

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

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

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Carolyn Cavolo; Erik Lindquist; Grant Wright; David Greenberg; Tim Kucab; Craig Yannes; Donald Klepper-Smith; Adam Altman; Stewart Gordon; Diane CeCe; John Kydes; Yvonne Marchese; Jennifer and Darrin ?; Joel Green; Joel Green; Rebecca Riddell; Cathy Walsh; John Cusano; Josh Green; Marianne Johanson; Joe Licek; Mr. Bortniker; Ellen Garcia; Dick McGonigal; Sharon Maddern; Tracy Barclay; Mimi Chang; Devki Desai; Jane Skeen (sp?); Charles Lee; Farhan Memon; Sarah Hunter

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:02 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 that he had received a letter from an attorney representing neighbors a request to not close the public hearing this evening. Mr. Schulman noted that it would be held over until January 2021. He then explained that the last Zoning Commission meeting had been 5.5 hrs. The commissioners said that they could not have made a good decision at that time. This meeting would likely only be 3.5 hrs. He did not want to stop any members of the public from speaking and that others could speak at the next public hearing. He then explained the rules of the public hearing.

III. PUBLIC HEARINGS

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

Mr. Schulman opened the public hearing. Atty Carolyn Cavolo began the presentation with an introduction of the project team. She then discussed the public notices that had been published and noted that their application could be found online for the public to view. The certified, return receipts evidencing notice of the public hearing had been sent to the Zoning Department. She discussed the sign offs that they had received from various City departments as well as what was still needed. She also discussed the length of the application. She also

noted that they had heard from the neighbors and had made changes to the plans which addressed their concerns. She said that Norden had drafted proposed conditions which they suggested to the City. They would also add more trees to the site.

Erik Lindquist, the engineer on the application, continued the presentation with a brief overview of the current site as well as the modifications that the applicant was proposing. He then showed the commissioners the proposed site plan. He also discussed the construction plan, planting and lighting plans.

Grant Wright, the architect on the project, continued the presentation with a brief overview of the conceptual renderings based on the current building. There would be 19 loading docks. He also showed them renderings of the floor plans. ATty Cavolo noted the applicant would work with the city on signage after the special permit has been approved.

David Greenberg, the acoustic engineer, continued the presentation with a brief overview of his background. He then discussed his analysis in detail. He noted the hours in the city's noise ordinance. He used presentation slides to show the public and commissioners the daytime and nighttime analyses. He noted that the noise code will be met.

Tim Kucab, an engineer with Tighe and Bond, continued the presentation by discussing potential air emissions. The analysis included comparisons to previous approved projects.

Craig Yannes, the traffic consultant, continued the presentation with a discussion of the traffic analysis. He noted that they have made suggestions on how to modify the traffic in the area. He showed them an overview of the study area on an aerial map. He then discussed the trip generation comparison to other previously approved applications. He also reviewed roadway safety which included a summary of recent accidents in the study area. He also addressed some concerns and how the applicant would change them. He discussed the a.m and p.m traffic capacity analyses. He then showed them the traffic study conclusions.

Donald Klepper-Smith continued the presentation with a brief overview of his background. He noted that he had updated his report with regard to housing prices. He also noted that there are many different economies throughout the state. He discussed the in migration and out migration. He noted that some census data will not be available until later next year. He then discussed the local economy. He said that the state economy had gained jobs but lost all of them in April 2020. He said that this project would promote job growth in lower Fairfield County.

Adam Altman, one of the owners and operators, said that his company would set up a hotline for neighbors if there were problems. They would partner with the local community and fit in with the neighborhood. He noted that the property is currently being used. They intend to re-invigorate the property. He also said they would like to help retain jobs and employees in Norwalk.

Atty Cavolo summarized the presentation by explaining the bases for approval and noted that it satisfied the goals of the Plan of Conservation and Development (POCD). She also discussed the approvals that the applicant had received. She noted that their experts had said that there would be no adverse impact to the surrounding neighborhood and had met the requirements of the special permit.

Mr. Schulman asked the Zoning Commissioners if they had questions. There was a discussion about Norden requesting tenants to respect the business hours as well as requesting their truck deliveries to respect those as well. There was also a discussion about the traffic being dispersed over the different routes to the site. There was a discussion about how Norden would encourage tenants to follow these rules about the business hours. There was a suggestion on how this could work. There was a further discussion about the noise study conducted by Mr. Greenberg. There was a discussion about the ramp on I-95 which had not been mentioned during the presentation. There was then a discussion about a letter received from Westport's Planning and Zoning Department which said there were concerns about the traffic and the need for this project.

