

**CITY OF NORWALK
ZONING COMMISSION
January 2, 2020**

PRESENT: Louis Schulman, Chair; Michael Witherspoon; Galen Wells; Stephanie Thomas; Richard Roina; Roderick Johnson; Nicholas Kantor; Joshua Goldstein; Nathan Sumpter

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Atty Frank Murphy; Dominick DiGangi; Kate Throckmorton; Melanie Blanco; Atty Liz Suchy; Bill Andriopolous; Mike Galante; Patsy Gill;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 7:06 p.m.

II. ROLL CALL

Mr. Kleppin called the roll. Mr. Schulman then proceeded to discuss the rules for the public hearings.

III. PUBLIC HEARINGS

a. #5-19SP – First Taxing District Water Department – 173 ½ West Rocks Road – New 500,000 gallon water tank as replacement for existing 100,000 gallon tank

Mr. Schulman opened the public hearing. Atty Murphy then began the presentation by introducing the project team. He oriented the commissioners as to the location of the water tower on an aerial map. He described the easement and also showed them a bridge over the Merritt Parkway. He said that the site was heavily wooded. A convalescence home, Autumn Lakes, is located nearby. He then described the existing water tower and was built in 1952 and began service in 1953. Many homes in the area were built after the water tower was. The new tank will be slightly higher and much larger. He then showed a plan for the location of the proposed water tower. He also described the monopole which is under the jurisdiction of the Siting Council. He then noted that the water tower needed considerable refurbishment and should be replaced. The purpose of the new water tower is to improve the water quality as well as to have more water in the area during fires. He showed them the area served by the current water tower which includes parts of Wilton and Westport. He said they have taken into account the concerns of the neighborhood to preserve the screening features on the site. He noted that the green on the plan were existing trees. The water tower would be painted in green to blend in with the landscape. There were paint samples in the commissioners' packets.

Dominick DiGangi, general manager of the First Taxing District Water Department, who continued the presentation. He explained that there had been a plan created in 2011 which had many projects that had been completed since then to help with deficiencies. He then explained the pump station and the deficiencies in the current pipes. He also explained the funding for this project which would come from the state. It would be a low interest loan. There were concerns about water getting to residents in emergencies, among other things. The water supply would be improved and increase pressure in many areas. The pump station would be more reliable and energy efficient. He described new technology at the water tower. He said that this project would be similar to one done on Spring Hill. He explained to the commissioners why the water tower had to be 500,000 gallons. He noted that there was an existing Bayne Street Tank and the proposed new West Rocks tank to derive the total service area storage. He explained the different contracts that would be necessary to complete this project. He also explained the construction time for the Spring Hill project. He said that for the proposed project it should be 18 months which mean it would be completed in 2021. He also explained the landscape plan which included trees that would remain. Trees would be supplemented after the project is done. There was also a discussion as to the cameras and security systems as well as the lighting system.

Kate Throckmorton, the landscape architect, continued the presentation by explaining the screening and what would be added at the time of installation. She explained the various trees and shrubs that would be planted, including at the site of the existing tank. She also explained why the driveway would not be a straight road, as well as what would happen with the current driveway. She also described a management plan for the landscape. There was a discussion about what is a fast growing tree. There was a discussion about having trees planted on abutting neighbors' properties if that is better for the homeowners. This was offer that Mr. DiGangi said had been given to the neighbors around the Spring Hill project and would be offered again during this project. Ms. Throckmorton showed the commissioners a picture of last winter from a neighbor's house which showed that the tower could not be seen. There was a discussion about fencing and protection from deer.

Atty Murphy then discussed the zoning regulations and the special permit. He noted that no employees would be on the site unless something had to be fixed. No noise would be generated on the site from equipment. He said that this design was less intrusive than the current water tower. It was being done to improve water service in the area. He requested approval by the Zoning Commission. Atty Murphy handed out the report that had been submitted to the Department of Health.

Melanie Blanco said that the picture that Ms. Throckmorton had shown was her house. She then showed the commissioners a picture from her backyard which showed them the current water tower. She then showed them the plans for the new water tower and the monopole. She noted that during the build she would not see trees but rather, construction workers and construction, for about 18 months. She also discussed her meeting with Atty Murphy and Atty Vasko. She also had questions about the levels of sound, lighting, etc. during the construction. She also requested to be notified about when the plantings would be done.

No other members of the public spoke for or against the project.

Mr. DiGangi offered Ms. Blanco to plant trees on her property before any construction started. They would meet to talk about it.

Atty Murphy noted that he had met with Ms. Blanco prior to this meeting. He said that most trees in her photograph would remain but a few may have to be taken down during construction.

