

**CITY OF NORWALK
ZONING COMMISSION
January 19, 2011**

PRESENT: Joseph Santo, Chair; Robert Keyes; David McCarthy; Michael Mushak (arrived after the roll call); Emily Wilson; Adam Blank; Michael O'Reilly; Robert Hard

STAFF: Michael Greene; Adam Carsen

I. CALL TO ORDER

Joseph Santo called the meeting to order at 7:30 p.m.

II. ROLL CALL

Mr. Greene took the roll call.

III. REPORT OF PLAN REVIEW COMMITTEE, EMILY WILSON, ACTING AS CHAIR

- a. **#1-09SP/#1-09CAM – TR SoNo Partners – 43-47 South Main St – 121 room hotel with 7,764 sq ft office & 70 space indoor valet parking garage – Request for 1 year extension of approval time – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that the request for a one year extension of time for special permit application #1-09SP and coastal site plan application #1-09CAM by TR Sono Partners, LLC – 43 - 47 South Main Street for a 121 room hotel with 7,764 square feet office and 70 space indoor valet parking garage in a new building as shown on a set of plans entitled "SoNo Hotel, South Main Street, South Norwalk, CT." by Beinfield Architecture, PC; Wesley Stout Associates; Cabezas-DeAngelis, LLC and other related plans dated October 29, 2008 as revised to March 30, 2009 be APPROVED, subject to the following conditions:**

1. **That the original conditions of approval remain in effect; and**
2. **That the new approval deadline for obtaining permits will be April 24, 2012; and**

BE IT FURTHER RESOLVED that the effective date of this action be January 28, 2011.

**** MR. MCCARTHY SECONDED.
** MOTION PASSED UNANIMOUSLY**

- b. **#19-05SP – St. George Greek Orthodox Church – 238 West Rocks Road – 21,000 sq ft community center – Request for 1 year extension of approval time – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that Special Permit application # 19-05, St. George Greek Orthodox Church at 238 West Rocks Road be granted a one year extension of the approval time for the construction of a church community center; and**

BE IT FURTHER RESOLVED that the new deadline is February 24, 2012.

**** MR. MCCARTHY SECONDED.
** MOTION PASSED UNANIMOUSLY**

- c. **#30-10CAM – Church Without Walls Ministry – 16 Isaacs Street – Church in existing building - Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that application #30-10 CAM, submitted by Church Without Walls Ministry, for reuse of space at 16 Isaacs Street for a church be APPROVED with the following conditions:**

- 1. That all required departmental signoffs are submitted; and**
- 2. That any graffiti placed on the building be removed immediately; and**

BE IT FURTHER RESOLVED that the 20 parking spaces are covered under Section 118-1220 L, 1, which states that no parking spaces are required for a change in use within an existing structure; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable Coastal and Resource policies and no adverse impacts are anticipated; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 28, 2011.

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY**

- d. #12-05SP/#25-05CAM – Norwalk Yacht Club – 10 Nathan Hale Road – Addition & alterations to existing waterfront club - Conditions of approval – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED by the Zoning Commission that Application # 12-05SP/ # 25-05CAM; Norwalk Yacht Club for a 2,104 square foot addition and interior alterations be APPROVED subject to the following conditions:**

1) Junior Sailing Program shall not exceed 65 students per session and two sessions per summer.

2) Temporary lavatories shall be allowed only for special events and removed from the site immediately following the conclusion of the special event;

3) No member boats shall be allowed within the minimum yards, only club boats are permitted to be stored within minimum yards;

4) Storage of vessels or floats shall not obstruct the (92) available parking spaces except during the non-commissioned season when a minimum of (50) spaces must be available.

5) The total membership of the Yacht Club shall not exceed 260 household memberships, not including non-member participation in sailing programs.

BE IT FURTHER RESOLVED that the effective date of the approval is January 28, 2011

**** MR. BLANK SECONDED.**

**** MOTION PASSED UNANIMOUSLY**

- e. Bus shelter – Brien McMahon - 300 Highland Av – Modify approved plan as to location and waiver of setbacks – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that the Special Use permit submitted by Brien McMahon High School on Highland Avenue for a bus shelter to be located on the school property be APPROVED with the condition that there be no lighting or**

advertising on the structure; and

BE IT FURTHER RESOLVED that in accordance with Section 188-830, Special Uses, that a waiver of the setbacks requirements be granted to allow the accessory structure (bus shelter) to be located directly on the front property line, instead of the required 70’.

BE IT FURTHER RESOLVED THAT the effective date of this approval shall be January 28, 2011.