Mr. Schulman noted that there was an additional \$7,000 which had to be billed to the applicant for the city's traffic consultant.

Stewart Gordon introduced the team of traffic engineers that were on the call with him. He then discussed his analysis and conclusions. He also made some requests for additional information. Mr. Schulman referred members of the public to the report which was found on the city's website.

Mr. Schulman noted that they had received over 200 letters from the public and said that it seemed many did not understand the process. He then explained it for the public that were on the call. He then asked the many public members to keep their comments brief and to the facts of the application. He also asked them not to attack the Zoning Commissioners and that they would be cut out of the meeting.

Diane CeCe, East Norwalk Neighborhood Association (ENNA) asked when the applicant would be allowed to rebut the public's comments. Mr. Schulman noted that it would be in January. She began the presentation by noting that a petition had been circulated which they would submit. She spoke against the application.

John Kydes, spoke as a concerned citizen and not as a council member. He spoke against the application and asked the commissioners to deny it.

Yvonne Marchese, 20 Myrtle Street, spoke against the application. Her issues were the fact that her street was a cut through and would become more so if this application was passed. She also had other issues with traffic on Myrtle Street.

Jennifer and Darrin ?, spoke in opposition to the application.

Joel Green, the lawyer for the Sasqua Hills Neighborhood Association, began to speak but Mr. Schulman asked if he would be testifying in January. Atty Green said that he was introducing himself and would present in January.

Steve Mann, Pequot Drive, spoke in opposition to the application.

Rebecca Riddell, 4 Greenfield Road, spoke in opposition to the application, due to the trucks that would be coming to the area.

Cathy Walsh said she was on the Westport Planning and Zoning Commission and had been part of the letter sent to the Zoning Commission. She explained that they are very concerned about the truck traffic in the area which would come through Westport.

Mr. Schulman noted that members of the public could also send the commissioners their comments so they would be part of the record.

John Cusano, a resident of East Norwalk, spoke against the application. He also said he had sent a letter to the commissioners.

Josh Green spoke against the application.

Marianne Johanson, on the ENNA board, but was speaking as a concerned citizen. She discussed the truck routes in rush hours as well as issues with the environment.

Joe Licek, Raymond Terrace, spoke in opposition to the application.

Mr. Bortniker spoke in opposition to the application. He had issues about the amount of carbon that could be produced from the trucks at the site. He made a suggestion to turn it into a solar farm.

Ellen Garcia, 15 Bond Street, spoke in opposition to the application. As a realtor, she noted that East Norwalk would no longer be quaint as Rowayton is.

Dick McGonigal, 5 Swale Road, spoke in opposition to the application.

Sharon Maddern, 2 Skytop Drive, spoke in opposition to the application.

Tracy Barclay spoke in opposition to the application.

Mimi Chang, 37 Raymond Terrace, noted that she had written the neighbors' petition and asked about how the applicant would mitigate air pollution from the trucks.

Devki Desai spoke against the application. She believed there were other more environmentally friendly uses for the site.

At this time, it was 9:30 pm. Mr. Schulman said that he would allow another 15 minutes for comments. Ms. Thomas asked if she could also have her questions on the record as she would no longer be a part of the Zoning Commission in January.

Jane Skeen (sp?), Fordham Drive, spoke in opposition to the application.

Charles Lee, 4 Cloverleaf Circle, spoke in opposition to the application.

Farhan Memon spoke in opposition to the application. He noted that the applicant had not paid his back taxes but had been allowed to have their application processed. Mr. Schulman addressed this issue and noted that the owner is challenging their property taxes.

Sarah Hunter spoke in opposition to the application. She said she would like to be allowed to continue her comments in January. She noted she was speaking as a private citizen and not as a member of ENNA.

Mr. Schulman noted that the public hearing would be continued on Thursday, January 7, 2021. The remainder of the public members who had been waiting would be among the first to speak on that date. Ms. Thomas then asked how her records could become part of the record.

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

a. Action on Item III a

The commissioners decided that the public hearing would remain open so as to allow additional members of the public to speak on January 7, 2021.

V. ADJOURNMENT

Ms. Thomas made a Motion to Adjourn.

Mr. Goldstein 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.

The meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Diana Palmentiero