

**CITY OF NORWALK
ZONING COMMISSION
June 23, 2021**

- PRESENT:** Louis Schulman, Chair; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon, Richard Roina and Josh Goldstein
- STAFF:** Steve Kleppin; Bryan Baker; Michelle Andrzejewski
- OTHERS:** Matthew Edvardsen; Colin Grotheer; Robert Grzywacz; Diane Lauricella; Diane Cece; Atty Liz Suchy; Lynne Ward; Phillip Cherry;

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 announced that this would be Mr. Johnson's last meeting since his term ended on June 30. He said that he had started on the Zoning Commission with Mr. Johnson and had enjoyed working with him.

III. PUBLIC HEARINGS

a. #2021-09 SP – Spinnaker Real Estate Partners LLC/Coastal Lofts LLC – 8, 10 and 18 Monroe St; 2 and 4 Chestnut St; 75 and 77 South Main St – Proposed multi-building, mixed-use project to include commercial office, retail, restaurant, residential (150 units) and off-street parking uses

Mr. Schulman opened the public hearing and Mr. Schulman then explained the rules for the public hearing. He then noted that the commissioners could ask the independent reviewer any questions before the public commented. Mr. Roina recused himself at this point and left the meeting.

Matthew Edvardsen, the representative for the applicant, began the presentation with a description of the property and the proposal.

Colin Grotheer noted that the Redevelopment Agency had approved the applicant's application. He then continued with a brief overview of the proposal. He oriented the commissioners as to the location of the property on an aerial map. They would like the structure to be registered on the National Registry. He explained what would be done. He also noted how the project complied with the Plan of Conservation and Development (POCD). He

said that another Fortune 500 company would be relocating to Fairfield County. The project would provide affordable housing for the city. Mr. Grotheer noted it's proximity to the Norwalk Valley River Trail which connects Norwalk to Danbury. He also explained the outdoor area uses and compared them to similar areas at the Ironworks in SoNo as well as in a proposed area in Darien. He showed them the outside designs of several other buildings which would help the pedestrian environment. He showed them a rendering which showed the project within the neighborhood.

There was a discussion about the ventilation in the parking garage. Mr. Grotheer said it was early to discuss but did give a brief explanation of how ventilation would work. Robert Grzywacz noted that ventilation is not shown on the plans as of now but would need to be worked on. Some of the ductwork for the ventilation could take out parking spaces.

Mr. Grzywacz continued the presentation by noting that some of the design guidelines had not been met because they couldn't be met while others could but were not. He also noted some differences between this project and Ironworks.

There was a discussion about package deliveries to residents. Mr. Edvardson noted that there would be a separate package room and mail box. There would be a separate load-in and load-out area.

There was then a discussion about the use of Astro-Turf for trees in the courtyard. Mr. Grzywacz suggested using real grass but Mr. Edvardson did not think it would last long. Mr. Rains then explained the differences between the grass and Astro-Turf. There was then a discussion about a condition for site amenities being kept in good conditions.

Mr. Schulman noted that the current residents wrote letters of approval. There was a discussion about what would happen to them once the building was under construction. There was also a discussion about the current rents of some residents.

There was a discussion about the historical structures involved in the project. Mr. Grzywacz noted some further information would need to be reviewed. Mr. Edvardson said that they were meeting with a local historical consultant for help with providing more details.

There was a discussion about the process of what would happen with the consultant's memo regarding the project.

Diane Lauricella, Blue Mountain Road, noted that there were a lot of parcels that had to be put together for this project. She made some suggestions. She said she is in favor of the mixed use project but was concerned with the bulk of the project on a couple of the streets. She thought that they were rather large, similar to a New York City building. She also suggested more green infrastructure around the buildings and encouraged the commissioners to request the applicant to do so. She also had concerns about affordability.

There were no other members of the public that spoke for or against the application.

Mr. Grotheer explained that the project could reach LEED certification by the nature of the site since they were redeveloping a site and it was close to transportation. They would also improve the water quality of the area. There was a discussion as to why the applicant would not pursue LEED certification.

Mr. Kleppin noted that staff had some questions but that the applicant had addressed most of them during the presentation.

Diane Cece, Olmstead Avenue, had concerns about the height of the building and how close it was to the sidewalk. She was concerned about the setbacks.

Mr. Edvardson noted that the building across the street had a similar setback to their project.

