

**CITY OF NORWALK  
ZONING COMMISSION  
November 18, 2020**

**PRESENT:** Louis Schulman, Chair; Rod Johnson; Josh Goldstein; Richard Roina; Nicholas Kantor; Galen Wells; Michael Witherspoon; Stephanie Thomas; Frank Mancini (joined at 7:03 pm)

**STAFF:** Steve Kleppin; Bryan Baker; Michelle Andrzejewski

**OTHERS:** Craig Flaherty; Bill Warwick; Eric Rains; David Sands; Neil Olinski; Michael Skena; Bob Grzywacz; Bob Grzywacz; Atty Adam Blank; Joe Cugno; Matthew Popp; Michael Galante; Jim Kousidis; Tracy Barclay; Diana Paladino Christopher; Jamison Daley; Peggy Daley; Desiree Hertz; Lou Garcia; Diane CeCe; Christina Olson; Atty Bill Hennessey; Michael Weissbrod; Kwese Brown; Bret Holzwarth; Jason Milligan

**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. Mr. Schulman explained the rules for the public hearings.

**III. PUBLIC HEARINGS**

**a. #9-20SP – TB Norwalk Apartments LLC – 467 West Ave, 17 Butler St & 3 Quincy St (The Pinnacle) – New mixed-use development with 393 dwellings units and 14,340sf of commercial space in a six-story building**

Mr. Schulman opened the public hearing. Craig Flaherty started the presentation by introducing the project team. He noted that the notices of the public hearing had been sent out to the abutting neighbors. He then described the project for which there had been a previous application. He oriented the commissioners as to the location of the property on an aerial map which showed the proposed project on it. He showed them comparisons of this revised application to the one that was previously submitted in September 2020. They have responded to design review comments.

Bill Warwick, the architect on the project, continued the presentation by showing the commissioners the proposed buildings, floor by floor. There are proposed townhouses included. He also showed them the outdoor amenity spaces as well as the elevations of the buildings. He explained design changes that had been proposed by the city's review. Brick would be used as part of the base. He also showed them proposed images of what the buildings would look like in the neighborhood. There was a discussion about the pedestrian way. He showed them other

renderings of the town houses. He showed them the renderings for the indoor amenity space. There was a discussion about activating the space for the public.

Eric Rains, the landscape architect on the project, continued the presentation by showing them the site renderings. He discussed the connectivity to the Stepping Stones Children's Museum. He also discussed elements in the connection space from north to south. He showed them photos of the elements, including benches and tables. There was a further discussion of the resident amenity spaces and townhouses. There was a discussion about the cross walks, blending into the neighboring projects. Mr. Rains discussed the buffering around the church in the area.

David Sands, of Toll Brothers, continued the presentation explained that Toll Brothers had plans to hold onto this project for the long term, a minimum of 10 years.

Neil Olinski, the traffic engineer on the project, continued the presentation with a comparison of the applicant's traffic study to the one that was previously approved. He discussed the levels of service. There was a discussion about requirements of approval.

Mr. Flaherty then discussed the CEAC process and noted which sign offs the applicant had received. There was a discussion about scaling down the retail spaces. Michael Skena, of Toll Brothers, noted that the new plan presented various sizes of retail space to allow for larger or smaller tenants. It would create more flexibility in their leasing strategy.

Mr. Kleppin discussed a recent meeting between the Zoning Department staff and the applicant on making a change with the community space. Mr. Flaherty said they would keep the comments in mind.

Bob Grzywacz noted that he had not reviewed all the design changes but that many of the changes had been made. He then discussed the through block arcade. He discussed the issue of overparking. He also discussed the commercial spaces in the Waypointe project as well as the proposed commercial space at the Pinnacle. He also spoke about the retail spaces in New Haven as a comparison to this project.

Mr. Skena addressed some of Mr. Grzywacz concerns. He noted that in other projects around the country, the retail in their mixed uses projects has been leased. He then explained why Toll Brothers had bought the project. He also noted that the retail market has changed because of COVID and many of the theaters going out of business. Other businesses may not be able to lease for several years because of the business climate. He noted that they have talked to many businesses that could be an anchor but they are not interested at this time.

Eric Scheffler, 122 Road, Scarsdale, NY, said he was the owner of the retail space at the Waypointe, asked what the timeline for completion of the project was. Mr. Sands said that construction should begin next summer. He noted that they needed more active retail spaces in the area.

There was a discussion about programming the areas in order to help attract pedestrians.

Mr. Flaherty noted that they would return to the Zoning Commission on December 9. There was a further discussion about the length of the project from when it starts next summer.

