

**CITY OF NORWALK  
ZONING COMMISSION  
December 13, 2017**

**PRESENT:** Nathan Sumpter, Chair; Louis Schulman; Michael Witherspoon; Roderick Johnson; Richard Roina

**STAFF:** Steven Kleppin; Mike Wrinn

**OTHERS:** Craig Flaherty; Colin Green; Atty. Liz Suchy; Colin Grotheer; Eric Rains; Vic Palladino; John Greenspan; Bill Jones

**I. CALL TO ORDER**

Mr. Sumpter called the meeting to order at 7 p.m.

**II. ROLL CALL**

Mr. Kleppin called the roll.

**III. PUBLIC HEARINGS**

Before the hearings began, Mr. Sumpter explained the procedure. He then also noted that the Cumberland Farms applications had been withdrawn.

**a. #5-17SPR – CP IV Waypointe BP I, LLC (Carmel Partners) – 515 West Ave/Orchard Street – New exterior sign manual for Waypointe Midblock and b. #7-17SPR – CP IV Waypointe BP I, LLC (Carmel Partners) – 11 Merwin Street – New exterior sign manual for Waypointe North Block**

Mr. Sumpter opened the public hearing and noted that these two public hearings would be heard together.

Craig Flaherty began the presentation by handing in the certified, return receipt cards, evidencing notice of the public hearing to the abutting neighbors. He then explained what the applications were requesting, which were the sign manual for the mid-block. He explained about the previous approval of the sign manual. He discussed the approvals that he had received from Bellpointe and Redevelopment Agency.

Colin Green continued the presentation by explaining the manual for the commissioners. He described the signs that would be on the top of the buildings, the residential entries, and the wayfinding for the tenants in the inner courtyard. He discussed the color palettes as well. There would be signage for getting back out of the courtyards and where the parking is.

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

**c. #6-17SP/#23-17CAM - TR South Water Street, LLC – 121 and 123 Water Street/Hanford Place/Raymond Street - New 6 story development with 80 residential units, 4,340 sf retail and 1,590 sf office in Transit Oriented Development (TOD) area**

Mr. Sumpter opened the public hearing.

Atty. Suchy began the presentation by handing in the certified, return receipt cards,

evidencing notice of the public hearing to the abutting neighbors as well as a list of neighbors who had not returned the cards. She then introduced the project team including Tom Rich and the projects that his company had constructed, especially in Norwalk. She then explained the applications and oriented them to the location of the properties. She described the number of units including the workforce housing units as well as amenities which included retail. She briefly described the landscape plans as well as the CEAC approvals that the applicant had received.

Colin Grotheer, the architect on the project, continued the presentation by orienting the commissioners as to the walkability of the surrounding area. He discussed the site plan which included mixed retail, the units and the amenities. He also discussed the parking lot and the floor plans. He was asked to point out the workforce units in the building.

Eric Rains, the landscape architect on the project, continued the presentation began by explaining that he lived in South Norwalk and was excited for this project to happen. He then explained the planting plan that would be used on the site. There was a discussion about snow storage during winter storms. There was also a discussion about drainage of the plantings.

Craig Flaherty continued the presentation by discussing the drainage from the site which included the pavers, etc. He discussed the current situation and how the applicant planned to improve it. They are compliant with local, state and federal regulations.

Atty. Suchy closed the presentation. Mr. Sumpter opened the hearing to the public.

Vic Paladino, 7 Muriel St., spoke on behalf of himself and his brothers who rented property which has been an auto body shop since 1951. They had concerns because of flooding from storms. He thanked another developer for being a good neighbor as well.

John Greenspan, a representative of the property owner to the north of this property, SoNo Square, 85 - 99 Water Street, spoke in support of the project because of the economic benefits. He read a letter of support into the record.

Bill Jones, who represents the Island View Condominium, said that he was not in support of the project and that his neighbors have concerns about it. He submitted letters in opposition to the project. He oriented the commissioners as to the location of the Island View Condominium. He showed them photos of the views from their property. They were concerned about losing the view of the harbor because this building would be taller.

Tom Rich, 1 Rocky Road, Stamford, CT wished everyone a happy holiday and thanked the commissioners for their time.

