

**CITY OF NORWALK  
PLANNING COMMISSION  
December 10, 2019**

**PRESENT:** Frances DiMeglio, Chair; Mike Mushak; Brian Baxendale; Tammy Langalis; John Lesko; Nora King; Mary Peniston; Steven Ferguson (left at 9:50 p.m.)

**STAFF:** Steve Kleppin; Mike Wrinn

**OTHERS:** Corporation Counsel Mario Coppola; Robert McDowell; Atty Robert Maslan;

**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) 8-24 Referral – 98 South Main Street – Lease of 98 South Main Street to the Riverbrook Regional YMCA**

Corporation Counsel, Mario Coppola, began the presentation. He explained how the Planning Commission had previously reviewed applications for this property. He noted how that they had found a non-profit through the RFP process, which is the YMCA. More social services than previously provided will be handled at this property. He said the memo had a history of the property as well as the deal terms. He explained that the YMCA would have a long lease term that could be at minimum 30 years to 50 years. They would fund a major renovation of the property. Some funding would come from the monies received from GGP, developers of the mall. The YMCA would also try to receive funds from the state and private donors.

There was a discussion about the size of the Young Men Christian Association (“YMCA”) which seemed small. This one would not be a traditional recreational YMCA. This one would have more social services because they saw a need for it. Part of the plan would allow for Norwalk residents to use the YMCA in Wilton. There was a discussion about why Norwalk residents would have to go to other towns for a swimming pool and basketball courts. There was also a concern about whether it would be called the YMCA or the Y.

Robert McDowell explained the name and the branding. He said they are known as the Y which is their branding across the country. There was a discussion about the previous Y that was in Norwalk for many years. He said that they had studied this old facility and what types of

different facilities/programs are available in the area. He explained the model that was currently being used in Norwalk. Children are bussed to Wilton for swimming lessons as well as other programs.

There was a discussion about the date of the construction schedule which could not be later than 2023. Construction would go on while the property was being leased. The Y needed time to obtain funding. Some programming would start in March 2020.

There was an explanation that this Y would provide services to Wilton and Norwalk and other surrounding towns. Atty Coppola said that there was a goal to have a more traditional Y which would include swimming and basketball courts.

There was a discussion that the funding received from the mall should go specifically to South Norwalk. There was also a discussion about the capital campaign and whether it would affect the construction process. Mr. McDowell explained it further to the commissioners. He also said that they planned to raise the money. They had done a study in Norwalk which showed they could raise the money as well as sustain it. There was then a discussion about operating costs and earned revenue. AmeriCares is also in the building that will take more space. They would help carry the costs of the facility. Mr. McDowell noted that some fees would have to come from donor money. Atty Coppola noted that in the memo it was stated what would happen if the funds were not raised.

There was a discussion about what happened to the funds that were obtained when the previous Norwalk Y was sold. It was now in an endowment. There was also a discussion of the operating budget as well as the capital budget. There was a discussion about Choice Neighborhoods in Washington Village and whether there were any funds still available from HUD. Mr. McDowell said that they had just received an application and they would apply for that funding. Atty Coppola noted that it would be helpful to the city to have the Y provide these social services so that they would not have to do it.

There was a discussion about the old offices of NEON which still had office equipment in it and which department would remove it. There was also a discussion about certain organizations that could work collaboratively with the Y to not duplicate services that would be provided. At this point, Atty Coppola left the presentation.

Mr. McDowell then went over renderings of what the building would look like. A park would be behind it. There would be a teen center, arts and music facilities, a community kitchen and a multi-purpose room for meetings and educational opportunities. There would also be area for STEM projects. There was a discussion about how many children could be helped in this facility. There was also a discussion about maintaining a physical building which will be necessary to provide these services.

There was a discussion about Norwalk residents who would be sitting on the Y's board. There was a suggestion about the architecture of the building. The back of the building should be as open as the front of the building.