Mr. Sands thought it should be completed between 30-36 months from when it starts. There was also a discussion about the current economic climate becoming the “new normal.” There was a discussion about whether residential generated more income for the city versus retail. There was a discussion about the impact of COVID on retail businesses since many businesses moved more of their business online. There was a further discussion about the pedestrian way and how it could be used.

Mr. Schulman thanked everyone involved and noted that this item would be on the December Zoning Commission agenda.

**b. #7-20SP – G&T Norwalk LLC – 93 Winfield Street – Special permit for new 2 ½ story multifamily development with 14 dwelling units (to replace former Bank of America building)**

Mr. Schulman opened the public hearing. Atty Adam Blank started the presentation by introducing the project team. He noted that the notices of the public hearing had been sent out to the abutting neighbors and the certified, return receipts had been sent to the Zoning Department staff. He noted all of the sign offs that the applicant had received. He gave a brief overview of the project, including orienting the commissioners as to the location of the property on an aerial map. He showed them the proposed renderings and thought it was in keeping with the neighborhood. The former Bank of America building had been demolished. There was a discussion about the number of units that could be built. He then showed them an aerial photo of other buildings on the street and noted what type of uses were on those properties. After they filed the application, the East Norwalk TOD Plan had been filed and called for a downzoning of this property. However, the application had been filed prior to this and should be regulated by the Neighborhood Business Zone and whether it complied with the POCD. Atty Blank gave a brief overview of the application. He noted that the application was overparked.

Joe Cugno, the architect on the project, continued the presentation by noting that the number of units had been reduced. The buildings were going to be built parallel. He showed the renderings of the proposed buildings. He explained that there is a slope to the property. Mr. Cugno believed that this project complimented the other buildings in the area. He also discussed the amenity space, as well as the materials. There was a discussion about some points on the staff memo. He discussed nearby projects and how they compared to their project. He also discussed the underground parking which they were not able to do because of the water tables. Mr. Schulman asked if they could plant trees that were a bit larger so that they could hide the vehicles.

Matthew Popp, the landscape architect on the project, continued the presentation by describing the trees that would be a part of the landscape plan. He then discussed the lighting plan.

Michael Galante, the traffic engineer on the project, continued the presentation with a discussion of how the traffic study was done. He said that this had a lesser traffic impact than the previous use. He also discussed the parking by noting that there was enough.

Jim Kousidis, the engineer on the project, continued the presentation by discussing the site management plan. He discussed the recreation areas. He also discussed the grade and how it met the regulations. An entrance would be eliminated which allowed them to have screening. It reduced the entrances from 3 to 2. He then discussed the storm drainage system.

Atty Blank noted that these townhouses would have less impact than other neighborhood business uses and blended into the neighborhood. Impervious surfaces would be reduced by 10% and in compliance with the POCD. He noted that it complied with the city's regulations.

There was a discussion about the abutting neighbors. There are no easements in favor of the residential neighbors.

Tracy Barclay, Cove Avenue, had a question about the building on Cove Avenue which looks like a barracks. She thought the project was aesthetically pleasing and fit in well with the area. She wondered whether it would look like these renderings.

Diana Paladino Christopher, 1 Maple Avenue, had a concern about the parking and whether there was enough. She understood that there was only 1.7 parking for each unit. If there was not enough then residents would park on the street.

George Garcia, 4 Bridge Street, spoke on behalf of his mother, asked why they were asking for more units that they were allowed. He was concerned about the parking because there were more units and not enough parking.

Jamison Daley, 101 Winfield Street, had a couple of procedural questions. He had concerns about the application including the number of units. He explained that he had asked the applicant to save some of the trees that are on the property. He noticed that those trees were crossed out on the plans. He asked whether the commissioners could request them to stay.

Peggy Daley, 101 Winfield Street, the mother of Jamison Daley, also asked that the 6 pine trees remain on the property. She also noted that she had sent a letter to the Zoning Department earlier in the week.

Desiree Hertz, 11 Howard Avenue, had concerns about the two entrances since they were on Howard Avenue. She believed they would affect the traffic on Howard Avenue. She was concerned about the height of the buildings.

Lou Garcia, Bond Street, noted that the property was not a corner lot. It had 2 frontages and the retaining walls would hide the parking spaces. He also discussed the buffer zones. He discussed the Winfield Street elevations.

