

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

ARX WIRELESS INFRASTRUCTURE LLC
APPLICATION FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION,
MAINTENANCE, AND OPERATION OF A
TELECOMMUNICATIONS FACILITY LOCATED
AT 1061-1063 BOSTON POST ROAD IN THE
CITY OF MILFORD, CONNECTICUT

DOCKET NO. 500

Date: MAY 4, 2021

**ARX WIRELESS INFRASTRUCTURE LLC'S REPLY TO CITY OF MILFORD'S
MEMORANDUM RE: LOCATION PREFERENCES AND SITING CRITERIA**

Arx Wireless Infrastructure LLC ("ARX") hereby responds to the City of Milford's Memorandum Re: Location Preferences and Siting Criteria dated April 28, 2021 (the "City's Memorandum").

The City's claims that ARX did not have an adequate municipal consultation process and committed undescribed "procedural violations" are wholly unfounded. On October 1, 2020, counsel for ARX met virtually with the attorney for the City, John W. Knuff, Esq. ("Attorney Knuff"), and Milford City attorney Jon Berchem. In that meeting, Attorney Knuff asked questions about the project. By letter dated October 8, 2020, counsel for ARX provided information in response to Attorney Knuff's questions. See Letter to Attorney Knuff dated October 8, 2021 contained Exhibit M to the Application. On October 27, 2020, Attorney Knuff sent a second letter, which requested additional information and suggested some alternative sites. ARX spent the next five months running out every ground ball to ascertain whether an alternative site might be an option to meet the carriers' coverage needs. This process involved numerous communications

with the carriers and communications with the property owners. On March 26, 2021, counsel for ARX responded to the second letter from Attorney Knuff explaining that the sites that Attorney Knuff had suggested were not viable options. See Letter to Attorney Knuff dated March 26, 2021 contained in Exhibit M to the Application. The City's suggestion that the five months ARX worked to further investigate these other sites is somehow not "good faith" is flatly untrue. The bottom line is that the proposed Site at 1061-1063 Boston Post Road is the only viable location to meet the coverage needs at the I-95/Boston Post Road interchange. And ARX is committed to working to minimize any possible environmental or aesthetic impacts in constructing the tower at this Site.

1) Local Zoning for the Site

ARX acknowledges that the Property is a split-zone parcel. In initially characterizing the Property as solely in the Interchange Commercial District (ICD), ARX relied on the City's tax assessment records and data in the City's GIS mapping database, both of which erroneously referred to the zoning of the Property as solely ICD. See Exhibit 1 attached hereto, containing the tax assessment card and the GIS mapping.

ARX further notes that the City inexplicably failed to raise this zoning issue in its discussions with ARX in the municipal consultation, even though the Technical Report clearly indicated ARX's understanding that the Property was in the ICD based on the City's tax assessment records and data in the City's GIS mapping database. The City either shared ARX's mistaken belief that the Property was zoned ICD (which would be understandable considering the false information contained in the City's tax assessment records and GIS mapping database), or the City was aware of the zoning and decided it

would lie in wait to raise the issue until ARX filed its Application with the Connecticut Siting Council. ARX certainly hopes that the City was not engaged in any sort of gamesmanship to this effect.

Regardless, ARX has supplemented Section VII(C) of its Application Narrative on the date hereof.

2) Exploration of Alternative Sites or Solutions

As more particularly set forth in ARX's letter to Attorney Knuff dated March 26, 2021, ARX completely responded to the questions and suggested alternative sites raised by the City of Milford in a good faith effort to examine all potential sites. (See Letter to Attorney Knuff dated March 26, 2021 contained in Exhibit M to Application.) In particular:

a. 1201 Boston Post Road (Connecticut Post Mall):

The City's Memorandum is puzzling, in that it acknowledges that American Tower and ARX are competitors and further acknowledges American Tower's knowledge of ARX's application, yet American Tower has not offered any site at the Mall to the Connecticut Siting Council even though it has had ample time to do so. In addition, ARX has repeatedly reached out to the owner of the Mall – the party that would need to actually lease any proposed tower site to ARX – and has received no response. Attorney Knuff's comments are also disingenuous, as he advised the undersigned that he represents the Mall. Therefore, he could easily have brought any interest the Mall has in a tower to ARX for the carriers' consideration, but he has failed to do so. The inescapable conclusion is that the Mall is not presently interested in a site because, as Attorney Knuff is well aware as its counsel, the Mall is presently seeking