**\*\*\* 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 Law Department and the Land Use and Building Management Committee for an 8-24 Review by the Planning Commission for the recommendation of an 8-24 Review –Lease of 98 South Main Street to the Riverbrook Regional YMCA be **APPROVED** subject to the following reasons:

1. To implement the Plan of Conservation and Development action strategy to “work with stakeholders in the community to build strong, sustainable public-private partnerships,” and
2. To implement the Plan of Conservation and Development action strategy to “encourage the establishment of neighborhood organizations where they do not exist today”

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

**Mr. Ferguson seconded.**

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

**No one opposed.**

**No one abstained.**

**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 – Report & recommended action**

Atty Maslan began the presentation by orienting the commissioners as to the location of Tavern Island. He gave them a brief history of the island. HE said that they would like to increase the height of the building for flood compliance. He then discussed why the height should be increased. He also explained that he had provided information from various islands and communities around the state. There was a discussion about the base flood elevation. Atty Maslan explained the 100 year storm and how it could affect the island. He then explained the velocity zone. He noted how the height would affect the building. There was a discussion about whether this change should be made. The owner knew that it would have to be changed. There was also a discussion about the property rights of the owner and that they should have the right to raise their house.

Atty Maslan then showed the commissioners a picture of the island on an aerial map and pointed out the few buildings that were there. He noted that they were legally non-conforming because they were built before zoning regulations. He also noted that the owner had been before the Zoning Board of Appeal in November. He explained what other types of houses could be built on the island.

There was a discussion about how New York City had revised their zoning regulations after Superstorm Sandy. There were a discussion about the zoning regulations for Madison and Branford. There was also a discussion about saving the fishing shacks on the islands. There was also a discussion as to whether one could see that a house is higher from the shoreline.

There was a discussion about the memo written by the Zoning Department which included their comments and suggestions. There was also a discussion about how making the house smaller could affect the tax base. There was a discussion about considering a new coastal buffer requirement in the Island Conservation zone. There was a discussion about how the Plan of Conservation and Development (“POCD”) could affect the application. Atty Maslan read a portion of the application which was from the POCD. He said the application was consistent with it. He also noted that he had discussed the application process with the Zoning Department staff. He believed that this application could help the owners of other islands as well.

At this point, the commissioners took a poll as to what they should recommend to the applicant and then they would make that application when they went to the Zoning Commission public hearing. There was a discussion as to the process of how this application would work. There was then a discussion as to what should be added to the resolution before it was voted on.

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendments to the Building Zone Regulations as shown on a certain document entitled “#9-19R – Tavern Island Holdings, LLC – Proposed amendments to increase maximum building height from 25 feet to 30 feet in the Island Conservation zone” and dated November 4, 2019, be **approved**;

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the proposed amendment be modified [to add a minimum lot size of 2 acres and a building coverage limit of 25%](#) to reduce the number of properties where taller structures would be permitted; and

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

- 1) To implement the Plan of Conservation and Development to "Examine and modify existing zoning where necessary to achieve the goals of this plan" (F.2.1, p. 42); and
- 2) To implement the Plan of Conservation and Development to "Review all anomalies and spot zones to conform to regulations, and to encourage reasonable uses (F.2.1.3, p. 42); and
- 3) To implement the intent of CGS Section 8-2 Zoning, including that “Such regulations shall be made with reasonable consideration as to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality.”; and

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

**Mr. Mushak seconded.**

**Frances DiMeglio; Mike Mushak; Brian Baxendale; John Lesko; Mary Peniston; Steven Ferguson approved.**

**Nora King and Tammy Langalis opposed.**

**No one abstained.**

**c) Zoning Commission referral - #10-19R – St. George Greek Orthodox Church – Proposed amendments to allow child day-care centers in existing place of worship accessory buildings by special permit in AAA Residence zone – For distribution only: action at January 21 meeting**

Mr. Wrinn began the presentation and he explained that zone did not currently allow for a day care center. It was only allowed where a school is. He explained that there would be more information at their January Planning Commission.

**IV. DISCUSSION OF OTHER ITEMS**

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

Mr. Wrinn noted that there had been rain the previous day but staff had not seen any run-off. The Department of Public Works (“DPW”) had also gone out to see it but had not noticed anything. Construction had begun on the second house although the first house still had not been sold. He was not sure whether construction would continue until spring. There had been a complaint from a neighbor about the developer planting on their property.

**b) Discussion of performance metrics**

Before Mr. Kleppin began the presentation, the commissioners took a break at 8:57 p.m. and returned at 9:03 p.m.

Mr. Kleppin showed the commissioners the Mayor’s dashboard on the City of Norwalk’s website. He also showed them charts of the current budget, tax collection and the grand list. It showed them mill rate comparisons of various cities throughout the state. There was also a chart for permit revenue and new businesses. Then he showed them city statistics from the DPW and population demographics. The charts are updated by different departments, monthly.

