

**CITY OF NORWALK  
ZONING COMMISSION  
March 16, 2011**

**PRESENT:** Joseph Santo, Chair; Adam Blank; Michael Mushak (arrived after the roll call); Emily Wilson; James White

**STAFF:** Michael Greene; Brenda Hrtanek

**OTHERS:** Alan Lo; Dennis Ross; Chief McCarthy, Atty. Liz Suchy; Dean Martin; Kate Throckmorton; Mike Galante; Penny Zografidis

**I. CALL TO ORDER**

Joseph Santo called the meeting to order at 7:31 p.m.

**II. ROLL CALL**

Mr. Greene took the roll call.

**III. PUBLIC HEARINGS**

**a. #1-11SPR – Norwalk Fire Dept – 180 Westport Avenue - 1,975 sq ft addition to existing fire station**

Mr. Santo opened the public hearing. Mr. Mushak recused himself from this matter and left the room. Mr. Ross, the architect on the project, presented the application which consisted of a small addition in the front of the building and minor interior renovation. There will be a minor renovation to the basement. Chief McCarthy addressed the staffing change at the station. Mr. Santo asked if there was anyone wanting to speak on this proposal; no one came forward.

Mr. Santo closed the public hearing.

**b. #2-11SPR – Norwalk Fire Dept – 121 Connecticut Ave – 32,000 sf Fire Station/Fire Dept Headquarters**

Mr. Santo opened the public hearing. Mr. Ross presented the application by describing how the fire station would be demolished and a new fire station would be built in its place. The City has tasked them with making it a LEEDS certified building which they are doing. Chief McCarthy addressed staffing issues at the fire station. Mr. Lo noted that all variances had been approved. Mr. Santo asked if there was anyone wanting to speak on this proposal; no one came forward.

Mr. Santo closed the public hearing.

**c. #1-11SP/#3-11CAM – Casale Auto Body Inc. – 7 & 9 Van Zant Street – 2 story addition**

Mr. Mushak returned to the room. Mr. Santo opened the public hearing. Atty. Suchy began the presentation by turning in the green cards to Mr. Greene. She discussed the background of the property as well as the owner's future intentions. Landscaping has been increased. Mr. White asked whether Casale Auto Body tows cars to it but it does not. Dean Martin discussed the drainage issues. Kate Throckmorton, the landscape architect, discussed the improvement in landscaping because of a decrease in pavement. Mike Galante discussed the traffic in the area. He stated that there would be very little impact from this addition. Atty. Suchy noted for the commissioners that all approvals were in the file. Mr. Blank asked about the hours of operation and whether the bay doors were open in the summer. Mr. Santo asked if there was anyone wanting to speak on this proposal.

One of the neighbors, Penny Zografidis, 11 Van Zant Street, Unit 5, was concerned about the height of the addition. She also asked what they were going to do about the fence on the property.

Atty. Suchy mentioned that there was a petition signed by some of the neighbors in support of the application.

Mr. Santo closed the hearing.

#### **IV. REPORT OF PLAN REVIEW COMMITTEE, JAMES WHITE, CHAIR**

##### **a. Action on Items III a., b. and c.**

##### **i. #1-11SPR – Norwalk Fire Dept – 180 Westport Avenue - 1,975 sq ft addition to existing fire station**

Mr. Mushak recused himself from voting on this and #2-11SPR and stood up to leave the room.

**\*\*MR. WHITE MOVED: BE IT RESOLVED that application # 1-11SPR ; proposed construction of a 1,975 sq ft addition to a fire station at 180 Westport Ave. (Dist. 5; Block 4; Lot 152) be APPROVED; subject to the following conditions:**

- 1. That the final drainage report be approved by the DPW and Ct. DOT;**
- 2. That the landscaping be modified as per the staff recommendations of 16 March 2011;**
- 3. That erosion controls be installed prior to the start of construction;**
- 4. That any graffiti be removed from the building immediately.**

