

**CITY OF NORWALK
ZONING COMMISSION
September 2, 2021**

- PRESENT:** Louis Schulman, Chair; Richard Roina; Marcela Sapone; Josh Goldstein; Galen Wells; Frank Mancini (arrived at 6:20 pm)
- STAFF:** Steve Kleppin (left the meeting but returned at approximately 7:35 pm); Bryan Baker
- OTHERS:** Hiram Peck; Martin Vertucci; Atty David Waters;

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 discussed the rules for the public hearings.

III. PUBLIC HEARINGS

a. #2021-18 R/SPR/CAM – 25 Van Zant Street Condominium - 25 Van Zant Street – Building zone text amendment to create a “vocational/trade (workforce training center) school” use and to allow the use as a principal use in the Industrial #1 Zone in conjunction with a proposed vocational/trade school within an existing structure

Mr. Schulman opened the public hearing. Ms. Wells recused herself from this public hearing. Mr. Peck began the presentation by noting that they had been before the Zoning Commission previously. They would accept the proposed definition of “trade school” as drafted by the Zoning Department staff. He also noted that there was an addition to it. He gave a description of the building. He said they had submitted a traffic study which would be reviewed by their traffic engineer. They would address the Zoning Commissioners’ concerns. Additional parking spaces had been added. They would also discuss the parking easement and that he would send it to the Zoning Department staff the following day. He also noted they had received a letter from TMP and were working through those issues. They had also received comments from DPW and would address the issues fully. They had received the approval from the Planning Commission and is part of the record. DEP also approved this application.

There was a discussion about the late responses from the applicant as well as TMP. Mr. Schulman suggested that the applicant wait until the next meeting since they had received comments from DPW very late.

There was a brief delay as the commissioners waited for Mr. Roina to return to the meeting due to problems with Zoom.

Mark Vertucci, the traffic engineer, continued the presentation with a description of the building. He then described the shared parking analysis. He explained the analysis and how they obtained the number of parking spaces required.

Mr. Roina said he would like to see a presentation about the State of Ct easement. He asked about the copy of the easement being sent to the Zoning Department staff. He said he would like to vote not based upon a representation as to the easement.

There was a discussion about the additional 90 parking spaces and additional leasable area. The commissioners decided to hold this public hearing open until they had received comments from the applicant on the TMP letter. They wanted to receive the answers in less than 2 weeks so that they could have it before their next meeting. Mr. Peck suggested waiting for 4 weeks and would work with Mr. Kleppin on setting a new date.

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

a. Action on item III. a.

This item was being held open. A new date would be set with the applicant and Mr. Kleppin. Mr. Schulman did not want to approve the text amendment until he was certain that the project was going forward.

b. #2021-33 M/R/SP – Merritt Station Norwalk, LLC – 67, 69, 79, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue and 2 Oakwood Avenue (North 7) – Zone map amendment to change zones from AAA Residence and Business #2 to Executive Office, zoning regulation text amendment to create a definition for “Executive Office Development Park” and to permit the new use in the Executive Office zone by special permit in conjunction with a special permit application for an Executive Office Development Park containing 1,303 dwelling units and 27,865sf of retail within seven buildings ranging from five (5) to fifteen (15) stories – Report & recommended action

Mr. Schulman introduced the application. Atty Waters began the presentation by orienting the commissioners as to the location of the property on an aerial map. He explained the three applications which included Zone changes from residential to Executive Office zone. He then noted that the next application was for the approval of a Master Plan under a Special Permit. Each of the buildings would come before the commission for review. He explained the different types of buildings in the area. He noted that Route 7 is next to the area. He also discussed the Norwalk River Valley Trail. He then described the draft of the Master Plan which the applicant had presented last year. He also described the height of the buildings, some of

which had parking within them. He discussed Neighborhood 1 which included a staircase to the Merritt 7 Office Park. There would not be any destination retail, but rather, coffee shops, dry cleaners and supportive of the neighborhood. There may be some restaurants. He described Neighborhood 2. He discussed the modifications made to the plan including changes to parking, more open space and more retail spaces. There was a discussion about the possibility of office space. Atty Waters said this project was primarily residential and supportive retail. The applicant saw this as a complimentary use to the office space at Merritt 7 and the Towers.

There was a discussion about the state becoming involved due to the size of the project especially with concerns about traffic at the Merritt Parkway. Atty Waters said that they are working with the governor and the state because the governor understands the importance of them to the local and state economy. They also recognize the importance of these class A office buildings. Corporations are looking for buildings where employees can live and work in the same neighborhood. However, he also noted that the governor is looking at projects that do have approvals and are ready to be built. Atty Waters said that improvements to the Merritt Parkway and Route 7 in this area would begin in 2025. He then showed the commissioners where retail would be located on the site plan. He noted that the other side of the street was the train station.