approval from the City of Milford for a massive mixed-use development at the Mall property that includes **300 housing units**. See Exhibit 2 attached hereto, *New Plan for Milford mall includes public space, apartments*, dated April 27, 2021, published in the CT Post (with highlights added); and Minutes of the Planning and Zoning POCD Subcommittee Special Meeting held on April 14, 2021 (with highlights added). Presumably, the Mall has made a business decision not to pursue development of a new tower at the Mall because doing so could either jeopardize the zoning approval it is seeking from the City or make the property less desirable to its anticipated new residents. In addition, and as previously explained to Attorney Knuff, Verizon evaluated the roof of the Post Mall and confirmed that it is too low and would not satisfy its service objectives in the area.

b. 1052 Boston Post Road, Milford CT (former Howard Johnson Hotel).

It is true that Verizon and AT&T both have equipment currently located on the rooftop of the Howard Johnson Hotel and that the proposed Facility is a relocation of an existing facility.

The Howard Johnson hotel has been out of business for over a year. The building on that property is planned to be demolished as part of a redevelopment project, and the new hotel building will not satisfy Verizon's service objective. Verizon estimates that a stub tower on the roof of the new hotel would need to extend 35' to 40' above the roof to provide comparable service. The owner of the Howard Johnson Hotel was not interested in this type of installation on the new hotel building. In addition, ARX's project staff questioned whether the new hotel building would be structurally capable of supporting such a large structure on the roof. For over a year, the carriers

have worked with the owner of that site to explore alternative ways to accommodate their telecommunications equipment, without any success. Verizon has concluded that there will be no feasible alternative location on that property for the telecommunications equipment, and accordingly, the property at 1052 Boston Post Road has been deemed unusable.

Moreover, AT&T has determined that the existing hotel and the proposed new hotel do not satisfy AT&T's coverage needs. Therefore, AT&T will need an additional site/facility to fully address its coverage and capacity needs.

Most recently, in response to the City's suggestion, ARX reached out again to the owner to explore whether there was any interest in developing a new tower at the property. On January 22, 2021, ARX wrote to the owner via certified mail, return receipt requested. The certified letter was received on January 29, 2021 at 12:29 p.m., and to date, ARX has received no response from the owner.

c. 1212 Boston Post Road, Milford, CT (Old Navy site).

ARX sent **three** letters to the owner of this site, with the last communication being a certified mailing that the owner received on October 22, 2020. ARX has never received any response from the owner. Accordingly, this parcel was deemed unusable due to a lack of interest from the owner.

3) Search Area and Coverage Data

ARX has already explained to Attorney Knuff that there is no document that describes the search area, as the proposed facility is a replacement site. ARX further explained to Attorney Knuff that the area investigated in the search process is contained in the Site Search Process section of the Technical Report, and the list of sites

investigated is contained therein. See Letter to Attorney Knuff dated March 26, 2021 contained in Exhibit M to Application.

In response to Attorney Knuff's request for a Verizon "search ring," ARX has already explained to Attorney Knuff that Verizon did not generate a new search ring for this area since it is simply trying to replace an existing facility with a new site that would provide comparable wireless service. ARX has already explained to Attorney Knuff that the "target" area for this relocated facility is the I-95/Boston Post Road interchange. See Letter to Attorney Knuff dated March 26, 2021 contained in Exhibit M to Application.

ARX further makes reference to Exhibit F to the Application (Site Search Summary and Site Search Summary Map).

Conclusion

ARX engaged in an exhaustive search process -- both before and after the filing of its Technical Report. ARX met with the City in good faith and spent no less than five months investigating the potential viability of each site the City suggested. It communicated to the City detailed explanations for why those sites were not good options. If ARX had not diligently explored the sites raised by the City and worked with the carriers to answer the questions asked by the City, ARX could have filed the Application *months* earlier. It is unfortunate that simply because the City suggested sites that were not viable it chose to leap to over-the-top accusations that ARX did not consult in good faith. Nothing could be further from the truth.

Finally, ARX is supplementing its Application to identify the split zoning nature of the Property. The only reason its initial submission indicated that the Property was solely in the Interchange Commercial District is because ARX relied on the City's

inaccurate tax assessment records and GIS mapping database. Of course, if Attorney Knuff had revealed to ARX his knowledge of the City's erroneous records and maps, this issue could have been avoided prior to the filing of the Application.

