

**CITY OF NORWALK
ZONING COMMISSION
April 7, 2020**

PRESENT: Louis Schulman, Chair; Michael Witherspoon; Galen Wells; Nathan Sumpter;
Richard Roina; Rod Johnson; Joshua Goldstein

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Attorney Adam Blank; Jason Enters

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 5:06 p.m. It should be noted that this meeting was held on Zoom.us with all participants calling in, separately.

II. ROLL CALL

Mr. Kleppin called the roll.

III. PUBLIC HEARINGS

- a. **#2-19M – 10 Willard, LLC – 10 Willard Road/Strawberry Hill Av – Proposed change to the Building Zone Map from B Residence & Business #2 to entirely Business #2 - Continue hearing from March 5, 2020**
- b. **#8-19SP – 10 Willard, LLC – 10 Willard Rd/Strawberry Hill Av – Special permit for mixed use development with 116,864 sf storage facility and 219 multifamily dwelling units; retain existing tower structure & building - Continue hearing from March 5, 2020**

Mr. Schulman said these two applications would be heard together but that there would be two separate resolutions to vote on.

Adam Blank, attorney for the developer began the presentation with a discussion about the green infrastructure that the commissioners had requested at the previous Zoning Commission meeting. He noted that the applicant would look into solar panels and retro-fit other projects that they had completed around Norwalk, if it is not already there. They have gone to EverSource about getting a solar credit agreement with them. However, it would not happen quickly. They are also confident that the self-storage structure could handle the load from the solar panels but they are not sure yet about the residential structure. They are also looking into geo-thermal for the pool as well as heating and cooling the self-storage building. They would not know specifically if they could do that until the construction drawings phase. They will allow it as a condition of approval. Atty Blank said that the language that was proposed would work for them.

There was a discussion about how much of the property could be geo-thermal. Mr. Enters, the applicant, said they would do solar panels on the self-storage building and possibly on the residential buildings. They were still working to see how geo-thermal would work on the property.

Atty Blank said that the applicant has all CEAC signoffs as well as having sent applications to OSTA. They have received all other sign-offs, especially from the Conservation Commission for the conservation easement, which would be a larger area than the zoning regulations required. There will be an additional buffer as well. He requested that the commissioners not make further changes since negotiating the conservation easement had been such an arduous process.

Atty Blank discussed the zone change. Mr. Kleppin shared his screen so that the public could see the proposed project. Atty Blank explained what the applicant could build as of right, without the zone change. He then explained the proposed project which included a buffer, and a conservation easement. The city would also see an increase in tax revenues. He said the proposed project was a good compromise which would help protect the neighborhood.

Mr. Roina noted that the applicant would be able to clear the area that would be the conservation easement. Atty Blank said that they would to keep it in good shape for the residents of the complex, as well as for the neighborhood.

At this point, Mr. Sumpter had some questions but had some problems with joining the Zoom meeting. Mr. Kleppin said that he would try to help him.

There was a further discussion about the energy that would be produced from alternate energy sources. Mr. Enters said that there would be excess energy that the residents could use and would be less expensive for them than EverSource rates. The energy would be used by the common areas and the storage building.

Mr. Schulman noted that Mr. Sumpter would call in to make comments. He then explained how the vote would be handled. Mr. Kleppin said that they would take a roll call vote. There was also a discussion about having Mr. Sumpter watch the proceedings live on a YouTube channel. Mr. Schulman closed the public hearing.

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

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

#2-19M – 10 Willard, LLC – 10 Willard Road/Strawberry Hill Av – Proposed change to the Building Zone Map from B Residence & Business #2 to entirely Business #2 - Continue hearing from March 5, 2020

**** MR. JOHNSON 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:

- 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

BE IT FURTHER RESOLVED that the effective date of this action be April 17, 2020.

Mr. Witherspoon seconded.

There were no comments before the vote except from Mr. Schulman. He discussed the zone change and agreed that there would be a nice buffer between the development and the neighbors. Although the new structures were higher than the current ones, the grade would be lowered. He also noted that the buffer area would not become an eyesore.

Louis Schulman; Michael Witherspoon; Nathan Sumpter; Richard Roina; Rod Johnson; Joshua Goldstein approved.

No one opposed.

Galen Wells abstained.

b. #8-19SP – 10 Willard, LLC – 10 Willard Rd/Strawberry Hill Av – Special permit for mixed use development with 116,864 sf storage facility and 219 multifamily dwelling units; retain existing tower structure & building

**** MR. JOHNSON MOVED: BE IT RESOLVED** that special permit application **#8-19SP – 10 Willard, LLC – 10 Willard Rd/Strawberry Hill Ave - Special permit for new mixed use development with 116,864 sf storage facility and 219 units; retain existing tower structure & building as shown on a set of plans and renderings entitled "10 Willard Road Norwalk, CT" by The Sullivan Architectural Group dated 12/10/19 as revised to 2-4-2020; and related plans and surveys by D'Andrea Surveying and Engineering, P.C. dated 12/10/19 as revised to 2-24-2020 and Blades & Goven Landscape Architects dated 12/3/2019 as revised to 2-25-2020 and related plans and exhibits be **APPROVED**, subject to the following conditions:**

