

**CITY OF NORWALK  
ZONING COMMITTEE  
November 13, 2012**

**PRESENT:** Adam Blank, Chair; Emily Wilson; Jill Jacobson; Harry Rilling; James White; Michael Mushak; Joseph Santo (arrived at 8:25 p.m.)

**STAFF:** Michael Greene; Mike Wrinn; Frank Strauch

**OTHERS:** Atty Frank Zullo; Mr. Renzulli; Atty Larry Cafero; Perry Petrillo; John Plante; Kyle Bogardus

Adam Blank called the meeting to order at 8 p.m.

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

**a) #14-12R - Renzulli Assoc. Mobile Home Park, LLC - Proposed amendments to Article 130 to revise setbacks for trailers and accessory structures in automobile trailer parks - Preliminary review**

Mr. Wrinn began the presentation. He showed the commissioners where the mobile home park was in comparison to the surrounding area. He said that the property owners would like to have decks and sheds on their property but the regulations did not allow it, currently. They have researched other mobile home parks to see what they have. The fire marshal did not see a problem with the proposed amendment. Mr. Wrinn asked the commissioners to go to the park to take a look at it. Mr. Blank asked about the setbacks. Atty Zullo told the commissioners that these were all permanent structures. Some of them were 70 ft. and the lots were 75 ft. It was a tight fit on the property. The setbacks could back up to commercial buildings. Atty Zullo also admitted that there were violations because some of the properties already had decks and sheds. He showed some pictures of the decks to show the commissioners what they would look like. He also said the park was an alternative to affordable housing in the city. Every unit has its own sewer, water and gas connections. He said that some units have been there for 20 years.

Mr. Renzulli, owner of Renzulli Association Mobile Home Park, LLC, continued the presentation by explaining how the system works. The owners of the trailers rent the lots from him. Mr. Mushak wondered if he would consider opening another one but Mr. Renzulli said it would be too expensive.

**b) #13-12R/#8-12SP - Lowe's Home Centers, Inc. - 100 Connecticut Avenue - Proposed amendment to add a new definition and new parking requirement for retail home improvement stores and special permit for proposed 135,000 sf retail home improvement store - Preliminary review**

Mr. Wrinn began the presentation by showing the commissioners where Lowe's is proposing to build. He said it was a straight forward application. The applicant also wanted to create a new definition and a new parking requirement for home improvement centers. He explained the proposed amendments.

Atty Cafero continued the presentation with an explanation of the current property location. He explained the curb cuts on all four streets. He described what the

property would look like after it was completed including the number of parking spots. He discussed how the home improvement center was a hybrid between a supermarket and a furniture store. Some items, like nails, would be purchased more frequently than other items like a snow blower. He discussed in further detail the text amendment to the zoning regulations. He described the many different parking studies that were done, including the Home Depot in Norwalk that they had researched for this presentation. He explained that the parking studies were done in the summer. These studies show that the proposed Lowe's would not need more than 355 parking spaces, however they are proposing to provide over 400 spaces as was necessary under the Zoning regulations. The applicant indicated that they would also be applying for variances with regard to signage and building height. Atty. Cafero mentioned that the applicant had been contacted by a neighbor. They plan to have a neighborhood meeting in the next 30 days as well as meet with some neighborhood associations. One of the neighbors owns six lots on Clinton Avenue and has already met with the applicant on several occasions; some of his concerns were addressed in the proposed plans. Atty Cafero said they take these concerns seriously. He acknowledged that this would be a controversial project. He believed that the best use for this lot would be for retail space and that Lowe's would like to be that project. They would be a good tax payer as well as job creator. Temporary construction jobs would be created as well as permanent jobs once the store opened.

Perry Petrillo, the architect on the project, continued the presentation. He began by explaining the entrances and exits. He showed the commissioners the materials board and discussed the covered canopies. Mr. Blank wanted to see the site plan in connection with the side of the building that abutted the houses on one side of the building. Mr. Mushak asked if there would be a landscape architect speaking that evening who would be able to discuss the drainage. Atty Cafero said that someone from Langan Engineering could address his questions. Mr. Blank suggested that the landscape architect attend the next meeting. There was a discussion about the landscaping and lighting on the eastern side of the building which abutted residential uses. Mr. Petrillo said the light fixtures would direct the lighting down. Mr. Blank wanted to minimize the impact of the lighting on the neighbors. Atty Cafero also told the commissioners that the number of curb cuts around the building would be cut in half.

