

**CITY OF NORWALK  
PLANNING COMMISSION  
March 21, 2017**

**PRESENT:** Frances DiMeglio, Chair; George Tsiranides, Chair; Steven Ferguson; Walter McLaughlin; William Dunne; David Davidson

**STAFF:** Steve Kleppin; Frank Strauch

**I. CALL TO ORDER**

Ms. DiMeglio called the meeting to order at 8:10 p.m.

**II. ROLL CALL**

Mr. Kleppin called the meeting to order.

**III. REPORT OF SUBDIVISION COMMITTEE, George Tsiranides, Chair**

**a) Action on Subdivision #3643 – Frances DiMeglio – 56 County Street – 90 Day extension request to file subdivision map**

Before the resolution was discussed, Ms. DiMeglio left the room.

**\*\*\* MR. TSIRANIDES MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that the approval time on Subdivision #3643 - Frances DiMeglio – 56 County Street – 3 Lots - 1st 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 August 10, 2017; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be March 31, 2017.

**Mr. Dunne seconded.  
William Dunne; David Davidson; Walter McLaughlin; Steven Ferguson; George Tsiranides voted in favor.  
No one opposed.  
No one abstained.**

Ms. DiMeglio returned to the room.

**IV. REPORT OF LAND USE COMMITTEE, Steven Ferguson, Chair**

## Referrals – Report & recommendation

### a) Special Capital Appropriation – Board of Education – In the amount of \$277,000 for the West Rocks Middle School – Window replacement project

**\*\*\* MR. FERGUSON MOVED: BE IT RESOLVED** by the Planning Commission that the capital project appropriation request from the Board of Education, to appropriate \$277,000 for replacing windows at West Rocks Middle School (Phase I) be **APPROVED**; and

1. That the Commission is alarmed with the drastic increase in the project cost from \$1.1 million to \$3.1 million; and
2. That the Commission is concerned that the Board of Education's consultant that came up with their estimate is also the same consultant that estimated the school construction costs contained in the five year capital plan; and

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

**Mr. Dunne seconded.**

**Frances DiMeglio; Walter McLaughlin; William Dunne; Steven Ferguson; David Davidson; George Tsiranides voted in favor.**

**No one opposed.**

**No one abstained.**

### b) Mayor's Office – Capital Budget Project added to FY 2017-18 for \$100,000 for auxiliary parking at Malmquist Field (located on the City Hall campus)

**\*\*\* MR. FERGUSON MOVED: BE IT RESOLVED THAT THE PLANNING COMMISSION'S MOTION TO ENDORSE** the Mayor's additional project regarding auxiliary parking at Malmquist Field (located on the City Hall campus) for the FY 2017-18 Capital Budget in the amount of \$100,000, **FAILED TO CARRY BY A VOTE OF 4-2** as five positive votes are needed to carry the motion; and

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

**Mr. McLaughlin seconded.**

**Frances DiMeglio; Walter McLaughlin; Steven Ferguson; George Tsiranides voted in favor.**

**William Dunne and David Davidson opposed.**

**No one abstained.**

There was a discussion as to the opposition. Mr. Davidson said that he was not opposed to idea of a parking lot, just the fact that this would when added to the Capital Budget, further increase spending over the recommended threshold of 10% for debt service in year 2020-2021 through 2026-07. This would require the Mayor who would then have to notify the Board of Estimates that the Planning Commission had not approved this added Capital Budget project.

There was a discussion as to whether it was 5 votes if the Planning Commission only has 7 commissioners. Mr. Strauch noted that they did and had even checked with Corporation Counsel. Mr. Kleppin left the room to also check the Planning Commission's By-Laws. There was then a discussion as to how many were in a quorum. Ms. DiMeglio allowed Ms. CeCe to speak in this discussion about the quorums. They returned and noted that in both the By-Laws and a memo from Brian McCann, in the office of Corporation Counsel, in order for a motion to pass it needs 5 votes, which they did not have in this instance.

**c) Mayor's Office – Capital Budget Project added to FY 2017-18 for \$35,000 in funding for a library strategic plan for the Norwalk Public Library**

**\*\*\* MR. FERGUSON MOVED: BE IT RESOLVED** by the Norwalk Planning Commission to add to FY 2017-18 for \$35,000, in additional funding for to create a library strategic plan for the Norwalk Public Library 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 "Establish the Norwalk Public Library as a hub of the West Avenue and Wall Street area." (D.8.1. P. 33)

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

**Mr. McLaughlin seconded.**

**Frances DiMeglio; Walter McLaughlin; Steven Ferguson; George Tsiranides; David Davidson voted in favor.**

**William Dunne opposed.**

**No one abstained.**

**d) Zoning Commission referral - #10-16R - Zoning Commission – Proposed amendments to Articles 111 and 140 regarding fees for various applications and adoption of new fee schedule**

**\*\*\* MR. FERGUSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "**#10-16R - Zoning Commission – Proposed amendments to Articles 111 and 140 regarding fees for**

various applications and adoption of new fee schedule” and dated December 28, 2016 , be **APPROVED**.