There was a discussion adding some language in the resolution as a condition for solar panels, etc. Mr. Edvardson said that they would not want to commit to something that they could not do. Mr. Schulman said that if the applicant could provide information about the feasibility of it, they could leave it up to the Zoning Department staff.

Mr. Schulman closed the public hearing.

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

a. Action on item III. a.

I. #2021-09 SP – Spinnaker Real Estate Partners LLC/Coastal Lofts LLC – 8, 10 and 18 Monroe St; 2 and 4 Chestnut St; 75 and 77 South Main St – Proposed multi-building, mixed-use project to include commercial office, retail, restaurant, residential (150 units) and off-street parking uses

The resolution from the Redevelopment Agency was read into the record.

WHEREAS, the application was physically received by the Planning and Zoning Department on March 18, 2021;

WHEREAS, the official date of receipt of the application was April 8, 2021;

WHEREAS, the application was reviewed by the Commission on April 8, 2021;

WHEREAS, the applicant presented the applications to the Commission for public hearings on June 3, 2021 and June 23, 2021;

WHEREAS, the Commission closed the hearing on June 23, 2021;

WHEREAS, the Commission deliberated on the application on June 23, 2021;

WHEREAS, in consideration of the above, the Commission made the following findings:

WHEREAS, the proposed development is consistent with the goals of the September, 2016 South Norwalk TOD Redevelopment Plan and the 2019-2029 Citywide Plan;

WHEREAS, the applicant is seeking a special permit by preserving and restoring #8 and #18 Monroe Street to gain additional density and F.A.R. for the new development;

WHEREAS, the structure at #10 Monroe Street is an older structure, it has been modified since its original construction and lost much of its historic value;

WHEREAS, in addition to the proposed development being consistent with the goals of the September, 2016 South Norwalk TOD Redevelopment Plan and the 2019-2029 Citywide Plan, the additional density in proximity of the train station is sound planning practice and is consistent with the long term vision for the City;

WHEREAS, fifteen (15), permanently deed-restricted Workforce Housing units will be provided; in addition, a one (1) percent fee, based on residential construction cost, shall be paid to the City of Norwalk and placed into a fund to be used to construct affordable housing for individuals of lower income levels or families whose annual income does not exceed 60% of the state median income;

WHEREAS, the proposed structure complies with the Schedule Limiting Height and Bulk of Buildings in the SSDD Zone; including, compliance with the maximum front yard setback;

WHEREAS, the applicant conducted a supplemental traffic study at the request of the City;

WHEREAS, the Commission agrees with the conclusion of the applicant's traffic engineer that the project traffic will not result in an increase in traffic or result in any deterioration in the level of service;

WHEREAS, the applicant has provided the requisite number of parking and loading spaces as required by the Building Zone Regulations;

WHEREAS, the proposed plan has been reviewed and approved by WPCA; the Fire Marshal; Transportation, Mobility and Parking; and the Department of Public Works;

WHEREAS, the Commission, in conjunction with the Norwalk Redevelopment Agency, hired a third-party, architectural peer review consultant, who thoroughly analyzed the project from a design perspective and recommended approval of the plan with some additional recommendations;

WHEREAS, DeCarlo and Doll provided a report to the Commission dated June 17, 2021;

WHEREAS, the Norwalk Redevelopment Agency approved the site and building design at their June 22, 2021 meeting;

WHEREAS, the proposed project fully complies with the § 118-506.C, Lot and Building Requirements of the Building Zone Regulations; specifically with the following applicable standards;

1. By providing street-activating uses, through a pedestrian plaza;
2. The Public Realm is inviting and consistent with the Plan goals;
3. Sidewalks, exceed the minimum of ten (10) feet and are provided in all locations and contribute to the Public Realm;

**** MS. WELLS MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission, that application #2021-09 SP – Spinnaker Real Estate Partners LLC/Coastal Lofts LLC – 8, 10 and 18 Monroe St; 2 and 4 Chestnut St; 75 and 77 South Main St – Proposed multi-building, mixed-use project to include commercial office, retail, restaurant, residential (150 units) and off-street parking uses be **APPROVED**, subject to the following conditions:

1. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required erosion and sediment controls prior to the filing of the Site Plan on the Land Records; and
2. That a special permit certificate 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
3. That a consolidation map be filed on the land records prior to obtaining a zoning permit; and
4. That any outstanding CEAC signoffs shall be submitted to staff prior to the issuance of a zoning permit; and
5. That a copy of the permit issued by the Office of the State Traffic Administration (OSTA) be submitted prior to the issuance of a zoning permit and that any modifications to the approved plan, including changes requested by OSTA, be submitted for review by the Zoning Commission; and
6. That an Affordability Plan be submitted to the Corporation Counsel's office for review and approval prior to obtaining a Zoning Permit. The Affordability Plan shall be filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance; and
7. That any sidewalks provide a minimum of 5' clearance from any obstruction; and
8. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; 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 feasibility of street trees along Monroe and South Main be reviewed with the City, prior to obtaining a Zoning Permit; and
11. Site transformers shall be located as proposed on the Site Utility Plan, Sheet SE-3, prepared by Redniss & Mead; and
12. The applicant shall install rooftop solar on the principal building unless determined to be infeasible. If that is the determination a report shall be provided to the Commission prior to obtaining a building permit.
13. Retractable bollards shall be installed as indicated on the approved Site Plan; and
14. That a follow-up traffic study be submitted twelve (12) months after receipt of the certificate of occupancy; and
15. The applicant shall work with the City in undertaking improvements to Monroe Street. If approved by the Traffic Authority, the applicant shall relocate the parking spaces from the north side of Monroe Street, which abut the Police station, to the south side of the street, improving on-street parking. In addition, sidewalk repairs will be completed as part of this improvement; and
16. When the retractable bollards are raised and the entry plaza is closed to vehicular traffic the applicant shall utilize meter bags from the City of Norwalk, allocating the spaces in front of the building as temporary drop-off and loading spaces; and
17. The applicant shall also conduct a Traffic Feasibility Study for the entirety of Chestnut Street and all adjacent roadways that may be affected by the conversion of Chestnut Street to a 1-way street. Additionally, the Study should also evaluate the feasibility of converting Henry Street to a two-way roadway between South Main Street and Chestnut Street. The analysis should include on-street parking, roadway cross sections, right-of-way impacts, and identify any necessary traffic control; and
18. The proposed renovations for #8 and #18 Monroe Street conform to the State Office for Historic Preservation Guidelines and be approved by the Historic Commission; and
19. That any modifications to the approved plan be reviewed and approved by City Staff prior to implementing; and
20. That a Connecticut licensed engineer certify that all of the required improvements, including any required off-site improvements, were installed to City standards; and
21. That a surety be submitted, in an amount to be determined by Staff, to guarantee the completion and maintenance of the site plan and any and all modifications to the plan and all work required as a condition of approval under this special permit, prior to the issuance of a Certificate of Zoning Compliance; and
22. Should any building façade material become damaged or deteriorated, the applicant and future owners shall repair the damage or deterioration within thirty (30) days' notice from the City; and
23. That all signage comply with the zoning regulations; and
24. That any murals installed on the building facades comply with any applicable City policies; and
25. The building and site will be developed in accordance with the following plans:

- a. Per Zoning Site Plan and Engineering plans prepared by Redniss & Mead, dated 3/18/21, as revised to 5/26/2021.
- b. Per Landscape plans prepared by Eric Rains Landscape Architecture, dated 3/18/21, as revised to 5/26/2021.
- c. Per Architectural Floor Plans, Renderings and Elevations prepared by Beinfield Architecture dated 3/18/2021, revised to 6/3/2021.
- d. Except that, prior to obtaining a Zoning Permit, the applicant shall submit revised drawings and information on the following items, as indicated on the DeCarlo & Doll Peer Review Report:
 - i. Page 45, C.6.A Removal of landscape buffer;
 - ii. Page 45, C.7.C Tree branch clearing to 7' in height;
 - iii. Page 45, C.7.D Removal of artificial turf;
 - iv. Page 45, C.7.I Clarification on paver material and pattern;
 - v. Page 45, C.8. Information and approval of bike racks, tables, chairs and trash receptacles and their locations;
 - vi. Page 46, C.9 Exterior site lighting be reviewed with City staff for conformance to City standards, compliance with permitted light levels, allow no off-site glare and be dark sky compliant;
 - vii. Page 46, The possibility of the inclusion of street trees on Monroe and Chestnut Street be reviewed with City Staff;
 - viii. Page 47-48, Façade Composition and Components be included in the final design submitted for Zoning and Building Permits; and
 - ix. Page 48, any alterations required for compliance to the Building and/or Fire Code must be indicated on the final design submitted for Zoning and Building Permits; and
 - x. Similarly, which cause the reduction in required parking, must be indicated on the final design submitted for Zoning and Building Permits; and

BE IT FURTHER RESOLVED that the effective date of this action be July 6, 2021.

