein.

3.11.1.3 The BMPD is intended to encourage development of commercial parcels and permit new construction, renovation and/or adaptive re-use at these sites. The proposed uses and objectives are in conformity with and in furtherance of the goals and objectives contained in the Norwich Plan of Conservation and Development (POCD), and may include locations for advanced technology industries, research and development facilities, data centers, laboratories, or manufacturing, which will generate employment opportunities for the City. Factors to be considered by the City Council in approving a BMPD include:

- .1 That the location, uses and layout of the BMPD are in conformance with the general intent and the goals and objectives of the POCD.
- .2 That there will exist compatibility between the various uses that are proposed within the BMPD and also compatibility with neighboring land uses, taking into consideration the requirement and standards of these regulations.
- .3 That there will be a positive economic impact of the proposed BMPD to the City, including anticipated tax revenue, utility revenue and employment opportunities.

### 3.11.2 Establishment of District

3.11.2.1 The City Council shall establish the BMPD by approving a Master Plan, which while not intended to be a substitute for detailed requirements associated with a site plan, provides sufficient information to determine whether the proposal is in conformance with Section 3.11.1. Such adoption shall constitute a zoning map amendment in accordance with Section 8.4 of these Regulations.

3.11.2.2 Additions and Alterations. Any substantial and material alterations to the Master Plan, including but not limited to changes which are beyond the authority of the Commission on the City Plan under Chapter 7 of these Regulation, must comply with the criteria established in Section 3.11.1, and must be approved by the City Council in its sole discretion.

3.11.2.3 District Expiration. Approval of the zone change under this BMPD shall be void, without any further action of the City Council and the property shall automatically return to its prior zoning designation, unless a site plan for one or more sites in the BMPD is approved within 5 years of the zone change approval, **and all work in connection with the site plan is completed within the 5 year period.** The City Council may grant one or more extensions of this period prior to expiration upon written request of the applicant, but in no event will the extensions exceed **the extension of any site plan approval to complete the required work (but excluding an extension under Section 7.5.10).** **It being the intension of this provision that should the site work not be completed within site plan extension, that this zone change under this BMPD be null and void and the property revert to its prior zoning designation ~~5-additional-years.~~**

### 3.11.3 Master Plan

The purpose of the submission of a Master Plan is to determine whether the proposed uses and layout conform to Section 3.11.1, 3.11.5 and the POCD. The Master Plan, once adopted for a particular property or properties (the "Site") shall establish the dimensional characteristics of the BMPD and its uses. All elements of the Master Plan shall be prepared to provide a conceptual plan for the overall development of the BMPD. The Master Plan shall include:

3.11.3.1 Master Plan narrative demonstrating the Master Plan's consistency with the purpose of the BMPD, and the policies, goals and objectives of the POCD.

3.11.3.2 Existing Conditions Plan, showing site conditions and structures, including wetlands, watercourses, special flood hazard areas, existing topography with 5-foot contours showing the general gradient of the site, existing roads and rights of way, easements, boundary survey and location map, which, along with other surveys and plans listed below, shall be at a scale of 1 inch = 100 feet or larger prepared by a Connecticut licensed architect, landscape architect, surveyor or engineer (collectively the "Consultants").

3.11.3.3 A description of the existing uses of the Properties and their present location prepared by the applicant and its Consultants.

3.11.3.4 Conceptual plan indicating structures to be retained, substantially rehabilitated or demolished; general location of new structures to be built on the Properties; proposed roadways; parking areas; vehicular and pedestrian circulation; and any areas to be landscaped or dedicated to public use or open space. This plan shall be prepared by one or more of the applicant's Consultants, as applicable, and provide sufficient information to review the proposal.

3.11.3.5 A description of any proposed new uses or change in uses and their proposed location on the site by the applicant and/or its Consultants.

3.11.3.6 A preliminary traffic analysis detailing the impact of the proposed development taking into account the most intensive uses permitted in the BMPD; and including in the conceptual plan and the measures necessary to mitigate those impacts, if necessary.

#### 3.11.4 Site Plan

3.11.4.1 After Master Plan approval and establishment of the zone by the City Council, each development site must apply for site plan approval to the Commission on the City Plan (“Commission”), following the requirements of Chapter 7 of these Regulations. The implementation of the Master Plan may be phased by the filing of multiple site plan applications.

#### 3.11.5 Design Standards. The following design standards shall apply to the BMPD:

3.11.5.1 Area and Bulk Requirements. Existing structures located within the BMPD are deemed to be conforming in terms of any encroachments on maximum height, maximum lot coverage, etc.

