

**CITY OF NORWALK  
ZONING COMMISSION  
September 21, 2016**

**DRAFT NOT APPROVED BY THE COMMISSION**

**PRESENT:** Adam Blank, Chair; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Joseph Passero; Galen Wright-Wells; Richard Roina; Louis Schulman

**STAFF:** Mike Wrinn

**I. CALL TO ORDER**

Mr. Blank called the meeting to order at 8:01 p.m.

**II. ROLL CALL**

Mr. Wrinn called the roll.

**III. REPORT OF PLAN REVIEW COMMITTEE**

- a. **#8-15SP – Miracle Temple Church of God – 1 Trinity Place – Child day care center – Request for 1 year extension of approval time - Report & recommended action**

**\*\* MR. JOHNSON MOVED: RESOLVED** by the Norwalk Zoning Commission that the approval time on #8-15SP – Miracle Temple Church of God – 1 Trinity Place – Child day care center – Request for 1 year extension of approval time be **APPROVED** for an extension of a period of 365 days with the following condition:

1. That property taxes be kept current for the duration of the extension period;

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be September 30, 2016.

**Mr. Sumpter seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

- b. **#25-16CAM – 1800 Real Estate Assoc. – 8 Adamson Avenue - New two family residence - Report & recommended action**

**\*\* MR. SUMPTER MOVED: BE IT RESOLVED** that application #25-16CAM, construction of a proposed two-family residence for the property 8 Adamson Avenue and as shown on the zoning location map dated 6/30/2016 and revised to 8/16/2016 by Dennis A. Delius, Land Surveyor, Norwalk, CT; CT Lic. 6396 and on the engineering drawings dated 7/16/2016 by Fairfield County Engineering, LLC, Norwalk, CT and on the architectural drawings dated 8/2/2016 by Ritz-Craft Corp., Mifflinburg, be **APPROVED** subject to the following conditions:

1. That all CEAC Sign-offs are submitted prior to a zoning permit being issued; and
2. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
3. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and
4. That all materials submitted for a zoning permit are to the satisfaction of the zoning officer; and

**BE IT FURTHER RESOLVED** that this proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be September 30, 2016.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

- c. #26-16CAM – 1800 Real Estate Assoc. – 10 Adamson Avenue - New two family residence - Report & recommended action**

**\*\* MR. SUMPTER MOVED: BE IT RESOLVED** that application #26-16CAM, construction of a proposed two-family residence for the property 10 Adamson Avenue and as shown on the zoning location map dated 6/30/2016 and revised to 8/16/2016 by Dennis A. Delius, Land Surveyor, Norwalk, CT; CT Lic. 6396 and on the engineering drawings dated 7/16/2016 by Fairfield County Engineering, LLC, Norwalk, CT and on the architectural drawings dated 8/2/2016 by Ritz-Craft Corp., Mifflinburg, be **APPROVED** subject to the following conditions:

1. That all CEAC Sign-offs are submitted prior to a zoning permit being issued; and
2. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
3. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and
4. That all materials submitted for a zoning permit are to the satisfaction of the zoning officer; and

**BE IT FURTHER RESOLVED** that this proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be September 30, 2016.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

- d. #27-16CAM – Jennie Bedusa – 17 Washington Street – Proposed tavern - Report & recommended action**

**\*\* MR. SUMPTER MOVED: BE IT RESOLVED** that Coastal Area Management #27-16CAM – Jennie Bedusa– 17 Washington Street – Proposed tavern (“Spigot Beer”) and as shown on the architectural drawings done by the applicant and received by Planning and Zoning Department, dated 8/18/2016 and be **APPROVED** subject to the following conditions:

1. That all signage, existing and proposed, comply with the zoning regulations; and
2. That any graffiti on the site, now or in the future, be removed immediately; and
3. That all needed permits from the applicable City agencies be obtained; and
4. That there will be no live music (DJ or band of any kind); and

**BE IT FURTHER RESOLVED** that under Section 118-1220 (M), municipal parking in South

Norwalk, the additional 14 spaces generated by the increased use (19 parking spaces total), will not be required to be provided, as the property is located in the "Exempt From Municipal Parking Permit Fees" area of South Norwalk; and

**BE IT FURTHER RESOLVED** that the proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be September 30, 2016.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

- e. **#22-16CAM – Stephen Gott – 30 1/2 Shorefront Park – New single family residence - Report & recommended action**

