

**CITY OF NORWALK
ZONING COMMISSION
February 1, 2018**

PRESENT: Nate Sumpter, Chair; Mike Witherspoon; Joe Passero; Rod Johnson; Richard Roina

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Andy Glazer; Craig Flaherty; Joseph Balskus; Patricia Gill; Atty. Suchy; Tom Nelson; Matthew Popp

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

a. None

IV. DISCUSSION/ACTION ON PENDING APPLICATIONS

a. **#16-13SP - A. Glazer – 1 River Rd/192-194 Perry Av - Silvermine Tavern - Request to modify approved plans for country store to revise uses and parking layout at 193 Perry Ave – Determine if minor change – Report and recommended action**

Mr. Sumpter asked Mr. Witherspoon to read the application into the record.

Andy Glazer began the presentation by discussing the Silvermine Tavern conversion into the Gray Barn and the renovations to the Country Store. Zoning Department staff asked him to come before the Commissioners to determine whether this application was a minor change. He described what had already been completed. He thanked Mike Greene, the previous Zoning Department director, for his help in setting up this design district to allow this project to happen. He explained the different buildings on the property to make it feel like a village district. He described what would be at the country store. He described the rooms being converted to apartments and why they needed more parking. He also described the landscaping plan. They are going from 3 inn rooms to apartments which required more parking. He said that they described how they had created a village feel and that many people walked to the Barn.

Mr. Sumpter reminded the public that this was not a public hearing and that the commissioners would discuss whether they would require Mr. Glazer to hold a public hearing. Most of the commissioners agreed that this application was a minor change. They did not feel that it would not cause harm to the neighborhood. They thought it was similar to the original plans. Mr. Wrinn noted that there were letters from the neighbors in support of the modification. The commissioners thought it was a great project.

*** **MR. JOHNSON MOVED: BE IT RESOLVED** that that the request to modify the approved plans for the Country Store for special permit application #16-13SP – A. Glazer – 192, 193 & 194 Perry Avenue/1 River Road as on a set of plans entitled "Proposed site improvements to the Gray Barn store 193 Perry Avenue, Norwalk CT." dated January 13, 2018 by Landtech and related architectural drawings for new uses at the country store be **APPROVED**, subject to the following conditions:

1. That any modifications to the approved plans be submitted to the Zoning Commission for review and approval; and
2. That all other conditions of the original approval remain in effect; and

BE IT FURTHER RESOLVED that this application complies Section 118-531 Silvermine Tavern Village District, as amended, and with the applicable sections of the Building Zone Regulations for the City of Norwalk.

BE IT FURTHER RESOLVED that the effective date of this action be February 9, 2018.

Mr. Passero seconded.

Nate Sumpter; Mike Witherspoon; Joe Passero; Rod Johnson;

Richard Roina voted in favor.

No one opposed.

No one abstained.

b. #4-81SP – Harborview Condo Association – 26 Cove Ave – Reconstruct public access boardwalk – Determine if minor change – Report and recommended action

THIS APPLICATION HAD BEEN POSTPONED.

c. #5-17SPR – CP IV Waypointe BP I, LLC (Carmel Partners) – 515 West Ave – Request to modify approved exterior sign manual for Waypointe Midblock to add 4 art murals – Determine if minor change – Report and recommended action

Craig Flaherty explained that the application which was to add artwork to the project which would enhance the experience for the pedestrians. He showed them a table which explained the type and number of signs. He showed them the zoning regulation that applied to the artwork, which would be family friendly. He showed them renderings of where it would be. Lighting and seating would be added to the corridors as well. He showed them examples of what would be in place. It would also discuss service entrances inside the corridors as well as on Orchard Street. The materials chosen would be resilient. They would touch up the paint so they looked their best at all times.

Mr. Sumpter asked for comments from the commissioners who agreed that this was a minor change. They believed it would enhance the experience of visitors.

