

**CITY OF NORWALK**  
**ZONING COMMISSION – SPECIAL MEETING**  
**September 3, 2020**

**PRESENT:** Louis Schulman, Chair; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini; Nicholas Kantor; Stephanie Thomas

**STAFF:** Steve Kleppin; Bryan Baker

**OTHERS:** Mayor Rilling; Atty Liz Suchy; Atty Adam Blank; Steve Cipolla; Diane Lauricella; Kevin McCutchan; Thomas Maistros; Adam Bovilsky

**I. CALL TO ORDER**

Mr. Schulman called the meeting to order at 6:09 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

Before the meeting, Mayor Rilling awarded Mr. Sumpter, a former Zoning Commissioner, whose term had ended, with a proclamation for his years of service on the Zoning Commission and Zoning Board of Appeals. Mr. Sumpter gave his thanks to the Mayor, the Zoning Commissioners and Zoning Department staff.

**II. ROLL CALL**

Mr. Kleppin called the roll. Mr. Schulman noted that there was a cancellation of an application off the agenda.

**III. PUBLIC HEARINGS**

**a. #3-20SP/1-20CAM - 310 Wilson Avenue - WEB Construction, LLC. - New contractor's storage yard with outdoor material storage - Continue public hearing from August 12, 2020**

Atty Suchy began the presentation with a quick recap of the public hearing and what the issues had been to continue the public hearing. There were no further comments from the commissioners. There was a discussion about heavy metals and whether the levels were high. There was a discussion about the D.E.E.P. application. Atty Suchy noted that they cannot submit to them until the Zoning Commission approved this application. There were no further questions or comments from the public. Atty Suchy made her closing remarks and asked that the Zoning Commission approve the application.

Mr. Schulman closed the public hearing.

**b. #3-20CAM – 300 Wilson Avenue LLC – 300 Wilson Avenue – Change of use from manufacturing to dry cleaner/personal service use in rear building**

Mr. Schulman opened the public hearing. Atty Blank began the presentation on behalf of the applicant and introduced the owners of the property. He oriented the commissioners as to the location of the property on an aerial map and noted that this application had no relation with the previous one. He explained this was a tenant fit-up but was before the commission because it was on the water. They had obtained all of the necessary sign-offs with some comments from the WPCA. They have also received comments from D.E.E.P. He showed them the floor plans of the dry cleaners but this is not where customers will come in. It will be used to clean clothes and deliver to other locations. Igor Madrit, one of the owners of the dry cleaners, who explained that it was a greener option than previous dry cleaning operations. He said he was excited to be part of the Norwalk community.

Steve Cipolla, Frederick Clark and Associates, the traffic engineers on the project, continued the presentation with an explanation of the current traffic patterns, and what the dry cleaning traffic patterns would be. He explained how the study was done. He also showed them the site plan.

Atty Blank said that the application applies with all regulations including Coastal Area Management. There was a discussion about monitoring that the applicant must do which was required by D.E.E.P.

Diane Lauricella asked how many jobs would be created and was supportive of an industrial use in the industrial zone. She said she supported the application with some concerns so there would not be any problems in the neighborhood.

Atty Blank noted that they had submitted the certificates of mailing, evidencing notice of the public hearing to the abutting neighbors. Mr. Madrit explained the safety of the dry cleaning machines and the cleaners used. This was not a wash and fold place.

There were no further questions from staff or commissioners. Mr. Schulman closed the public hearing.

#### **IV. REVIEW AND ACTION ON PENDING APPLICATIONS**

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

##### **i.. #3-20SP/1-20CAM - 310 Wilson Avenue - WEB Construction, LLC. - New contractor's storage yard with outdoor material storage - Continue public hearing from August 12, 2020**

Mr. Kantor noted that the process for the applicant seemed to be difficult and that they should look at this when updating the Zoning regulations.

