

**DRAFT  
CITY OF NORWALK  
PLANNING COMMISSION  
January 19, 2016**

**PRESENT:** Torgny Astrom, Chair; David Davidson; Victor Cavallo; Walter McLaughlin; Frances DiMeglio; Steve Ferguson; Joel Zaremby

**STAFF:** Dori Wilson; Frank Strauch

**I. CALL TO ORDER**

Mr. Astrom called the meeting to order at 8:40 p.m.

**II. ROLL CALL**

Mr. Strauch called the roll. .

**III. PUBLIC HEARING**

**a) Subdivision #3639 – Kevin Reid – 31 Nolan Street – 2 Lots**

After Mr. Astrom opened the public hearing, he read the procedures into the record.

Wayne D’Avanzo, of Fairfield County Engineering, began the presentation by explaining the storm water management, and the utilities. He also mentioned that this was Nolan Street Extension. The applicant had received all the required approvals. He handed in the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors.

No one spoke in support or against the application. Mr. Astrom closed the public hearing.

**IV. REPORT OF SUBDIVISION COMMITTEE, Joel Zaremby, Chair**

**a) Action on III. a. - Subdivision #3639 – Kevin Reid – 31 Nolan Street – 2 Lots**

**\*\* MR. ZAREMBY MOVED: BE IT RESOLVED** that subdivision application #3629 submitted by Kevin Reid for a 2 lot subdivision at 31 Nolan Street as shown on a plan

entitled "Subdivision Map Of Property Prepared for Kevin Reid, 31 Nolan Street, Norwalk Connecticut," Scale 1" = 20', dated 7/1/2015 and revised to 11/2/2015 and certified "Substantially Correct" by Denis Delius, Land Surveyor, Connecticut Registration No. 6396 be **APPROVED** subject to the following reasons:

1. That all required soil and sedimentation controls be in place prior to any site work; and
2. That any additional soil erosion and sedimentation controls deemed necessary by the staff be installed at the direction of the staff; and
3. That a financial guarantee, in an amount to be determined by staff, be submitted to guarantee the installation of all erosion and sedimentation controls; and
4. That a financial guarantee, in an amount to be determined by staff, be submitted to guarantee the installation of the required public improvements prior to the certificate of occupancy being issued on the construction of any new dwelling; and
5. That any structures / accessory structures be removed from the newly created lot prior to the filing of the final resubdivision map; and
6. That the proposed drainage system, when installed, be maintained to work at full capacity; and
7. That the maintenance of the proposed drainage system be noted on the final subdivision map; and
8. That the maintenance of the proposed drainage system be noted on all zoning permits; and

**BE IT FURTHER RESOLVED** that conditions do not warrant the installation of sidewalks; and

**BE IT FURTHER RESOLVED** that conditions do not warrant the installation of new street curbs; and

**BE IT FURTHER RESOLVED** that the street tree requirement not be waived and that five (5) street trees be installed and that where practical, any existing street trees which meet the street tree requirements, be retained and utilized towards the street tree requirement; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be January 29, 2016.

**Mr. McLaughlin seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

**b) Subdivision # 3623 – JLG Builders – 9 Ellen Street – 2 Lots – Request for return of maintenance bond**

**\*\* MR. ZAREMBY MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that the request to release the maintenance surety held on Subdivision #3623 – JLG Builders – 9 Ellen Street – 2 Lots – Request for return of maintenance bond be **APPROVED**, and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be January 29, 2016.

**Mr. Davidson seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

**c) Subdivision # 3636 – Petrucci Builders, LLC – 251 Silvermine Avenue – 3 Lots – 90 Day extension request (2nd and FINAL)**

**\*\* MR. ZAREMBY MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that the approval time on Subdivision #3636 – Petrucci Builders, LLC – 251 Silvermine Avenue – 3 Lots – 2nd extension request to file approved map be **APPROVED** for an extension of a period of 90 days; and

**BE IT FURTHER RESOLVED** that the new deadline to file the approved subdivision map is April 21, 2016; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be January 29, 2016.