- (i) Minimum district size: A minimum of ~~200~~ 100 acres of contiguous land in one or more parcels under common ownership or other ownership arrangement satisfactory to the City Council acting as the zoning authority in its discretion; and
- (ii) Road frontage along any arterial road or direct access to and from an arterial road via a public road and/or private right of way;
- (iii) Serviced by adequate underground public utilities or be capable of being serviced by the same or by the provision of sufficient on site facilities to be constructed.
- ~~(iv) Minimum front yard: 0~~
- ~~(v) Minimum side yard: 0~~
- ~~(vi) Minimum rear yard: 0~~
- (iv) Minimum front, side and rear yards: such yards as approved on the Master Plan
- (v) Maximum building height: such height as approved on the Master Plan.

3.11.5.2 Architectural Design. All new construction shall be designed to provide a high quality appearance consistent with contemporary standards and all selected materials shall be durable with subtle colors and uniform treatment. [The Commission on the City Plan shall approve architecture during the site plan process.](#)

3.11.5.3 Signage. A sign plan evidencing unified signage for the BMPD, including the general position, size and appearance of signs visible from any public right of way shall be included in the Master Plan application and shall be approved by the City Council.

3.11.5.4 Parking. On-site parking areas shall be adequate for the uses proposed. The Master Plan shall establish parking [which adheres to industry standards as determined acceptable to the Zoning Commission](#), with parking located on site to the extent feasible, without excessive impervious coverage. Parking area design should maximize landscaping. Stormwater management shall be designed to handle anticipated run-off without creating negative impacts on adjacent properties or natural resources.

3.11.5.5 Lighting. All site lighting shall be designed with full cut-off fixtures and facing in a general downward direction to shield and reduce glare.

3.11.5.6 Permitted Uses. Permitted uses shall be established by the Master Plan.

- .1 Professional and contractor offices
- .2 Research and development facilities
- .3 Computer software and hardware development
- .4 Data Centers
- .5 Logistic Centers
- .6 Laboratories ~~—no onsite patient visits permitted~~
- .7 Manufacturing
- .8 Power generation facilities and utilities
- .9 Truck Stop with associated retail sales, subject to approval of location within the BMPD
- .10 Other uses as permitted in the underlying zone in which the BMPD is located when specifically identified at the time of the BMPD application

3.11.5.7 Prohibited uses. The following uses are prohibited in the BMPD

- .1 Outdoor storage of raw or finished materials as a principal use (more than 50% of the building footprint)
- .2 Junk or salvage yards
- .3 Gasoline filling stations, except the permitted use Truck Stop
- .4 Vehicle sales, leasing and renting
- .5 Auto repair, storage, maintenance and paint shops
- ~~.6 Retail sales except associated with permitted use Truck Stop~~
- .6 Residential uses
- .7 Landscaping and construction laydown area
- .8 Self-Storage facilities

3.11.5.8 Buffers. The purpose of buffer areas is to provide privacy from noise, light glare and visual intrusion to residential dwellings in all locations where uses within the BMPD abut a residential district exterior to the BMPD. The city council will carefully analyze any buffers between the BMPD and surrounding residential neighborhoods and may tailor standard buffers to include enhanced landscaping, fences, walls and earthen landscaped berms, with due consideration for the relative heights of the uses on each side of the buffer.

.1 Standard Buffers. Unless otherwise approved in the Master Plan, buffers for uses within the BMPD shall be established and maintained as 25 feet with 10 feet of screening from the adjoining residential zone and/or any additional buffer requirements as determined by the City Council.

.2 Buffers may only be reduced from those established under Section 3.11.5.8.1 in the event such reduction is compatible with the objectives of Section 3.11.1. When reduction of buffers under Section 3.11.5.8.1 is allowed, the City Council shall require buffers meeting the standards of Section 3.11.5.8. The City Council, in the exercise of its discretion may require buffers of such size, type and material as it deems reasonably necessary to protect adjacent properties or important natural resources.



.3 The following accessory uses may be allowed within buffer areas, provided they are adequately screened from residential properties: access roads, pedestrian sidewalks, utilities, mailboxes and approved signs.

3.11.6 Consultant Review: In the event that the Zoning Commission needs to hire a consultant to review any aspect of the Master Plan proposal, the applicant shall pay for the City's consultant expense.

Mayor Peter A. Nystrom  
President Pro Tem Mark M. Bettencourt  
Aldерwoman Stacy Gould

## **PUBLIC HEARING #1**

AN ORDINANCE AMENDING ORDINANCE #1714 ADOPTED FEBRUARY 17, 2015 AND SUBSEQUENTLY AMENDED BY ORDINANCE #1785 ADOPTED MAY 18, 2020 PERTAINING TO THE ADAPTIVE REUSE AND REHABILITATION OF THE HISTORIC PONEMAH MILLS TO CLARIFY THAT MILL BUILDING #1 WAS DEVELOPED IN THREE (3) PHASES AND THE TAX ABATEMENT RELATED TO THE REAL PROPERTY IMPROVEMENTS