Atty. Suchy then read several letters of support into the record. She then asked Mr. Flaherty to address the concerns about the flooding on Water Street. He said there would be no negative impact from this project and that it is good flood plain management as addressed in the regulations. Atty Suchy then spoke about the pictures and said that it had been compressed and that the condos were actually further away.

She reminded the commissioners that it was compliant with regulations. She noted that there were at least 2 bus routes in front of the property and there is other mass transit available. There would be no adverse impact from noise. She noted the various new projects in the area. It was consistent with the Coastal Area Management act. She asked the commissioners to approve this project.

Mr. Kleppin said that he was aware of concerns from the Redevelopment Agency about design issues and that his staff had some concerns with the site plans. His recommendation

was to keep the hearing open in order to get further clarification on these issues. Atty Suchy addressed these comments suggested that they close the public hearing and as a condition of approval, return before the Zoning Commission.

After some discussion, Mr. Schulman moved to hold the public hearing open for purposes of seeing the Redevelopment Agency's comments and the applicant's responses to those comments, which was seconded by Mr. Witherspoon. All the commissioners voted in favor. No one opposed.

#### **IV. REPORT OF PLAN REVIEW COMMITTEE**

##### **a. Action on Items III. a., b. and c.**

**i. #5-17SPR – CP IV Waypointe BP I, LLC (Carmel Partners) – 515 West Ave/Orchard Street – New exterior sign manual for Waypointe Midblock and b. #7-17SPR – CP IV Waypointe BP I, LLC (Carmel Partners) – 11 Merwin Street – New exterior sign manual for Waypointe North Block**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that site plan application #5-17SPR to modify the approved plans to add new wall, projecting and ground signs as shown in the "Exterior Signage Manual for Waypointe Design District Development Park" dated revised to November 29, 2017 and related exhibits in attached appendix to amend site plan application #9-13SPR and coastal site plan application #25-13CAM - CP IV Waypointe BP I, LLC – 515 West Avenue/Merwin Street/Orchard Street entitled Waypointe Phase 1: 494,578 sq. ft. mixed use development with buildings ranging in height from 4-5 stories with 362 multifamily housing units, 38,431 sq ft. of retail, 11,550 sq. ft. restaurant and a 850 space parking garage within a Design District Development Park as shown on a set of plans entitled "Zoning Site Plan prepared for CP IV Waypointe BP, LLC Waypointe Mixed Use development at [515 West Avenue Norwalk, CT](#)" by Gooding Architecture, LLP; Redniss and Mead Engineers & Didona Landscape, dated November 7, 2013 be approved, subject to the following conditions:

1. That any further changes to the above manual including any proposed new signs with letters larger than 24 inches or revisions to the plan regarding signs to be illuminated, be reviewed and approved by the Zoning Commission; and
2. That all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be December 22, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Louis Schulman; Michael Witherspoon; Roderick Johnson; Richard Roina voted in favor.**

**No one opposed.**

**No one abstained.**

**#7-17SPR – CP IV Waypointe BP I, LLC (Carmel Partners) – 11 Merwin Street – New exterior sign manual for Waypointe North Block**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that site plan application #7-17SPR to modify the approved plans to add new wall, projecting and ground signs as shown in the "Exterior Signage Manual for Waypointe Design District Development Park" dated revised to November 29, 2017 and related exhibits in attached appendix to amend site plan #3-13SPR and coastal site plan application #3-13CAM - CP IV Waypointe BP I, LLC – 11 Merwin Street entitled Waypointe North Block for a 140,978 sf mixed use development with 98 multifamily units, 4,615 sf retail, 4,000 sf restaurant; 16,686 sq ft storage and a 159 space parking garage with a 15 space surface lot within a Design District Development Park as shown on a set of plans entitled "Zoning Site Plan depicting 11 Merwin Street Norwalk, CT" prepared for CP IV Waypointe BP

LLC by Redniss and Mead Engineers; Gooding Architecture, LLP and Didona Landscape and dated revised to February 7, 2013 plans be approved, subject to the following conditions:

1. That any further changes to the above manual including any proposed new signs with letters larger than 24 inches or revisions to the plan regarding signs to be illuminated, be reviewed and approved by the Zoning Commission; and
2. That all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be December 22, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Louis Schulman; Michael Witherspoon; Roderick Johnson; Richard Roina voted in favor.**