**Mr. Ferguson seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

## V. REPORT OF LAND USE COMMITTEE, Fran DiMeglio, Chair

### Referrals – Report & recommendation

a) **8-24 Review – Approve, under Sec. §95-35 of the City code, a portion of Isaacs Street to be abandoned by the City of Norwalk to POKO-ISWR Developers, LLC**

**\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission in accordance with Section 95-35 of the City Code under an 8-24 Review regarding the street abandonment of a portion of Isaacs Street be **APPROVED**; and

**BE IT FURTHER RESOLVED** that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development goal to "A.1.1.9 Encourage development that seeks to provide maximum returns to the City in the Grand List tax revenue consistent with public purpose." (A.1.1.9. p. 10); and
- 2) To implement the Plan of Conservation and Development goal to "Require a minimum of ten percent (10%) affordable units in all developments over 20 units, as per the Workforce Housing ordinance." (A.2.1.5. p. 11); and
- 3) To implement the Plan of Conservation and Development goal to "Encourage at least 15 percent of housing in the West Avenue, Reed Putnam, and Wall Street areas to be affordable to families with incomes at or below the Connecticut Housing Finance Authority's income limits." (A.2.1.6. p. 11); and
- 4) To implement the Plan of Conservation and Development goal to "Strengthen the revitalization of the West Avenue, Wall Street, and Reed Putnam areas by encouraging mixed-use development (i.e. offices, stores, services, restaurants and theaters together with housing, parks and cultural facilities). ." (A.3.1.2. p. 12); and
- 5) To implement the Plan of Conservation and Development goal to "Encourage retail activity in the West Avenue/Wall Street and Reed Putnam areas and place emphasis on pedestrian-oriented environment." (A.4.1.1. p. 12); and
- 6) To implement the Plan of Conservation and Development goal to "Improve the appearance of public plazas, streets, and rights-of way." (F.4.3. p. 44); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Common Council.

**Mr. McLaughlin seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; voted in favor.**

**No one opposed.**

**David Davidson abstained because he was not part of the POKO-ISWR Developers, LLC original arrangement and since this is not a separate item, but rather, an integral part of the original agreement.**

**b) Special Capital Appropriation – Request from the City’s Building and Facilities Manager to appropriate \$756,068 for the renovation of Roosevelt School in order to implement the new Norwalk Early Childhood Center (City of Norwalk in conjunction with Norwalk Public Schools)**

**\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Planning Commission that the request by the Request from the City’s Building and Facilities Manager to appropriate \$756,068 for the renovation of Roosevelt School in order to implement the new Norwalk Early Childhood Center (City of Norwalk in conjunction with Norwalk Public Schools) be **APPROVED**; and

1. To implement the Plan of Conservation and Development goal to “Maintain all public facilities at a high standard.” (D.2.1.1 p. 30); and
2. To implement the Plan of Conservation and Development goal to “Provide sufficient school facilities and programs in order to afford all citizens the opportunity to obtain a quality education.” (D.3.1 p. 30); and
3. To implement the Plan of Conservation and Development goal to “Expand the use of schools to better serve the community.” (D.3.2 p.31); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Common Council and other appropriate agencies.

**Mr. Zaremby seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

**c) #14-15R - A. J. Penna & Son - Proposed amendment to permit contractors storage yards on parcels of 2 acres or more that abut a limited access highway as a special permit use in Business #2 zone**

**\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#14-15R - A. J. Penna & Son - Proposed amendment to add contractors storage yards as a Special permit use on parcels of 2 acres or more that abut a limited access highway in Business #2 zones" and dated November 12, 2015, be **APPROVED**, subject to the following modifications:

- 1) That the amendment be revised to add, "and that the site is not adjacent to multi-family developments located in Business #2 zones."

**BE IT FURTHER RESOLVED** that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development to "Examine and modify existing zoning where necessary to achieve the goals of this plan" (F.2.1, p. 42); and
- 2) To implement the Plan of Conservation and Development to "Seek private investment within the community" (A.1.1.1, p. 10) and to "Encourage diversity in commerce and industry" (A.1.1.2, p. 10); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Norwalk Zoning Commission.

**Mr. Davidson seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

**d) #13-15R – CP IV Waypointe BP LLC – Proposed amendments to permit compact car parking in Design District Development Parks**

**\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#13-15R - CP Waypointe BP I, LLC – Proposed amendments to Section 118-504 regarding smaller parking spaces in a Design District Development Park parking structure" and dated December 14, 2015 be approved.

