

**CITY OF NORWALK  
PLANNING COMMISSION  
November 19, 2019**

**PRESENT:** Frances DiMeglio, Chair; Steven Ferguson; Mike Mushak; Brian Baxendale; Tammy Langalis; Nora King (after roll call and left at 8:52 p.m.); Mary Peniston (after roll call)

**STAFF:** Steve Kleppin; Mike Wrinn

**OTHERS:** Henry Dachowitz; Anthony Carr; Nick Roberts; Jessica Casey; David Davidson; Alan Lo

**I. CALL TO ORDER**

Ms. DiMeglio called the meeting to order at 7:05 p.m.

**II. ROLL CALL**

Mr. Kleppin called the roll.

**III. DISCUSSION AND/OR DECISION**

**a) Discussion and introduction with Department of Public Works; Recreation & Parks; Economic and Community Development; and Finance Chiefs/Directors**

Ms. DiMeglio welcomed the directors to the meeting and asked them to share their vision for their respective departments,

Mr. Dachowitz, the Chief Financial Officer for the city, introduced himself. He said that he had closed a loan for the city earlier that day. He said that in the past that the budget process was not as collaborative as he would like. He discussed the length of the process. He wanted to allow for review and dialogue. He also noted how larger departments would get more time than smaller ones. He said that some budgets were cut at the end without input from the department. He also noted the problems and he explained how to change the process. He explained why he wanted it to be more collaborative. He also said that he would look at actuals to help prepare budgets, which had not been done in the past.

He explained how he would suggest how to prepare budgets. He then said that the city would only fill vacancies. Departments would need a good reason to hire a new person.

He then explained his background which was in Nassau County, New York as well as Lane County, Michigan. He said that he would be doing a budget for the entire city. He said he wanted to scale back expectations.

There was a discussion about possible mill rate increases because the amount Norwalk receives from Hartford is going down. He discussed the realities of the state of Connecticut which was businesses and families moving out. He also explained how he would go back to the departments to cut budgets, if necessary, so that they could take responsibility for their budget.

Mr. Dachowitz said that most of his discussion thus far had been about the operational budget. He then discussed the capital budget and how the process would work. He said that interest rates were good at the moment. He was concerned that there would be times that the city would need to borrow in times of recession. He also discussed the cap that would be set by the Common Council. He noted that there would be a limit on the capital budget and it would be tied to the Plan of Conservation and Development ("POCD").

There was then a discussion about Mr. Dachowitz visiting various departments to see how the city worked. He said he wanted to understand what was happening.

Anthony Carr, Department of Public Works, gave his background to the commissioners which included various positions in different towns and cities in Westchester County. He also discussed his department philosophy which included a teamwork mentality. He said that Norwalk was similar to White Plains which was where his last job was. He also noted that where his budget would increase including sidewalks. He said that there were flooding issues that had to be dealt with. He is also reviewing the TOD studies as well as POCD. He said that the city was organized which made his transition easier. He had also heard about the Capital Budget process. He said that he was trying to solve problems and encouraged his staff to do that as well. He also said that he would be meeting his deadlines.

There was a discussion about the similarities and differences between White Plains and Norwalk. He also noted that he lived in Mamaroneck. Both of these towns remind him of Norwalk. Both are clean. White Plains does not flood because it is not near the Long Island Sound.

There was a discussion about his department's structure. He said he would share the organization chart with the commissioners. He also discussed the vacancies in his department and who reports to him. Some do and others operate independently, like the WPCA. The Parks and Recreation Department now works in the same office which makes them more collaborative. Mr. Carr said it worked better and was doing what it was meant to do.

There was then a discussion about a couple of studies that are currently being worked on in the city. Mr. Carr said that there were public information meetings about them.

There was also a discussion about how Capital Budget items would be tied to the POCD. It has been helpful for the new directors who come from outside of the city. It would be helpful for the departments to work collaboratively. It could improve efficiencies. There was also a discussion about the Capital Budget process and how it ended late at night.