**\*\* MR. SUMPTER MOVED: BE IT RESOLVED** that application #22-16CAM, construction of a new single-family residence for the property 30 1/2 Shorefront Park and as shown on the zoning location survey dated 6/9/2016 and revised to 8/30/16 by Wayne Arcamone, Norwalk, CT, CT. LIC. 15773 and the engineering drawings dated 7/15/2016 and revised to 9/1/2016 by Grumman Engineering LLC, Norwalk, CT, and on the architectural drawings dated 7/12/2016 and revised to 8/29/2016 by Richard Swann, Architect, Fairfield, CT be **APPROVED** subject to the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
2. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

**BE IT FURTHER RESOLVED** that this proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be September 30, 2016.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

- f. **#13-13SP/#14-13SP/#15-13SP – Trinity Washington Village Limited Partners/City of Norwalk – Raymond, Water & Day Sts - 273 unit multifamily development (3 applications) – Request to modify approved plans with architectural changes, TOD parking and revise conditions of approval regarding offsite improvements - Report & recommended action (3 separate actions)**

There was some discussion before the commissioners voted on the resolutions which included the location of the stoops, and the elimination of posting a bond for off-site improvements. Instead of the bond, there would be an Infrastructure Agreement between the applicant and the City.

**\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the resolution for special permit application #13-13SP and coastal site plan application #19-13CAM – Trinity Washington Village Limited Partnership – 13 Day Street - New 10 unit multifamily development in Flood Zone AE and in a Transit Oriented Development (TOD) area as shown on a set of plans entitled "Parcel 1: 13 Day Street and Hanford Place Building A Norwalk, CT. Trinity Washington Village Limited Partnership & the Norwalk Housing Authority" by Icon Architecture; Tighe & Bond Engineers & Surveyors; Eric Rains Landscape Architecture and other related plans dated September 19, 2013 as revised to November 22, 2013 be revised and approved, to clarify and update the following conditions, to read as follows:

That **THE APPLICANT, OR ITS GENERAL CONTRACTOR, SUBMIT** a surety (in an amount to be determined by staff) and approved by the Zoning Commission to ensure the installation of all **THE on and off-site improvements (AS DEFINED BELOW)** necessary to accommodate the final grades of proposed site utilities and driveway access for this development. **ON SITE IMPROVEMENTS SHALL REFER TO THE SITE IMPROVEMENTS CONTAINED WITHIN THE PROPERTY BOUNDARY OF 13 DAY STREET, AS SHOWN ON THE SITE PLANS, AND THE OFFSITE IMPROVEMENTS SHALL MEAN THE SIDEWALK PORTION ADJACENT TO 13 DAY STREET ONLY. ALL OTHER WORK WITHIN THE PUBLIC RIGHT OF WAYS,** including but not limited to: raising the grade of Raymond and Day St to Elevation 12.0 (SPL 0.0), the removal of on street parking along Water Street, and the extension of Day Street (one way) from Hanford Place north to Elizabeth Street (TOP.01) and related improvements (**"OFF-SITE PUBLIC IMPROVEMENTS"**) **WILL BE FUNDED AND INSTALLED PURSUANT TO THE PUBLIC INFRASTRUCTURE AGREEMENT DATED DRAFT SEPTEMBER 12, 2016 AND RELATED DOCUMENTS WITH THE BUDGET, SCHEDULE AND FUNDING SOURCES ;** and

That **THE ABOVE DEFINED "OFF-SITE IMPROVEMENTS"** all of the above referenced off-site improvements be completed prior to the issuance of a Certificate of Zoning Compliance (CZC); and

That a Connecticut licensed engineer certify that **THE ON AND OFF SITE IMPROVEMENTS TO 13 DAY STREET** all of the required improvements, including any required off-site improvements, were installed to City standards and constructed **IN ACCORDANCE WITH PLANS AND SPECIFICATIONS THAT MEET** complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and

**BE IT FURTHER RESOLVED** that all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be September 30, 2016.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; and Joseph Passero**

**No one opposed.**

**Mr. Schulman abstained.**

**\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the resolution for special permit application #14-13SP and coastal site plan application #20-13CAM – Trinity Washington Village Limited Partnership – 20 Day Street - New 70 unit multifamily development in Flood Zone AE and in a Transit Oriented Development (TOD) area as shown on a set of plans entitled " Parcel 1: 13 Day Street and Day Street Building B Norwalk, CT. Trinity Washington Village Limited Partnership & the Norwalk Housing Authority" by Icon Architecture; Tighe & Bond Engineers & Surveyors; Eric Rains Landscape Architecture and other related plans dated September 19, 2013 as revised to November 22, 2013 be revised and approved, to clarify and update the following conditions to read as follows:

That a signed **TWENTY (20)** 25 year lease agreement to provide **FIFTEEN (15)** twenty-nine (29) parking spaces needed for this development on an adjacent property located at Raymond Street (Washington Village) be filed on the Norwalk Land Records prior to the issuance of a **CERTIFICATE OF ZONING COMPLIANCE (CZC)** zoning permit **AND AT THE TERMINATION OF THE INITIAL LONG-TERM INSTRUMENT, THE PARKING EASEMENT OR LEASE SHALL BE EXTENDED FOR**

**ANOTHER TWENTY (20) YEAR PERIOD OR ANOTHER LONG-TERM INSTRUMENT MUST BE ENTERED INTO FOR OFF-PREMISES PARKING; and**

**THE APPLICANT, OR ITS GENERAL CONTRACTOR, SUBMIT a surety (in an amount to be determined by staff) and approved by the Zoning Commission to ensure the installation of all THE on and off-site improvements (AS DEFINED BELOW) necessary to accommodate the final grades of proposed site utilities and driveway access for this development. ON SITE IMPROVEMENTS SHALL REFER TO THE SITE IMPROVEMENTS CONTAINED WITHIN THE PROPERTY BOUNDARY OF 20 DAY STREET, AS SHOWN ON THE SITE PLANS, AND THE OFFSITE IMPROVEMENTS SHALL MEAN THE SIDEWALK PORTION ADJACENT TO 20 DAY STREET ONLY. ALL OTHER WORK WITHIN THE PUBLIC RIGHT OF WAYS, including but not limited to: raising the grade of Raymond and Day St to Elevation 12.0 (SPL 0.0), the removal of on street parking along Water Street, and the extension of Day Street (one way) from Hanford Place north to Elizabeth Street (TOP.01) and related improvements (“OFF-SITE PUBLIC IMPROVEMENTS”) WILL BE FUNDED AND INSTALLED PURSUANT TO THE PUBLIC INFRASTRUCTURE AGREEMENT DATED DRAFT SEPTEMBER 12, 2016 AND RELATED BUDGET AND FUNDING SOURCES; and**

**That THE ABOVE DEFINED “OFF-SITE IMPROVEMENTS” all of the above referenced off-site improvements be complete prior to the issuance of a Certificate of Zoning Compliance (CZC); and**

**That a Connecticut licensed engineer certify that THE ON AND OFF SITE IMPROVEMENTS TO 20 DAY STREET all of the required improvements, including any required off-site improvements, were installed to City standards and constructed IN ACCORDANCE WITH PLANS AND SPECIFICATIONS THAT MEET complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and**

**BE IT FURTHER RESOLVED that all other conditions of the original approval remain in effect; and**

**BE IT FURTHER RESOLVED that the effective date of this action be September 30, 2016.**

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; and Joseph Passero**

**No one opposed.**

**Mr. Schulman abstained.**

**\*\* MR. SCHULMAN MOVED: BE IT RESOLVED that the resolution for special permit application #15-13SP and coastal site plan application #21-13CAM – Trinity Washington Village Limited Partnership and the Norwalk Housing Authority – Raymond Street – New 193 unit multifamily development in Flood Zone AE and in a Transit Oriented Development (TOD) area as shown on a set of plans entitled "Washington Village Buildings C, D, E Norwalk, CT. Trinity Washington Village Limited Partnership & the Norwalk Housing Authority" by Icon Architecture; Tighe & Bond Engineers & Surveyors; Eric Rains Landscape Architecture and other related plans dated September 19, 2013 as revised to November 22, 2013 be revised and approved, to clarify and update the following conditions to read as follows:**

**That the plans be revised to make Raymond Street a two-way street from Water Street to Day Street and to retain on-street parking on south side and to revise the Water Street frontage to remove the existing on-street parking spaces, add a seven (7) foot sidewalk, provide a Wheels bus pull-off and a bus kiosk to the north of the new site driveway; and Delete condition #1 in its entirety**

**That a signed TWENTY (20) 25 year lease agreement to provide FIFTEEN (15) twenty-nine (29) parking spaces for an adjacent property at 20 Day Street be filed on the Norwalk Land Records prior to the issuance of a CERTIFICATE OF ZONING COMPLIANCE (CZC) zoning permit; and**

