

**ZONING COMMISSION MINUTES**

**CITY OF NORWALK  
ZONING COMMISSION  
FEBRUARY 20, 2008**

**I. CALL TO ORDER**

Ms. Lightfield called the meeting to order at 7:30 pm.

**II. ROLL CALL**

Mr. Greene took the roll call.

**PRESENT:** Jackie Lightfield, Chair; John Tobin; Larry Bentley; James White; Robert Hard; Andrea Light

**STAFF:** Adam Carsen; Mike Greene

**III. REPORT OF PLAN REVIEW COMMITTEE, JAMES WHITE, CHAIR**

a) #9-07 SPR—166 Glover Avenue, LLC—166 Glover Avenue—Addition of health club—Report and recommendation

**\*\* MR. WHITE MOVED TO DENY: RESOLVED** by the Norwalk Zoning Commission that application #9-07 SPR, submitted by 166 Glover Avenue LLC for a fitness facility as shown on submitted plans prepared by CPG Architects be **DENIED** for the following reasons:

1. That this proposal in its entirety is a modification of the previous approval of the Zoning Commission without an application to modify that approval and therefore it does not comply with Section 118-1451 B (11); and
2. That the application as submitted and advertised is a health care facility as defined in the Zoning regulations in Section 118-100. A health care facility is not an allowed use in this zone so the proposal does not comply with Section 118-503 and 118-1451 B (4) of the Zoning Regulations; and
3. That the application does not comply with Section 118-1450, Special Permit of the Zoning Regulations, which is required for an application of this size; and
4. That the request to redact information would invalidate the legal notice and therefore the application would not comply with Connecticut General Statutes 8-7d or Section 118-1451 B (7) of the Zoning Regulations; and
5. That the application was unclear as to the square footage of each use which is required to determine the parking requirement in Section 118-1220 and traffic impact in Section 118-1451 C (1) and (6); and

6. That the expert testimony of a Professional Engineer traffic consultant pointing to adverse impacts as defined in 118-1451 C (1) and (6) was credible to the Zoning Commission; and
7. That the site plan, when taken in its entirety does not comply with Section 118-503, 118-1220, 118-1450 and 118-1451 of the Zoning Regulations.

\*\* MS. LIGHT SECONDED.  
\*\* MOTION WAS DENIED UNANIMOUSLY.

The Commission discussed briefly the problems it found with the proposal.

b) #7-04 SPR/#27 CAM—Maritime Place Parcel #3, LLC—31-37 Ann St/25-99 North Water St-- 275,000 sq ft mixed use development w/ 197 multifamily units in 3 new bldgs—Request for release of surety to maintenance surety—report & recommendation

\*\* MR. WHITE MOVED TO APPROVE: RESOLVED that surety held for site plan application #7-04 SPR and coastal site plan application #27-04 CAM; Maritime Place Parcel #3, LLC—31-37 Ann St/25-99 North Water St—275,000sq ft mixed use development be released, as all the required improvements have been installed and are in satisfactory condition; and

BE IT FURTHER RESOLVED that a maintenance surety be held for a period of one year to ensure that all the improvements are maintained.

BE IT FURTHER RESOLVED that the effective date of this action be February 29, 2008.

\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.

c) #4-01 SPR—35 Glover Partners, LLC—35 Glover Avenue—Release of surety held for traffic signal—report & recommendation

\*\* MR. WHITE MOVED TO APPROVE: RESOLVED that the surety held on #4-01 SPR, 35 Glover Partners, LLC, for the possible installation of a traffic light at the Oakwood Avenue/ Glover Avenue intersection be released, in accordance with condition #7 of the approval, as the Department of Public Works has confirmed that there is no warrant for the proposed said light; and

BE IT FURTHER RESOLVED that this resolution is effective February 29, 2008.

\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.

d) DEP/USACE Referral—20 Point Road—Maintain seawall, install pier with beach access with stairs—Report & recommendation

\*\* MR. WHITE MOVED TO APPROVE: RESOLVED that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200700210-TS—20 Point Road—Permit to install fixed pier, dock lift, and stairway to the beach area; and

BE IT FURTHER RESOLVED that the stairs giving access to beach or other areas waterward of the high tide line should be constructed on private property and not in the public domain.

\*\* MR. HARD SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

e) DEP/USACE Referral—18 Rocky Point Road—Install a stairway—Report & recommendation

\*\* MR. WHITE MOVED: RESOLVED that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200700953-KB—18 Rocky Point Road—Permit to install a new stairway; and

BE IT FURTHER RESOLVED that, stairways giving access to beach or other areas waterward of the high tide line should be constructed on private property and not in the public domain.

\*\* MR. BENTLEY SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

f) #01-08MV—Magg's Auto Collision LLC—76 Connecticut Avenue—Replacement MV repairer—Report & recommendation

\*\* MR. WHITE MOVED TO APPROVE: RESOLVED that application #01-08MV, submitted by Magg's Auto Collision, LLC, Norwalk, CT for auto body and repair at 76 Connecticut Avenue, as shown on plans by Dennis A. Delius, Land surveyor, License No. 6396, Norwalk, CT, dated November 1, 2007, revised by Staff on February 6, 2008 be APPROVED with the following conditions:

1. That a surety be submitted to guarantee the installation of the required landscaping and erosion controls; and
2. That all soil and erosion controls be in place and verified by an inspection by Staff prior to the start of any work on the site; and
3. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
4. That any graffiti on the site, now or in the future, be removed immediately; and
5. That all signage, existing and proposed, comply with the zoning regulations; and
6. That any modification by any other agency which requires a substantial change to these plans be submitted to the Zoning Commission for review and approval; and
7. That any changes to the plan be reviewed and approved by staff prior to those changes

being implemented; and

8. That all repairs are to be conducted within the building; and

9. That there be no outdoor storage of parts or auto carcasses; and

10. That there be no on-street storage of vehicles; and

11. That there be no commercial towing / storage operation conducted on the site; and

12. BE IT FURTHER RESOLVED that the effective date of this approval shall be February 29, 2008.

\*\* MR. BENTLEY SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

#### IV. APPROVAL OF MINUTES: January 16, 2008

\*\* MS. LIGHTFIELD MOVED TO APPROVE THE MINUTES AS AMENDED.

\*\* MS. LIGHT SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

#### V. COMMENTS OF DIRECTOR

Mr. Greene stated that the annual report was in the packet.

#### VI. COMMENTS OF COMMISSIONERS

Ms. Lightfield stated that the staff must approve all Glover Avenue information.

#### VII. ADJOURNMENT

\*\* MS. LIGHTFIELD MOVED TO ADJOURN.

\*\* MS. LIGHT SECONDED.

\*\* MOTON PASSED UNANIMOUSLY.

The meeting was adjourned at 7:41 pm.

Respectfully submitted by Charlene Smith