

**CITY OF NORWALK
ZONING COMMISSION
January 15, 2020**

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

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Atty Robert Maslan; Atty Liz Suchy; Douglas Rich; Harrison Gill; Robert Griswax; Stuart Lane; Jacqueline Lane; Patsy Gill; Richard Hodges

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 7 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. #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

d. #7-19SP/#11-19CAM – Tavern Island Holdings, LLC – Tavern Island - Demolish and reconstruct a single family residence (two existing)

Mr. Schulman opened the public hearing.

Atty Robert Maslan explained that the applicant would make revisions to the application and would return before the Zoning Commission on February 6. He also said that he add submitted a letter to extend the public hearing to February 6, 2020.

**** MS. THOMAS MOVED:** to hold the public hearing open until February 6, 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.

Atty Maslan also said good luck to Mr. Wrinn as this would be Mr. Wrinn's last Zoning Commission meeting before leaving the employ of the City of Norwalk.

b. #8-19SPR/#13-19CAM – Leonard St Associates – 9-13 Leonard St – 26 dwelling units

Mr. Schulman opened the public hearing. Atty Suchy began the presentation with an introduction of the project team. She also handed in the certified, return receipt cards indicating

notification of the public hearing to the abutting neighbors. She then began with a brief description of the parcel as well as pictures of the current property. She also explained the application as well as showed them a rendering of the proposed structure which included affordable units. She discussed the number of parking spaces and noted that the property currently does not have landscaping. This would change once the project is completed. There would be a recreation area. She noted that the project does meet all of the zoning requirements. The applicant had received most of their approvals except for the Department of Public Works and the Redevelopment Agency.

Douglas Rich, the landscape architect on the project, continued the presentation with how the application was improving water quality and reducing volumes leaving the property. The project would not impact the coastal resources. He also discussed the right turns leaving the property and pedestrian access. He discussed their conversations with WPCA. He also discussed the collection of water inside the garage. He described the storm water management as well as the utility connections. He explained the sedimentation and erosion controls during the construction phase. The design was done with best management practices.

Harrison Gill, the architect on the project, continued the presentation with a description of the new zoning regulations which affected the Wall Street area where this project would be built. He described the materials that would be used on the building. He described the curb cuts that would be updated to make it safer to leave the property. He also explained the sidewalks would be installed. He said that street lighting had been approved by the Zoning Department and the Redevelopment Agency. He also showed them where the affordable housing units would be. He then showed them where the elevator would be but there was still only one. However, he said it would be larger. He showed them on the plans where the garbage and recycling would be. He showed them various renderings of the building. He described Leonard Street to the commissioners and noted that there was a Catholic Church on the corner. There was a discussion of the concerns in the peer review report. There was also a discussion about the lighting around the building. There was a discussion about the windows that had been proposed as well as the types of brick to be used. He showed them the materials board.

Atty Suchy addressed several concerns that the commissioners had brought up during Mr. Gill's presentation.

Before he began his presentation, Mr. Galante noted that his firm had merged with another firm. He then explained that it had been suggested that a full traffic study was not necessary for this project. He also explained that there would be right turns in and right turns out. There was a discussion about how to enforce this. There was a discussion about other properties around Norwalk that had this as well but that it did not seem to work. Some parking on the street would be removed. There was a discussion about parking for visitors. It would be 34 spaces for residents and visitors. There is a small amount of retail in this building. There was also a discussion of making Leonard Street a one way street which Mr. Galante said he had not.

Robert Griswax said he would answer questions from the commissioners about his review of the project. He discussed the public open space. He also discussed the street trees. There was also a discussion about the setback in the back of the property. There was also a discussion about having solar panels which Mr. Gill then addressed. They had looked at different green options. There was a discussion about enlarging the canopy which the applicant is willing to do.

Stuart Lane, 12 Leonard Street, explained that there are 2 residential neighbors on the street, including himself. He asked what the rental rates were for the units in the building. He had questions about the number of parking spaces. He said that there was no off street parking for the residents. He asked that the residents of the building not park on the street. He also had concerns that no one had

taken into consideration about the fact that these units would not be affordable to those in the neighborhood.

