

**CITY OF NORWALK  
ZONING COMMISSION  
February 17, 2021**

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

**STAFF:** Steve Kleppin; Michelle Andrzejewski

**OTHERS:** Atty David Waters; Dean Martin; Atty Liz Suchy

**I. CALL TO ORDER**

Mr. Schulman called the meeting to order at 6:00 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 of the public hearing.

**III. REVIEW AND ACTION ON PENDING APPLICATIONS**

**a. #3-96SPR/#8-97SPR – 45 Glover Borrower LLC (Formerly Hewitt Associates LLC) – 45 Glover Avenue – Request for a further temporary modification and release until June 15, 2021 (with the right to seek further extension) of the condition requiring two (2) police officers to control traffic signalization at the Glover Avenue-Main Avenue intersection during afternoon peak hours**

Atty Waters began the presentation with a description of a condition of approval relating to the requirement of having two (2) police officers to control traffic signalization at the Glover Avenue-Main Avenue intersection during afternoon peak hours. He said that most tenants are not in the building. In fact, only about 50-60 employees are in 901 Glover Avenue, as well as giving the stats for the other buildings on Glover Avenue. He then noted that he did not believe police officers were needed and asked for a further waiver of this condition until June 15, 2021. He also said that if one of the tenants said that their employees were returning full-time, then he would return to the Zoning Commission. Mr. Schulman suggested that Atty Waters not return until August 15, 2021 which the other commissioners agreed with.

**\*\* MR. MANCINI MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that #3-96SPR/#8-97SPR - 45 Glover Borrower LLC (Formerly Hewitt Associates LLC) - 45 Glover Avenue - Request for a further temporary modification and release until August 15, 2021 (with the right to seek further extension) of the condition requiring two (2) police officers to control

traffic signalization at the Glover Avenue-Main Avenue intersection during afternoon peak hours be **APPROVED** with the following conditions:

1. That the temporary modification and release shall be in place until August 15, 2021; and
2. That any further extension requests obtain approval from the Zoning Commission

**BE IT FURTHER RESOLVED** that the effective date of this action shall be February 26, 2021.

**Mr. Witherspoon seconded.**

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

**No one opposed.**

**No one abstained.**

Since Atty Waters was available, there was a discussion about another project that he was handling, Merritt Station Norwalk. They discussed next steps which included traffic, peer review and scheduling. Mr. Kleppin asked if any of the commissioners would like a hard copy of the traffic study. Mr. Kleppin also discussed the design and the layout of the master plan for the development. The revised traffic study would be sent to the city's traffic consultant. The commissioners who had requested copies would receive it the following week.

**b. #07-19SPR/#10-19CAM – 320 Wilson Ave LLC – 320 Wilson Avenue – Bond release request for 45,800sf industrial warehouse and manufacturing building – Report & recommendation**

Mr. Kleppin gave a brief overview of the application. He noted that a mound of dirt had been removed and a new building had been constructed. There was a retaining wall constructed as well. There had been concerns from Village Creek residents which the applicant had addressed. The site had been constructed as per the Zoning Commission approvals. The applicant was seeking the release of their bond.

**\*\* MR. WITHERSPOON MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that #07-19SPR/#10-19CAM - 320 Wilson Ave LLC - 320 Wilson Avenue - Bond release request for 45,800sf industrial warehouse and manufacturing building be **APPROVED** with the following conditions:

**BE IT FURTHER RESOLVED** that the effective date of this action shall be February 26, 2021.

**Mr. Johnson seconded.**

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

**No one opposed.**

**No one abstained.**

#### IV. REVIEW AND ACTION ON NEW APPLICATIONS

##### a. #2021-05CAM –William G. Cooling – 35 Rowayton Avenue – Raise and reconstruct new SFR – Report & recommended action

Dean Martin began the presentation with a brief description of the property. He noted that there was a single family residence currently on the property which would be demolished to construct a new one. It would be in the same footprint but would be raised to a higher elevation under FEMA regulations. He described the storm water management proposed for the property. The applicant had received a few approvals from WPCA and the Department of Public Works.

There was a discussion about a letter received from the Five Mile River Commission. Ms. Andrzejewski noted that the Zoning Department does not typically require a landscape plan for this type of CAM application.

