

CITY OF NORWALK
ZONING COMMISSION – SPECIAL MEETING
August 19, 2020

PRESENT: Louis Schulman, Chair; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini (arrived at 6:45 pm)

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Liz Suchy; Chris DeAngelis; Mark Hopper; Tess Schwartz; Alycia Grenesko; Daniel Benjamin; Juliet Lazcano; Atty David Waters; Atty Carolyn Cavolo; Eric Lindquist; Atty Adam Blank;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:03 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

II. ROLL CALL

Mr. Kleppin called the roll.

III. PUBLIC HEARINGS

a. #5–20SP - 204 Flax Hill, LLC – 204 Flax Hill Road – Proposed historic preservation development to rehabilitate existing historic structures and replace existing Carriage House with new 14 unit structure; 46 units total

Mr. Schulman opened the public hearing. Atty. Suchy began the presentation. She introduced the project team and noted that the certified return receipt cards, evidencing notification of the public hearing had been turned over to the Zoning Department staff. She then explained the business of the applicant, Workforce Partners. She gave a brief overview of the current property including the style of it. They would like to restore the historical structure with some original features. Some of the buildings would remain unchanged. There would be some renovations to other buildings. The carriage house would be demolished and rebuilt. The site would have 10 more units than currently exist on the property. She also discussed parking spaces including that they were short 2 spaces.

Chris DeAngelis continued the presentation by discussing the site plan. He began with showing them a new porch on the historic mansion. They would like to receive historical credits. At this point, Mr. DeAngelis was having some technical issues with his audio. He continued by explaining which buildings would remain and which would be demolished. He also discussed the

correspondence with the city regarding their drainage report. The zoning regulations required them to be prepared for a 25 year storm.

Mark Hopper, the architect on the project, continued the presentation, by showing them a picture of the current mansion, the original mansion and the proposed renovation of the mansion. He noted that they had done work on another mansion in Norwalk. He also discussed the materials to be used which he hoped would represent the materials of the time. He noted that a wrap around porch would be added but would affect the existing 4 parking spots. The porch would be the main entrance for 1 unit as well as for a central entrance for the remaining units in the building. He then showed them the rendering for the other structure on the building including the materials. He also showed them a rendering for the carriage house which included new trees. It was noted that there is a landscape plan for this project. Kevney Moses then made comments about the landscaping plans. He noted that some trees were existing. He also noted that part of their mission was to make sustainable sites. He said they would be open to more screening of the parking lot if the commissioners requested. Mr. Hopper continued showing them the floor plans of the carriage house. He also showed them the handicap accessible units. He then showed the elevations of the buildings which included the aesthetic elements of the current ones. He then discussed the lighting fixtures on the site.

Atty Suchy noted that all CEAC sign-offs had been received by the applicant.

Tess Schwartz, the traffic engineer for the project, continued the presentation. She explained that they did not expect an impact from the site, however, there would be additional traffic during morning and afternoon rush hours. She also acknowledged that taking traffic counts during the quarantine would not be indicative of the traffic. She then noted that they used historical data from 2017 which was acceptable. She explained how they conducted the traffic study and analyses. She did not think the additional 10 units would have a significant impact. There was a discussion about the dimensions of the parking spaces. Mr. DeAngelis said they would meet zoning requirements. Mr. Moses explained that the size of the current parking spaces varied.

Atty Suchy then said there were some discussions between the neighbors and the applicant regarding their concerns. At this point, she noted there were no other speakers. The commissioners did not have any questions.

Alycia Grenesko, 208 Flax Hill, said that she was the Board president and that they were in support of the project. There had been ongoing discussions with the applicant. She also asked about lighting especially if there would be light bleed at night. Mr. Hopper said there would not be. Ms. Grenesko discussed the architectural details of the buildings which she hoped would be aesthetically pleasing to the condo owners. There was also a discussion about the shared driveway in and which trips were counted in the traffic study. She also was inquired about having a construction entrance while it was ongoing as to not come into the shared driveway. Atty Suchy said that it was not under the purview of the Zoning Commission and would work with them about the construction. Ms. Grenesko said they had looked at the applicant's other projects in the city and were happy with them.

Daniel Benjamin, who represented 301 Flax Hill Condominium, had a question about the side yard of the project which had concrete stairs. There was a discussion about the side yard being measured from the concrete stairs. He also had questions about his client's parking lot which was adjacent to this property. The concern was that residents would park in his client's lot and that construction equipment and workers not be on their property. It should be a condition of the resolution. He also made some further suggestions for conditions to the resolution.

Juliet Lazcano, 208 Flax Hill Road, had a question about the traffic study and how it was done.

Atty Suchy continued the presentation with a discussion of the shared driveway. She also discussed the measurements from the concrete steps and noted that staff would have mentioned it during the review of the application. She said there would be no staging at 208 Flax Hill since it is private property and addressed the vegetation and wooden fence questions. She then said that the application complied with the regulations.

Mr. Kleppin said that the staff would work out the requirements about the setback and the concrete steps. Mr. Schulman closed the public hearing.

