

**CITY OF NORWALK
PLANNING COMMISSION
February 18, 2020**

PRESENT: Frances DiMeglio, Chair; Tammy Langalis; Steven Ferguson; Brian Baxendale; Mike Mushak; John Lesko; Nora King

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Liz Suchy; Nick Roberts; Atty Adam Blank; Jason Enters; Darin Callahan; Jim Clark; Anthony Carr; Chris Torres

I. CALL TO ORDER

Ms. DiMeglio called the meeting to order at 6:10 p.m.

II. ROLL CALL

Mr. Baker called the roll.

III. DISCUSSION AND/OR DECISION

a) 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 – Report & recommended action

Attorney Suchy began the presentation with an introduction of the project team as well as brief synopsis of the application. She noted that the applicant would like to amend the regulations and that this is a referral from the Zoning Commission. There was a discussion about whether the building had been completed. Atty Suchy said that it was almost done. There was a discussion about the amount of children as well as how many classrooms were proposed. There was a discussion about the desirability of the day care center in the area since it would encourage young families to move in. There was a discussion about the traffic increasing in the area but this would be evaluated by the Zoning Commission.

***** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#10-19R – St. George Greek Orthodox Church - Proposed amendments to allow child day-care centers by Special Permit in existing place of worship accessory buildings in AAA Residence zone " and dated November 21, 2019, be **approved**.

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

- 1) To implement the Plan of Conservation and Development to "Continue to encourage the establishment of infant and toddler day-care facilities, as needed" (D.6.3.2, p. 32); and

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- 2) To implement the Plan of Conservation & Development to "Encourage improved public transportation, before and after school programs, *child care facilities*, and job placement services" (A.1.2.2, p. 10); and
 - 3) 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
 - 4)

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

Mr. Lesko seconded.

Frances DiMeglio, Chair; Tammy Langalis; Brian Baxendale; Mike Mushak; John Lesko; Nora King approved.

No one opposed.

Steven Ferguson abstained.

b) 8-24 Referral – DPW – West Rocks Middle School – New athletic fields, concession with bathrooms, seating and walkways – Report & recommended action

Nick Roberts began the presentation by explaining that his department was requesting additional funding because what they received from last year would not be enough to cover additional funding. There was a discussion about why there was this request for funding Mr. Kleppin said that this was a request to start building. Mr. Kleppin then gave a brief definition of 8-24 for the commissioners. He noted that this improvement was consistent with the Plan of Conservation and Development ("POCD").

***** 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 Department of Public Works for an 8-24 Review by the Planning Commission for the recommendation of an 8-24 Review – Construct new athletic fields, concession stand with bathrooms, seating and walkways be **APPROVED** subject to the following reasons:

1. To implement the 2019-2029 Plan of Conservation and Development goal to "Enhance recreational programming to serve the changing needs of all types of households and individuals" (Chapter 7: Enhancing Open Space, Park, Trail & Recreation Systems pg.130)
2. To implement the 2019-2029 Plan of Conservation and Development goal to "Implement the facilities improvement plan over time – support sustained maintenance and renovation of all schools" (Chapter 5: A Community Committed to Life-Long Education pg. 271)
3. To implement the 2019-2029 Plan of Conservation and Development goal to "Continue to update, modernize, and maintain Norwalk's infrastructure and city facilities" (Chapter 11: Public Facilities, Infrastructure, and Services pg. 297)

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

Mr. Baxendale seconded.

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

No one opposed.

No one abstained.

c) #2-19M – 10 Willard, LLC – 10 Willard Rd – Proposed change to the building zone map from B Residence & Business #2 to entirely Business #2 zone – Report & recommended action

Atty Adam Blank began the presentation by orienting the commissioners as to the location of the property on an aerial map. He explained what was on the property currently. He explained the application which included a map and zone change. He then showed them a site plan of the proposed project which included self-storage and an apartment building. He explained the zone change which would be on a small section of the property. He also explained what other uses could be on the site. He also noted that currently the applicant could take down trees to build townhouses but instead, there would be a conservation easement and the trees would remain as a buffer to the neighborhood.

Jason Enters noted that some of the other trees that were on the property would remain. Atty Blank noted that the water filtration would improve on the site. There was a discussion of the size of the units. There was a discussion about the tower that was on the property and privately owned. There was a discussion about having apartments in the B Zone including the benefits of this site. Mr. Enters explained the wetlands on the site as well as the plantings that will be added to it.

Atty Blank noted that they had scaled back parking to have more pervious surfaces. There was a discussion of the Zoning Department's comments in their memo to the commissioners. There was also a discussion about the water treatment on the property as well as having rain gardens. Mr. Kleppin said that staff's comments were to turn the conversation to making the site more environmentally friendly. There was a discussion about the application before the Conservation Commission. There was also discussion about Route 1 and pedestrians walking across it from Willard Road.

Mr. Enters explained the current use of the property. Atty Blank said that the applicant would be providing a sidewalk on Willard Road. There was a continued discussion of the staff's comments which Atty Blank had addressed in his presentation about what could be built on the site. There was a discussion about the impervious surfaces on the site. There was also a discussion about the Conservation Commission.

***** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed changes to the Building Zone Map as shown on a certain document entitled “**#2-19M** – 10 Willard, LLC – 10 Willard Road – Proposed Change to the Building Zone Map from B Residence & Business #2 to entirely Business #2 zone” and dated December 16, 2019, be **APPROVED**;
BE IT FURTHER RESOLVED that the reasons for this action are:

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- 1) To implement the 2019-2029 Plan of Conservation and Development to "Encourage redevelopment in mixed-use clusters, including housing, of suburban-style commercial land uses along major corridors such as Route 1." (Chapter 4: Housing Choice & Healthy Lifestyles,, p. 76); and
 - 2) To implement the 2019-2029 Plan of Conservation and Development to "Expand workforce housing options, including conducting a citywide housing study and reviewing the existing workforce housing regulations, to allow more employees to live in Norwalk and avoid costly commutes from distant locations." (Chapter 3 Prosperity & Opportunity, p.56); and
 - 3) To implement the 2019-2029 Plan of Conservation and Development to "Identify potential markets for downsizing by empty-nesters and aging seniors who want to stay in Norwalk and encourage housing for that market." (Chapter 4: Housing Choice & Healthy Lifestyles,, p. 77); and
 - 4)

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; Tammy Langalis; John Lesko; Nora King; Steven Ferguson approved.

No one opposed.

No one abstained.

c) 8-24 Referral – DPW – Lease of two sections of the Route 7 right-of-way for the Norwalk River Valley Trail – Report & recommended action

Darin Callahan, Corporation Counsel for the City of Norwalk, noted that Mr. Yeosock could not attend. Jim Carter, a member of the Norwalk River Valley Trail ("NRVT") also introduced himself. The commissioners received a map from Atty Callahan which showed Grist Mill Road. He explained that the Connecticut Department of Traffic required a lease and that the city had tried to negotiate with them. He explained the lease requirements which was a 5 year lease with 2 five year options. There was a discussion about how the trail would be accessible.

Mr. Clark was asked to explain to the commissioners where the trail would run including where it would be on Grist Mill Road. He said that there are 2 trails of the NRVT, one which was a main branch on the west side and a sub-branch, running parallel on the east. It would go under Grist Mill Road and behind Merritt Seven. There was a concern about the state taking the lease back from the NRVT. The only reason they may take the land back was to build a Super 7 but that was not likely to happen soon.

Atty Callahan discussed the provisions of the lease which also stated that there were no payments to the state, and that the state had reserved many rights. Mr. Clark noted that the state was also giving them funding to help build the trails as well as funding that the NRVT had raised. He said that there was a place on the trail that had to be linked up. There was a discussion of the safety of the trails. Mr. Clark said that the trails become public space so the area usually becomes safer. There was also a discussion about whether the trail would ever be

completely linked. Mr. Clark explained the route to the commissioners and the type of materials used. It would be 12 miles in Norwalk and would go to Danbury, eventually.

***** 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 Department of Public Works/Transportation, Mobility and Parking for an 8-24 Review by the Planning Commission for the recommendation of an 8-24 Review – Lease of two sections of the Route 7 right-of-way for the Norwalk River Valley Trail be **APPROVED** subject to the following reasons:

1. To implement the 2019-2029 Plan of Conservation and Development goal to "Give priority to completion of the Norwalk River Valley Trail" (Chapter 7: Enhancing Open Space, Park, Trail & Recreation Systems pg.129)
2. To implement the 2019-2029 Plan of Conservation and Development goal to "Have the best city park and recreation system in Connecticut" (Chapter 7: Enhancing Open Space, Park, Trail & Recreation Systems pg. 277)
3. To implement the 2019-2029 Plan of Conservation and Development goal to "Maintain and enhance existing trails and footpaths" (Chapter 10: Transportation & Mobility Networks pg. 198)

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; Steven Ferguson approved.

No one opposed.

No one abstained.

IV. SPECIAL APPROPRIATION

a) Department of Public Works Special Appropriation for Fleet Replacement

Anthony Carr and Chris Torres began the presentation by explaining how this special appropriation came about. He noted that he had evaluated the fleet when he started his position in 2019. The fleet of 16 Ford Taurus were purchased in 2008. He said they would like to purchase Ford hybrid cars since his staff knows how to service these types of cars. There was a discussion about the fact that the fleet was used by different departments and that the cars were getting into accidents. There was then a discussion about how to make sure the cars would be used consistently.

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***** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the Department of Public Works Special Appropriation for Fleet Replacement in the amount of \$275,000 be **APPROVED** for the following reason(s):

1. To implement the 2019-2029 Plan of Conservation and Development goal to make “Norwalk city government a model of sustainability” by “replacing city vehicles incrementally with electric or hybrid vehicles,” (*Chapter 8: Sustainability & the Norwalk Environment*)

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; Steven Ferguson approved.

No one opposed.

No one abstained.

V. DISCUSSION OF OTHER ITEMS

a) Discussion of performance metrics – This item was tabled until the Planning Commission’s March meeting.

b) East Norwalk TOD study update – This item was tabled until the Planning Commission’s March meeting.

VI. APPROVAL OF MINUTES: December 10, 2019; December 11, 2019; January 28, 2020; January 29, 2020; February 5, 2020

These items will be tabled until the next Planning Commission meeting in March.

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. Mushak made a Motion to Adjourn.

Ms. King seconded.

Frances DiMeglio, Chair; Tammy Langalis; Steven Ferguson; Brian Baxendale; Mike Mushak; John Lesko; Nora King voted in favor.

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**No one opposed.
No one abstained.**

The meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Diana Palmentiero