**\*\* MR. GOLDSTEIN MOVED: BE IT RESOLVED** that application #2021 -05CAM, raise and reconstruct a new single-family residence for the property 35 Rowayton Avenue and as shown on zoning location survey dated 1/26/2021 by William W. Seymour & Associates, P.C., Darien, CT, and architectural plans dated 1/26/2021 by Matthew R. Dougherty Architect, LLC New Canaan, CT, be **APPROVED** subject to the following conditions:

1. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
2. That all City storm-water management requirements are met; and
3. That a permit is obtained from the Department of Public Works in regards to City storm-water management requirements; and
4. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
5. 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 March 3rd, 2021

You must obtain a zoning approval and a building permit prior to any work on the site. A building permit must be obtained within one year of the effective date or this CAM approval automatically becomes null and void.

**Mr. Witherspoon seconded.**

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

**No one opposed.**

**No one abstained.**

## **V. DISCUSSION OF OTHER ITEMS**

**a. #10-15SPR – Tucker Mgmt, LLC – 467 Connecticut Avenue – Discussion of traffic issues at Chick-Fil-A b. Industrial zones study status report c. South Norwalk TOD study status report d. Zoning regulations update status report**

Atty Suchy began the presentation with a background of the Chick-Fil-A approval as well as the site where it is located. She then stated that the problems at the site now seem to have begun during the COVID quarantine. The site is closed for indoor dining and not open on Sundays. The days that seem to be problematic were on Friday and Saturday as people are out and about. They hired off duty police officers to handle the traffic problems. There was a suggestion to re-route traffic for which plans had been submitted. She has spoken with the Chief of Police and Mike Yeosock of the city's traffic department. She asked if the commissioners had any suggestions.

Mr. Kleppin said that the Zoning Department staff had come up with a sketch as a suggestion for the traffic problems. It was noted that a follow-up traffic plan had not been submitted.

There was a discussion as to how many times there have not been police officers at the site. Chick-Fil-A posts a job for a police officer every week. Mr. Witherspoon said he has seen police officers on Friday and Saturdays as he lives nearby.

Atty Suchy said they would look at staff's suggestions. There was a discussion about how many vehicles were stacking at the site on these busy days. Atty Suchy said there could be in excess of 50 cars at one time. It was asked how many during the peaks which Atty Suchy said she would get for them. The altered traffic plan was implemented in spring of 2020. It was noted that at times there is one right lane on Connecticut Avenue which are vehicles going into Chick-Fil-A. If a person is not going there, they could be stuck in that lane. Atty Suchy noted that there had not been traffic problems pre-COVID.

There was a discussion about hiring a traffic consultant to determine the problems and address them. It was also suggested to review other Chick-Fil-As to see if those have similar traffic problems.

**b. Industrial zones study status report**

Mr. Kleppin noted that he had a call with the consultant and that the committee should be meeting again in two weeks.

**c. South Norwalk TOD study status report**

Mr. Witherspoon responded that there is a public hearing on February 25 for public comments. It was noted that the consultants had not properly designated South Norwalk in the study.

**d. Zoning regulations update status report**

Mr. Kleppin said that the consultants had been reviewing the East Norwalk TOD study. They are focusing on parking and amenities which could be done in the next couple of weeks.

The contract should be signed soon. They are waiting for a few changes that the consultant had requested which had been sent to Corporation Counsel for review.

**VI. APPROVAL OF MINUTES: February 4, 2021**

**\*\* MR. MANCINI MOVED to approve the February 4, 2021 meeting minutes.**

**Mr. Witherspoon seconded.**

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

**No one opposed.**

**No one abstained.**

**VII. COMMENTS OF DIRECTOR**

Mr. Kleppin noted that the next couple of meetings may be light but after that, there are some new projects that will be submitting applications soon.

**VIII. COMMENTS OF COMMISSIONERS**

It was requested for the Chick-Fil-A application there should be data from 2019 and 2020.

Mr. Schulman announced that Mr. Kantor is now a regular member of the Zoning Commission which had just happened recently.

**IX. ADJOURNMENT**

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

**Mr. Goldstein seconded.**

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

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 6:51 p.m.

Respectfully submitted,

Diana Palmentiero