**BE IT FURTHER RESOLVED** that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development to "Strengthen the revitalization of the West Avenue, Wall Street, and Reed Putnam areas by encouraging mixed-use development (i.e. offices, stores, services, restaurants and theaters together with housing, parks and cultural facilities). (A.3.1.2, p. 12,); and
- 2) To implement the Plan of Conservation and Development "To encourage retail activity in the West Avenue/Wall Street and Reed Putnam areas and place emphasis on pedestrian-oriented environment (A.4.1.1, p. 12); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Norwalk Zoning Commission.

**Mr. McLaughlin seconded.**

Mr. Davidson said that he would be voting against this resolution and advised the other commissioners to do the same. He believed that this was not in the best interest of the citizens of the city because this was a parking garage that was neither safe nor appropriate. He believed the spaces were shorter than necessary and parking appropriately. He thought it was just helping the developer to get out of a building deficiency they caused. It was clearly in violation of Norwalk's requirements.

There was a lengthy discussion among the commissioners as to the issues of safety, compact car spaces and parking requirements in future developments. There were 2 different developers on this project and the SoNo Collection. Some of the commissioners were concerned about the practicality of disallowing parking.

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson voted in favor.**

**Mr. Davidson opposed.**

**No one abstained.**

**e) #15-15R –Zoning Commission – Proposed amendments to Section 118-1050 Workforce Housing regulation to revise priority designations for workforce unit**

**\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “#15-15R – Zoning Commission – Proposed amendments to Section 118-1050 Workforce Housing regulation to revise priority designations for workforce units” and dated December 4, 2015 be **APPROVED**.

**BE IT FURTHER RESOLVED** that the reasons for this action are:

1) To implement the Plan of Conservation and Development to “Allow a wide range of housing opportunities to ensure that the housing needs of all segments of the labor force are met” (A.1.2.3 p. 10); and

2) To implement the Plan of Conservation and Development to “Require a minimum of ten percent affordable units in all developments over 20 units as per the Workforce Housing ordinance” (A.2.1.5 p. 11); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Norwalk Zoning Commission.

**Mr. Davidson seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

**f) #16-15R – Zoning Commission – Proposed amendments to Sections 118-1450 and 118-1451 regarding provision of sidewalks meeting minimum clearance requirements**

**BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “#16-15R – Zoning Commission – Proposed amendments to Sections 118-1450 and 118-1451 regarding provision of sidewalks meeting minimum clearance requirements” and dated November 24, 2015 be **APPROVED**.

**BE IT FURTHER RESOLVED** that the reasons for this action are:

1) To implement the Plan of Conservation and Development to “Preserve and enhance the character of Norwalk” (A.1.1.4, p. 10); and

2) To implement the Plan of Conservation and Development to “Protect residential neighborhoods from incompatible development (A.1.1.6, p. 10); and

3) To implement the Plan of Conservation and Development to “Review all anomalies and spot zones to conform to regulations, and to encourage reasonable uses” (F.2.1.3, p. 42); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Norwalk Zoning Commission.

**Mr. McLaughlin seconded.**

**Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

**VI. DISCUSSION: PLAN OF CONSERVATION DEVELOPMENT**

There was no discussion at this time.

**VII. APPROVAL OF MINUTES: November 10, 2015**

**Ms. DiMeglio moved** to approve the minutes, as revised.

**Mr. Davidson seconded.**



**Torgny Astrom, Chair; Fran DiMeglio; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.  
No one opposed.  
Mr. Cavallo abstained.**

#### **VIII. COMMENTS OF THE SENIOR PLANNER**

Ms. Wilson asked the commissioners to take a handout for the SoNo Collection to start reviewing the plans. There was some discussion as to the changes in the parking garage which had previously had an underground tunnel.

#### **IX. COMMENTS OF COMMISSIONERS**

Mr. Davidson asked about how the Capital Budget process was run since it would begin the following week. Mr. Strauch gave advice as to what to look at on. There was also a discussion about bringing food for the Feb. 16 meeting that the commissioners will go through the budget, line by line. There was also a discussion as to which nights each department would come for their presentations.

#### **X. ADJOURNMENT**

**Mr. McLaughlin made a Motion to Adjourn.  
Mr. Zaremby seconded.  
Torgny Astrom, Chair; Fran DiMeglio; Victor Cavallo; Joel Zaremby; Walter McLaughlin; Steven Ferguson; David Davidson voted in favor.  
No one opposed.  
No one abstained.**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted by,

Diana Palmentiero