**\*\* MR. JOHNSON MOVED: BE IT RESOLVED** that application #3-20SP/01-20CAM - WEB Construction, LLC – 310/314 Wilson Avenue – Proposed contractor's storage yard and asphalt processing facility be **APPROVED** with the following conditions:

1. That a flood certificate be provided before any work on the site and after all work is completed, signed by a licensed engineer or architect; and

2. That no pile shall be higher than 20 feet at any time; and
3. That all piles shall be covered at all times when not being utilized; and
4. That the privacy screening on the fence be maintained and replaced if damaged; and
5. That the Operation and Maintenance Plan be adhered to according to the report dated November 21, 2019 submitted by Grumman Engineering, including regular monitoring of any runoff into the stormwater collection system; and
6. That all site and equipment operations comply with the Norwalk Noise Ordinance; and
7. That the stormwater management practices declaration be filed on the Norwalk Land Records prior to issuance of a zoning permit; and
8. That an Engineer's Certificate of Improvements be submitted prior to issuance of a Certificate of Zoning Compliance; and
9. That a soil and erosion control bond and surety bond be submitted in an amount determined by Staff; and
10. That this approval is subject to Section 118-1460 C. of the Norwalk Building Zone Regulations; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be September 11, 2020.

Mr. Roina said that Atty Suchy had written in her comment letter that there were questions that the Zoning Commission had no jurisdiction over. However, he noted that conservation questions, etc. were in the purview of the Zoning Commission. He was in support of the application. Mr. Goldstein said that he agreed with Mr. Roina on the jurisdiction comments and he was also in support of the application.

**Mr. Mancini seconded.**

**Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini; Nicholas Kantor; Stephanie Thomas approved.**

**No one opposed.**

**No one abstained.**

**#3-20CAM – 300 Wilson Avenue LLC – 300 Wilson Avenue – Change of use from manufacturing to dry cleaner/personal service use in rear building**

Mr. Roina asked if the applicant could disable the back-up beeper on the trucks since it was close to the water and Village Creek. However, Atty Blank could not comment since the hearing had been closed. Mr. Roina suggested language for the resolution which Mr. Baker revised.

**\*\* MR. GOLDSTEIN MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that application #03-20CAM, change of use from manufacturing to a dry cleaner/personal service use be **APPROVED** subject to the following conditions:

1. That all City stormwater management requirements are met; and
2. That all required CEAC approvals are submitted prior to the issuance of a zoning permit; and
3. That a zoning certificate of compliance be obtained by the applicant prior to occupancy of the building; and

4. That any proposed signage will comply with the Building Zone Regulations; and
5. That there be no exterior storage of equipment; and

**BE IT FURTHER RESOLVED** that this proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be Friday, September 11, 2020.

**Mr. Roina seconded.**

**Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini; Nicholas Kantor; Stephanie Thomas approved.**

**No one opposed.**

**No one abstained.**

**b. #10-97SPR/#16-02SP – Costco – 779 Connecticut Ave – Request to modify approved plan to relocate handicapped parking spaces – Report & recommended action**

Mr. Kleppin said that there was not a representative from Costco so he gave a brief presentation. He showed them an aerial map of the location so they could see where the handicapped spaces are located. He explained the problems with the current handicapped spaces which would become employee spaces. The handicapped spaces would be relocated. There was a determination to have some questions sent to the Parking Authority. The item would be deferred to the next meeting to have these questions addressed.

**V. REVIEW AND ACTION ON NEW APPLICATIONS**

**a. #2-20CAM – 4 Westmere Avenue LLC – 4 Westmere Avenue – Second story addition to existing SFR – Further review - Report & recommended action**

Mr. Schulman noted that they had been waiting for an approval from the Harbor Commission which had now approved the application.

**\*\* MR. WITHERSPOON MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that application #02-20CAM, reconstruction of a single-family residence with a second story addition for the property 4 Westmere Avenue as shown on engineering plans dated 7/14/2020 by Wayne D’Avanzo of Fairfield County Engineering LLC, Norwalk, CT, and on architectural drawings dated 7/18/2019 and 1/29/2020 by Wood Architects LLC, Darien, CT be **APPROVED** subject to the following conditions:

1. That all City stormwater management requirements are met; and
2. That all required CEAC approvals are submitted prior to the issuance of a zoning permit; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and

4. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

**BE IT FURTHER RESOLVED** that this proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be Friday, September 11, 2020.