He said that there would be no change in the noise or lighting levels. It would remain the same as it is now. He did say there would be noise from construction but that it was a normal course of construction. There was a discussion about the minimization of lighting on the property. Mr. DiGangi noted that there had not been issues at the Spring Hill tower in the last 4 years.

Mr. Schulman closed the public hearing.

b. #6-19SPR/#10-19CAM – 25 Van Zant Street Condominium, Inc. (Workforce Training Center) – 25 Van Zant St - Proposed site plan for 200,000 sf Workforce Training Ctr with 235 pkg sp - Hearing continued from Oct 16, 2019 - WITHDRAWN

c. #6-19R – 25 Van Zant Street Condominium, Inc. (Workforce Training Center) – Proposed amendments to permit colleges, universities, and schools, including business and trade schools as a principal use in Industrial #1 zone – Hearing continued from Oct 16, 2019 - WITHDRAWN

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

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

a. #5-19SP – First Taxing District Water Department – 173 ½ West Rocks Road – New 500,000 gallon water tank as replacement for existing 100,000 gallon tank

Before the commissioners voted on the resolution, Mr. Roina requested an addition be made regarding plantings in the neighbor's yards.

**** MR. SUMPTER MOVED: BE IT RESOLVED** that the Special Permit application # 5-19 SP, submitted by the First Taxing District Water Department for a new 500,000 gallon water tank as replacement for the existing 100,000 gallon tank currently on site at 173 ½ West Rocks Road BE APPROVED with the following conditions:

1. That all required CEAC signoffs are submitted;
2. That a Special Permit Certificate and map be filed on the Land Records prior to any Zoning Permit being issued; and
3. That all trees scheduled to remain be fenced off with construction fencing prior to any work on the site and that the fencing be reviewed and approved by staff, again, prior to any work commencing on the site; This condition includes any work being done for the telecommunications tower; and
4. That a building permit be obtained within a year of the effective date, otherwise this approval shall be null and void;
5. That a waiver of the traffic study is granted, due to the specific utility use and related low traffic volume; and
6. That, as agreed by the applicant, (and if approved by the neighbor (s)) along the southern property line, that the proposed plantings be planted on the neighbor's property in order to provide maximum screening; and

BE IT FURTHER RESOLVED that the effective date of this approval is January 10, 2020.

Ms. Wells seconded.

Louis Schulman; Michael Witherspoon; Galen Wells; Stephanie Thomas; Richard Roina; Roderick Johnson; Nathan Sumpter approved.

No one opposed.

No one abstained.

b. #9-19SPR – G-Bev, LLC – 556 Westport Ave – Proposed 6,000 sf brewpub – Report & recommended action

Mr. Wrinn noted that approvals are in place. Public hearing had been waived.

Atty Suchy began the presentation by stating which approvals had been received since their meeting in December. Conditions from WPCA would be met by the applicant.

There were no comments from the Zoning Department staff.

**** MR. SUMPTER MOVED: BE IT RESOLVED BY THE NORWALK ZONING COMMISSION** that Site Plan Review application #9-19, G-Bev, LLC, for the use of a brewpub, as shown on a site plan by LandTech entitled "Proposed Site Improvements for a Brewery," dated 11-12-2019, as well as on

architectural drawings by PCDF Architecture LLC, entitled "Interior & Exterior Alterations, Guda Brewery," dated 11-18-2019 be APPROVED with the following conditions:

1. That all CEAC sign-offs be submitted; and
2. That CT Department of Transportation approval be obtained; and
3. That the WPCA conditions of approval be satisfied; and
4. That landscaping be planted and parking spaces striped prior to Certificate of Occupancy; and
5. That all signage, existing and proposed, comply with the zoning regulations; and
6. That any and all HVAC units shall be properly screened and located in conformance with the applicable zoning setbacks; and
7. That all soil sedimentation and erosion controls are in place prior to the start of any construction; and

BE IT FURTHER RESOLVED that the effective date of this action is January 10th, 2020.

Mr. Witherspoon seconded.

Louis Schulman; Michael Witherspoon; Galen Wells; Stephanie Thomas; Richard Roina; Roderick Johnson; Nathan Sumpter approved.

No one opposed.

No one abstained.

V. REVIEW AND ACTION ON NEW APPLICATIONS

a. #10-19R/#6-19SP – St. George Greek Orthodox Church – 238 West Rocks Rd - Proposed amendments to allow child day-care centers by Special Permit in existing place of worship accessory buildings in AAA Residence zones and special permit for new child day-care center in an existing accessory building – Preliminary review

Mr. Roina recused himself from this matter.