Nick Roberts, Parks and Recreation, gave the commissioners his background. He believed in the power of parks and noted his philosophy. He also said that the Parks Department had not had a Master Plan for over 20 years. He appreciated the funding for it. He also noted that the Capital Budget would work with it. They would re-work their priorities in the Capital Budget process and gave examples. He said they would not be funding new projects but rather, immediate needs of different parks in the city. He said the new Master Plan would then drive the new projects.

There was a discussion about the bathrooms at Nathan Hale. Mr. Roberts said they would purchase a building and then the work would be done within his department. It should be done by Spring 2020. There was also a discussion of the West Rocks project but would have to re-prioritize the projects, including having bathrooms and lights.

There was also a discussion about corporate sponsorships. There was then a discussion about public meetings for the Master Plan as well as the process for it. Mr. Roberts thought it would take over 1 year. There was a discussion about Taylor Farm and whether it would be developed. There was then a discussion about staffing in the Parks and Recreation Department. Mr. Roberts explained how the department would change and why they would need more staffing. He also explained how the programming in summer camps had not changed for years. This was a reason they would need more staffing. There was a discussion about the skate park. It was also noted how clean Mathews Park was and how maintenance has changed in the last few years.

There was a discussion about a building in the 6<sup>th</sup> Taxing District which needed some repairs because it was leaking. It was similar to the Gallaher Mansion. Mr. Roberts said they would look at it.

Mr. Roberts said that they would provide photos of their projects to the Finance Director, if they could not see the projects that funds were being requested for.

There was a discussion about the Capital Budget process. The commissioners were happy that the Parks and Recreation Department and the Department of Public Works (“DPW”) were now working together.

Jessica Casey, Chief of Economic and Community Development, gave her background which included working for the MBTA in the Boston area as well as in Plymouth, MA. She has also worked for many cities in the Mayor’s offices as well as in different levels of government.

She then explained her position at the Economic and Community Development and who she worked with in the city which included Mr. Kleppin. She was working on how things worked internally as well as how citizens could use systems such as Muncity. She also worked with the DPW and the Redevelopment Agency.

She then said that her position did not exist just two years ago. The department had only just received a full budget in July. She discussed the investment in various zones to attract different businesses to those zones. There would be available grants in those areas. She gave examples of what was happening around the city. She wanted to create neighborhoods that citizens would be attracted to. She would also work to market the city because people were attracted to it.

Their budget would be aligned with the POCD. One example was the library expansion to improve the Wall Street area. There would also be a review of the Webster lot which could include parking or townhomes in that corridor.

She also said that they would work collaboratively with other departments as well as the state and the federal government. She had been appointed to a state task force for TOD.

There was a discussion about wayfinding signs that had been at Exit14 on both sides. They had been on the ground. There was concern about that there is no signage for where the mall is, once people drive off of I-95. The state has funded for tourism centers in other towns. Ms. Casey said they don’t have the materials at this time.

There was a further discussion about Ms. Casey’s background and how she came to her job in Norwalk. There was a discussion about the Planning and Zoning Department moving to the office space for Parks and Recreation.

At this point in the meeting, Mr. Davidson received his plaque for his service on the Planning Commission. Mr. Kleppin read what was on it.

They all agreed it was nice to have the department heads at the meeting.

**b) 8-24 Referral – 24 James Street – Donation of 0.07 acre lot from owner to the City – Report & recommended action**

Mr. Lo began the presentation by explaining that there is a little piece of property which cannot be built upon. The owners live across the street and decided to donate it to the city. They have been paying taxes on it and would not be paying it anymore since they were donating it. Mr. Lo noted that there is a slight liability on the property because of its location which included maintenance. He explained the process of it. It was suggested that the owner also approach the Norwalk Land Trust. He also noted that the city would not want to pay for the easement that was currently on it.