**WHEREAS**, The Council of the City of Norwich enacted Ordinance #1714 (the “Ordinance”) to encourage development of Historic Ponemah Mill Building #1, located at 607 Norwich Avenue in Taftville (the “Mill”); and

**WHEREAS**, the purpose of the Ordinance was to abate real estate taxes for historic mill structures in accordance with the authority granted under Section 12-127a of the Connecticut General Statutes and Section 7-121.5 of the Norwich Code of Ordinances; and

**WHEREAS**, the Ordinance #1714 was third in a series of ordinances enacted by the Council of the City of Norwich abating the taxes as to Ponemah Mill Building #1, the Council having previously enacted Ordinance #1576 adopted October 15, 2007, Ordinance #1670 adopted August 6, 2012, and Ordinance #1785 adopted May 18, 2020; and

**WHEREAS**, Ordinance # 1714 provided that the real estate taxes on the real property improvements be abated for a period of 15 years during the Construction Period, and further that the real estate taxes on the real property improvements be abated for a period of 15 years in accordance with a schedule as set forth in the ordinance commencing with the Grand List of October 1, 2020 or upon the issuance of the first CO for the property, whichever occurs first; and

**WHEREAS**, the Construction Period was extended pursuant to Ordinance 1785 to December 31, 2021; and

**WHEREAS**, the City of Norwich conducted a city-wide revaluation effective with the Grand List of October 1, 2018, which adjusted the values of real estate in the City of Norwich, including Ponemah Mill Building #1; and

**WHEREAS**, Historic Mill Building #1 was not defined in the Ordinance, causing confusion in determination of the date of the first Certificate of Occupancy and the termination of the Construction Period (“Termination Date”) for the purposes of interpreting the period of abatement under the Ordinance; and

**WHEREAS**, Historic Mill Building #1 is actually comprised six (6) separate and definable structures, which have been assigned the following addresses: 601,603, 605, 607, 609 and 611 Norwich Avenue; and

**WHEREAS**, a review of the background of the development of the Historic Ponemah Mill Building #1 by Ponemah Riverbank, information provided to Office of Planning and Development, the phases of development by Ponemah Riverbank, the assignment of building addresses as aforesaid; all serve to clarify the definition of Mill Building #1 and to define the date of issuance of the first Certificate of Occupancy and Termination Date; and

**WHEREAS**, a question has also arisen as to whether the language of Ordinance #1714 froze the valuation of the real estate as of the list year in which Ordinance #1714 was enacted, i.e., the grand list of October 1, 2014, and

**WHEREAS**, the Assessor of the City of Norwich, in the ordinary course of performing the duties of the Assessor, adjusted the valuation of Ponemah Mill Building #1 as a result of the city wide 2018 revaluation,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH**, that the Ordinance be clarified as follows:

1. Mill Building #1 is comprised of the following six buildings by address and which are under development in the following phases:

Phase I – Unit A South – 605 and 607 Norwich Avenue

Phase II – Unit A North – 611 Norwich Avenue

Phase III - 601, 603 and 609 Norwich Avenue

2. The date of the First Certificate of Occupancy shall be deemed to mean the date of the first certificate of occupancy for each Phase.

3. The term “Construction Period” shall mean the date of the period commencing with the first building permit for each Phase and the date of the issuance of the Certificate of Occupancy for the phase..

4. That the period of abatement of real estate taxes on the Real Property Improvements for Phase I commenced on November 1, 2017, and shall continue for a period of fifteen (15) years based upon the schedule set forth in Ordinance #1714.

5. That the period of abatement of the real estate taxes on the Real Property Improvements for Phase II commenced on October 1, 2019, and shall continue for a period of fifteen (15) years based upon the schedule set forth in Ordinance #1714.

6. That the period of abatement of the real estate taxes on the Real Property Improvements for Phase III will commence upon the issuance of the certificate of occupancy or December 31, 2021, whichever first occurs and shall continue for a period of fifteen (15) years based upon the schedule set forth in Ordinance #1714, as amended by Ordinance 1785.

7. That all of the other terms and conditions of Ordinance #1714, as the same may have been previously amended shall remain in effect and are extended pursuant to this Ordinance.

Mayor Peter Albert Nystrom  
President Pro Tem Mark M. Bettencourt  
Alderswoman Stacy Gould

April 1, 2021

Norwich City Clerk's Office  
 Norwich City Hall  
 100 Broadway  
 Room 215  
 Norwich, CT 06360

TOWN CLERK  
 NORWICH CT

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RECEIVED

Attention: Mrs. Betsy Bennett

Dear Mrs. Bennett:

Pursuant to the City Charter it is necessary for me to Resign as Commissioner of Norwich Public Utilities, due to the fact that I have Relocated out of Norwich.

I would like to take this opportunity to express my gratitude in being part of this magnificent and dedicated group of professionals. I wish the Board and the City of Norwich good fortune in the future.

Sincerely,

Steven A. Bell