Atty Suchy began the presentation with a description of the current building. She then explained the proposed amendments. She also showed them a site plan with the proposed construction. She explained the proposed use which would be a daycare center which would have approximately 80 students. She said that neighbors had been notified and that some of the approvals had been received.

There was a discussion about the original resolution which included a community center and staff meeting rooms and offices. It was approved in 2013. The original uses would not be affected since it was on the main level.

Bill Andriopolous, the architect on the project, continued the presentation by describing the lower level, which had originally been designed to be a Greek school. There was a discussion about when the Greek school would have been open. Atty Suchy said it would have been middle school and high school aged students, coming in after school and after church on Sundays. He then described the plans for the proposed day care center. He described the access to the center from the parking

lot. There was a discussion about the number of employees when at full capacity. There was a discussion of the recreational equipment for the children which would be in conformance with state codes.

Mike Galante, the traffic engineer, described the traffic study and how the counts were determined. He noted that it was based on one peak hour. He also noted that there would be minimal impact. There was a discussion about the circulation in and out of the property for the safety of the children. Mr. Galante said he would have more information at the next meeting.

Atty Suchy asked for other questions from the commissioners. There was a discussion about the public hearing which would be scheduled for February 6.

At this time, Mr. Roina returned to the meeting.

b. #8-19SPR/#13-19CAM – Leonard St Associates – 9-13 Leonard St – 26 dwelling units – Final review prior to public hearing

Mr. Schulman opened the presentation and asked for brevity since they had seen it previously. Mr. Wrinn handed out revised designs to the commissioners.

Atty Suchy began the presentation with the changes that had been done since their last appearance before the Zoning Commission. She then described the project with a brief overview of the application. She said that some of the aesthetics of the building had been updated.

Mr. Schulman asked that the applicant had floor plans showing where the affordable units would be located for the public hearing. The commissioners did not have any other questions. The public hearing was scheduled for January 15.

c. #9-19SP – BajaZen – 323 Strawberry Hill Ave – Proposed candle and skincare manufacturing use within existing building – Preliminary review & schedule public hearing

Patsy Gill, the architect on the project, began the presentation by showing the commissioners a picture of the location of the property. She described the use of the building for candle making and skincare manufacturing. It is a special use because the use is considered manufacturing. There was a discussion of the parking. Ms. Gill said they would still need 3 more parking spaces but there are already 3 spaces. There was a discussion of whether there would be a sprinkler system in the building. There would be retail at the location.

Mr. Wrinn said that a public hearing is required and that it could be scheduled for January 15, if the neighbors are properly notified.

VI. DISCUSSION OF ZONING REGULATIONS

Mr. Kleppin said that the study for the zoning regulations re-write had a place holder in the Capital Budget draft. He had drafted a memo which included contingencies. He explained the different proposals and how the new computer system could work. He did note that it could take up to 5-6 years before it is fully implemented. Mr. Schulman suggested that since technology moves so quickly, that the new system should be adaptable as well.

VII. APPROVAL OF MINUTES: December 11, 2019 & December 11 Joint Special meeting

**** MR. SUMPTER MOVED to approve the December 11, 2019 Zoning Commission minutes.**

Mr. Kantor seconded.

Louis Schulman; Michael Witherspoon; Galen Wells; Stephanie Thomas; Richard Roina; Roderick Johnson; Nicholas Kantor; Joshua Goldstein; Nathan Sumpter approved.

No one opposed.

No one abstained.

**** MR. WITHERSPOON MOVED to approve the December 11, 2019 Joint Special Meeting minutes.**

Mr. Sumpter seconded.

Louis Schulman; Michael Witherspoon; Galen Wells; Stephanie Thomas; Richard Roina; Roderick Johnson; Nicholas Kantor; Joshua Goldstein; Nathan Sumpter approved.

No one opposed.

No one abstained.

VIII. COMMENTS OF DIRECTOR

Mr. Kleppin said that a RFP had been sent out for the industrial zone study. Mr. Schulman and Mr. Roina would be on the committee to hire the consultant.

IX. COMMENTS OF COMMISSIONERS

Mr. Schulman shared that Mr. Wrinn would no longer be a part of the Zoning Department staff as he was going to become the Director of Planning and Zoning in Wilton.

X. ADJOURNMENT

Mr. Sumpter made a Motion to Adjourn.

Ms. Thomas seconded.

Louis Schulman; Michael Witherspoon; Galen Wells; Stephanie Thomas; Richard Roina; Roderick Johnson; Nicholas Kantor; Joshua Goldstein; Nathan Sumpter approved.

No one opposed.

No one abstained.

The meeting was adjourned at 8:57 p.m.

Respectfully submitted,

Diana Palmentiero