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

- 1) To implement the Plan of Conservation and Development to “Improve enforcement of zoning, building, and health codes to protect the public from unsafe and unsanitary housing conditions” (A.2.2.3, p. 11); and
- 2) To implement the Plan of Conservation and Development to "establish and maintain an efficient system of zoning enforcement..." (F.6.1.1, p. 45); and

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

**Mr. Dunne seconded.**

Before the vote, Mr. Davidson noted that the commissioners should receive a report in 1 year about the difference in the rates and whether they should be closer to the rates in Stamford, particularly on the commercial rates. They asked for the revenue impact and the number of permits.

**Frances DiMeglio; Walter McLaughlin; William Dunne; Steven Ferguson; David Davidson; George Tsiranides voted in favor.**  
**No one opposed.**  
**No one abstained.**

**e) Zoning Commission referral - #2-17R - Zoning Commission – Proposed amendments to extend the moratorium for one year on licensed medical marijuana producer or dispensary facility as permitted by the State of Connecticut**

**\*\*\* MR. FERGUSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#2-17R - Zoning Commission – Proposed amendments to extend the moratorium for one year on licensed medical marijuana producer or dispensary facility as permitted by the State of Connecticut" and dated March 8, 2017 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

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

**Mr. Davidson seconded.**

**Frances DiMeglio; Walter McLaughlin; William Dunne; David Davidson; George Tsiranides voted in favor.**

**No one opposed.**

**Steven Ferguson abstained.**

**f) The Planning Commissioners suspended the rules at this point in order to include the approval of a consultant for the Plan of Conservation and Development (POCD) which was Standtec:**

**\*\*\* MR. FERGUSON MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that they accept the recommendation of the POCD Oversight Committee which was Standtec.

**Mr. Dunne seconded.**

**Frances DiMeglio; Walter McLaughlin; William Dunne; Steven Ferguson; David Davidson; George Tsiranides voted in favor.**

**No one opposed.**

**No one abstained.**

**V. APPROVAL OF MINUTES: Subdivision: February 21, 2017; Land Use: February 21, 2017 & February 23, 2017; Planning: February 21, 2017& February 23, 2017**

**\*\* MS. DIMEGLIO MOVED** to approve the Subdivision minutes of February 21, 2017, as amended.

**Mr. McLaughlin seconded.**

**Frances DiMeglio; Walter McLaughlin; Steven Ferguson; William Dunne; David Davidson and George Tsiranides voted in favor.**

**No one opposed.**

**No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to approve the Land Use minutes of February 21, 2017.

**Mr. McLaughlin seconded.**

**Frances DiMeglio; Walter McLaughlin; Steven Ferguson; William Dunne; David Davidson and George Tsiranides voted in favor.**

**No one opposed.**

**No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to approve the Land Use minutes of February 23, 2017.

**Mr. Ferguson seconded.**

**Frances DiMeglio; Walter McLaughlin; Steven Ferguson; William Dunne; David Davidson and George Tsiranides voted in favor.**

**No one opposed.**

**No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to approve the Planning Commission minutes of February 21, 2017, as amended.

**Mr. Tsiranides seconded.**

**Frances DiMeglio; Walter McLaughlin; Steven Ferguson; William Dunne; David Davidson and George Tsiranides voted in favor.**

**No one opposed.**

**No one abstained.**

## **VI. COMMENTS OF THE DIRECTOR**

Mr. Kleppin gave his time to Mr. Ferguson to discuss the Redevelopment Agency studies which included Wall Street, West Avenue, Washington Street. He also mentioned the attendees of the meeting which included neighbors and the city departments. The consultant for the project outlined the scope of the project. It was a kickoff meeting for the committee. They would meet every 2-3 months. There are projects which are subcomponents of these 3 plans. He also recommended any public hearings of projects for the Redevelopment Agency to stay abreast of what was going on.

## **VII. COMMENTS OF COMMISSIONERS**

Mr. Davidson made a comment into the record. "It is interesting to note that while we spent the first 3+ hours of our 6+ hour February 23 meeting (and additional time later) dealing with the BOE "4 school" program, the BOE already had a revised plan that was discussed 11 hours later at a "select membership" meeting. So much for city-wide communication and respect for the capital budget process and our commission." He believed that it was disrespectful of the commissioners' time that there was already a new plan when the commissioners were dealing with the old one. It was disrespect for the process. Mr. Ferguson said that they should try to be more informed. There was a lack of respect for the Planning Commission. Their efforts were minimized.

## **VIII. ADJOURNMENT**

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

**Mr. Ferguson seconded.**

**Fran DiMeglio; Walter McLaughlin; William Dunne; Steven Ferguson; George Tsiranides and David Davidson voted in favor.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 8:50 p.m.

Respectfully submitted by,

Diana Palmentiero