

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

Wednesday - July 16, 2008 – 7:45 PM

P&Z Conference Room – City Hall

DRAFT COPY OF REVISED MEETING MINUTES

PRESENT: Torgny Astrom, Chair , Frances DiMeglio, Victor Cavallo, Joel Zaremby, Don Nelson and Steven Ferguson, Walter Briggs

STAFF: Michael Wrinn, Adam Carsen

OTHERS: John Bove, Dean Martin, Ronald Kellogg, Brian Thompson, Howard Berger, Oscar Berihona, Mr. & Mrs. Skeen

I. CALL TO ORDER: Mr. Astrom called the meeting to order at 8:14

II. ROLL CALL: Mr. Wrinn read Roll Call

III. PUBLIC HEARINGS: Mr. Briggs read public notice.

a. Subdivision #3611 – MacDow – 8 Charcoal Road – 2 Lots

Atty. John Bove represented applicant Chester MacDow and submitted receipts from notifying neighbors. Received 6 of 7 that were mailed and he stated that one receipt was sent 3 times to no avail. He explained the entire application including complete drainage plans to Commission. Atty. Bove mentioned that the drainage plans exceed City requirements and they are allowing for neighbors to connect at their discretion at any time they are interested.

Ron Kellogg, land use consultant for applicant reiterated the WPC agreement between users and City of Norwalk stating that it is a private line and will be maintained by owner and the only monetary contribution expected would be if other homeowner tied into line they would be responsible for their portion of overall expense. A discussion followed, with Mr. Wrinn saying he would confirm with DPW if indeed the applicants were allowed to charge for any connections into this line.

Oscar Berihona, a neighbor stated that he had issues with application, i.e. traffic issues. Howard Berger, another neighbor stated that he hadn't heard of some of these issues and asked specific details regarding connecting or not connecting. He was concerned as to whether applicant considered distances between houses and that perhaps putting another home or two would change the character of neighborhood. Another concern was storm drains, repeated flooding, traffic and diameter of turn-around.

Atty. Bove rebutted, addressing concerns of both neighbors. He also stated that he had already received all necessary sign offs from other City departments. He said that the sewer line will always be a private line and applicant would enter into agreement by bond with the City and anyone tying into line will be allowed to connect considering that they share in maintenance upkeep of line. Ron Kellogg stated again that neighbors could continue with their own septic system with no fees and no charges or tie-in at any time and maintenance fees would be pro-rated. Neighbors would be responsible for certain personal expenses to connect.

This hearing was closed at 8:40PM

b. Subdivision # 3612 – 129 East Rocks Road – Gulick Assoc. LLC – 2 Lots

Dean Martin, Engineer from Grumman Engineering discussed the 2 ½ acre parcels. He described in detail on an illustrated site plan the full proposal. He stated that he received all approvals from all pertinent City departments. He discussed the two 8 ft. retaining walls and the drainage flow on the site.

Chairman asked if anyone from the public wished to speak.

Mrs. Skeen, a neighbor spoke against the project stating that numerous trees were sacrificed and she thought that this would interfere with the natural flow of water and cause her property to flood. Mr. Robert Bradley, also a neighbor stated that his property would not be impacted by this project – he lived down and across from lots but that he was concerned for the Skeen’s property.

Dean Martin spoke to the neighbor’s concerns and this public hearing was closed at 8:50pm.

IV. REPORT OF SUBDIVISION COMMITTEE – Chair

a. Action on Items III (a) and (b)

MR. BRIGGS SO MOVED THAT BOTH SUBDIVISIONS #3611- MacDOW – 8 CHARCOAL ROAD AND SUBDIVISION #3612 – 129 EAST ROCKS ROAD – GULICK ASSOC. LLC – 2 LOTS BE REFERRED BACK TO COMMITTEE. MR. FERGUSON SECONDED. MOTION CARRIED.

b. Action on Subdivision # 3609 – 17 Valley Road – Keith Lyon – 2 lots

MR. BRIGGS SO MOVED THAT SUBDIVISION # 3609 - 17 VALLEY ROAD - KEITH LYON – 2 LOTS BE REFERRED BACK TO COMMITTEE MR. ASTROM SECONDED THE MOTION

c. Action on Subdivision # 3610 28 Orlando Road – Trust of Ida Giovagnoli – 2 Lots

MR BRIGGS SO MOVED THAT SUBDIVISION # 3610 - 28 ORLANDO ROAD – 2 LOTS BE REFERRED BACK TO COMMITTEE, MR. ASTROM SECONDED. MOTION CARRIED.

V. REPORT OF LAND USE COMMITTEE

Referrals – Report & recommendation

a. Zoning Commission referral - #3-08R – Glazer Construction – Proposed amendments to Section 118-530 Rowayton Avenue Village District regarding public access requirements, FAR and number of stories.