Any suggestion that there are any "procedural violations" is baseless.

RESPECTFULLY SUBMITTED,
ARX WIRELESS INFRASTRUCTURE, LLC,

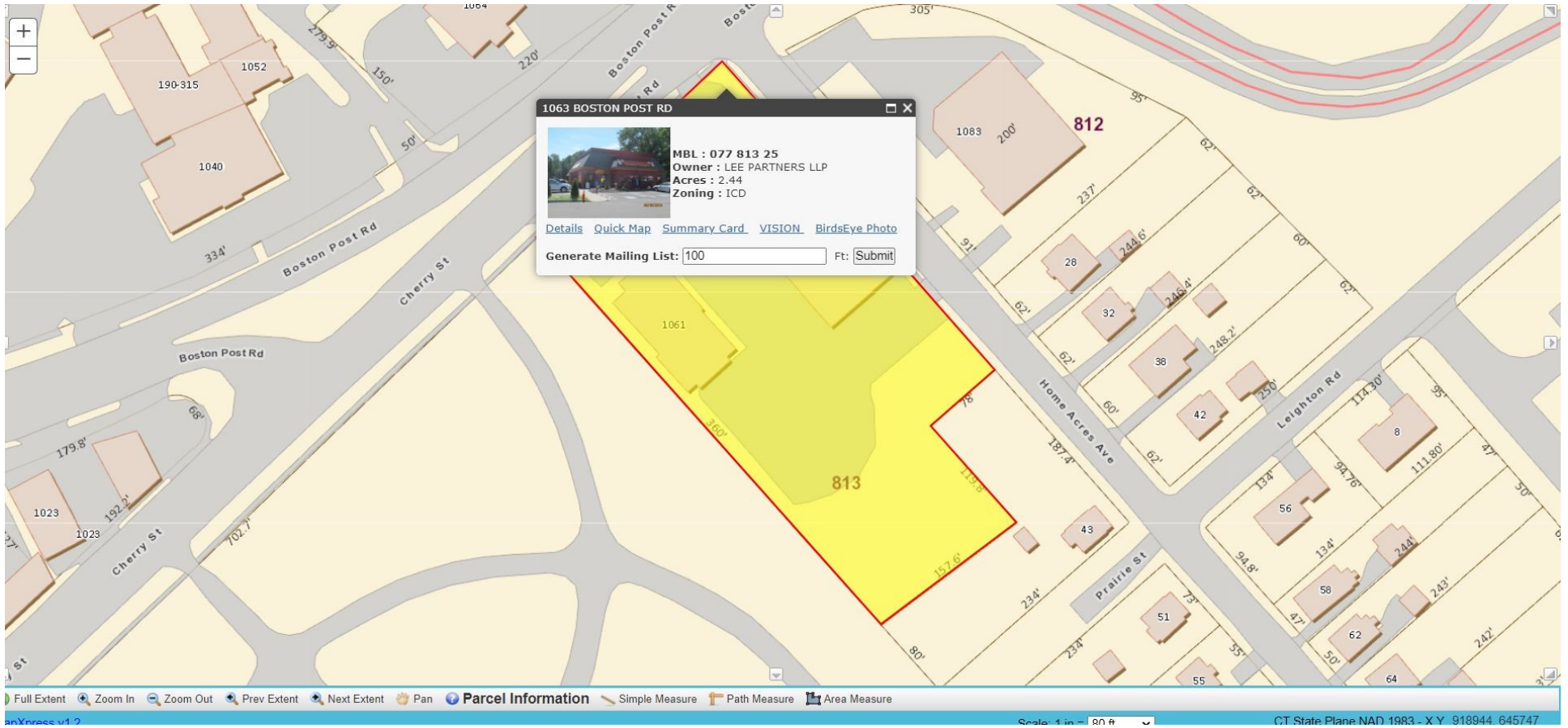


By: _____

David A. Ball, Esq.
Philip C. Pires, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Tel. No. (203) 368-0211
E-Mail: dball@cohenandwolf.com
E-Mail: ppires@cohenandwolf.com
Juris No. 010032

EXHIBIT 1

Milford GIS Map with Zoning Identifier for Site, Retrieved 4-28-21





Property Information

Property Location	1063 BOSTON POST RD
Owner	LEE PARTNERS LLP
Co-Owner	C/O RICHARD LEE
Mailing Address	70 LYON ST NEW HAVEN CT 06511-4927
Land Use	3260 REST/CLUBS MDL-94
Land Class	C
Zoning Code	ICD
Census Tract	