Diane CeCe, Board of East Norwalk Neighborhood Association (ENNA), Holmstead Street, noted that additional information had been received by the Zoning Department last week but they had not been able to access it until earlier this week. She asked that the public hearing be held open. She noted that the applicant had not been forthright with the neighbors. She also noted that the applicant reluctantly met with ENNA. She had comments on the traffic study. She requested a traffic peer review. She had concerns about the removal of the mature trees on the property. She also noted that this property should have been converted to residential years ago and not left as neighborhood business.

Christina Olson, 3 Herring Court, had questions about the utility easement and whether they would be moved. She also concerns that there were enough dumpsters on the property and whether they would be hidden from view.

Atty Blank then addressed the questions which were raised by the members of the public. Mr. Cugno also made some comments about Mr. Garcia's concerns. There was a discussion about the trees that several of the neighbors asked to remain. There was a discussion about the application being on the website. There was then a discussion about overflow parking. Tom Bellete, the applicant, said that some spots could be designated as guest spots. The units are 2 bedrooms with 1.5 bathrooms.

Mr. Schulman noted that since some information had arrived late, they would vote on this application at the next Zoning Commission meeting on December 9.

At this point, the commissioners decided to take a break and returned to the meeting at 10:25 pm.

**C. #4-20R – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – Proposed amendments to revise zoning regulations text for Central Business District and d. #5-20SPR/#07-20CAM – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 61 Wall Street (aka Wall Street Place Phase I) – Complete construction of an existing 6 story frame structure as a mixed use building with 101 dwelling units, 10,233+/- square feet retail and e. #6-20SPR/#08-20CAM – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 17 Isaacs Street (aka Wall Street Place Phase I) – Construction of new 4 story building with 2 upper residential stories to include 50 units above parking garage levels with 152+/- parking spaces to support both the residential uses for 61 Wall Street and 17 Isaacs Street, together with associated site improvements**

Mr. Schulman continued the public hearing from November 5 and noted that the Zoning Department had not received the funds for the peer review from the applicant. This hearing had been continued from the prior Zoning Commission meeting. If any members of the public wanted to speak, it would be limited to any new materials presented this evening.

Atty Hennessey said that they would update the Zoning Commission as to the process of the application over the course of the last 2 weeks. He gave a brief review of the architectural modifications as well as the other items that the project team would discuss.

Michael Weissbrod, the architect on the project, discussed the peer review comments that had been received at this point. Regarding the north building, there were 4 main points including street activation. He showed them an old plan which had since been revised. Mr. Grzywacz had said there was not enough. He then showed the revised plan which included more retail space. He also discussed the transparency of the storefronts. He noted there were physical constraints. He described changes to the facade of the building as well as the revised stone materials board. He discussed the attic story. He also discussed the surrounding buildings to the project and used Google Earth to show the commissioners.

Kwese Brown, the traffic engineer on the project, continued the presentation by discussing how the traffic study was completed. He noted that it had been done pre-COVID and did projections for the next 5 years. It would not significantly affect roadways in the area. They had also submitted an application to OSTA but a resolution would not be rendered until the Zoning Commission had rendered a decision.

Bret Holzwarth, the engineer on the project, discussed the loading space on the south side which was indicated on their site plan. He also discussed the CEAC meeting which had been held on October 7. He then discussed the comments and sign offs which the applicant had received. He discussed the location of water meters and fire hydrants.

Atty Hennessey noted that the applicant would continue to work with the architectural review.

Jason Milligan asked for his video to be seen but was informed that it was not possible. He also had comments about the loading space for the Phase 1 project and that it would be required. He thought there were some discrepancies in the applications, between the verbal and written in connection with the affordable housing.

Atty Hennessey made closing remarks about the applications. It was understood that the Zoning Commission would not be acting upon this application at this meeting.

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

##### **a. Action on Item III a., b., c., d., and e.**

**I. a. #9-20SP – TB Norwalk Apartments LLC – 467 West Ave, 17 Butler St & 3 Quincy St (The Pinnacle) – New mixed-use development with 393 dwellings units and 14,340sf of commercial space in a six-story building**

Mr. Schulman suggested that this public hearing be continued until December 9, 2020.

**\*\* MR. WITHERSPOON MOVED to continue the public hearing for #9-20SP – TB Norwalk Apartments LLC – 467 West Ave, 17 Butler St & 3 Quincy St (The Pinnacle) – New mixed-use development with 393 dwellings units and 14,340sf of commercial space in a six-story building until December 9, 2020.**

**Ms. Thomas seconded.**

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

**No one opposed.**

**No one abstained.**

**ii. b. #7-20SP – G&T Norwalk LLC – 93 Winfield Street – Special permit for new 2 ½ story multifamily development with 14 dwelling units (to replace former Bank of America building)**

Mr. Schulman suggested that this public hearing be continued until December 9, 2020. It was also noted that there were several outstanding issues and they do not have all their sign offs.