Mr. Johnson seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon and Josh Goldstein approved.

No one opposed.

No one abstained.

b. #10-17SP – Yew Street Partners –Brierwood Road – 5 unit conservation development – Request to modify previously approved plans – Report & recommended action

Before the presentation began, Mr. Roina returned to the meeting. Atty Liz Suchy explained that revised plans had been submitted to staff last week and noted that there had

been a previous approval on the project. She also thanked Mr. Johnson for his time on the Zoning Commission. She gave the commissioners a brief history of the previous approval. She discussed the site plan and changes. Mr. Schulman suggested that they could just approve the changes.

**** MR. WITHERSPOON MOVED: BE IT RESOLVED BY THE NORWALK ZONING COMMISSION** that application #10- 17SP –Yew Street Partners, LLC – Brierwood Rd – 5 unit conservation development – Request to modify previously approved plans be **APPROVED** as shown on designed plans by Joseph Chetta Designs, Norwalk, CT dated 4/25/2021, existing plans by LandTech, Westport, CT dated 12/14/17, amended to 4/3/18 remain in effect of this approval with the following (existing) conditions:

1. That all required CEAC signoffs are submitted; and
2. That all required soil and sedimentation controls be installed prior to the start of construction and maintained until the project is completed and stabilized; and
3. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
4. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation and continued maintenance of the soil and sedimentation controls; and
5. That any change to the plan will require Zoning Commission approval; and
6. That any graffiti on the site, now or in the future, be removed immediately; and 7. That a stormwater facility plan be submitted; and
8. That the conservation area be clearly marked along all edges, both where it meets the interior of the project itself and the adjacent neighbors; suggested marking 1' tall pressure treated 4" x 4" post at regular intervals; and
9. That a permanent land conservation agreement approved by Corporation Council be filed in the land records, preserving the conservation area; and
10. That the trail in the conservation area remain open to the adjoining neighbors; and
11. That additional landscaping/fencing be added to screen/buffer the project from #4 Brierwood Road; and

BE IT FURTHER RESOLVED that the reason for this approval is that the proposed project complies with the Norwalk Building Zone Regulations, 118-410 Conservation Development and section 118-1450, Special Permit; and

BE FURTHER RESOLVED that the effective date of this approval shall be July 2, 2021.

Mr. Roina seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; Richard Roina and Josh Goldstein approved.

No one opposed.

No one abstained.

c. #2021-03 SPR - 761 Main Avenue - iPARK - Proposed four (4) story, 132 unit multifamily dwelling on existing mixed-use development site – Report & recommended action

Lynne Ward introduced the project team and noted that the application was unchanged from previously presented. She briefly explained the proposal and that they were addressing comments about traffic.

Phillip Cherry, the city’s traffic consultant, explained their concerns, which were circulation and parking. They had requested additional information from the applicant. There were also concerns about a future project on Route 7 and the Merritt Parkway which would add capacity to the roadways in the area. Some of the ramps at the intersection were not ADA compliant. There was a discussion about the start of the Merritt Parkway project since it may begin as early as 2025.

Mr. Baker explained how the applicant would obtain COs from both the town of Wilton and the city of Norwalk.

There was a discussion about adding solar panels to the building. Ms. Ward noted that there were panels on iPark and would also add to the roof of the building as well. Similar language would be added to the conditions of this application’s resolution as had been added to an earlier application.

There was a discussion about the intersection on West Rocks Avenue and signal timing to improve it.

