

**CITY OF NORWALK  
ZONING COMMITTEE  
October 18, 2011**

**PRESENT:** David McCarthy, Chair; Emily Wilson; Nathan Sumpter; Joseph Santo; James White; Jill Jacobson; Mike Mushak; Adam Blank

**STAFF:** Michael Greene; Michael Wrinn; Brenda Hrtanek

**OTHERS:** Atty. Frank Zullo; Gerry Gilbride; Mike Galante;

David McCarthy called the meeting to order at 8:14 p.m.

**I. PROPOSED AMENDMENTS TO BUILDING ZONE REGULATIONS & SPECIAL PERMIT**

**a) #4-11R – D. Friedman – Proposed amendment to the East Avenue Village District to permit offices of business service establishments as a principal use – Final review prior to public hearing**

Mr. Greene presented the proposed amendment. The commissioners did not have questions on the proposed amendment which would be on the agenda for the October 19, 2011 meeting.

**b) #6-11R – Zoning Commission – Revise the definition for contractor’s storage yards to include additional trades – Final review prior to public hearing**

Mr. Greene presented the proposed amendment. He explained that a judge had ruled that landscapers are not contractors, therefore, they are not allowed in Norwalk. Based on corporation counsel’s suggestions, the regulation was revised to include landscapers. The commissioners did not have any questions. The amendment would be on the agenda for the Zoning Commission’s next public hearing.

**c) #7-11R/#8-08SP – Alyssa Holdings LLC (Crunch) – 770 CT Av – Proposed amendment to permit child day care center in Business #2 zones and modifications to approved special permit for 26,200 sf health club to allow child care center on first floor – Preliminary review**

Mr. Greene presented the proposed amendment. The amendment would allow for day care centers throughout the Business #2 zone. There was some concern about the amendment allowing for unlimited enrollment. There was a question about the amount of recreational area which is a state requirement. Atty. Zullo continued the presentation. He believed that the use would be limited by the amount of space and parking spaces that a business had. He also believed that childcare was inadvertently left out of the Business #2 Zone regulations. The applicant is requesting to be allowed

to have 180 children and there is enough parking for it. Atty. Zullo noted that since daycare is only open from Monday through Friday there would be no traffic from the center on Connecticut Ave. on weekends. Gerry Gilbride the architect for the daycare center continued the presentation. He mentioned how the entrance to the site was on Connecticut Ave. There were two drop-off areas either on the outside or through the parking lot. He described the lay-out of the center. Mr. White asked about the age range of the children. The ages ranged from 6 weeks to age 12. The classrooms are all open with glass windows. The commissioners were concerned about the traffic coming to the site. Mr. Mushak also raised the point that some of the employees may take public transportation and asked if that would be available to the site. Mike Galante continued the presentation by discussing the traffic analysis report which was dated September, 2011. There would be an increase in traffic from 6:30 a.m. to 9 a.m. The pick-up in the afternoon was a little more spread-out from 4 p.m. – 7 p.m. There would not be a left turn allowed coming out of the parking lot onto Connecticut Ave which is a benefit. There were concerns about stacking of cars from Connecticut Ave. making a left turn onto to Richards Ave. to go to Norwalk Community College. Mr. Santo asked how many vehicles would try to make a left turn onto Connecticut Ave. even though they would not be allowed to do it. Mr. Galante said that he had seen some where no one made a left turn. Some of the commissioners suggested changing the drop-off.

**d) #8-11R – Zoning Commission – Proposed amendment to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center: Due to expire Dec 31, 2011 – Preliminary review and e) #9-11R – Zoning Commission – Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in South Norwalk: Due to expire Dec 31, 2011 – Preliminary review**

Mr. Greene discussed both of these amendments together. The Zoning Commission has been renewing these amendments for several years. The amendments allow if a business expands over 1,000 sq. ft. or makes any changes to the building then parking does not have to be provided. It was hoped that businesses would boom and then the private sector would provide their own parking. Although this has not happened, the Zoning Commission continues to renew the amendments every two years. It would be on the agenda for the November meeting.

**f) #X-11R - Amendments to surety policy of the Commission – Review & discussion**

Mr. Greene began to discuss a new state law about bonding. He explained the procedures before the new law was enacted and what the law was now. The Planning and Zoning Dept. cannot obtain a surety bond until the property is sold. The problem is how the staff will be notified when a property is sold. Another change under the new law is that there will not be a maintenance bond anymore. This protection for the public is gone. The new law seemed to have many flaws and was not thought through very well. He told the commissioners that his staff was planning on working with legislators to un-do the law. Mr. White wanted to see a copy of the legislation.

**g) Distribution of information on drainage standards**

Mr. Greene distributed information to the commissioners that they had accumulated from various neighboring towns regarding drainage standards. Once the commissioners had a chance to look at the chart, it could be scheduled for a public hearing.

**h) Pervious Pavement – Update**

Mr. Greene reported that there was an outline in the commissioners' packets prepared by Frank Strauch.

**l) Comments of Commissioners**

Mr. McCarthy began by stating that he had received a compliment for the Planning and Zoning Dept.

Mr. Mushak discussed an article he saw in the newspaper about the conditions of the parking at Norwalk Community College. Since the college is state property, there is not much that the Zoning Commission can do about it.

Mr. Mushak asked about an incident that happened the previous night regarding the Harbor Loop Trail. He had wanted to schedule a meeting with the Aquarium Board to show them drawings; however, Mr. Greene did not think that he could do that until he was advised by the Planning and/or Zoning Commissions for whom he works. Mr. Mushak requested information regarding some projects including the Harbor Loop Trail. Several commissioners, including Mr. Santo, advised Mr. Mushak that procedures had to be followed and to submit the proper paperwork. Mr. Mushak handed out an e-mail for the other commissioners to review.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted by,

Diana Palmentiero