

**CITY OF NORWALK
ZONING COMMISSION**

May 15, 2019

PRESENT: Louis Schulman, acting as Chair; Michael Witherspoon; Nicholas Kantor; Richard Roina; Stephanie Thomas; Rod Johnson; Galen Wells; Frank Mancini

STAFF: Steve Kleppin; Michael Wrinn

OTHERS: Atty. Liz Suchy; Frank Chapman; John Pinto; Richard Warren; Dick Brescia; Jason Milligan; Craig Flaherty; Patsy Brescia; John Romano;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 7:01 p.m.

II. ROLL CALL

Mr. Kleppin called the roll.

III. DISCUSSION/ACTION ON NEW APPLICATIONS

a. #3-19R/#1-19SP – Malta House, Inc. 139 West Rocks Road – Proposed amendment to permit maternity home by special permit in A Residence zones and special permit for maternity home for 15 expectant mothers in former daycare center building – Review of new application – Report & recommended action

Mr. Schulman opened the application. Atty. Suchy began the presentation with explaining that neighbors had been notified and the certified, return receipt cards had been given to the Zoning Department staff. She showed them a picture of the current property at the All Saints School and explained a previous application which had been approved in September 2018. She continued with a brief explanation of the text amendment and special permit applications, as well as a brief history of Malta House. She noted that Malta House needed more space. The current space had been used as a preschool as well as previously as a convent. She also noted that a planting plan had been submitted as well as plans for the driveways for ingress and egress.

Frank Chapman, the architect on the project, explained that the building would remain the same on the outside. Trees would not be removed. He then explained the renovations on the first floor which included changes to the kitchen, dining room and library space. There was then a review of the second floor. He said that the building was being updated to include air conditioning and meeting 2019 codes as well as becoming ADA compliant. There would also be a place to gather. There would be 15 resident rooms and the building included an elevator. The rooms share a bathroom. There was a discussion about the emergency generator. The commissioners agreed to send the application to a public hearing on June 19, 2019.

IV. PUBLIC HEARINGS

Before Mr. Schulman opened the public hearings, he explained the rules to the public. He also added that written comments could be before the end of May as well.

a. #1-19R - Zoning Commission – Proposed amendments to Section 118-504 Central Business Design District (CBDD), Section 118-100 Definitions, Section 118-1050 Workforce Housing Regulation, Section 118-1220 Off Street Parking and Commercial and Industrial Schedule Part 1 and related technical amendments and

b. #1-19M - Zoning Commission – West Avenue/Wall Street/North Av/Belden Av & vicinity - Proposed changes to the Building Zone, Map from Central Business Design District (CBDD), Industrial #1 and Neighborhood Business (NB) to Central Business District (CBD) and Central Business District West (CBD-W)

Mr. Schulman opened the public hearing and Mr. Witherspoon read the comments of the Planning Commission into the record which noted that it approved. Mr. Kleppin began the presentation with an explanation of the regulations which were in response to the Redevelopment Agency's Zone changes. He then explained the map changes. He said they were trying to make things simpler. He explained the parking regulation changes especially in lieu of fees. He also said that there were not a lot of changes in the West Avenue corridor. He noted that the Wall Street area was trickier since there were many historic structures without onsite parking. There are competing interests because many people like the historic buildings but want to see change in the area. He believed that the area should have smaller size, 3-4 stories, than other areas. He discussed the density which is not as dense as other areas. He compared it to the Washington Street area which does not have much parking either. He also discussed the Trolley Barn building which also had no parking but that it works itself out. He said there could be some parking modifications in the area. He highlighted the recommendations which included the removal of the F.A.R. maximum because parking was limited in the area. He also discussed micro-units. There would also be a provision for the Historical Commission having a referral for the historical buildings. He also offered the commissions a couple of amendments which included that parking not be removed. He also noted that the Harbor Commission had requested the public hearing remain open. He would speak with them about their concerns. He also noted which commissions had approved the referrals as well as the fact that the Planning Commission had not voted positively for the Map change.

John Pinto spoke on behalf of the Harbor Commission and read into the record portions of their letter to the Zoning Commission. There was a discussion about the type of commerce near the water that currently exists which is Devine Bros. There was also a discussion of water activities in the area such as rowing.