**Whereas the Norwalk Zoning Commission reviewed this application on February 4, 2021 and June 23, 2021;*

**Whereas the Norwalk Zoning Commission has received and reviewed the traffic peer review from WSP dated May 24, 2021;*

**** MR. JOHNSON MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission that application #2021-03 SPR - 761 Main Avenue - iPARK - Proposed four (4) story, 132 unit multifamily dwelling on existing mixed-use development site be **APPROVED** subject to the following conditions:

1. That the building and site will be developed in accordance with the following plans:
 - a. Per Engineered Site Plans entitled “UNO at iPARK Proposed Residential” pages (SP-0 – SP-5), including pages (SP-DET1 – SP-DET3), prepared by Pustola & Associates Consulting Engineers, PLLC., dated 12/15/20 and revised to 6/17/21;
 - b. Per architectural plans entitled “UNO at i.PARK” pages (A-002 – A-903), prepared by Paulus Sokolowski and Sartor Architecture and Engineering Connecticut, PC, dated 12/15/20 and revised to 3/19/21; and
 - c. Per landscaping and lighting plans entitled “Uno at I-Park Norwalk” and “Schematic Lighting Plan” pages (L-1 – L-4), prepared by Imbiano-Quigley Landscape Architects, dated 2/11/21; and

- d. Per the “Stormwater Management Report” prepared by David A. Hughes, PE dated 12/15/20 and revised to 2/12/21;
2. That a zoning permit shall not be issued for the construction of the multifamily building prior to the applicant obtaining building permits for the parking garage to ensure adequate parking off-street parking; and
3. That a Certificate of Zoning Compliance shall not be issued for the multifamily building prior to the applicant obtaining a certificate of occupancy for the parking garage; and
4. That a surety be submitted, in an amount to be determined by Staff, to guarantee the installation of the required erosion and sediment controls prior to the issuance of a zoning permit; and
5. That all erosion and sediment controls be installed and maintained prior to the start of any construction or site work and that additional controls be installed at the direction of the Commission’s Staff, as needed; and
6. That a final Workforce Housing Plan showing a total of fourteen (14) workforce housing units shall be submitted to Staff for review and approval and shall include deed restriction documents, architectural floor plans and a breakdown of the number of studios, one-bedroom, two-bedroom and three-bedroom workforce housing units prior to the issuance of a zoning permit; the final Plan shall be submitted for Corporation Counsel review prior to filing on the Norwalk Land Records. All such workforce housing units be deed restricted in perpetuity and meet all requirements of Section 118-1050 Workforce Housing regulations; and
7. That the recommendations provided in the traffic report peer review by WSP, dated 5/24/21, be incorporated into this approval and provided prior to the issuance of a zoning permit, including:
 - a. Revising the traffic signs; and
 - b. Providing a description and conceptual plan regarding the necessary pavement markings and signage for traffic circulation within the site; and
 - c. Providing a conceptual plan regarding the pedestrian access to/from the residential development and Main Avenue within the site; and
 - d. That the location of the handicap parking spaces be revised; and
 - e. That the existing west crosswalk crossing the site driveway entrance and the north crosswalk crossing Main Avenue be upgraded to be ADA compliant and pedestrian signals be installed where missing or non-existent; and
 - f. That a construction/phasing plan is provided to identify how construction phasing, including the need for staging, storage and lay-down areas may impact traffic circulation and parking capacity;
8. That prior to the issuance of a zoning permit, verification is provided that there are no environmental land use restrictions that prohibit the construction of the proposed development; and
9. That preliminary flood certifications for the structure and mechanical equipment, signed by a Connecticut licensed engineer or architect, are submitted prior to the issuance of a zoning permit; and
10. That final flood certifications for the structure and mechanical equipment, signed by a Connecticut licensed engineer or architect, are submitted prior to the issuance of a Certificate of Zoning Compliance; and
11. That a Connecticut licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards prior to the issuance of a Certificate of Zoning Compliance; and

12. That a surety be submitted, in an amount to be determined by Staff, to guarantee the completion and maintenance of the site plan and any and all modifications to the plan and all work required as a condition of approval under this site plan review prior to the issuance of a Certificate of Zoning Compliance; and
13. That a follow-up traffic study be submitted one (1) year after issuance of a Certificate of Zoning Compliance; and
14. That any and all conditions required by Norwalk WPCA are applicable to this approval; and
15. That any and all conditions listed in a memo dated 3/9/21 from Norwalk DPW are applicable to this approval; and
16. That any and all conditions required by Norwalk TMP are applicable to this approval; and
17. That any and all conditions required by the Norwalk Inland Wetland Agency per permit #S20-562 are applicable to this approval; and
18. That all CEAC sign-offs are submitted prior to the issuance of a zoning permit; and
19. That the stormwater maintenance plan be implemented to ensure the maintenance of the onsite drainage system; and
20. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and
21. That any revisions to the approved plans be submitted to the Zoning Commission for their review and approval; and
22. That this approval is subject to Section 118-1460 C. of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that this application complies with Section 118-522 Business No. 2 Zone, Section 118-750 Mixed-Use Developments, Section 118-1451 Site Plan Review and with all other applicable sections of the Building Zone Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the effective date of this action is July 2, 2021.