**Mr. Johnson seconded.**

**Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Frank Mancini; and Stephanie Thomas approved.**

**No one opposed.**

**Nicholas Kantor and Richard Roina abstained.**

**b. #8-20SP – Norwalk Housing Authority (Colonial Village) – Suncrest Rd & 164 W. Cedar St - New multifamily development with 69 dwelling units in 18 new buildings (200 units in 19 existing buildings to remain; 269 units total) - Preliminary review – Report & recommended action**

Atty Suchy began the presentation introducing the project team. She noted that a few consultants would be at the next meeting. They had sent notices to abutting neighbors which had sent questions to Mr. Kleppin. She then gave a brief overview of the application. The Norwalk Housing Authority owned the land. She then showed them a survey of the property and the proposed site plan. She explained how many units there would be, the community center, as well as a drive through the property. She noted that there are wetlands on the property and an application has been filed with the proper authorities. She also noted which approvals the applicant had received. She also discussed the parking requirements.

Kevin McCutchan, the engineer on the project, continued the presentation with a review of the parking spaces, sidewalks, crosswalks, as well as the community center and the rain gardens. He discussed the drainage patterns.

Thomas Maistros, the architect of the project, continued the presentation by orienting the commissioners as to the location of the property on an aerial map. The next perspective showed them the flow of the property with buildings as well as the road that goes through it. He also showed the various heights of the buildings. He also showed them the materials that would be used on them. He also discussed the quality of materials to be used. He showed them how the buildings would fit into the wetlands. He showed them cross sections of the buildings as well.

There was a discussion about more green infrastructure which Mr. Maistros addressed. Mr. McCutchan also described the permeable pavement and rain garden features.

There was a discussion about the type of housing this was which was addressed by Adam Bovilsky. He explained that it was better to have mixed economic development rather than concentrating poverty in one area. They have more success as far as crime, education, economics. He said that there would be families of many different income levels.

They have not met with the abutting neighbors. They would also apply for low income credits so Mr. Bovilsky thought it was premature but had talked to the representatives in the neighborhood. Mr. Schulman encouraged him to begin the conversation as early as possible. Mr. Bovilsky said that one portion of the current buildings would be rehabilitated in the near future. Some administrative offices would be in the community center. Colonial Village only has maintenance staff on site but there would be management staff on site in the future. Mr. Bovilsky said that there are wait lists at the Norwalk Housing Authority for affordable housing. People who work in Norwalk cannot afford to live here. He also noted that this field has been sitting empty for years so they believed they should use it to help open up these lists. There was a discussion about the timeline for the project. Mr. Bovilsky didn't expect it to start until spring of 2022.

There was a discussion of the timing for the public hearings. Mr. Kleppin said that it might be the October 1, 2020 meeting.

There was a discussion about parking and whether less would then lead to more park or green space. Atty Suchy said they could look at this. Mr. Bovilsky said that other developments seemed to have less parking and there were problems. There was also a discussion about screening as well as buffering from the wetlands. Atty Suchy said they would return with updates later in September.

#### **VI. EAST NORWALK TOD: Status report**

Mr. Kleppin gave a brief update and noted that the Planning Commission had heard this item twice. It had also been to the Common Council. He said it had to be incorporated into the POCD by the end of October. The zoning Commission would also have to hear it as well.

#### **VII. INDUSTRIAL ZONES: Status report**

Mr. Roina reported on the first meeting of the Industrial Zone committee. He said that the first meeting had been that day and gave a brief overview. They would present a survey to the public through various departments and stakeholders. There were concerns about property values in the city. The consultant would send charts to all of the Zoning Commissioners.

There would also be a committee for the Redevelopment Agency to hire a consultant to study the area around the South Norwalk train station. Mr. Witherspoon would be on this committee. Mr. Schulman appointed Mr. Goldstein to the committee to hire another consultant about the Webster Parking lot study.

#### **VIII. APPROVAL OF MINUTES: August 19, 2020**

**\*\* MR. MANCINI MOVED to approve the August 19, 2020 Special meeting minutes.**

**Mr. Goldstein seconded.**

**Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Stephanie Thomas and Frank Mancini approved.**

**No one opposed.**

**Richard Roina and Nick Kantor abstained.**

**IX. COMMENTS OF DIRECTOR**

There were no comments from the director.

**X. COMMENTS OF COMMISSIONERS**

There were no comments from the commissioners.

**XI. ADJOURNMENT**

**Ms. Wells made a Motion to Adjourn.**

**Ms. Thomas seconded.**

**Louis Schulman; Rod Johnson; Michael Witherspoon; Josh Goldstein; Galen Wells; Richard Roina; Frank Mancini; Nicholas Kantor; Stephanie Thomas approved.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Diana Palmentiero