**\*\* MR. ROINA MOVED to continue the public hearing for #9-20SP – TB Norwalk Apartments LLC – 467 West Ave, 17 Butler St & 3 Quincy St (The Pinnacle) – New mixed-use development with 393 dwellings units and 14,340sf of commercial space in a six-story building #7-20SP – G&T Norwalk LLC – 93 Winfield Street – Special permit for new**

**2 ½ story multifamily development with 14 dwelling units (to replace former Bank of America building) until December 9, 2020.**

**Mr. Witherspoon seconded.**

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

**No one opposed.**

**No one abstained.**

**iii. #4-20R – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – Proposed amendments to revise zoning regulations text for Central Business District**

Mr. Schulman asked to review the text amendment. Mr. Kleppin noted that there was no prepared resolution for this meeting so he suggested waiting until the December 9 Zoning Commission meeting to review.

**\*\* MR. JOHNSON MOVED to close the public hearing for #4-20R – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – Proposed amendments to revise zoning regulations text for Central Business District.**

**Ms. Wells seconded.**

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

**No one opposed.**

**No one abstained.**

**d. #5-20SPR/#07-20CAM – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 61 Wall Street (aka Wall Street Place Phase I) – Complete construction of an existing 6 story frame structure as a mixed use building with 101 dwelling units, 10,233+/- square feet retail and e.**

Mr. Schulman noted that this public hearing would be held open until December 9.

**\*\* MS. THOMAS MOVED to continue the public hearing for #5-20SPR/#07-20CAM – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 61 Wall Street (aka Wall Street Place Phase I) – Complete construction of an existing 6 story frame structure as a mixed use building with 101 dwelling units, 10,233+/- square feet retail until December 9, 2020.**

**Mr. Witherspoon seconded.**

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

**No one opposed.**

**No one abstained.**

**#6-20SPR/#08-20CAM – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 17 Isaacs Street (aka Wall Street Place Phase I) – Construction of new 4 story building with 2 upper residential stories to include 50 units above parking garage levels with 152+/- parking spaces to support both the residential uses for 61 Wall Street and 17 Isaacs Street, together with associated site improvements**

Mr. Schulman noted that this public hearing would be held open until December 9; however, he suggested that the portion of the public hearing for the CAM application be closed.

**\*\* MR. JOHNSON MOVED to continue the public hearing for #6-20SPR – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 17 Isaacs Street (aka Wall Street Place Phase I) – Construction of new 4 story building with 2 upper residential stories to include 50 units above parking garage levels with 152+/- parking spaces to support both the residential uses for 61 Wall Street and 17 Isaacs Street, together with associated site improvements until December 9, 2020.**

**Ms. Thomas seconded.**

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

**No one opposed.**

**No one abstained.**

**\*\* MR. GOLDSTEIN MOVED to close the public hearing for #08-20CAM – Wall Street Recap Associates, LLC; Municipal Holdings, LLC; Second Garden Development Limited Partnership – 17 Isaacs Street (aka Wall Street Place Phase I) – Construction of new 4 story building with 2 upper residential stories to include 50 units above parking garage levels with 152+/- parking spaces to support both the residential uses for 61 Wall Street and 17 Isaacs Street, together with associated site improvements**

**Mr. Johnson seconded.**

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

**Richard Roina opposed.**

**No one abstained.**

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

Mr. Kleppin said the consultants are meeting with businesses and working on a survey to get out.

## **VI. 2021 MEETING SCHEDULE**

Mr. Schulman noted that September 15 should be changed since it is Yom Kippur. They asked to research whether a meeting should be held on Ash Wednesday.

The commissioners suggested shorter meetings and special meetings since these last couple of meetings had been long. There was a conversation about how to handle long agendas.



**VII. APPROVAL OF MINUTES: November 5, 2020**

**\*\* MR. GOLDSTEIN MOVED to approve the November 5, 2020 minutes.**

**Mr. Roina seconded.**

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

**No one opposed.**

**No one abstained.**

**VIII. COMMENTS OF DIRECTOR**

There were no comments from the Director.

**IX. COMMENTS OF COMMISSIONERS**

There was a brief discussion about the Zoning regulations re-write consultants.

**X. ADJOURNMENT**

**Mr. Roina made a Motion to Adjourn.**

**Mr. Goldstein seconded.**

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

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 11:32 p.m.

Respectfully submitted,

Diana Palmentiero