Mr. Goldstein seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; and Josh Goldstein approved.

No one opposed.

Richard Roina abstained.

d. #2021-20 R/M – Zoning Commission – Building Zone Regulation Text Amendment to create the East Norwalk Village TOD Zone (EVTZ) and to allow dwelling units and artist live/work spaces within the Industrial #1 Zone within designated areas on the map entitled “Designated I1 Properties for Residential Units in East Norwalk” by special permit in conjunction with a Building Zone Map Amendment to create the EVTZ – Preliminary review

Mr. Kleppin began the presentation by showing the commissioners a map of the East Norwalk area. He explained the current zoning and what they would be re-zoned to. He showed them the bulk and height schedule and discussed a change to it. He highlighted some

changes since the last time that the commissioners had seen it. There were changes to parking requirements and amenity schedule. He discussed some ideas about solar and geothermal and how they could provide energy in a smaller area. There was also a discussion about selling energy back to the electric company for the power grid. Mr. Kleppin noted that there would be a public hearing in September at which he hoped to hear from the public as well as developers. He noted that he had not made changes to the design guidelines. It would be on the Zoning Commission agenda in July and then would be referred to the appropriate agencies after that.

V. REVIEW AND ACTION ON NEW APPLICATIONS

a. #2021-22 CAM - 8 Sunwich Road – Demolish existing single family and reconstruct new single family residence – Report & recommended action

This item has been removed from the agenda. The item would be on the July Zoning Commission agenda.

b. #2021-23 SPR – M.F. DiScala & Co. - 295 Westport Avenue – Proposed Jimmy John’s Restaurant within existing commercial building – Report & recommended action

This item has been removed from the agenda. The item would be on the July Zoning Commission agenda.

c. #2021-24 - 70 North Main Street - Live music request for Ipanema Restaurant – Report & recommended action

There was a discussion about the sound levels increasing which was a concern. It was noted that this was a one floor building and no residences nearby. The commissioners agreed that after the past year, having live music would help these businesses.

**** MS. WELLS MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission that application #2021-24 – 70 North Main Street – Live music request for Ipanema Restaurant be **APPROVED** subject to the following conditions:

1. That all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises; and

2. That the recommendations provided in the sound report by Kevin Peterson of SH Acoustics, dated June 3rd, 2021 are applicable to this application; and

3. That this approval is subject to compliance with Norwalk City Ordinance Chapter 68: Noise; and

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4. That this approval is subject to Section 118-1460 of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is July 2, 2021.

Mr. Roina seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; Richard Roina and Josh Goldstein approved.

No one opposed.

No one abstained.

d. #2021-25 - 86 Washington Street – Live music request for Tablao Wine Bar – Report & recommended action

There was a discussion about the sound levels which would be increasing at this restaurant as well as the one next to it. Some commissioners felt that increased sound levels from live music should be expected by residents in this neighborhood. It would help the businesses in the area.

*** MR. GOLDSTEIN MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission that application #2021-25 - 86 Washington Street – Live music request for Tablao Wine Bar be **APPROVED** subject to the following conditions:

1. That all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises; and
2. That the recommendations provided in the sound report by David Greenberg of Creative Acoustics, dated June 13, 2021 are applicable to this application; and
3. That this approval is subject to compliance with Norwalk City Ordinance Chapter 68: Noise; and
4. That this approval is subject to Section 118-1460 of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is July 2, 2021.

Mr. Witherspoon seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; Richard Roina and Josh Goldstein approved.

No one opposed.

No one abstained.

e. #2021-26 - 88 Washington Street – Live music request for Public Wine Bar – Report & recommended action

*** MR. ROINA MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission that application #2021-26 - 88 Washington Street – Live music request for Public Wine Bar be **APPROVED** subject to the following conditions:

1. That all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises; and
2. That the recommendations provided in the sound report by David Greenberg of Creative Acoustics, dated June 12, 2021 are applicable to this application; and
3. That this approval is subject to compliance with Norwalk City Ordinance Chapter 68: Noise; and
4. That this approval is subject to Section 118-1460 of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is July 2, 2021.