Neighborhood	T
Acreage	2.44
Utilities	All Public,Public Sewer
Lot Setting/Desc	UNKNOWN Level
Book / Page	02491/0144
Fire District	4

Photo



Sketch



Primary Construction Details

Year Built	1989
Building Desc.	REST/CLUBS
Building Style	Restaurant
Building Grade	GOOD
Stories	1
Occupancy	1.00
Exterior Walls	Brick/Stn Vene
Exterior Walls 2	NA
Roof Style	Flat
Roof Cover	Tar & Gravel
Interior Walls	Drywall/Sheet
Interior Walls 2	NA
Interior Floors 1	Clay/Porc Tile
Interior Floors 2	Hardwood

Heating Fuel	Gas
Heating Type	Forced Air-Duc
AC Type	Central
Bedrooms	0
Full Bathrooms	0
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	0
Bath Style	NA
Kitchen Style	NA
Fin Bsmt Area	
Fin Bsmt Quality	
Bsmt Gar	
Fireplaces	

(*Industrial / Commercial Details)

Building Use	Commercial
Building Condition	3
Sprinkler %	NA
Heat / AC	HEAT/AC PKGS
Frame Type	WOOD FRAME
Baths / Plumbing	AVERAGE
Ceiling / Wall	CEIL & WALLS
Rooms / Prtns	AVERAGE
Wall Height	12.00
First Floor Use	NA
Foundation	NA



City of Milford, CT

Property Listing Report

Map Block Lot

077 813 25

Bldg #

1

Sec #

1

PID

17657

Account

011093

Valuation Summary (Assessed value = 70% of Appraised Value)

Item	Appraised	Assessed
Buildings	1282830	897980
Extras	1230	860
Improvements		
Outbuildings	41620	29130
Land	1701000	1190700
Total	3026680	2118670

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
First Floor	5957	5957
Total Area	5957	5957

Outbuilding and Extra Features

Type	Description
PAVING-ASPHALT	29998 S.F.
AIR CONDITION	768 UNITS

Sales History


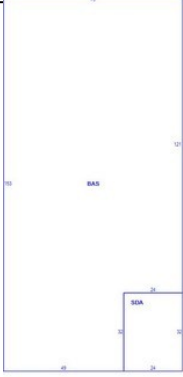
Owner of Record	Book/ Page	Sale Date	Sale Price
LEE PARTNERS LLP	02491/0144	2001-07-13	0
LEE PARTNERS	00851/0136	1976-06-08	0



City of Milford, CT

Property Listing Report

Map Block Lot **077 813 25** Bldg # **2** Sec # **1** PID **17657** Account **011093**

Photo 	Sketch 
---	---

Primary Construction Details

Year Built	1950
Building Desc.	Industrial
Building Style	Service Shop
Building Grade	GOOD
Stories	1
Occupancy	1.00
Exterior Walls	Concr/Cinder
Exterior Walls 2	Brick/Masonry
Roof Style	Flat
Roof Cover	Tar & Gravel
Interior Walls	Minim/Masonry
Interior Walls 2	NA
Interior Floors 1	Concr-Finished
Interior Floors 2	NA

Heating Fuel	Gas
Heating Type	Hot Air-no Duc
AC Type	None
Bedrooms	0
Full Bathrooms	0
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	0
Bath Style	NA
Kitchen Style	NA
Fin Bsmt Area	
Fin Bsmt Quality	
Bsmt Gar	
Fireplaces	

(*Industrial / Commercial Details)

Building Use	COMM BLDG MDL-96
Building Condition	4
Sprinkler %	NA
Heat / AC	HEAT/AC SPLIT
Frame Type	MASONRY
Baths / Plumbing	AVERAGE
Ceiling / Wall	CEILING ONLY
Rooms / Prtns	AVERAGE
Wall Height	14.00
First Floor Use	NA
Foundation	NA

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
First Floor	10401	10401
Store Display Area	768	768

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
Total Area	11169	11169

EXHIBIT 2

SI

e-edition



Recommended



Prosecutors probe woman's 911 call week before she



Stratford man charged with sexually assaulting



State's Attorney IDs veteran Derby officer who shot

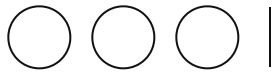


NEWS

New plan for Milford mall includes public space, apartments

Saul Flores

Updated: April 27, 2021 8:58 a.m.