**THE APPLICANT, OR ITS GENERAL CONTRACTOR, SUBMIT a surety (in an amount to be determined by staff) and approved by the Zoning Commission to ensure the installation of all THE on and off-**

site improvements (**AS DEFINED BELOW**) necessary to accommodate the final grades of proposed site utilities and driveway access for this development. **ON SITE IMPROVEMENTS SHALL REFER TO THE SITE IMPROVEMENTS CONTAINED WITHIN THE PROPERTY BOUNDARY OF RAYMOND STREET, AS SHOWN ON THE SITE PLANS, AND THE OFFSITE IMPROVEMENTS SHALL MEAN THE SIDEWALK PORTION ADJACENT TO RAYMOND STREET ONLY. ALL OTHER WORK WITHIN THE PUBLIC RIGHT OF WAYS, including but not limited to: raising the grade of Raymond and Day St to Elevation 12.0 (SPL 0.0), the removal of on street parking along Water Street, and the extension of Day Street (one way) from Hanford Place north to Elizabeth Street (TOP.01) and related improvements (“OFF-SITE PUBLIC IMPROVEMENTS”)** WILL BE FUNDED AND INSTALLED PURSUANT TO THE PUBLIC INFRASTRUCTURE AGREEMENT DATED DRAFT SEPTEMBER 12, 2016 AND RELATED BUDGET AND FUNDING SOURCES AND MUST BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE ; and

That THE ABOVE DEFINED “OFF-SITE IMPROVEMENTS” all of the above referenced off-site improvements be complete prior to the issuance of a Certificate of Zoning Compliance (CZC); and

That the applicant work with the Department of Public Works (DPW) to **SECURE DPW’S APPROVAL OF THE PLANS AND SPECIFICATIONS FOR EACH PHASE OF DEVELOPMENT OF THE RAYMOND STREET PARCEL. THE ON-SITE AND OFF-SITE PUBLIC IMPROVEMENTS (AS DEFINED IN CONDITION #4 ABOVE) THAT DPW APPROVES WILL BE COVERED BY A PAYMENT AND PERFORMANCE BOND BY THE APPLICANT OR ITS GENERAL CONTRACTOR.** determine the feasibility of additional flood control measures including the addition of check valves for the proposed drainage system as noted on the Site Storm and Sanitary Sewer Plan (C1-1) and that such work be included in the above referenced surety; and

That a Connecticut licensed engineer certify that **THE ON AND OFF SITE IMPROVEMENTS TO RAYMOND STREET** all of the required improvements, including any required off-site improvements, were installed to City standards and constructed **IN ACCORDANCE WITH PLANS AND SPECIFICATIONS THAT MEET** complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and

**BE IT FURTHER RESOLVED** that all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be September 30, 2016.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; and Joseph Passero**

**No one opposed.**

**Mr. Schulman abstained.**

- g. #3-96SPR/#8-976SPR – Hewitt Associates LLC – 45 Glover Ave – Modify conditions of approval regarding bridge widening - Report & recommended action**

**\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that the resolution of March 21, 2001 regarding the approval of #3-96SPR/#8-97SPR Hewitt Associates be modified as to read as follows:

1. That the requirement that Hewitt Associates / 45 Glover Avenue widen the Glover Avenue Bridge from 2 lanes to 3 lanes as originally required be **RECINDED**, as any bridge improvements will be the responsibility of the State; and
2. That a final Certificate of Occupancy will not be tied to the construction/completion of the bridge and may be issued if deemed appropriate by the Code Enforcement Department; and
3. That a police officer is required to be at the site as needed to control traffic during evening peak hours during the weekdays.

**Mr. Witherspoon seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

**V. APPROVAL OF MINUTES: August 17, 2016**

**Mr. Sumpter moved to approve the minutes.**

**Mr. Blank seconded.**

**Adam Blank, Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Louis Schulman**

**No one opposed.**

**Richard Roina and Joseph Passero abstained.**

**VI. COMMENTS OF ACTING DIRECTOR**

Mr. Wrinn thanked the commissioners for voting for a new director and that he looked forward to working with him.

**VII. COMMENTS OF COMMISSIONERS**

There were no comments from the commissioners.

**VIII. ADJOURNMENT**

**Mr. Blank made a Motion to Adjourn.**

**Mr. Sumpter seconded.**

**Adam Blank; Nate Sumpter; Douglas Stern; Roderick Johnson; Michael Witherspoon; Galen Wright-Wells; Richard Roina; Louis Schulman and Joseph Passero**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Diana Palmentiero