Mr. Kantor seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; Richard Roina and Josh Goldstein approved.

No one opposed.

No one abstained.

f. #2021-27 – 128 Washington Street – Live music request for Saltwater Restaurant and Bar – Report & recommended action

*** MR. ROINA MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission that application #2021-27 - 128 Washington Street – Live music request for Saltwater Restaurant and Bar be **APPROVED** subject to the following conditions:

1. That all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises; and
2. That the recommendations provided in the sound report by David Greenberg of Creative Acoustics, dated June 14, 2021 are applicable to this application; and
3. That this approval is subject to compliance with Norwalk City Ordinance Chapter 68: Noise; and
4. That this approval is subject to Section 118-1460 of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is July 2, 2021.

Mr. Witherspoon seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; Richard Roina and Josh Goldstein approved.

No one opposed.

No one abstained.

VI. DISCUSSION OF OTHER ITEMS

a. Status report on the Industrial zones study, zoning regulations rewrite and South Norwalk TOD study

Mr. Kleppin explained that the consultants on the industrial zones study had sent additional recommendations to the committee, and that the contract had been signed for adding the waterfront to this study.

The consultants for the zoning regulations rewrite would be setting up meetings with the Zoning commissioners in July. The first meeting with the public would be at the end of July on Zoom. There would be more meetings in September which would be in person, unless there were any restrictions from the state.

b. Discussion of merging the Planning & Zoning Commissions

Mr. Schulman noted that everyone should have seen the proposed language for the merging of the Planning and Zoning Commissions from the Ordinance Committee. There would also be a hearing in July as well as a public hearing in September. The merger would not be implemented until January 2022. Mr. Schulman asked the commissioners if they wanted to speak individually. There was a discussion about term limits and what they ought to be. He also explained that there is no guarantee that any commissioners would remain on the combined commission. Mr. Schulman said his only concern was that he did not want the combined commission to be too large. There was a discussion about the Capital Budget process. Some commissioners did not feel they should weigh in on the decision.

c. Discussion of moratorium on self-storage and distribution center uses in the Industrial zones

Mr. Kleppin said that there had been concerns about the Norden distribution Center application. He thought that it would be a good time to review self-storage and distribution centers. The language for the moratorium would come from the language used for contractor's yards. At this point, they would study where to put these facilities in the city. There was a discussion as to why there was an increased demand. He then showed them revised language in the regulations that the commissioners could approve.

VII. APPROVAL OF MINUTES: June 3, 2021

**** MR. GOLDSTEIN MOVED to approve the June 3, 2021 meeting minutes.**

Mr. Johnson seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; and Josh Goldstein approved.

No one opposed.

Richard Roina abstained.

VIII. COMMENTS OF DIRECTOR

Mr. Schulman asked if the Zoning Commission should attend the opening of a new apartment complex but Mr. Kleppin said that it had already happened.

Mr. Kleppin said that he had no other comments.

Mr. Baker showed them a letter from the Planning Commission, asking the Zoning Commission to begin writing regulations about accessory units. He explained the differences between Norwalk's regulations and the state's new regulations. There were concerns about separate dwellings for accessory units on residential properties. Mr. Kleppin suggested a joint session of the two commissions to develop the regulations. Mr. Schulman asked if staff could find out what other towns/cities were doing for this. Mr. Baker noted that revising the regulations did not have to be done until 2023. Mr. Kleppin said this could be something done by the combined Planning/Zoning Commission in that case.

IX. COMMENTS OF COMMISSIONERS

Mr. Kantor thanked Mr. Kleppin for the memo on rental properties vs. condos. Mr. Kleppin said the staff would be gathering more information about how it affected city services.

Everyone said their good-byes to Mr. Johnson and he wished everyone well.

X. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.

Mr. Witherspoon seconded.

Louis Schulman; Rod Johnson; Galen Wells; Nick Kantor; Mike Witherspoon; Richard Roina and Josh Goldstein approved.

No one opposed.

No one abstained.

The meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Zoning Commission

June 23, 2021

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Diana Palmentiero