1 of 3

An October 2020 rendering of a potential residential development at the Connecticut Post Mall in Milford.
Arrowstreet

MILFORD — A new and expanded plan to redevelop the Connecticut Post Mall is back on the table, this time with apartments forming the centerpiece of a planned social and recreational hub.

Steven Levin, founder and CEO of Centennial Real Estate of Dallas, Texas., and Nick Morris, of Milford Crossing Plaza, both participated in a meeting of the Planning and Zoning Board's Plan of Conservation and Development (POCD) subcommittee on April 14. **The two are seeking approval for a zone change to allow residential buildings at the mall.**

ADVERTISEMENT

Article continues below this ad

In 2020, a plan to construct a 300-unit apartment building on mall property fell

through when zoning officials rejected a request for a zone change to allow the apartment complex. City officials, including Economic and Community Development Director Julie Nash were critical of the 2020 proposal, with Nash saying the proposal “lacked a long-term cohesive plan” and should encompass other uses, as is being done at other malls across the country.

Levin said the Centennial design team had taken to heart the board’s response to the previous proposal and worked toward an integrated vision that re-imagined the old Sears location.

ADVERTISEMENT

Article continues below this ad

“Our vision is to re-imagine this mall, this property, while it continues to be a vibrant, relevant, amenity for the community of Milford. This mall doesn’t have to die,” Levin said at the Oct. 6, 2020 meeting.

The goal is still to add 300 apartments.

ADVERTISEMENT

Article continues below this ad



The original plan to redevelop the mall included construction of a 300-unit apartment building on a four-acre portion of the mall property at the location now occupied by the closed Sears Auto Center.

Levin said the topic of adding apartments remains a “hot button” issue that creates push-back, but he said he thinks the resistance would be reduced if the apartment plan “comes with parks or other uses with social and recreational benefits. The new proposal would feature a \$7 million to \$8 million public space, he said. Further development could add space for offices, health sciences, technological

corporations and residential areas, Levin said.

MOST POPULAR

- 1. State Capitol police seize fake COVID vaccine cards at anti-vaccine rally**

- 2. New plan for Milford mall includes public space, apartments**

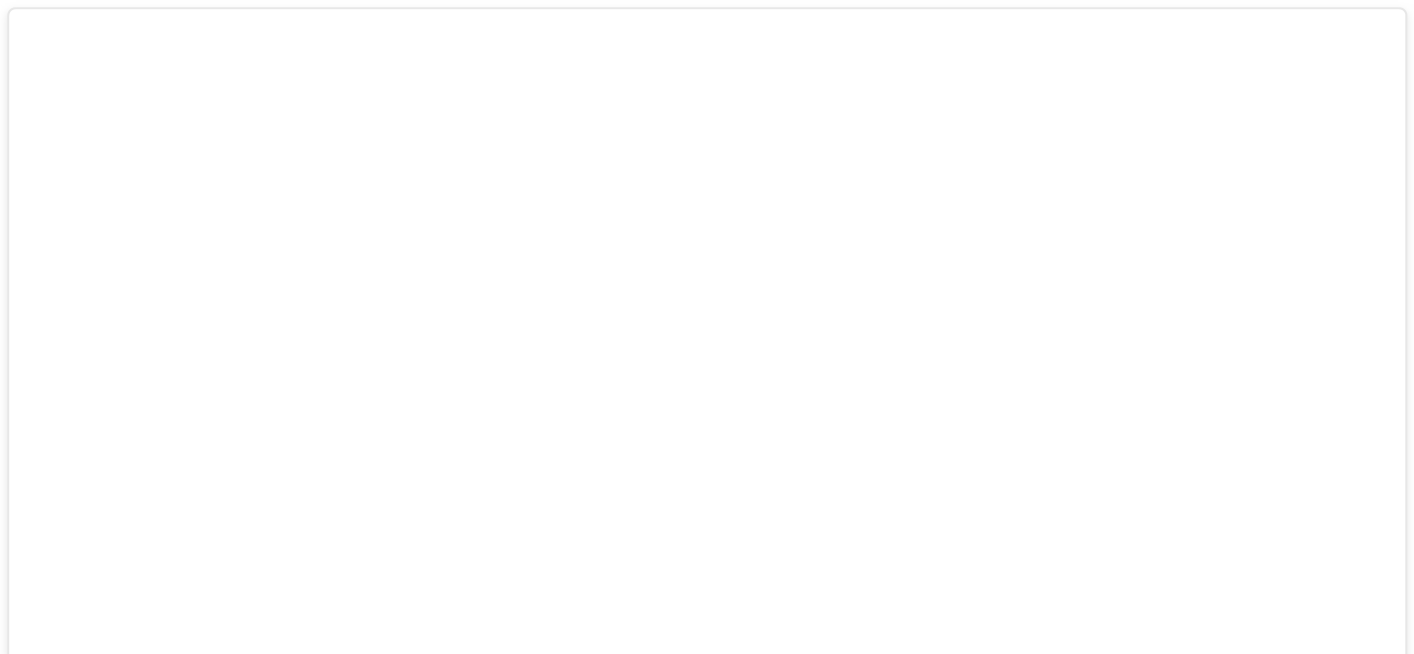
- 3. State Senate votes to repeal religious exemption for school vaccinations**