V. REVIEW AND ACTION ON PENDING APPLICATIONS

a. Action on Item III a.

The commissioners were asked whether they should move forward and asked to vote on the resolution. Mr. Schulman asked to stipulate that the matter about the side setback be addressed by the Zoning Department staff.

**** MR. WITHERSPOON MOVED: BE IT RESOLVED** that special permit application #5-20SP – 204 Flax Hill, LLC – 204 Flax Hill Road Special permit to rehabilitate existing 1890 historic structure; to demolish existing Carriage House and replace it with a new 3 story, 14 unit structure (46 units total), as shown on a set of plans entitled “204 Flax Hill Road Norwalk Connecticut P&Z Submission“ dated June 19, 2020 by Crosskey Architects; by Cabezas DeAngelis Engineers & Surveyors dated June 19, 2020; and the Landscape and Recreation Area Plans dated June 19, 2020 as revised to July 14, 2020 and any related plans and documents be **APPROVED** subject to the following conditions:

1. 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
2. That the special permit is in compliance with the Historic Preservation Incentive regulations and shall be in effect so long as the historic buildings are maintained; and
3. That the approved Workforce Housing Affordability Plan entitled “204 FLAX HILL, LLC DRAFT AFFORDABILITY PLAN” and dated June 2020 which proposes to designate a total of 5 units (2 studio, 2 one-bedroom and 1 two-bedroom) as workforce

- housing units in perpetuity be revised to show an approved unit mix to that reflect the unit breakdown of all units: 1 studio, 2 one bedroom and 2 two bedroom; and submitted to Corporation Counsel for review prior to filing on the Norwalk Land Records; and
4. That the building and site be built and developed in accordance with the following plans; Per Zoning Location Survey dated June 17, 2020 and Improvement Location Survey dated December 19, 2020 prepared by Land Surveying Services P.C. Per Civil Plans for Grading, Storm Drainage, Utility Plan, Soil and Erosion Controls prepared by Cabezas DeAngelis Engineers & Surveyors dated June 19, 2020 (including any subsequent revisions prior to approval). Per Landscape Plan prepared by and for Workforce Partners dated June 19, 2020 as revised to July 14, 2020. Per Architectural plans, elevations and renderings), prepared by Crosskey Architects dated June 19, 2020 and.
 5. That any modifications to the building design or site plan be submitted to the Zoning Inspector for review and approval, and if considered a major modification, for review and approval by the Zoning Commission, prior to implementation; and
 6. That the final CEAC signoffs shall be submitted prior to the issuance of a zoning permit; and
 7. That the application comply with any additional conditions required by the Department of Public Works; and
 8. 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
 9. 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
 10. That the storm-water maintenance plan be implemented to ensure the maintenance of onsite drainage systems; and
 11. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and
 12. That the hours of garbage pick-up be no earlier than 7:00 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
 13. That emergency generator testing be conducted on weekdays only, no earlier than 7:00 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
 14. That cutoff shields be installed on all lighting to prevent any stray light from being emitted off the property; and
 15. That all signage, existing and proposed, comply with the zoning regulations; and
 16. That a Connecticut licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards; and

BE IT FURTHER RESOLVED that the plans comply with the historic preservation incentive development standards in Section 118-360 D Residence zone, Section 118-1450 Special Permits and with the applicable sections of the Building Zone Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the effective date of this action be August 28, 2020.

Mr. Goldstein seconded.

Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini approved.

No one opposed.

No one abstained.

b. #14-15SP – 150 Glover LLC – 150 Glover Avenue – Request for release of surety for The Curb Building A – Report and recommendation

Atty Waters began the presentation by noting that there was a release of surety for improvements which have been completed. The next was the reduction of a bond for sedimentation and erosion control. Mr. Kleppin said that the staff was in approval of these requests. Atty Waters noted this request was for Building A.

**** MR. WITHERSPOON MOVED: BE IT RESOLVED** that the request to release the surety held for special permit application #14-15SP - 150/166/170 Glover, LLC – 150 Glover Avenue Building A– 230 unit Commercial Planned Residential Development and related site improvements as shown on a certain set of plans entitled “Grist Mill Village Building A: Special Permit Approval” by Svigals + Partners Architects, Environmental Land Solutions, LLC and Tighe and Bond Engineers, dated September 17, 2015 as revised to December 9, 2015 and related site plans and drawings, be **APPROVED**, subject to the following conditions:

1. That all the required improvements continue to be maintained in good condition; and
2. That a 15% maintenance surety be retained for an additional year to ensure that the improvements remain in good condition; and
3. That the original conditions of approval remain in effect; and

BE IT FURTHER RESOLVED that the effective date of this action be August 28, 2020.

Mr. Goldstein seconded.

Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini approved.

No one opposed.

No one abstained.