No one else from the public spoke.

Atty Suchy explained that there would always be parking spaces and that the applicant should propose a project that fit the regulations. On street parking was open to everyone. They could not offer parking to the neighbors unless there would be extra spaces. The applicant had also met the requirements for affordable housing units. There was a discussion about the market rate rentals but Atty Suchy did not have those rates. She said they could try to provide this information since they had not received an approval from the Redevelopment Agency.

Mr. Kleppin that the open space on the east side is a public improvement and that it could be moved to another portion of the building. This could help with bringing people to the street by having seating in front of the retail. There was a discussion about landscaping in this new area. Mr. Kleppin said that he would speak with the applicant.

At this time, Jacqueline Lane, 12 Leonard Street, asked questions about the rental units and the number of parking spaces. She assumed that each unit would need 2 spots for the residents and that there were not enough parking spots in the proposed building. She thought it would be a big issue. Mr. Kleppin explained that the regulations had been re-done in 2019, and that there was a study that showed 1.3 parking spaces for each unit. This was incorporated into the regulations.

**** MR. JOHNSON MOVED:** to continue the public hearing until receipt of comments from the Norwalk Redevelopment Agency.

Mr. Witherspoon seconded.

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

No one opposed.

No one abstained.

c. #9-19SP – BajaZen – 323 Strawberry Hill Ave – Proposed candle and skincare manufacturing use within existing building

Mr. Schulman opened the public hearing.

Patsy Gill, the architect on the project, began the presentation by showing the commissioners plans of the existing floor plan. She then explained that the proposed work was in the back of the building. It would include a place to manufacture the candles as well as an office. There was a discussion about the ventilation and HVAC system. The applicant is currently making the candles at their house but there is not enough space.

No one spoke for or against the project. Mr. Schulman closed the public hearing.

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

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

i. #8-19SPR/#13-19CAM – Leonard St Associates – 9-13 Leonard St – 26 dwelling units

This item would be continued until all documents had been received from the Redevelopment Agency.

ii. #9-19SP – BajaZen – 323 Strawberry Hill Ave – Proposed candle and skincare manufacturing use within existing building

**** MR. SUMPTER MOVED: THEREFORE IT BE RESOLVED** that application #09-19SP – BajaZen – 323 Strawberry Hill Avenue – 1,500sf manufacturing/retail use for the production and sale of soaps and skincare products as shown on architectural plans entitled “Tenant Fit-Up for Baja Zen” dated 10-14-19 by Gill & Gill Architects be **APPROVED** with the following conditions:

1. That all CEAC approvals be submitted prior to issuance of a zoning permit; and
2. That three parking spaces be striped and landscaping installed per the site plan dated 11-5-19; and
3. That all signage, existing and proposed, comply with the Zoning Regulations; and
4. That no outdoor storage is allowed; and
5. That this approval is subject to Section 118-1460 of the Zoning Regulations; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 24, 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. #10-18SPR #19-18CAM - Clarke Capital LLC et al - 64 South Main St & 8, 10, 12 & 14 Elizabeth St - New mixed use development TOD with 19,400 sf retail & 40 units in five bldgs – Request for one year extension of approval time – Report & recommended action

Mr. Kleppin said that he had expected the applicant to be at the meeting but he was not. He noted that they are revising the plans and that is why they are seeking an extension. They could have to re-file the application depending on the extent of the revisions.