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission in accordance with Section 8-24 of the Connecticut General Statutes, the referral made by the City's Land Use and Building Management Committee for an 8-24 Review by the Planning Commission for the recommendation of an 8-24 Review – Donation of 0.07 acre lot from owner to the City be **APPROVED** subject to the following reasons:

1. To implement the Plan of Conservation and Development goal to "Pursue protection of riparian buffers along the Norwalk River, Five Mile River, and Silvermine River through purchase, donation, or conservation easement of land abutting these rivers" (C.2.1.2 pg. 25); and
2. To implement the Plan of Conservation and Development goal to "Encourage the preservation of undeveloped lands within the 100-year flood zone with the use of Open Space purchase, donation, or conservation easement" (C.2.1.3 pg. 25); and
3. To implement the Plan of Conservation and Development goal to "Protect the Betts Pond Brook, Five Mile River, Silvermine River, Norwalk River, and other aquifers to guarantee quality groundwater for future generations" (B.4.1.4 pg. 18)

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

**Mr. Mushak seconded.**

**Frances DiMeglio; Steven Ferguson; Mike Mushak; Brian Baxendale; Tammy Langalis; Nora King; Mary Peniston approved.**

**No one opposed.**

**No one abstained.**

**c) 8-24 Referral – Ben Franklin Center – Request to renew the lease of the second and third floor of the Ben Franklin Center to Norwalk Family and Children's Agency (FCA) – Report & recommended action**

Mr. Lo explained that the lease was required to come before the Planning Commission. He explained the length of the lease and that it was for a non-profit. They are currently on a short term lease. There was a discussion about Norwalk Family and Children's Agency that was renting the property. There was also a discussion about other non-profits in the city that had similar leases. It was noted that other non-profits also paid minimal amounts if they made capital improvements to properties. There was a discussion about the fact that the city is not a landlord

and should not be responsible for maintenance, cleaning, etc. although they leased properties. There was then a discussion about whether Norwalk Family and Children's Agency owned condos at 9 Mott Avenue which was shown that they did.

There was then a discussion about whether some agencies were getting special treatment and how to make it more equal to other non-profits. It was noted that it was not the purview of the Planning Commission to be concerned about that.

Mr. Lo said that the city did not have a lot of leases. There was then a discussion about the building since in the past it had not been safe. There was a discussion about how the city determined how to place tenants in these buildings.

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission in accordance with Section 8-24 of the Connecticut General Statutes, the referral made by the City's Land Use and Building Management Committee for an 8-24 Review by the Planning Commission for the recommendation of an 8-24 Review – Request to renew the lease of the second and third floor of the Ben Franklin Center to Norwalk Family and Children's Agency (FCA) be **APPROVED** subject to the following reasons:

1. To implement the Plan of Conservation and Development goal to "Provide and maintain non-profit community centers which offer services to a wide segment of Norwalk residents" (D.9.1 pg. 33); and

2. To implement the Plan of Conservation and Development goal to "Provide human care and social service facilities and programs as needed for all citizens" (D.6.3 pg. 32); and

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

**Ms. Langalis seconded.**

**Frances DiMeglio; Mike Mushak; Brian Baxendale; Tammy Langalis; Mary Peniston; Nora King approved.**

**Steven Ferguson opposed.**

**No one abstained.**

There was then a brief discussion about the Planning and Zoning Department's move to another part of City Hall.

#### **IV. DISCUSSION OF OTHER ITEMS**

##### **a) Subdivision #3467 – 35 Meeker Court LLC – 35 Meeker Court – 4 lots – Status report of sedimentation & erosion controls – Report & recommended action**

Mr. Wrinn began the presentation said that they are slowly moving. They have received a curb cut permit. He also discussed other improvements to what has been put in place. He also noted that the neighbors are complaining about what may happen. He does not see anything

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coming off the site. They are at status quo and are still working on the second house. It is on the agenda until the staff said it does not need to be on it.