V. REVIEW AND ACTION ON NEW APPLICATIONS

a. #6-20SP - Norden Place KB LLC – 10 Norden Place – Special permit for proposed new 330,000 sq ft warehouse and wholesale distribution use located in an existing building (to replace former Norden Systems aka Unit A) and related site improvements - Preliminary review

Atty Carolyn Cavolo, representing the application gave a brief overview of the property and introduced the project team. She explained the process and hoped to return with a supplemental application. She then shared the screen and showed them an aerial map of the

existing property which she noted that the eastern part of the property would be purchased by the applicant.

Eric Lindquist, the project engineer, continued the presentation with a description of the current property as well as the improvements for the projects. Driveways would be consolidated which would be the truck entrance. The islands would be improved. Bays would be constructed and several curb cuts would be eliminated. There would be very little improvements to utilities.

Atty Cavolo noted that there were very few changes to the building. She showed them the renderings of the truck bays. Mr. Schulman said that there were concerns about the truck traffic. She said that they were going to have public outreach and informational sessions.

There were no questions from the commissioners. There was also a discussion about when to hold a public hearing.

b. #02-20CAM – 4 Westmere Avenue LLC – 4 Westmere Avenue – Second story addition to existing SFR – Preliminary review - Report & recommended action

Mr. Schulman noted that this was not an addition but rather a tear down. Wayne D’Avanzo began the presentation by acknowledging that it was a 1 story which would become a 2 story existing single family residence. The impervious surface would increase because of changes to the driveway. Water quality would be improved.

Mr. Schulman noted that the Harbor Commission would also have to review the application which would be on August 26. There were no other questions from the commissioners.

c. #03-20CAM - 300 Wilson Avenue LLC – 300/310 Wilson Avenue – Change of use from manufacturing to dry cleaner/personal service in rear building - Report & recommended action

Atty Blank began the presentation with a brief description of the property. He noted that the SoNo Ice House was the main tenant. He oriented the commissioners as to the location of the property on an aerial map. He then discussed his client, Go Green, an environmental cleaner, which would move into the property. There would be a public hearing because this was on Village Creek. He then gave a description of the business which also had locations in Westchester, Stamford and Norwalk. A bulk of the unit would be done at this location and sent out to the other locations. He briefly discussed the traffic study. He explained that this use was safer than the current woodworking manufacturing business. He noted that if this operator had chosen another location he would not be before the Zoning Commission.

d. #4-20SPR – Route 7 and Maple LLC – 24 Berkeley Street – Construction of five-unit, four story townhouse building – Preliminary review

e. #2-20M – Route 7 and Maple LLC – 24 Berkeley Street – Proposed change to the zoning map from AAA Residence to Central Business District and D Residential – Preliminary review

f. #2-20R – Route 7 and Maple LLC – 24 Berkeley Street – Proposed amendments to revise the Central Business District schedule for maximum height on Maple Street

It was decided to handle these applicants together. Craig Flaherty began the presentation with an introduction of the project team. He then oriented the commissioners as to the location of the property on an aerial map. He showed them pictures from 1965, 1970 and current which showed Route 7 before and after it was built. He then explained the project and the zone change from AAA to CBD and D Residential. He also noted that this was in keeping with the Plan of Conservation and Development. He showed them the site plan and discussed the driveways and drainage mitigation.

There was then a discussion about the process which required the application to be reviewed by the Planning Commission. It would go to them in late September so that the Zoning Commission would have a public hearing in October. There was a discussion as to whether they would be condominiums or rentals. Mr. Flaherty said that they would see what the market could bear. The site is adjacent to the Norwalk River Valley Trail.

VI. EAST NORWALK TOD: Status report

Mr. Kleppin noted that there had been the 1st of two public hearings the prior evening. Past public hearings had to be rescheduled due to the storm. The next one was on Monday, August 24. It would also have to be heard by the Common Council because of the change to the POCD. The Zoning Commission would have to act on the zoning regulations from it.

VII. INDUSTRIAL ZONES: Status report

Mr. Kleppin said that the consultant was working on it and there would be a meeting in the next 2 weeks.

VIII. ZONING REGULATION RFP: Status report

Mr. Kleppin said the RFP went out the previous day and hoped to have applications back by the end of September. The commission could go into Executive Session to review. Mr. Kleppin asked for Zoning Department staff to be involved since they would be using the statutes on a daily basis. The commissioners did not have a problem with that.

IX. APPROVAL OF MINUTES: August 12, 2020

**** MR. WITHERSPOON MOVED to approve the August 12, 2020 Special meeting minutes.**

Ms. Wells seconded.

Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina approved.
No one opposed.
Frank Mancini abstained.

X. COMMENTS OF DIRECTOR

Mr. Kleppin said that he apologized to the commissioners but he thought the North 7 application was on this agenda but it wasn't.

XI. COMMENTS OF COMMISSIONERS

Mr. Schulman discussed Mr. Sumpster's dismissal from the Zoning Commission. There would be a brief Zoom goodbye party for him after the September 3 Zoning Commission meeting.

XII. ADJOURNMENT

Mr. Witherspoon made a Motion to Adjourn.
Ms. Wells seconded.
Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini approved.
No one opposed.
No one abstained.

The meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Diana Palmentiero