- 4. Secret Hikes: 25 CT trails to avoid the crowds**

- 5. Police: Derby man dies following low-speed crash at Milford mall**

- 6. Probable cause found in case of man arrested after Derby officer-involved shooting**

- 7. Owner of pizza shops in Greenwich, Stamford gets 30 days in prison for tax evasion scheme**

DON'T MISS

School apologizes after allegations of racism against Black students

A social media campaign last summer called out instances of discrimination at the private school, which responded by creating a task force to address it.

More News



NEWS

Stratford man charged with sexually assaulting girl

By Daniel Tepfer



PAID CONTENT

From ambulance to operating room: How the edge is digitally transforming...

BY HEWLETT PACKARD ENTERPRISE



NEWS

Police: Driver was under the influence in fatal Waterbury...

By Tara O'Neill

Attorney John Knuff, representing Centennial, said minor adjustments could be made to co-locate residential and retail or commercial in the same building. He added true mixed-use buildings require both a residential and a commercial component.

Chairman Jim Quish had objected to the 2020 proposal, fearing that an economic downturn would leave the city “stuck with apartments in a zone that was clearly meant to be a commercial property.”

ADVERTISEMENT

Article continues below this ad



Quish said Levin's description of the new preliminary proposal with an indoor/outdoor environment seemed "much more mixed use" than the previous plan. Quish and Levin agreed that Levin would return to the subcommittee with a more robust master plan in May.

One possible stumbling block for the new plan is that demolishing the old Sears location, to be rebuilt for mixed use. Board member Peg Kearney expressed her desire that every possibility for reuse of the Sears space be exhausted. She suggested several options, including retail, a Superior Court building or a Milford campus for Yale or another university.

campus for Yale or another university.

Sign up for Morning Briefing

Get must-read local news and analysis from a source you can trust

Email

SIGN UP

By signing up, you agree to our Terms of Use and acknowledge that your information will be used as described in our Privacy Policy.

Written By

Saul Flores

VIEW COMMENTS

IN-DEPTH COVERAGE



- **'Her door was always open': CT mom dies after COVID battle**



- **Experts: Childhood vaccine protesters pose COVID threat**



- **Jacobs: Is NFL the next stop for Newtown's Ben Mason?**



- **Haar: The state tax compromise we might see**

Forget the 30yr mortgage if you owe less than \$356K. (Consider a shorter mortgage instead)

If you haven't missed a mortgage payment for 6 months, why don't you use Congress's Mortgage Stimulus program for the middle class and see how much money you could be saving. Click Learn More to calculate a ...

LowerMyBills NMLS#167283; 3306 | Sponsored

Learn More

Every College Basketball National Champion, Ranked

Stadium Talk | Sponsored

**MINUTES OF THE PLANNING AND ZONING POCD SUBCOMMITTEE SPECIAL MEETING HELD
Wednesday, April 14, 2021 AT 6:30 P.M.**

Call to Order was at 6:33 pm.

Roll Call: J. Castignoli, J. Kader, P. Kearney, J. Mortimer, J. Quish, J. Griffith, D. Sulkis, M. Greene

Invited guests: John Knuff, Steven Levin, Jon Meshel, Scott Pollock (CT Post Mall)/ Nicklaus Morris (Milford Crossing/Bridge33 Capital)

Topic for discussion: Shopping Center Design District (SCD) Corridor Design District

Chairman Quish asked for an introduction of the guests. He reviewed parcels in the SCD district, saying the zone had been created to accommodate a business model that is changing as malls are being reimagined. He said his goal for the meeting was to keep it casual for an exchange of ideas that explores collaboration between the city and business. He asked for owners to provide background and describe challenges they face.