**b) Zoning Commission referral - #9-19R – Tavern Island Holdings, LLC – Proposed amendments to increase maximum building height from 25 feet to 30 feet in the Island Conservation zone – For distribution only: action at Dec 10 meeting**

Mr. Wrinn explained the location of the island and that someone had purchased it. The house would be demolished and re-build on the site. They want it to be higher since it is at elevation 14'. The staff encourages the owner to go higher to meet FEMA flood standards. There was a discussion about residents on Wilson. There was then a discussion about Little Tavern Island. There was also a discussion about whether other neighbors were objecting and what those objections could be. There would be a large enough septic system for the island. The caretakers' house would remain. The applicant would also be before the Zoning Board of Appeals in December. There was then a discussion about whether this house could be much taller. There was a discussion about why another town was copied on the application. It was noted that it was close to Darien. It would be on next month's Planning Commission agenda. There was a discussion about the island conservation zone.

**c) Discussion of performance metrics**

This item would be moved to the December meeting.

**d) East Norwalk TOD study update**

Mr. Baxendale said that he had been to a meeting the previous evening and discussed what had been said. There did not seem to be much pushback from the public and it was a good dialogue. There were about 60 people in attendance. There would be another Oversight Committee meeting in December. There would be a separate Zoning Commission meeting for zoning changes in April.

There was also a discussion about the 4 gas stations in the area. It was suggested that a Cumberland Farms could be placed there, instead of 4 gas stations. There was also a discussion about grocery stores and a post office in East Norwalk. For a supermarket the area would need more inhabitants. There was a discussion about the format of the meeting.

Mr. Baxendale noted that the Wells Fargo bank could be a signature building in the area. There was a discussion about the Gregory Avenue and having a rotary near there. The cemetery seemed isolated but it was complex to fix.

There was a discussion about the outreach for this study which Mr. Kleppin said had been different for the POCD. It was also noted that East Avenue would be 2 lanes, each way.

V. **ELECTION OF OFFICERS**

a) **Discussion of Election of Officers**

Ms. DiMeglio said she would not nominate a committee but rather, take nominations from the floor at the December Planning Commission meeting. There was a discussion about the terms of some of the commissioners.

VI. **APPROVAL OF MINUTES: October 23, 2019**

**\*\*\* MS. DIMEGLIO MOVED** to accept the **October 23, 2019** Planning Commission meeting with the changes.

**Mr. Ferguson seconded.**

**Frances DiMeglio; Mike Mushak; Brian Baxendale; Steven Ferguson approved.**

**No one opposed.**

**Tammy Langalis; Mary Peniston abstained.**

VII. **COMMENTS OF DIRECTOR**

The POCD is completed and needs a date for the Mayor to sign it. He also noted that there would be a joint meeting with the Zoning Commission on December 11.

VIII. **COMMENTS OF COMMISSIONERS**

Mr. Ferguson asked that commissioners should know the topics and the facts when they come to a meeting. If they were unsure about a fact, then they should not say anything. He also said that he knew that Norwalk Family and Children's Agency (FCA) had other options. He did not want the city to lose out on opportunities or find a better use for the property. It is known that the Family and Children's Agency did own properties. He was concerned that Mr. Lo had not known some information which could have been relevant to the application and to the commissioners.

There was a discussion about the YMCA property which had been taken off the agenda by Corporation Counsel. Ms. DiMeglio did not like when things were put on the agenda at the last minute.

There was a discussion about the POKO application but Mr. Kleppin said nothing imminent was happening.

There was also a discussion about the zoning regulations public meeting which had been held earlier in the month.

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**IX. ADJOURNMENT**

**Ms. Langalis made a Motion to Adjourn.**

**Mr. Baxendale seconded.**

**Frances DiMeglio; Mike Mushak; Brian Baxendale; Tammy Langalis; Mary Peniston; Steven Ferguson voted in favor.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Diana Palmentiero