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY (MR. BLANK AND MR. O’REILLY VOTED AS ALTERNATES)**

- f. #29-10CAM – Sixteen Norport LLC – 16 Norport Dr - Construction of single family residence – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED** that application #29-10 CAM, submitted by Sixteen Norport LLC, for a single family dwelling at 16 Norport Drive, as shown on plans by LaVigna Associates, Architects, Ridgefield, CT , dated 12/9/10, revised to 1/10/11 , entitled Carter Residence, 16 Norport Drive, Norwalk be **APPROVED** with the following conditions:

- 1. That all required departmental signoffs are submitted; and**
- 2. That all required soil and erosion controls be in place before any work occurs on the site; and**
- 3. That any additional needed soil and erosion controls be installed as directed by staff;**

BE IT FURTHER RESOLVED that the proposal complies with the applicable Coastal and Resource policies and no adverse impacts are anticipated; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 28, 2011.

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY (MR. BLANK AND MR. HARD VOTED AS ALTERNATES)**

- g. #7-10MV – T. Currie – 24 Hoyt St – Replacement auto repair – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED** that application #7-10 MV, submitted by Currie’s Tires for Less, for a replacement auto service center at 24 Hoyt Street be **APPROVED** with the following conditions:

- 1. That all required departmental signoffs be submitted; and**
- 2. That there be no commercial towing or offsite parking of vehicles; and**
- 3. That there be no storage of parts or car carcasses outside; and**
- 4. That all repairs be conducted within the building; and**
- 5. That no pennants be displayed; and**

BE IT FURTHER RESOLVED THAT the proposal complies with the applicable coastal resource and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 28, 2011

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY (MR. O'REILLY AND MR. HARD VOTED AS ALTERNATES)**

- h. DEP/AC – 48 Calf Pasture Beach Rd – Cove Marina - Modify shoreline for marine commercial use – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200700265-SJ – 48 Calf Pasture Beach Rd. – Modify shoreline for marine commercial use:**

- 1. That there are no outstanding zoning issues related to this application; and**

BE IT FURTHER RESOLVED that this proposal is consistent with coastal resource use polices

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY (MR. O'REILLY AND MR. BLANK VOTED AS ALTERNATES)**

- i. DEP/AC – 8 Shorehaven Rd – Replace existing float with 8' by 20' float for recreational boating access – Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200802411-SJ – 8 Shorehaven Road – Replace an existing float with an 8' by 20' float for recreational boating access:**

- 1. That there are no outstanding zoning issues related to this application; and**

BE IT FURTHER RESOLVED that this proposal is consistent with coastal resource and use polices

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY (MR. HARD AND MR. BLANK VOTED AS ALTERNATES)**

- j. #3-09SP/#7-09CAM – SIR East Ave, LLC – 124 East Avenue – Release of surety: 35% - Report & recommendation**

****MS. WILSON MOVED: BE IT RESOLVED that the request to release the surety held on Special Permit #3-09SP/#7-09CAM – SIR East Ave, LLC – 124 East Avenue – Release of surety – 35% be APPROVED as the required improvements have been properly installed; and**

BE IT FURTHER RESOLVED that a 15 % maintenance surety be retained, to be held for a minimum period of one year; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 28, 2011.

**** MR. MCCARTHY SECONDED.**

**** MOTION PASSED UNANIMOUSLY (MR. HARD AND MR. O'REILLY VOTED AS ALTERNATES)**

IV. APPROVAL OF MINUTES: December 15, 2010

**** MR. MCCARTHY MADE A MOTION TO APPROVE THE MINUTES.
** MR. HARD SECONDED THE MOTION
** MOTION PASSED (7-0) MR. BLANK ABSTAINED.**

V. COMMENTS OF DIRECTOR

Mr. Greene discussed that the decision in the Norwalk Hospital case regarding the issue with the parking lot was upheld. It was determined that there was no standing or aggrievement in the case. He had a copy of the decision if any of the commissioners wanted to read it.

VIII. COMMENTS OF COMMISSIONERS

Mr. Blank asked whether Mr. Greene was involved with the Transit Oriented Development Group. He said that he was involved with a smaller part of the group. Mr. Blank felt that Mr. Greene should update the Zoning Commission if anything significant was discussed at those meetings. He assured them he would.

IX. ADJOURNMENT

**** MR. MCCARTHY MADE A MOTION TO ADJOURN.
** MR. KEYES SECONDED THE MOTION.
** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Diana Palmentiero