Mr. Levin (founder and CEO of Centennial, owner of the mall) thanked the POCD for including them in the session. He reviewed the history of his company's involvement with the mall, having acquired it about 5 years ago. He said traditional malls have been struggling and that mall owners with sufficient capital, a longer time horizon, and vision are redeveloping these projects for the next 30 years by addressing how people live, work, and play now and will do so in the future. He said he was hoping to transform the CT Post Mall in similar fashion to several of their properties in Chicago, Orange County, and Virginia. He said these projects have provided his management team with experience in creating successfully reimagined malls. He said that a mall the size of the CT Post simply cannot find enough tenants if all spaces must be used for shopping and that the trend around country is to transform these large campus environments to mixed use destinations that bring in uses other than shopping. He said shopping is still a meaningful part of the project, but the campus design should be an integrated place that can also attract office tenants, medical tenants, or university tenants such that the working environment also provides amenities like restaurants, recreation, and entertainment. He said the leading trend in adding new uses to malls is incorporating residential spaces. He said Centennial is not looking to convert the mall to a residential community, that it will remain a major commercial, million-square-foot-plus campus, but rather the ability to add some residential space will drive office companies to locate on the campus. He said he wants to make "The Post" a dominant destination for Milford and surrounding communities, but more of an 18-hour-per-day destination—a place to bring your kids, enjoy an art-walk, listen to live music, dine, see a movie, shop, and generally experience entertainment. He shared a rendering of a more integrated proposed project than the previous presentation in 2020, and the subcommittee members generally reacted favorably to it. **Chairman Quish** said he recognized the need to partner with investors to create a beneficial asset to the city. **Mr. Levin** said that an opportunity exists for the Post mall because neighboring communities don't want to invest or can't afford to address failing malls. He said the only solution is to have capital and create a use that is exciting for the long term. He said the Centennial design team had taken to heart the board's response to the previous proposal and were working toward an integrated vision for the old Sears location.

Nick Morris, Milford Crossing Plaza, said he is supportive of the redevelopment effort described and the idea of an integrated campus nearby is good for his tenants and the community in general. He said plaza management is focused on keeping Milford Crossing full of retail tenants and would be happy to collaborate on integrating with the mall's vision in any way that is mutually beneficial because all of retail is in the process of being reimaged. **Chairman Quish** asked if there is pressure on big box stores in the plaza. **Mr. Morris** said Milford Crossing is not immune to departures or bankruptcies, but at present, the tenancy rates are satisfactory. He said the plaza has not encountered problematic zoning factors, although there has been some long-term thinking about potentially carving out a new pad and diversifying. He stressed that the plaza is largely occupied with tenants that are renewing. He said plaza ownership are not developers by nature, particularly when tenants are already performing well.

Mr. Sulkis presented a map of the SCD zone featuring the Post Mall and Milford Crossing with East Town Road in between. **Chairman Quish** asked board members for comment. **Mr. Castignoli** asked for proportions of residential to commercial; **Mr. Levin** said he couldn't project that now because the focus for Phase 1 redevelopment is on the old Sears parcel. Ultimately, he said he wants to rebuild that end of the mall toward Macy's and Boscovs, adding space for offices, health sciences, tech, and another residential project. **For now, though, the goal is to demonstrate that the mall can survive as a going concern and to that end, he would like to add 300 apartments.** He said he would love to have a complete plan for approval, but the team does not have those answers now. He said that the Phase 1 project is what is being proposed and tested around the country. **Chairman Quish** confirmed that the new rendering describes an indoor/outdoor environment. **Mr. Levin** said the goal is to respond to demand as it arises and to create energy and excitement around the property. He said some good malls are going back to the banks daily and reminded the group that USAA is committed to being an investment partner for the long term. He said mall ownership would not make money on this project in the near term, but that they have put \$200 million into the mall already and want to see it succeed. He stressed that he believes the community will enjoy and embrace the proposed amenities. **Chairman Quish** said he understands the rapid pace of