**** MR. ROINA MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application **#10-18SPR** and coastal site plan application **#19-18CAM** - Clarke Capital LLC et al - 64 South Main St/8, 10, 12 & 14 Elizabeth St for a new 2-5 story mixed use development with 19,400 square foot of ground floor retail and 40 multifamily dwelling units in five building as shown on site plan and architectural plans entitled "64 SOUTH MAIN STREET Norwalk, CT 06854" by Beinfield Architecture and landscape architecture plans prepared by Eric Rains Landscape Architecture and engineering and grading plans prepared by Godfrey Hoffman Associate Engineers be **APPROVED**, subject to the following conditions:

1. A zoning permit and a building permit shall be obtained within one year of the effective date or this approval and prior to any work commencing on the site; and
2. That property taxes be kept current for the duration of the extension period; and
3. That the original conditions of approval remain in effect; and
4. That the new approval deadline for obtaining permits will be **March 15, 2021**; and

BE IT FURTHER RESOLVED that the effective date of this action be January 24, 2020.

Mr. Sumpter 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 – Further review

Mr. Roina recused himself before the presentation began.

Atty Suchy began the presentation and explained that the Planning Commission had to review it but their January meeting had been cancelled. They would not be seen until February. She noted that they would have other sign-offs in February. Ms. Wells asked for a peer review of the traffic study. Atty Suchy said that the traffic study may not change the numbers. Mr. Schulman said it was surprising that there was not more of a change in the level of traffic service. There was a discussion about regulating when parents can pick up or drop off. Atty Suchy noted that the day care centers do not generally regulate times. She would contact new day care centers to find out what was happening at their facilities.

b. #1-20MV – R&S General Auto Repair, LLC – 20 School St – Replacement repairer’s license

Mr. Roina recused himself before the presentation began.

Richard Hodges, owner of 20 School Street, noted that the current repair was being replaced by another, R&S General Auto Repair. Mr. Wrinn said that the conditions were the usual ones and that there were no violations on the property.

**** MR. SUMPTER MOVED: THEREFORE IT BE RESOLVED** that application #01-20MV – R&S General Auto Repair, LLC – 20 School St – Replacement repairer’s license as shown on the survey for 20 School Street by William W. Seymour & Associates, P.C dated 12/24/2019 be **APPROVED** with the following conditions:

1. That all CEAC approvals be submitted prior to issuance of a zoning permit; and
2. That there be no commercial towing/storage operation conducted on the site; and
3. That all repairs be conducted within the building; and
4. That the applicant maintain the landscaping and striping in accordance with the original variance; and
5. That the applicant is limited to two (2) automobile lifts presently in the building; and
6. That there be no outdoor storage of parts or auto carcasses; and
7. That there be no on-street parking of vehicles; and
8. That there shall be parking only in the designated parking spaces; and
9. That there be no on-street parking for patrons or employees; and

10. That there be no temporary signs erected at the site; and
11. That no off-premise signs are permitted; and
12. That any graffiti on the site, now or in the future, is to be removed immediately; and
13. That all signage, existing and proposed, be in compliance with the Zoning Regulations; and
14. That this approval is subject to Section 118-1460 of the Zoning Regulations; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 24, 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.

VI. APPROVAL OF MINUTES: January 2, 2020

**** MR. WITHERSPOON MOVED to approve the January 2, 2020 Zoning Commission minutes.**

Ms. Wells 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.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin noted that the RFPs for the zoning regulations re-write would be returned on Friday. He explained that he expected that the process should start in March. There would be a committee to handle oversight of the process.

Mr. Kleppin noted that 1 or 2 single homes did not belong in industrial zones and would suggest a moratorium to the zoning regulations in connection with contract yards in the zones. There would be a public hearing and that the time limit would be what the commissioners deemed appropriate. There was a discussion about whether it would affect properties in South Norwalk. All I1 zones allow contractors yards. He also suggested that there should be new definitions of contractors since there are different uses. Mr. Kleppin would put it on the Zoning Commission agenda for February.

VIII. COMMENTS OF COMMISSIONERS

Ms. Thomas said that there would be a TOD meeting soon so she would have a more detailed update.

Mr. Sumpter wished Mr. Wrinn well in his new position as the Director of Planning and Zoning in Wilton.

IX. ADJOURNMENT

Mr. Sumpter made a Motion to Adjourn.

Ms. Witherspoon 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 8:35 p.m.

Respectfully submitted,

Diana Palmentiero