1. That the draft conservation easement and map, as approved by the Conservation Commission, be submitted for review by Corporation Counsel and filed on the Norwalk Land Records prior to the issuance of a zoning permit; and

2. That the approved workforce housing plan providing 22 (twenty-two) on-site workforce housing units, including 16 one bedroom and 6 two bedroom units, to be deed restricted in perpetuity in accordance with the Draft Affordability Plan dated March 4, 2020 be submitted for review by Corporation Counsel and filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
3. That a certificate of special permit and mylar of the approved site plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
4. That final CEAC signoffs shall be submitted prior to the start of construction; and
5. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required erosion and sediment controls; and
6. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and
7. That any and all HVAC units shall be included on the zoning permit and shall be located in conformance with the applicable zoning setbacks and that any rooftop units shall be screened from view; and
8. That the hours of garbage pick-up be no earlier than 8:00 a.m. and no later than 7:00 p.m. and that any deliveries be no earlier than 8:00 a.m. and no later than 6:00 p.m.; and
9. That cutoff shields be installed on all lighting to prevent any stray light from being emitted off the property; and
10. That the application be approved consistent with the following plans:
 - a. Per Zoning Location Survey, prepared by D'Andrea Surveying & Engineering, P.C., dated 2/24/20.
 - b. Per Grading & Development Plan, Drainage & Utilities Plan, Sedimentation & Erosion Control Plan and Sight Distance Plan dated 2/24/20 and Notes & Details dated 1/30/20, prepared by D'Andrea Surveying & Engineering, P.C.
 - c. Per Landscape Plans dated 2/25/20, Landscape Details dated 1/28/20 and Lighting Plan dated 12/3/19 all revised to 2/24/20, prepared by Blades & Goven.
 - d. Per Architectural plans and renderings prepared by the Sullivan Architectural Group dated 12/10/19, as revised to 2/4/20.
11. That any modifications to the approved plan, including the removal of any existing trees or landscaping shown as to remain, be submitted for Zoning Commission review and approval; and
12. That the applicant obtain approval from the CT. Dept. of Transportation's Office of State Traffic Administration (OSTA) prior to obtaining a building permit; and
13. **That subject to obtaining a zero emissions renewable energy credit from Eversource, the applicant will install solar panels on a portion of the site. The applicant will make reasonable efforts to install as many panels as is economically feasible and as is feasible from an engineering perspective. In addition, the applicant will explore the possible of installing geothermal and implement if it is economically feasible and as is feasible from an engineering perspective**

14. That all signage, existing and proposed, comply with the zoning regulations and that any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and

BE IT FURTHER RESOLVED that this application complies with Section 118-522 Business #2 zone (after zone change from B Residence); Section 118-750 Mixed-use developments; Section 118-1450 Special Permits and with the applicable sections of the Building Zone Regulations for the City of Norwalk.

BE IT FURTHER RESOLVED that the effective date of this action be April 17, 2020

Mr. Witherspoon seconded.

Mr. Schulman noted that there would be a decrease in impervious surfaces with this project. There would also be added green spaces, potential green infrastructure which would improve the area, as well as a reduction in truck traffic.

Louis Schulman; Michael Witherspoon; Nathan Sumpter; Richard Roina; Rod Johnson; Joshua Goldstein approved.

No one opposed.

Galen Wells abstained.

V. EAST NORWALK TOD: Status report

Mr. Kleppin reported that the consultant had sent some revisions which Mr. Kleppin reviewed. They would return the report to him and he would report for the next meeting. The report then could go out to the public in 4-6 weeks.

VI. INDUSTRIAL ZONES: Status report

Mr. Kleppin said that there had been interviews with the consultants last week. The Planning Committee of the Common Council would begin review next week. They would also work on the contract language. Mr. Kleppin hoped to have a consultant start in May.

VII. APPROVAL OF MINUTES: March 5, 2020

**** MR. GOLDSTEIN MOVED to approve the March 5, 2020 Zoning Commission minutes.**

Mr. Witherspoon seconded.

Louis Schulman; Michael Witherspoon; Nathan Sumpter; Rod Johnson; Joshua Goldstein approved.

No one opposed.

Richard Roina and Galen Wells abstained.

VIII. COMMENTS OF DIRECTOR

Mr. Kleppin suggested canceling the next meeting on April 15th since there were no applications on the Zoning Commission agenda that were urgent. He suggested holding the first

meeting in May as a special meeting on May 11. Mr. Schulman asked the commissioners to let Mr. Kleppin know if they were available or not on May 11 so that they would have a quorum.

IX. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners. Mr. Schulman asked Mr. Kleppin to work with the city's IT department to help commissioners so they would not have problems for the next meeting.

X. ADJOURNMENT

Mr. Sumpter made a Motion to Adjourn.

Mr. Johnson seconded.

Louis Schulman, Chair; Michael Witherspoon; Galen Wells; Nathan Sumpter; Richard Roina; Rod Johnson; Joshua Goldstein approved.

No one opposed.

No one abstained.

The meeting was adjourned at 5:47 p.m.

Respectfully submitted,

Diana Palmentiero