

**CITY OF NORWALK
ZONING COMMITTEE
May 12, 2016**

PRESENT: Adam Blank, acting as Chair; Nate Sumpter; Linda Kruk; Emily Wilson; Doug Stern; Rod Johnson; Mike Witherspoon; Jill Jacobson

STAFF: Mike Wrinn; Frank Strauch

OTHERS: Atty. Carolyn Cavolo; Guy Mazzola; Matt Brown

Ms. Wilson called the meeting to order at 7:33 p.m.

I. PROPOSED AMENDMENTS TO THE BUILDING ZONE REGULATIONS/SPECIAL PERMITS

a) #4-16R/#6-16SP - 10 Lubrano PI, LLC, AMEC Holdings LLC et al - 7-15 Olean St/10-12 Lubrano PI/ 26 Hemlock PI/0 San Vincenzo PI - Proposed amendment to Industrial #1 zone to allow storage and maintenance of trucks, equipment, containers, refuse collection and recycling receptacles associated with an approved transfer station at an approved transfer station in Norwalk or at another location a minimum of 2 acres in size by special permit and special permit for storage and maintenance of trucks, equipment, containers, refuse collection & recycling receptacles at an offsite location a minimum of 2 acres in size – Preliminary review

Mr. Wrinn began the presentation by orienting the commissioners as to the location of the property on an aerial map. He explained that the applicant had also submitted revised plans on the previous day. Some parcels had recently been added to the project.

Atty Carolyn Cavolo had some handouts that she gave to the commissioners for review. She noted that the changes the acquisition of another parcel has allowed them to change the ingress and egress to the property as well as reorient it away from the residential properties. Her client has reached out to neighbors through David Westmoreland.

There was a discussion of the legal proceedings, in particular a cease and desist, and the status of them. There was also a discussion of the use, specifically the storage containers. Mr. Mazzola explained that there was a contractor's yard permit for one of the parcels but not all of them. He also said there were about 60-70 empty containers on the site. There was a discussion about meetings with the neighbors. A member of the public asked to speak but he was told that since this was not the public hearing, he would not be allowed to speak. Mr. Westmoreland said that the neighbors would speak with the applicant when they had more information about the containers. Mr. Mazzola said that there had been 1 meeting with neighbors on the property, at which he had given them his phone number if they had questions. There was also a discussion about possible fencing and gating the property to protect the neighborhood.

Matt Brown continued the presentation by discussing the revised site plans which included the new parcel. He discussed how they repurpose an existing structure, as well as the ingress/egress which would now only be on Chestnut. He also discussed drainage and showed them the drainage plans. There was also a discussion of the storm water treatment. Mr. Brown also discussed the parking spaces and the times that trucks would leave the site in the morning. Those trucks would be parked further away from the residential neighborhood.

There was a discussion about the applicant meeting with the neighbors. Then the commissioner discussed Columbus Magnet School. There was also a discussion about the containers that would be stored at the property especially during the winter. The amount of containers varied, depending on size. Some containers have been removed and the applicant said they could provide inventory numbers.

Mr. Brown then discussed the landscaping, buffering and visual screening. There was then a discussion about the storage containers and what they were used for in connection with the applicant's transfer station in another part of town. Mr. Sumpter raised a concern about this large trucks being on the streets in the neighborhood because schools could be letting out at the same time as children were leaving school. There was then a discussion of an existing garage on the property for the storage of tires. Mr. Mazzola said that the Lubrano and Orleans entrances would be closed to access.

There was then a discussion about the date for the public hearing. Although the applicant thought it would be helpful to wait another month for the public hearing, the commissioners asked it to be scheduled for the June Zoning Commission agenda.

b) #3-16R – Zoning Commission – Proposed amendments to Articles 111/140 to add certified mail notice requirement for submittal of new applications affecting Special Permit, SPR & Coastal Site Plan Review applications – Final review prior to public hearing

Mr. Blank noted that the proposed amendment would state that it would be a regular mailing and a certification that it was mailed. It seemed less intrusive. He then explained that he and Mr. Wrinn had met with some neighbors in Rowayton to discuss about their concerns. (A member of the public then asked about an application on the agenda which Mr. Strauch discussed outside the room.) One of the concerns was that neighbors were not finding out about projects soon enough. This amendment would help with those concerns.

c) #5-16R - Zoning Commission – Proposed amendments to establish a moratorium on licensed medical marijuana producer or dispensary facility as permitted by the State of CT. – Preliminary review

Mr. Wrinn explained that the Zoning Department staff had interpreted the state statute and said that this was not a use allowed under Norwalk's regulations. Corporation Counsel interpreted it and thought that applicants could have a case that the dispensary could come into the city anywhere. There would be a moratorium on this matter. It would be on the June Zoning Commission agenda.

d) #X-16R – Zoning Commission – Proposed amendment to Section 118-1110 Coastal Zone regarding vegetated buffers from the Coastal Jurisdiction Line for properties in the Coastal Zone – Further discussion

Mr. Wrinn explained that he and Mr. Blank had heard about this in their meeting in Rowayton. There would be a relatively small number of houses that would be affected by this proposed amendment. There was a discussion about how this proposed amendment would affect the rear of the properties.

e) Zoning Commission – Preliminary discussion of Potential Main Ave Zone Changes

There was a discussion about the traffic on Main Avenue and Route 7. Many people use Route 7, rather than Main Avenue. They discussed this matter in connection with the BJ's application. Ms. Kruk thought they needed to discover what the problem was and fix it. They decided to debate it when there was a draft amendment to review, especially for the commissioners that had not been on the commission when the BJ's application had been filed.

The meeting was adjourned at 8:34 p.m.

Respectfully submitted by,

Diana Palmentiero