***** MR. PASSERO MOVED: BE IT RESOLVED** that the request to modify the approved plans to add new art murals to site plan application **#5-17SPR** “Exterior Signage Manual for Waypointe Design District Development Park” dated revised to November 29, 2017 and related art mural exhibits as shown in the revised manual dated January 11, 2018 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 February 9, 2018.

Mr. Witherspoon seconded.

Nate Sumpter; Mike Witherspoon; Joe Passero; Rod Johnson;

Richard Roina voted in favor.

No one opposed.

No one abstained.

d. #27-17CAM – 197 Rowayton Ave, LLC – 197 Rowayton Ave – New single family dwelling – Report and recommended action

Mr. Witherspoon opened the presentation.

Mr. Zimmerman began the presentation with an explanation of the history of the project which had received a variance as well as going before the Five Mile River Commission. He said that most of the construction was done which included taking parts down as required under the variance. They had

made the necessary improvements to the site. Mr. Wrinn explained what approvals were necessary and had been received.

***** MR. JOHNSON MOVED: BE IT RESOLVED** that application #16-17CAM, construction of a new single-family residence for the property 197 Rowayton Avenue as shown on the zoning location survey dated 2/22/2016 and revised to 1/26/2017 by Arcamone Surveyors, Norwalk, CT and on the drainage plan dated 2/6/2017 by Fairfield County Engineering, LLC, Norwalk, CT and on the architectural drawings dated 7/20/2016 and revised to 11/14/17 by Zimmerman Architecture, Norwalk, CT be **APPROVED** subject to the following conditions:

1. That all required flood certifications be submitted; and
2. That the certificate of variance be filed on the Norwalk Land Records in order to record all variances; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
4. 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 February 9, 2018.

Mr. Roina seconded.

Nate Sumpter; Mike Witherspoon; Joe Passero; Rod Johnson;

Richard Roina voted in favor.

No one opposed.

No one abstained.

e. #28-17CAM - Bema Group, LLC – 12 Naromake Ave – New two family dwelling – Report and recommended action

Mr. Witherspoon opened the presentation.

Mr. _____ gave a brief overview of the application and said that he had received approvals from all departments including Harbor Management. Mr. Wrinn noted that they could vote on the application if they did not require a public hearing which they decided was not necessary.

***** MR. JOHNSON MOVED: BE IT RESOLVED** that application #28-17CAM, construct a new two-family dwelling for the property 12 Naromake Road and as shown on the zoning location survey dated 12/27/2017 by Fuller Engineering and Land Surveying, Land Surveyor – Kevin M. Crowley, CT Lic. 70261; and on the engineering plans dated 10/10/2017 and revised to 12/27/2017 by Atlantic Consulting and Engineering, Bridgeport, CT; and on the architectural drawings dated 4/4/2016 and revised to 12/25/2017 by Geoffrey Craig Williams, AIA, Fairfield, CT be **APPROVED** subject to the following conditions:

1. That all City storm-water management requirements are met; and
2. That a permit is obtained from the Department of Public Works in regards to City storm-water management requirements; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
4. 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 February 9, 2018.

**Mr. Witherspoon seconded.
Nate Sumpter; Mike Witherspoon; Joe Passero; Rod Johnson;
Richard Roina voted in favor.
No one opposed.
No one abstained.**

V. RECEIPT/REVIEW AND ACTION ON NEW APPLICATIONS

a. #10-17SP – Yew Street Partners – Brierwood Road – 5 unit conservation development – Review and schedule for public hearing

THIS APPLICATION HAD BEEN POSTPONED.

b. #25-17CAM – Gill & Gill Architects – 47 Neptune Ave. – New single family dwelling – Preliminary review

Mr. Witherspoon opened the application.