**BE IT FURTHER RESOLVED that the effective date of this approval is March 25, 2011.**

**\*\* MS. WILSON SECONDED.  
\*\* MOTION PASSED (4-0) (MR. BLANK VOTED AS AN ALTERNATE.)**

##### **ii. #2-11SPR – Norwalk Fire Dept – 121 Connecticut Ave – 32,000 sf Fire Station/Fire Dept Headquarters**

**\*\*MR. WHITE MOVED: BE IT RESOLVED that application #2-11SPR; proposed construction of a 32,000sq. ft. fire station and headquarters at 1221 Connecticut Ave. (Dist. 2; Block 7; Lot 34) be approved; subject to the following conditions:**

- 1. That the final drainage report be approved by the DPW and Ct. DOT;**
- 2. That final CEAC sign offs be submitted;**
- 3. That the landscaping be modified as per the staff recommendations of 16 March 2011**
- 4. That erosion controls be installed prior to the start of construction**
- 5. That any graffiti be removed from the building immediately**

**BE IT FURTHER RESOLVED that the effective date of this approval is March 25, 2011.**

**\*\* MS. WILSON SECONDED.  
\*\* MOTION PASSED (4-0) (MR. BLANK VOTED AS AN ALTERNATE.)**

Mr. Mushak resumed participation in voting.

##### **iii. #1-11SP/#3-11CAM – Casale Auto Body Inc. – 7 & 9 Van Zant Street – 2 story addition**

**\*\*MR. WHITE MOVED: BE IT RESOLVED that application # 1-11 SP/3-11CAM submitted by Casale & Associates Auto Body for a new 2 story building addition for auto body use at 7-9 Van Zant Street, as shown on various plans by Grumman Engineering, LLC, Norwalk, CT, dated 1/20/11 as revised to 3/2/11 be APPROVED with the following conditions:**

1. That all required CEAC signoffs are submitted; and
2. That all required erosion and sedimentation controls be in place prior to any construction; and
3. That any graffiti on the site, now or in the future, be removed immediately; and
4. That the long term maintenance plan be followed and a report be filed with the Commission by a PE every 6 months to insure compliance; and
5. That a map be filed combining the properties; and

**BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-700 Industrial #1, 118-1450, Special Permit, 118-1110, Coastal Zone; and**

**BE IT FURTHER RESOLVED that the proposal complies with the applicable coastal area management use policies; and**

**BE IT FURTHER RESOLVED that a Certificate of Special Permit and a map of the property be placed on the Norwalk Land Records; and**

**BE IT FURTHER RESOLVED that the effective date of this approval shall be March 25, 2011.**

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

**b. #3-11SPR – Pepperidge Farm – 595 Westport Ave – 3 story, 33,000 sq ft office/R&D Center – Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED that application # 3-11SPR, submitted by Pepperidge Farm, Inc, for a 33,000SF office addition with related site improvements at 595 Westport Avenue, as shown on various site and engineering plans by F.A. Hesketh & Associates, East Granby, CT dated January 20, 2011 as revised and Architectural Plans by The Dennis Group, LLC, Springfield, MA, dated 01/19/2011 be APPROVED with the following conditions:**

1. 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
2. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
3. That all required long term soil erosion and sedimentation controls be properly maintained; and
4. That any graffiti on the site, now or in the future, be removed immediately; and
5. That cutoff shield on lighting fixtures must be installed as required to prevent any stray light from being emitted off the property; and

**BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118- 522, Business #2, 118-1451 Site Plan Review.**

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

**c. #4-11CAM – N. Kiriakidis – 7 Isaacs St – Convert Social club to restaurant – Report & recommendation** – Mr. White noted to the commission that it is understanding that the application may not go through. They still need approval from the other businesses and the condo association may prevent a restaurant from being opened.