**MINUTES OF THE PLANNING AND ZONING POCD SUBCOMMITTEE SPECIAL MEETING HELD
Wednesday, April 14, 2021 AT 6:30 P.M.**

change but thinks the board will resonate better with a master plan that incorporates flexibility, environmental sustainability, reclamation of wetlands, and net zero carbon emissions. **Mr. Levin** said there is a master plan and a vision for next 10-15 years to form a basis for a long-term plan, but that the development must be on a path. **Mr. Meshel** said the property is critical to the town, and that if the vision laid out by Mr. Levin is done correctly, Centennial would like to work together. He noted that failed malls are being bought by Amazon for fulfillment centers and said he thinks that would be a devastating outcome. **Mr. Levin** stressed that he is committed to avoiding that outcome by making the campus a place for the community to go. He noted that Amazon and other entities are buying malls as distressed sales. They said they know that adding lots of apartments is a hot button that creates pushback to new apartments, but they feel that pushback will be reduced if there is a pairing with parks or other uses with social and recreational benefits. Mr. Levin said the proposal would feature a \$7-8 million-dollar public space with no anticipated return but that creates a new sense of place. **Chairman Quish** said retail has changed and noted that the property has great access to major highways, to the shoreline, and to downtown. He said he wants sustainability, does not want to compete with downtown, but to bring local area people to Milford and to use creative transportation to connect with other destinations around the City like the beach or downtown.

Ms. Kearney said she wishes to exhaust all possibilities for Sears and that she is not opposed to Amazon, a superior court building, or a branch of Yale or some other university. **Mr. Levin** said that reality is that the traditional mall is broken, and he feels that people go wrong by taking a Sears box and just putting a new tenant in it despite an old footprint and an old, tired image. Mr. Levin said he is reaching out to Yale to consider a health center, but Yale will not be interested in setting one up in an old retail footprint where the mall looks the same. Once the new tenant is in the old space, leases will preclude building a welcoming plaza or European outdoor café. He reviewed the amount of money Centennial has spent just to keep Dick's Sporting Goods in the mall now.

Mr. Mortimer asked what the major stumbling block to the mall management's vision was; the answer was board approval to take Sears down and build the mixed-use project that will start transforming the campus into what it needs to be with the worst case scenario being to do nothing. **Attorney Knuff** said that the SCD regulations are a solid fit for the most part, with so many permitted uses. He said the main problem with current regulations is the prescribed format for residential uses being restricted to garden-style apartments. He contrasted other City areas zoned RMF to point out how completely different they are from the mall. He reviewed aspects of the approach used in the previous presentation and said he still considers the requested zoning changes rather modest. **Chairman Quish** said the newer image presented to the POCD subcommittee looked much more like mixed use than the previous presentation. **Attorney Knuff** said he thinks minor adjustments could be made to co-locate residential and retail or commercial in same building. He said true mixed-use buildings require both a residential and a commercial component, but the question becomes what the correct ratio is. **Mr. Sulkis** said he thought the concept floated at this meeting was well received because the rendering depicted a space that is truly integrated with the mall instead of being in a separate block of buildings. He suggested reducing the incongruity of allowing so many commercial uses yet being so restrictive of residential uses, saying the regulations could be tweaked to support that integrated vision. The group discussed how the combined contribution of the POCD and Regulations Subcommittees could be brought to bear and commented on how productive this more relaxed forum was, as well as the eventual goal of opening certain meetings for community input. **Mr. Castignoli** agreed with Mr. Sulkis' assessment of this vision being much more integrated with the entire mall. **Attorney Knuff** said he appreciated all the comments and agreed that the new vision is a decided improvement. **Mssrs. Levin** and **Meshel** said they would be happy to continue a dialog in the more relaxed format and reiterated their commitment to recreating the mall campus as a wonderful destination.

Chairman Quish said he was unsure about when to bring in public comment but would like a robust master plan to underpin that phase. **Mr. Levin** said he also wants a master plan for the mixed-use project and would like to present it to the POCD group. A time frame of 3-4 weeks was established. **Chairman Quish** underscored his desire to see a plan that highlights sustainability; **Mr. Levin** said sustainability was also his goal and that he will show the group something to be proud of and that the community would like to see. **Attorney Knuff** suggested that a visit to the Regulations Subcommittee might be helpful or possibly a joint meeting of the 2 committees.

Approval of Minutes of 3-24-21 was unanimous.

Adjournment was at 7:35, next meeting is April 28th.