

**CITY OF NORWALK
PLANNING COMMISSION
June 20, 2017**

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

STAFF: Steve Kleppin; Mike Wrinn; Frank Strauch

OTHERS: Atty Mario Coppola;

I. CALL TO ORDER

Ms. DiMeglio called the meeting to order at 7 p.m.

II. ROLL CALL

Mr. Kleppin called the roll.

III. EXECUTIVE SESSION

a) Vote to go into Executive Session at 7:02 p.m.

Ms. DiMeglio made a motion to go into Executive Session

Mr. Davidson seconded.

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

No one opposed.

No one abstained.

b) Real estate appraisal of 11 Belden Avenue

**c) Vote to go out of Executive Session – At this point in the meeting, the
commissioners decided to suspend this meeting and go to the Land
Use Meeting at 7:55 p.m.**

The commissioners returned to the Planning Commission meeting at 8:21 p.m.

IV. PUBLIC HEARINGS

**a) Subdivision #3646 – Vernoy Properties, Inc. – 56 Chestnut Street – 2
Lots**

Ms. DiMeglio opened the public hearing.

Atty Suchy began the presentation by handing the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. She then oriented the commissioners as to the location of the property on an aerial map. She also showed them a plan of the proposed subdivision. She explained the requirements for the subdivision and noted that the property met them. They had received all sign-offs from the appropriate departments.

Dean Martin continued the presentation by explaining the storm water management plan which included the oil separation system.

Diane Lauricella requested several conditions on the resolution. She said that Chestnut Street has a lot of traffic especially during school hours. There was a concern about the busyness of the area. She requested that there be traffic plans submitted during the Zoning permit process. She also asked that the application follow the POCD. She noted that a truck and car rental place was possibly going to lease space on the property. She also had concerns about 11 Chestnut Street and wanted to work with this owner to fix some problems there.

Keith Brown, 373 Rowayton Avenue, spoke and said that he is one of the owners of 11 Chestnut Street and was not sure what Ms. Lauricella discussing.

Curt "Corky" Stewart, 2 Raymond Lane, spoke on behalf of the Open Door Shelter. He was concerned about the children that would be playing in the area. He was concerned about Merritt Street because it was so narrow. There was parking on both sides of the street but when cars were parked on both sides, 2 cars could not go through. He also said that the Smilow Life Center was under construction and would be completed at the end of the year. He was concerned about the medical traffic going on as well as trainings.

Ms. King said that she was concerned about the Side by Side which was in the area as well as the increase of density in the area. She thought that some of what might go on the property could be detrimental to the area.

Atty Suchy addressed the comments from the public. She noted that the applicant had no obligation to prepare a traffic report for the subdivision nor did the applicant have to submit a plan of what would be on the lot. There was a discussion of how a subdivision application could be denied. Mr. Kleppin said that there was not much leeway in that except in light of major drainage issues. Ms. King read Article 5 into the record, which had been referenced by Ms. Lauricella. Mr. Kleppin reminded them that this did not apply to this proposed subdivision.

Mario Coppola said that the future use was not appropriate for the Planning Commission's review and consideration at this time.

Ms. King noted that she was looking out for the future of the City and had concerns for the area.

Ms. DiMeglio closed the public hearing.

V. REPORT OF SUBDIVISION COMMITTEE, George Tsiranides, Chair

a) Action on III. a.

Subdivision #3646 – Vernoy Properties, Inc. – 56 Chestnut Street – 2 Lots

***** MR. TSIRANIDES MOVED: BE IT RESOLVED** that subdivision application #3646 submitted by Vernoy Properties, Inc. at 56 Chestnut Street and as shown on a plan entitled "Subdivision Map, 56 Chestnut Street Prepared For Vernoy Properties, Norwalk Connecticut," Scale 1" = 20', dated 3/31/17 and certified "Substantially Correct" by Ryan and Faulds, Douglas R. Faulds, Land Surveyor – Connecticut Registration No. 13292 be **APPROVED** subject to the following conditions:

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 the sidewalks and street curbs along Chestnut Street be installed as per the Grumman Engineering site plan dated 3-31-17 and revised to 5-11-17; 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 along Merritt Street; and

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

BE IT FURTHER RESOLVED that the street tree requirement be waived and that where practical, any existing street trees which meet the street tree requirements, be retained, and be protected during construction, and utilized towards the street tree requirement; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be June 30, 2017.

Mr. McLaughlin seconded.

Fran DiMeglio; Walter McLaughlin; Steven Ferguson; Nora King, George Tsiranides and David Davidson voted in favor.

No one opposed.

No one abstained.