**\*\*MR. BLANK MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that application #4-11 CAM, submitted by N. Kiriakidis for a restaurant in an existing space at 7 Isaacs Street be approved with the following conditions:

1. That all dumpsters and grease pits on the site be placed in a screened in, fenced dumpster enclosure; and; and
2. That no live music is allowed, without further approval of the Commission; and

**BE IT FURTHER RESOLVED THAT** there are no adverse impacts to the coastal environment from this proposal.

**\*\* MR. MUSHAK SECONDED.**

**\*\* MOTION PASSED (4-0). (MR. BLANK VOTED AS AN ALTERNATE.)**

**d. #5-11CAM – One Hundred Fifty Seven Rowayton Partners LLC – 157 Rowayton Av – Seasonal Kayak rentals & lessons – Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED** that application # 5-11 CAM, submitted by One Hundred Fifty-Seven Rowayton Partners, LLC, for a kayak rental/lesson operation at the rear of 157 Rowayton be **APPROVED** with the following conditions:

1. That any graffiti on the site, now or in the future, be removed immediately; and
2. That any changes to this plan be reviewed and approved prior to those changes being implemented; and
3. That the required long term parking agreement be executed, reviewed and approved by Corporation Counsel and placed on the Land Records ; and

**BE IT FURTHER RESOLVED** that the proposal complies with the applicable Coastal Area Management policies and objectives; and

**BE IT FURTHER RESOLVED** that the reason for this approval is that the proposed project complies with the Building Zone Regulations, Section 118-530, Rowayton Avenue Village District and Section 118-1110, Coastal Zone; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be March 25, 2011.

**\*\* MS. WILSON SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**e. #9-06SP – 110 Richards Ave LLC – 110 Richards Av – 13,056 sf office addition - Request for 1 year extension of time – Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED** that the request for a one year extension of time for special permit #9-06SP - 110 Richards Avenue, LLC - 110 Richards Avenue – Renovations and addition to 110 Richards Avenue for a 116,200 sq ft office building as shown on various plans by Telfer-Palmquist Architects and Studio Rai Architectural Design and dated as revised to March 17, 2010 be **APPROVED**, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be April 8, 2012; and

**BE IT FURTHER RESOLVED** that the effective date of this action be March 25, 2011.

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

**f. #2-08SPR/#2-08CAM - 95/7 Ventures LLC - 105-141 West Av/3-11 Reed St/1-41/62-64 Putnam Av –North of Reed St – ±605,000 square foot mixed use development (Phase 1) – Request for 1 year extension of approval time – Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application #2-08SPR and coastal site plan application #2-08CAM; 95/7 Ventures, LLC – 105-141 West Avenue/3-11 Reed Street/1-41 & 62-64 Putnam Avenue - ±605,000 square foot mixed use development (Phase 1) with 507,596 sq ft office, 88,094 sq ft of retail (including 15,000 GSF of restaurant space) in 4 new buildings within a design district development park as shown on a set of plans entitled "District 95/7 South Norwalk, Site Plan Review Submission" by Beyer Blinder Belle Architects & Planners, LLP; MPFP; and Stantec Consulting, dated January 17, 2008 as revised to March 13, 2008, be approved, subject to the following conditions:, be approved, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be April 4, 2012; and

**BE IT FURTHER RESOLVED** that the effective date of this action be March 25, 2011

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

**g. #3-08SPR/#3-08CAM - 95/7 Ventures LLC – 51-63 West Av/15-25 Putnam Av – South of Reed St -District 95/7 ±106,500 square foot mixed use development (Phase 1) - Request for 1 year extension of approval time**

**\*\*MR. WHITE MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application #3-08SPR and coastal site plan application #3-08CAM; 95/7 Ventures, LLC – 51-63 West Avenue/15-25 Putnam Avenue - ±106,500 square foot mixed use development (Phase 1) with 98,230 sq ft office, 8,000 sq ft restaurant (with 4,000 sq ft active area) within a design district development park as shown on a set of plans entitled "District 95/7 South Norwalk, Site Plan Review Submission" by Beyer Blinder Belle Architects & Planners, LLP; MPFP; Studio ABK; and Stantec Consulting, dated January 17, 2008 as revised to March 13, 2008, be approved, subject to the following conditions:, be APPROVED, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be April 4, 2012; and

**BE IT FURTHER RESOLVED** that the effective date of this action be March 25, 2011.

**\*\* MS. WILSON SECONDED.**

Before the voting occurred, Mr. Mushak made comments regarding the erosion problems at the site. It was noted that at the March 10 Committee meeting Mr. Mushak presented photos of gully erosion off the steep slopes and into the new storm drains on Reed St. At that meeting, he requested that the steep slopes be reduced and that the entire site be hydro seeded with a wildflower mix to stabilize the site to make it more attractive and the owner agreed to cooperate with the Commission on this request. Mr. Santo mentioned that the owners, along with Planning & Zoning Dept. staff and members of other Norwalk departments had gone to the site the day before.