Patricia Gill began the presentation by showing the commissioners a rendering of the new single family residence. She showed them a photo of the site as well. She described the landscaping. It is a modern house in with more traditional neighbors. She showed them a picture of the neighborhood. The lot had been empty for a while. There was a discussion of the materials. The commissioners thought it was an interesting design. The staff said this item had not been noticed so it would have to be continued until the next Commission meeting, without a further presentation.

c. #11-17R/#11-17SP/#29-17CAM - 230 East Avenue, LLC – 230 East Ave/3 Rowan St/Osborne Av – Proposed amendments to Section 118-700 to permit transit oriented development (TOD) in the Ind#1 zone at the East Norwalk Railroad Station and special permit for 5-6 story, 260,663 sf mixed use development with 195 dwelling units, 40,955 sf office, 2,130 sf restaurant, 1,500 sf retail and 15,939 sf Pooch Hotel (existing) in 4 separate buildings – Further review and schedule for public hearing

Mr. Witherspoon opened the application.

Atty. Suchy began the presentation by explaining that they would briefly go over the revisions. She noted that the applicant had attended a CEAC meeting on January 25 as well as a neighborhood meeting which included 15 people.

Mr. Mike Galante continued the presentation by discussing what goes into a traffic study which included guidelines from the local municipalities and the state. He then oriented the commissioners as to the location of the property on an aerial map. He also explained the steps of what went into the study. He had not received some data so they collected their own. He then showed them a chart of the traffic analysis.

He said that traffic would be lower during the week because the site was now becoming residential. On the weekends it would be higher because office buildings would not generate traffic at that time. The analysis did not include future construction but he noted that it would improve the traffic when completed. Currently it is now a bottleneck and there is traffic congestion. He said that the level of service would stay the same. He noted that the University now collects traffic data for the state of Connecticut and that was where the data was collected from. Mr. Sumpter asked for Mr. Galante to provide drawings for the public.

There was a discussion about a peer review of the traffic by the city's consultants. Mr. Galante said that the consultant would be able to use his models.

There was a confirmation of the public hearing which would be on March 1. The applicant would appear before the commissioners again on February 21.

d. #1-18M/#1-18SPR – Stone Realty Associates, LLC – 15 Oakwood Avenue – Proposed Change to the Building Zone Map from AAA Residence & Business #2 to entirely Business #2 zone and site plan application for 15,517 sf office, 3,768 sf R&D with 3 residential

units and 102 sp parking garage – Preliminary review

Mr. Witherspoon opened the application by reading it into the record.

Atty. Suchy began the presentation by noting that the owner of the property, Harlan Stone, had been a businessman in Norwalk for 15 years. She explained what the company manufactured luxury tiles for offices. She then described the application which would be an innovation center. It would be a green build but it would go beyond L.E.E.D. standards. These standards would be integrated into his products. She explained the current zone of the property as well as the new zone for what he envisioned for the building. She explained the site plan proposal which included innovation spaces and studios for artists. She noted that the architects would be available on February 21. She said that this concept was not something they had seen before.

Tom Nelson, the engineer on the project, continued the presentation by explaining how the site was currently developed. The property was in an AAA zone. He explained that some of the building was traditional and some of it would be suspended over the natural topography. He showed them the parking garage which would be on the existing parking lot in order to lower the necessity for creating more impervious surfaces. It would minimize disturbance. The building would have a green roof. The property would have a rain garden. He also explained the sewer system, which would be upgraded. Mr. Sumpter asked

Atty. Suchy noted that the zoning regulations required more parking. She was asking for a waiver because it would not be in keeping with the sustainability of the building. Currently, only about 20 parking spaces are used so it didn't seem necessary to have a 3 story structure for parking. She noted that there was an upcoming CEAC meeting in the following week. All abutting neighbors had been notified about the project. Living Building Challenge ("LBC") rated and is the most stringent green building standards. It is a typical office building, which would be open from 9-5. The applicant would return on February 21.

e. #2-18SPR – Bright Beginnings Early Childhood Program LLC – 517 Westport Ave – 11,000 sf child daycare center – Preliminary review

Mr. Witherspoon opened the application by reading it into the record.

Mr. Wrinn noted that the commissioners had aerial maps which oriented the commissioners as to the location of the property.