The commissioners thought that the indicators Mr. Kleppin recommended were good and there should be a dashboard and linked to the POCD. They should also add other indicators from the POCD that they could review. It was also recommended to look at one indicator at each meeting. There was a discussion about adding an indicator from education. Mr. Kleppin suggested adding and/or deleting from his list.

Mr. Kleppin said that New York City has a group that meets quarterly with regional planners. He noted that he obtains information from this brochure that they prepare. There was a discussion about how information is uploaded from Planning and Zoning to the website. There was a discussion about how to move forward with the data.

**c) East Norwalk TOD study update**

Mr. Baxendale spoke about the Oversight Committee and what they had done. They had held neighborhood meetings and he spoke of the information that they had learned from them. There had been suggestions about the renderings which they had been shown. There was concern about building 3 story buildings. They also wanted to preserve residential neighborhoods and improve traffic. There was also a discussion about sidewalks and adding more green space. He noted that there were suggestions about shared parking lots between businesses.

Mr. Kleppin discussed the process for the study. He said that the commissioners would probably see it again in February.

Mr. Baxendale continued explaining how the area would need a little more density so that it could support the residential area surrounding it.

There was a short discussion about 25 Van Zant and what was going on at the site. Mr. Kleppin said it was moving slowly.

**V. ELECTION OF OFFICERS**

**a) Election of Officers**

Ms. DiMeglio said there would be nominations from the floor.

**\*\* MS. LANGALIS MOVED** to nominate Ms. DiMeglio as Chair. There were no other nominations.

**Ms. King seconded.**

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

**No one opposed.**

**No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to nominate Ms. King as Vice-Chair. There were no other nominations.

**Ms. Langalis seconded.**

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

**No one opposed.**

**No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to nominate Mr. Mushak as Secretary. There were no other nominations.

**Ms. King seconded.**

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

**No one opposed.**

**No one abstained.**

## **VI. 2020 MEETING SCHEDULE**

### **a) Approval of 2020 Planning Commission meeting schedule**

There was a discussion about having a meeting on March 17 which is St. Patrick's Day. Ms. Peniston said she would be out of town on January 28 and 29, 2020 which were the Capital Budget meetings with department heads. She would send an email with comments on the Capital Budget. She asked to call in for the Board of Education presentation but the staff had not decided which night they would present. Once they had decided they would inform her of the date.

**\*\* MS. DIMEGLIO MOVED** to approve the 2020 Planning Commission Meeting Schedule.

**Mr. Ferguson seconded.**

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

**No one opposed.**

**No one abstained.**

## **VII. APPROVAL OF MINUTES: November 19, 2019**

**\*\*\* MS. DIMEGLIO MOVED** to accept the **November 19, 2019** Planning Commission meeting with the changes.

**Mr. Baxendale seconded.**

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

**No one opposed.**

**John Lesko abstained.**

## **VIII. COMMENTS OF DIRECTOR**

Mr. Kleppin reminded the commissioners that there was a joint meeting with the Zoning Commission on Wednesday, December 11 in the Council Chambers regarding the re-write of the Zoning regulations. There was a discussion about the public hearing for those regulations in November. There was a discussion about the draft from the consultant which noted that there would be changes to the regulations as well as coordinating them with the POCD. There was a

discussion about whether there would be more detailed regulations on enforcement and circular driveways.

There was a discussion about the possibility of joining the Planning and Zoning Commission which was noted in the POCD. There was also a discussion about how that could affect the zoning regulations as well as helping applicants. They would not have to go to different commissions.

There was a discussion about form based code. There was also a discussion about whether these were policy changes or administrative. This re-write would help to clean-up the regulations.

Mr. Kleppin said they would do a study for the industrial zones, since he had some money in the operating budget. He explained what it would entail, including industrial uses and contractor's yards. There was also a discussion about other cities like Brooklyn and Vancouver which have mixed zones where everyone co-exists. Ms. Langalis would help on this study.

#### **IX. COMMENTS OF COMMISSIONERS**

Ms. DiMeglio said happy holidays to everyone and noted that the Planning and Zoning Department luncheon would be on December 17.

#### **X. ADJOURNMENT**

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

**JL 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 10:04 p.m.

Respectfully submitted,

Diana Palmentiero