**\*\* MOTION PASSED UNANIMOUSLY.**

**h. #2-09SPR – Tilly – 25-29 Bouton St – 12 units – Request for 1 year extension of approval time - Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED by the Norwalk Zoning Commission that the approval time on #2-09SP – Tilly – 25-29 Bouton Street – 12 units of multifamily be APPROVED for an extension of a period of 365 days with the following condition:**

- 1. That property taxes be kept current for the duration of the extension period;**

**BE IT FURTHER RESOLVED that the effective date of this approval shall be March 25, 2010.**

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

**i. #3-10SPR – CVS – Connecticut & Scribner Avenues – Request for 1 year extension of approval time – Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED by the Norwalk Zoning Commission that application #3-10SPR, CVS, for the construction of a 24,800± SF 2 story retail building on Connecticut Avenue/Scribner Avenue be granted a ONE-YEAR extension of the approval time, with the following condition:**

- 1. That property taxes be kept current for the duration of the extension period; and**

**BE IT FURTHER RESOLVED that the new deadline is October 29, 2012 and all conditions of the original approval shall apply.**

**\*\* MR. BLANK SECONDED.  
\*\* MOTION PASSED (4-0) (MR. BLANK VOTED AS AN ALTERNATE.)**

**j. #7-04SPR/#27-04CAM – Jefferson at Maritime – 33, 55 & 77 N. Water St - 275,000 sq ft mixed use development with 197 units, 37,607 sf office & 1,000 sf restaurant in 3 buildings – Request to modify plans to eliminate 1,000 sq ft restaurant space in Building B and convert to 1,000 sq ft office space - Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED that the proposed modifications to approved site plan application #7-04SPR and coastal site plan application #27-04CAM; Maritime Place Parcel #3, LLC – 31-37 Ann St/25-99 North Water St - ±275,000 sq ft mixed use development with 197 multifamily dwelling units, 30,475 square feet office, 4,000 sq ft retail and 4,000 sq ft restaurant in 3 new buildings as shown on a set of plans entitled "Maritime Yards, South Norwalk, CT." by Beinfield Architecture, PC; Wesley Stout Associates; and Vollmer Associates, LLP and dated February 16, 2005 as revised by Bavier Design plans dated March 8, 2011 to eliminate 1,000 square foot restaurant space in Building B and convert to 1,000 sq ft of office space; subject to the following**

condition:

1. That all parking spaces in the surface lot and in the Building B/C garage remain available as shared spaces for residential and office tenants; and
  2. That the original conditions of approval remain in effect; and
- BE IT FURTHER RESOLVED** that the effective date of this action be March 25, 2011.

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

**k. DEP / USACE Referral – 16 Hawkins Avenue – Proposal to install a fence - Report & recommendation**

**\*\*MR. WHITE MOVED: BE IT RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #201005812-SJ – 16 Hawkins Avenue – Proposal to install a fence:

1. That there are no zoning issues associated with this application; and

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

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

**V. APPROVAL OF MINUTES: February 16, 2011**

**\*\* MR. SANTO MADE A MOTION TO APPROVE THE MINUTES.  
\*\* MS. WILSON SECONDED THE MOTION  
\*\* MOTION PASSED UNANIMOUSLY.**

#### **VI. COMMENTS OF DIRECTOR**

Mr. Greene discussed the annual count of billboards. The commission has traditionally set a number that has been allowed. Once at the number, they lower the number. There has been a loss of billboards over the last 15-20 years.

#### **VII. COMMENTS OF COMMISSIONERS**

Mr. Blank had comments about the regulations in connection with a second floor to retail space that is not storage. He thought it should be active space. There was some discussion about the possible uses of the second floor. It was tabled for future discussions.

#### **VIII. ADJOURNMENT**

**\*\* MR. BLANK MADE A MOTION TO ADJOURN.  
\*\* MR. MUSHAK SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:13 p.m.

Respectfully submitted,

Diana Palmentiero