**No one opposed.**

**No one abstained.**

**b. #15-15SP – 200 Glover Ave LLC (formerly 166 Glover, LLC) – 200 Glover Avenue – Grist Mill Village Building B: 230 unit Commercial PRD – Request to modify approved plan to increase # of units to 232, revise windows to Juliet-style balconies, increase building footprint and related changes - Report & recommended action**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the request to modify the approved plans for special permit application #15-15SP - 150/166/170 Glover, LLC – **166 Glover Avenue Building B** – 230 unit Commercial Planned Residential Development and related site improvements as shown on a certain set of plans entitled “Grist Mill Village Building B: Special Permit Approval” by Svigals + Partners Architects, Environmental Land Solutions, LLC and Tighe and Bond Engineers, dated September 17, 2015 as revised to December 9, 2015 and related site plans and drawings as revised by EDI International, PC to May 19, 2017 to increase size of the building and increase the number of units to 232 be APPROVED, subject to the following conditions:

1. That a revised Zoning Location Survey of the modified plan and a revised certificate of special permit be filed on the Norwalk Land Records; and
2. That CEAC signoffs on the modified plan shall be submitted prior to the start of construction; and
3. That all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be December 22, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Louis Schulman; Michael Witherspoon; Roderick Johnson; Richard Roina voted in favor.**

**No one opposed.**

**No one abstained.**

**c. #26-17CAM – Daniel Hafner – 43 Yarmouth Rd – New single family residence changes - Report & recommended action**

Mr. Sumpter said this item had been postponed.

**d. #27-17CAM – 197 Rowayton Ave LLC – 197 Rowayton Ave - New single family residence changes - Report & recommended action**

Mr. Sumpter said this item had been postponed.

## **V. REPORT OF ZONING COMMITTEE**

**NOTE: Need 5 votes to approve and override Planning Commission's denial of proposed map change and proposed zoning amendments**

**NOTE: These applications were withdrawn prior to action by the Commission**

**a. #1-17M - Cumberland Farms, Inc. – 2 & 4 West Main Street/125, 127, 129, 131 Main St – Proposed change to Building Zone Map from D Residence in part & Business #2 in part to entirely Business #2 zone - Report & recommended action (WITHDRAWN)**

**b. #7-17R - Cumberland Farms, Inc. – Proposed amendments to Section 118-1010 to remove text regarding a minimum distance of two thousand (2000) feet between gas stations - Report & recommended action (WITHDRAWN)**

**c. #4-17SP - Cumberland Farms, Inc. – 2 & 4 West Main Street/125, 127, 129 & 131 Main St – New gas station with 6 pump islands (12 fueling stations) and 4,794 sf retail store - Report & recommended action (WITHDRAWN)**

**VI. ANNUAL MEETING SCHEDULE: Adopt 2018 Annual meeting schedule**

**\*\*\* MR. SCHULMAN MOVED: to approve the 2018 Annual Meeting Schedule.**

**Mr. Witherspoon seconded.  
Nathan Sumpter; Louis Schulman; Michael Witherspoon; Roderick Johnson;  
Richard Roina voted in favor.  
No one opposed.  
No one abstained.**

**VII. APPROVAL OF MINUTES: November 15, 2017**

**\*\* MR. SCHULMAN MOVED to approve the Zoning Commission minutes of November 15, 2017.**

**Mr. Witherspoon seconded.  
Nathan Sumpter; Louis Schulman; Michael Witherspoon; Roderick Johnson;  
Richard Roina voted in favor.  
No one opposed.  
No one abstained.**

**VIII. COMMENTS OF DIRECTOR**

Mr. Kleppin reminded the commissioners that in 2018 there would now be 2 Zoning Commission meetings. The process would be that at the 2<sup>nd</sup> meeting in the month, there would be public hearings for the applications. It would allow for public hearings at either meeting which would allow for greater flexibility. Mr. Kleppin then handed out their packets for the Special Joint Planning and Zoning Commission meeting on the following Monday.

**IX. COMMENTS OF COMMISSIONERS**

There were no comments from the commissioners.

**X. ADJOURNMENT**

**Mr. Schulman made a motion to adjourn.  
Mr. Witherspoon seconded.  
Nathan Sumpter; Louis Schulman; Michael Witherspoon; Roderick Johnson;  
Richard Roina voted in favor.**

**No one opposed.  
No one abstained.**

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Diana Palmentiero