Atty. Suchy began the presentation by introducing the project team. She noted that this building was the old Jones New York near the McDonalds. She described the current building and parking lots. The space would be converted into a daycare center, with teachers and administrators. Much of the impervious surface would be converted into pervious surface for the children as required by state law. She showed them the site plans which included showing them the parking spaces. Other parking spaces would be leased from an adjoining parcel. The entrances would be in the front.

Matthew Popp, Environmental Land Services, continued the presentation by describing where the landscaping would be and the new play area would be located. There was a discussion of the lighting and whether it would be a safe walkway for everyone. There was a discussion of the circulation of traffic and curb cuts. There was a discussion of the number of staff and a concern about the numbers of parents that would arrive in certain time periods. Atty Suchy noted that the parking numbers meet the parking requirements in Norwalk.

Joseph Balskus, the traffic engineer, continued the presentation that began a discussion of the applicants' similar businesses in Stamford and Fairfield. Those sites were smaller. He explained what they anticipated happening at this site. He then showed them aerial views of the sites in Stamford and Fairfield. He then showed them an aerial map of the Norwalk site as well. There was a discussion about adding a sidewalk to make it safer for the parents and kids to walk on, rather than the plantings that are now being proposed. There was a discussion about parking for staff. There is an understanding from the music theater next door which is not open during the day. The applicant said that they would give them 42 parking spaces. There was a suggestion to create another curb cut to help the cars getting out of the parking lot. Atty Suchy said they would take a look at all of these suggestions.

VI. SONO TOD: #X-17R/#X-17M – Zoning Commission – Proposed amendments to Section 118-506 SoNo Station Design District – Review of public hearing held on December 18, 2017

Mr. Witherspoon opened the presentation. Mr. Kleppin said that he had distributed a memo. He wanted to make sure they were all comfortable with everything before setting a date for the public hearing. There were concerns about the affordable housing. The developer community was not in favor of increasing percentage of units. Mr. Kleppin said that those in favor of increasing the percentage believed that the units were not affordable enough. He explained 3 different options that the commissioners could use.

There was a discussion of how the affordable units are advertised. He described the Zoning Department's role in inspecting these units. Mr. Sheehan said that he did not think there were many vacancies of these units. Mr. Johnson said that he noted that there are not enough 3 bedroom affordable units. It would be counted as 2 affordable units. There was also a discussion about the amount of children who could be added to the new schools. Mr. Kleppin said that these units would not necessarily add to the education system. There was also a discussion about information about additional water usage, electrical usage, etc. There was a discussion about the process of voting on new regulations. There was a discussion about attracting not-for-profits to do some of these projects. Mr. Sheehan said that it does come down to subsidy.

There was a discussion about the public hearing for these amendments, possibly on March 21. There was a discussion about how affordable units are priced because there is a challenge when people make more money. The commissioners discussed each of the options in more detail. Currently the Zoning Department also monitors the affordable housing units which are filed with them. Mr. Kleppin asked the commissioners were for comments and that they could provide them over the next couple of days. There was a discussion as to whether there was enough commercial, for instance, for job creation. There was a discussion of more square footage for boutique manufacturing which could help job creation. There was a discussion of option #3 which could provide more affordable housing, city-wide, rather than in pockets.

VII. APPROVAL OF MINUTES: January 17, 2018

**** MR. PASSERO MOVED** to approve the Zoning Commission minutes of January 17, 2018.

Mr. Witherspoon seconded.

Nate Sumpter; Mike Witherspoon; Joe Passero; Rod Johnson; Richard Roina voted in favor.

No one opposed.

No one abstained.

VIII. COMMENTS OF DIRECTOR

Mr. Kleppin had no further comments.

IX. COMMENTS OF COMMISSIONERS

The commissioners had no comments.

X. ADJOURNMENT

Mr. Passero made a motion to adjourn.

Mr. Johnson seconded.

Nate Sumpter; Mike Witherspoon; Joe Passero; Rod Johnson; Richard Roina voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Diana Palmentiero