Atty Waters continued the presentation by explaining the applicant's meetings with the Zoning Department staff and DeCarlo and Doll. They suggested raising the height of one of the buildings to become a signature building. Atty Waters was not convinced of that for the city.

There was then a discussion about the traffic on the site. Atty Waters noted that the Zoning Department had discussed phasing this project. He also noted that there were 3 projects in the area, one of them being the completion of the train station in 2022. The second project was the Merritt Parkway interchange as well as where Route 7 and Glover Avenue meet. This is slated to start in 2025. The last project was where Route 7 and Glover Avenue meet Grist Mill. Atty Waters said they had been working on it for several years with the state. There is no date yet to start.

Atty Waters then explained the phasing of the construction of the buildings. They submitted a report to the Zoning Department staff about traffic for Phase 1 which he summarized for the commissioners. The staff was still reviewing it.

Mr. Kleppin had left the meeting and returned to the meeting at 7:35 pm.

There was a discussion about the improvements to Grist Mill and Glover Avenue. There was also a discussion about the open space available for community use. Mr. Schulman asked if there could be more eco-friendly development, although it was a bit early in the development. He suggested working with state senators and representatives on this. There was a discussion about new consumers and net zero projects.

Mr. Kleppin spoke about traffic components and the phasing of the project. He discussed the taller tower that had been proposed. There was a discussion about the next steps as well as a further discussion of the re-design of some of the buildings, including making one taller than 15 stories.

Atty Waters noted the other studies that are part of the application. Ms. Sapone would receive some of the original documents that had been submitted last year since she had not been on the Zoning Commission at that time. Mr. Kleppin explained the next steps for this application which included a joint public hearing with the Planning Commission.

V. REVIEW AND ACTION ON NEW APPLICATIONS

a. #2021-34 Modification - 149 Westport Avenue – Modification to existing special permit #14-08 to allow for seasonal tent sales for Leslie’s Pools – Report & recommended action

Mr. Schulman opened the presentation. Mr. Baker noted that TMP and Fire Marshall have agreed with the modifications to allow for seasonal tent sales. He said that it would be yearly, in September. This approval would allow them to continue to do this every year.

*** MR. MANCINI MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission that application #2021-34 – Gibraltar, LLC – 149 Westport Avenue – Modification to existing special permit #14-08 to allow for seasonal tent sales for Leslie’s Pools be **APPROVED** subject to the following conditions:

1. That the tent will be located as shown on the following:
 - a. Map entitled “#2021-34 – Leslie’s Pools Tent Sales Area” dated 8/27/2021; and
2. That the duration of the sales tent is limited to 9/15/21 to 9/29/21 and then to 9/1 to 9/15 in the following years, not to exceed two-weeks per calendar year; and
3. That a zoning permit must be obtained prior to the installation of the tent each year; and
4. That a building permit must be obtained prior to the installation of the tent each year; and
5. That signage must comply with the Norwalk Building Zone Regulations; and
6. 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 all applicable sections of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is September 10, 2021.

Ms. Wells seconded.

Louis Schulman; Richard Roina; Marcela Sapone; Josh Goldstein; Galen Wells; Frank Mancini 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

Zoning Regulations - Mr. Kleppin said that public hearings would start in 2 weeks. The information would be in a flyer to the public the following week.

Industrial Zones Study - Mr. Kleppin said that the committee had met the previous week and had made several changes to it. It should be done next week.

South Norwalk TOD Study - Mr. Kleppin said that the waterfront study had begun. Tours of the waterfront had started as well as interviews with business owners and different groups. The committee will meet in a few weeks.

b. Discussion of merging the Planning & Zoning Commissions

Mr. Kleppin had nothing new to report.

VII. APPROVAL OF MINUTES: August 18, 2021

**** MR. GOLDSTEIN MOVED to approve the August 18, 2021 meeting minutes.**

Ms. Wells seconded.

Richard Roina; Marcela Sapone; Josh Goldstein; Galen Wells approved.

No one opposed.

Louis Schulman and Frank Mancini abstained.

VIII. COMMENTS OF DIRECTOR

Mr. Kleppin explained that the recent joint Planning and Zoning Commission meeting was cancelled. He said they would have to reschedule for later in September. He would send out the dates to the commissioners.

IX. COMMENTS OF COMMISSIONERS

They asked what the items would be on the next Zoning Commission agenda. Mr. Roina said he hoped that the applicant for Van Zant Street would submit a complete application.

X. ADJOURNMENT

Ms. Sapone made a Motion to Adjourn.

Mr. Roina seconded.

Louis Schulman; Richard Roina; Marcela Sapone; Josh Goldstein; Galen Wells;

Frank Mancini approved.

No one opposed.

No one abstained.

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Diana Palmentiero