MS. DiMEGLIO MOVED TO ACCEPT RESOLUTION: BE IT FURTHER RESOLVED THAT THE PROPOSED AMENDMENT TO THE BUILDING ZONE REGULATIONS AS SHOWN ON A CERTAIN DOCUMENT ENTITLED “#3-08R – GLAZER CONSTRUCTION – PROPOSED AMENDMENT TO SECTION 118-530 ROWAYTON AVENUE VILLAGE DISTRICT TO AMEND PUBLIC ACCESS REQUIREMENTS, FAR AND NUMBER OF STORIES” AND DATED JUNE 12, 2008, BE APPROVED;

BE IT FURTHER RESOLVED THAT THE REASON FOR THIS ACTION IS:

1) TO IMPLEMENT THE PLAN OF CONSERVATION & DEVELOPMENT GOAL TO “MAINTAIN & EXPAND VILLAGE DISTRICTS TO PRESERVE THE CHARACTER OF THE DISTRICTS, TO IMPROVE THE DESIGN OF BUILDINGS AND THEIR RELATIONSHIP TO THE STREETScape, AND TO PROTECT RESOURCES OF HISTORICAL AND ARCHITECTURAL SIGNIFICANCE ...”F.4.1.5 P.43): AND

2) TO IMPLEMENT THE PLAN OF CONSERVATION & DEVELOPMENT GOAL TO “ENCOURAGE PUBLIC WALKWAYS AS PART OF DEVELOPMENTS ALONG THE NORWALK AND FIVE MILE RIVERS AND THEIR HARBORS, CONSISTENT WITH CONNECTICUT COASTAL MANAGEMENT ACT WATER-DEPENDENT USE CRITERIA” (C.1.1., P.24); AND

3) TO ENCOURAGE NEW DEVELOPMENT THAT MAINTAINS THE UNIQUE CHARACTER OF THE ROWAYTON AVENUE VILLAGE DISTRICT; AND

BE IT FURTHER RESOLVED THAT NOTICE OF THIS ACTION BE FORWARDED TO THE NORWALK ZONING COMMISSION.

MR. BRIGGS SECONDED. MOTION CARRIED UNANIMOUSLY.

b. ZONING COMMISSION REFERRAL -#5-08R – ZONING COMMISSION – PROPOSED AMENDMENTS TO

**ARTICLE 100 REGARDING DISTANCE BETWEEN
PACKAGE STORES**

After discussion between staff and Commission

MS. DiMEGLIO MOVED TO DENY PROPOSED AMENDMENTS TO ARTICLE 100 REGARDING DISTANCE BETWEEN PACKAGE STORES BECAUSE THEY SAW NO COMPELLING REASONS FOR THE PROPOSED AMENDMENT. MR. BRIGGS SECONDED. MR. ZAREMBY ABSTAINED. MOTION CARRIED.

**c. ZONING COMMISSION REFERRAL - #7-08R – Q
PROPERTIES LLC – 350 ELY AVENUE – PROPOSED
AMENDMENTS TO RESTRICTED INDUSTRIAL ZONE
TO ADD COMMERCIAL RECREATION FACILITY AS A
NEW SPECIAL PERMIT USE**

**MS. DiMEGLIO MOVED TO APPROVE BE IT FURTHER
RESOLVED THAT THE PROPOSED AMENDMENT TO THE
BUILDING ZONE REGULATIONS AS SHOWN ON A CERTAIN
DOCUMENT ENTITLED “#7-08R – Q PROPERTIES LLC –
PROPOSED AMENDMENTS TO SECTION 118-711 RESTRICTED
INDUSTRIAL ZONE TO ADD COMMERCIAL RECREATION
ESTABLISHMENTS AS A SPECIAL PERMIT USE” AND DATED
JUNE 19, 2008, BE APPROVED.**

**BE IF FURTHER RESOLVED THAT THE REASONS FOR THIS
ACTION ARE:**

- 1. To implement the Plan of Conservation and Development goal to
“Update Restricted Industrial Zones, Industrial 1 Zones, and
Industrial 2 Zones, to allow on a case-by-case basis certain**

types of office and multifamily residential uses, to reflect current economic trends in Norwalk provided they are compatible with the surrounding neighborhoods (A.5.1.1p.13); and

2. To implement the Plan of Conservation and Development goal to “Encourage diversity in commerce and industry” (A.1.1.2.p.10); and

BE IT FURTHER RESOLVED THAT NOTICE OF THIS ACTION BE FORWARDED TO THE NORWALK ZONING COMMISSION.

MR. BRIGGS SECONDED AND MR. FERGUSON ABSTAINED. MOTION CARRIED.

**d. DEP/USACE REFERRAL – CALF PASTURE ISLAND –
MODIFY AN EXISTING FLOATING DOCK AND INSTALL
3 TIMBER PILES**

MS. DiMEGLIO MOVED TO APPROVE THE MODIFICATION FOR THE EXISTING FLOATING DOCK AND INSTALLATION OF 3 PILES. MR. FERGUSON SECONDED. ALL IN FAVOR.

VI. APPOINTMENT OF NOMINATING COMMITTEE – ELECTION OF OFFICERS

Steven Ferguson, Frances DiMeglio and Joel Zaremby were selected as the nominating committee. Mr. Ferguson was appointed the Chair of that Committee.

VII. APPOINTMENT OF SWRPA REPRESENTATIVE

Committee needs a description of actual position and a meeting schedule before they can commit, which staff will forward to them.

VIII. APPROVAL OF MINUTES: June 10, 2008

Ms. DiMEGLIO moved to accept minutes and Mr. Astrom seconded. Joel Zaremby and Victor Cavallo abstained

IX. COMMENTS OF THE ASSISTANT DIRECTOR - NONE

X. COMMENTS OF COMMISSIONERS – New members were welcomed

XI. COMMENTS FROM SWRPA – NONE

XII. ADJOURNMENT: Mr. Briggs moved to adjourn the meeting and Mr. Ferguson seconded. All in favor. Meeting adjourned 9:18 p.m.

XIII. FUTURE MEETINGS

Subd. Committee	- Aug. 12 – 7:30 p.m. – P&Z Conf Room
Land Use Committee	- Aug. 12 – 7:35 p.m. – P&Z Conf Room
Planning Commission	- Aug 12 – 8:00 p.m. - P&Z Conf Room

Respectfully Submitted

Pamela Ballard