VI. REPORT OF LAND USE COMMITTEE, Steven Ferguson, Chair Referrals – Report & recommendation

a) 8-24 Review – Corporation Counsel’s Office, on behalf of the City and the Norwalk Public Library Foundation – Review of a six year lease of 11 Belden Avenue property with an option for the City to purchase in the amount of \$4,885,000

***** MR. FERGUSON MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that the 8-24 Review submitted by Corporation Counsel’s Office, on behalf of the City and the Norwalk Public Library Foundation for the six year lease of 11 Belden Avenue property with an option for the City to purchase in the amount of \$4,885,000 be **APPROVED** and that the Commission finds that the proposed 8-24 request is consistent with the Plan of Conservation & Development for Norwalk and that the reasons for this action are:

1. To implement the Plan of Conservation and Development goal to "Plan for and fund an expanded facility and parking area at the Library and increase safe pedestrian accessibility." (D.3.8.1.1. p.33); and
2. To implement the Plan of Conservation and Development goal to "Provide stability in land use and zoning." (F.2.1.2. p 42); and

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

As part of the discussion before voting, Mr. Davidson read into the record the Whereas clause from the Option to Purchase Agreement between the City of Norwalk and the Norwalk Public Library Board which stated that that the “Parties have agreed upon a mutual goal of the coordinated revitalization of certain downtown areas of Norwalk incorporating the neighborhoods of Belden Avenue, Mott Avenue, in order to pursue the goal of positively transforming the community (the “Development Plan”) and that there have been no commitments made to any future developments. Atty Coppola noted that this was an important point that Mr. Davidson had made.

Mr. Ferguson discussed about the current upkeep of the property. He recommended that the adjacent owner continue to maintain their property.

Mr. McLaughlin seconded.

Fran DiMeglio; Walter McLaughlin; Steven Ferguson; Nora King, George Tsiranides and David Davidson voted in favor.

No one opposed.

No one abstained.

b) Capital Appropriation – In the amount of \$460,000 for the City and the Norwalk Public Library Foundation to obtain the lease /option fee for 11 Belden Avenue

***** MR. FERGUSON MOVED: BE IT RESOLVED** by the Planning Commission that the capital project appropriation request from the City’s Corporation Counsel, on behalf of the City of Norwalk and the Norwalk Public Library Foundation to appropriate \$460,000 an option to purchase agreement for 11 Belden Avenue be **APPROVED**; and

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

Mr. Dunne seconded.

Fran DiMeglio; Walter McLaughlin; Steven Ferguson; Nora King, George Tsiranides and David Davidson voted in favor.

No one opposed.

No one abstained.

No one abstained.

Mr. Davidson thanked Mr. Alex Knopf for his creativity and efforts for putting together the proposal for the area.

b) Zoning Commission referral: #5-17R – Norwalk Board of Education – Proposed amendments to Article 121 regarding changeable copy (automatic) signs at public high schools in residential zones

MR. FERGUSON MOVED: BE IT RESOLVED that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "**#5-17R – Zoning Commission – Proposed amendments to Article 121 regarding changeable copy (automatic) signs at public high schools in residential zones**" and dated June 14, 2017 to allow a changeable copy (automatic) ground sign on the premises of a public high school, be **APPROVED**;

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

1. To implement the Plan of Conservation & Development to "Continue to review and improve sign regulations" (F.4.1.4, p.43); and
2. To implement the Plan of Conservation & Development to "Provide sufficient school facilities and programs in order to afford all citizens the opportunity to obtain a quality education" (D.3, p. 30); and

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

Before the vote, Mr. Davidson explained why he would abstain from voting which included not being comfortable with the fact that the changeable copy could be a distraction. He had similar concerns with the changeable copy on the SoNo Collection.

Ms. King seconded.

Fran DiMeglio; Walter McLaughlin; Steven Ferguson; Nora King, George Tsiranides voted in favor.

No one opposed.

David Davidson abstained.

VII. APPROVAL OF MINUTES: There was a discussion about the verbatim transcription of the minutes from the last meeting. After reviewing the tape of the last meeting, Mr. Davidson said there were many areas which should be covered. The staff said that the minutes should be completed by the end of June so that these minutes would be approved at the next meeting in July.

Subdivision: May16, 2017;

Land Use: May16, 2017;

Planning: May16, 2017

VIII. COMMENTS OF THE DIRECTOR

Mr. Kleppin had no comments.

IX. COMMENTS OF COMMISSIONERS

Ms. DiMeglio noted that Mr. McLaughlin and Mr. Dunne have requested not to be re-appointed. She thanked them for their service to the Planning Commission. Mr. Dunne said he enjoyed his time on the commission. Mr. McLaughlin said he had a good time on the commission. He voted for what was best for the city. Mr. Ferguson would be re-appointed. Mr. Kleppin noted that with new commissioners, the staff would organize a seminar with the Law Department to discuss role responsibilities of the Planning Commission.

X. ADJOURNMENT

Mr. McLaughlin made a Motion to Adjourn

Mr. Davidson seconded.

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

No one opposed.

No one abstained.

The meeting was adjourned at 9:09 p.m.

Respectfully submitted by,

Diana Palmentiero