Richard Warren, of O&G Industries, explained that they supported the changes but clarifying their position in the letter submitted to Mr. Kleppin. They are not currently active on the site but are making plans to become active again. There were no questions from the commissioners about their letter.

Dick Brescia, Chair of the Norwalk Parking Authority, noted that he had been in most of the meetings that Mr. Kleppin had referenced, in connection with the parking regulations. He noted that everyone wanted to re-energize the Wall Street area. He discussed recent meetings with Norwalk's Economic Development Director and others in the City government's about solving the parking issues.

Jason Milligan, of Milligan Realty, said that he had been involved on the Task Force for the proposed regulations. He said he would discuss two recommendations. He also described a situation where he could not develop on Wall Street. He said that he owned 6 properties on Wall Street and 30 properties within walking distance of Wall Street. He noted that the Yankee Doodle parking garage had a lot of spaces and some were rented to a car dealership. He then discussed his recommendations, one of which was about recreation space. He asked them to a lift a cap. He then discussed the requirements by the Historical Society and asked for one to be removed. There was then a discussion about what would happen if a requirement was removed and who would benefit.

Craig Flaherty, spoke on behalf of Belpointe Capital, and said that he thought Mr. Kleppin had done a good job on these regulations. He then passed out a handout of other recommendations about these proposed regulations. He also appreciated that the record would remain open. He discussed the setbacks and used High Pointe as an example. He then discussed concerns about the parking requirements. There was then a discussion about who else would benefit from any changes that were made to the proposed regulations. Mr. Flaherty noted that none of their current properties have parking problems.

Jason Milligan explained that it was not selfish motivation for coming to the Zoning Commission, but rather, he and Mr. Flaherty were aware of what was going on in the area and that was why they were involved.

Patsy Brescia also said that she was a real estate agent in the area for many years. She was an advocate for affordable housing. She asked about the rationale for the micro-units and how would it be disbursed. She noted that she had rented many apartments on Wall St. in the last 20 years. She noted that people in the area would need their cars. She asked about fee in lieu. She noted that it was important to revitalize Wall Street. There was a discussion about the parking garage in the area. She noted that eventually the parking garage would be full if more apartments are built in the area.

John Romano, Chairman of the Harbor Commission, noted that water transportation would take vehicles off the highways. He wanted to keep the waterways open and not lose it.

Mr. Schulman noted that the Mr. Kleppin's presentation addressed both applications. He also noted that the public hearing would be held open for additional written comments through the end of May. The commissioners all agreed. Mr. Kleppin addressed comments about the micro-units and noted that they were not regulated. He did not want them to be a distraction. He also addressed comments about the parking. He also would provide more data to the commissioners. He also addressed the Yankee Doodle Garage and noted that improvements could be made. Ms. Wells said she supported the micro-units and wondered if the negativity was because it would bring more cars to the area. There was a discussion about special permit vs. a variance. There was also a discussion about the commission's discretion in case law. There was a discussion about the Harbor Commission's comments.

V. REVIEW AND ACTION ON PENDING APPLICATIONS

a. Action on Items IV. a. and b.

Mr. Mancini moved to hold the public hearing open until May 31 for written comments.

Mr. Witherspoon seconded.

Louis Schulman; Michael Witherspoon; Nicholas Kantor; Richard Roina; Stephanie Thomas; Rod Johnson; Galen Wells Frank Mancini voted in favor.

No one opposed.

No one abstained.

VI. APPROVAL OF MINUTES: May 2, 2019

**** MR. WITHERSPOON MOVED to approve the May 2, 2019 Zoning Commission minutes.**

Ms. Thomas seconded.

Louis Schulman; Michael Witherspoon; Nicholas Kantor; Richard Roina; Stephanie Thomas; Rod Johnson; Galen Wells; voted in favor.

No one opposed.

Frank Mancini abstained.

VII. COMMENTS OF DIRECTOR

There were no comments from the director.

VIII. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

IX. ADJOURNMENT

Mr. Mancini made a Motion to Adjourn.

Mr. Witherspoon seconded.

Louis Schulman; Michael Witherspoon; Nicholas Kantor; Richard Roina; Stephanie Thomas; Rod Johnson; Galen Wells; Frank Mancini voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Diana Palmentiero