John Plante, Langan Engineering, continued the presentation with a discussion of the traffic study. He discussed the entrances and exits; the one on Connecticut Avenue would be a right turn in and right turn out, only. In their analysis, they researched other traffic in the area. He noted for the commissioners that the Connecticut Department of Transportation ("DOT") has major improvements for the area which would affect all intersections in the area and surround the property. The DOT's plans should affect traffic through 2033. Mr. Blank asked whether the study accounted for these improvements. Mr. Plante said that it did. He also wanted to know which DOT's improvements were going forward. Atty Cafero said that any DOT plans referenced in the study were to be completed in advance of this project. Mr. Plante discussed the trip rates that were used by the CT DOT for all Lowe's stores being developed in Connecticut. He discussed the number of trips in existing conditions as well as with DOT improvements and without DOT improvements. If the DOT does not complete improvements, Lowe's would then have to complete them. The applicant's study looked at various other scenarios as well. Atty Cafero discussed the three lane increase on Clinton Avenue in connection with the owner of the properties there. Mr. Plante noted that there would be timing changes on the signals on Connecticut Avenue

and Clinton Avenue. He addressed questions about where traffic would be coming from. There was a discussion about how trips were counted. Mr. Blank then asked for additional parking counts for Home Depot in Norwalk on Black Friday. Mr. Plante said that they had counted Home Depot on some of the busiest days including Labor Day and Columbus Day. He also said that Home Depot and Lowes had different business models so that there were different trip rates approved by the DOT. Mr. Blank had questions about the intersection on Scribner Avenue where the CVS would be located. He recommended that the applicant take a look at the traffic report for that project. He was concerned about the traffic at Scribner Avenue. Mr. Blank and Mr. Plante had a discussion about the parking spaces and how those spaces were calculated.

Mr. Mushak noted how there was a lot of pedestrian traffic in the area. He was aware of the DOT improvements but wanted to know how this project would fit with the pedestrian traffic. He was concerned about the sidewalks on the firehouse side of Route 1 and noted that there was only a footpath across from Lowe's. He also mentioned that he may contact State Representative Duff who was on the transportation committee and working with the DOT on the sidewalks. He then asked whether the applicant would keep the existing sidewalk. Mr. Plante said it was in good shape. Mr. Mushak noted that there was no sidewalk on Frost Street and he would like to see that. He also believed that neighbors may walk to Lowe's. He thought that a sidewalk should be constructed near the carpet store, auto body store, etc. Mr. Plante said that the DOT is looking at that. It's in the design phase.

Mr. Mushak also spoke about some of the trees, especially a few oak trees, that he would like to see saved. He explained how it could be done.

Mr. Rilling asked why there was no traffic study on Stuart Avenue. Mr. Wrinn said that staff had received a revised traffic report which they would be handed out to the commissioners.

Mr. Santo was concerned about stacking of cars going into the driveway off Connecticut Avenue. He asked whether the applicant had thought about having a stacking lane. Mr. Plante said that there were many factors which had to be balanced to determine how the cars and trucks would come into and leave the property. They had discussions with the DOT to determine the traffic flow. Mr. Mushak asked where staff parking would be.

Mr. Blank had concerns about the turns of the loading bays. He asked what times the trucks would come and was told it would be between 7 a.m. and 4 p.m. There was a discussion about the trucks' entrance and exits.

Mr. Rilling had questions about the traffic coming from Scribner Avenue. Mr. White remembered that all the lights on Connecticut Avenue had been synchronized. This was no longer the case and now the traffic is stop and go. He asked Atty Cafero if there was any way to get some help. Mr. Plante said that it would all be worked out.

Mr. Blank and Atty Cafero had a discussion about the text amendment. Atty Cafero said they had had discussions with staff about it. Mr. Blank thought that the definition should reflect that the home improvement center was not just a showroom.

Kyle Bogardus, of Langan Engineering, continued the presentation. He

mentioned that they could discuss some landscape issues but not all because they were not the landscape architects on the project. He discussed the buffers between the property and the residential areas. He also discussed the trees, the sidewalks and the grade changes on the property. He showed the commissioners four cross sections of the property and described each in detail, with the grade changes. Mr. Mushak commented about the grade changes in relation to the entrance and exits. Mr. Wrinn said that the Zoning Department staff had sent about 40 comments which the applicant was responding to. Mr. Bogardus talked about the water quality basin and the retaining wall on the site. He discussed the driveway on the Clinton Avenue side of the building. He also mentioned that landscaping was added to the 30 ft. buffer. Mr. Mushak asked if he could go with Mr. Strauch to look at the trees to determine which should be preserved. He thought it could save money in the long run if the applicant did not have to put in new trees. There was a discussion about some of the other trees that could be saved.

Mr. Bogardus then discussed the storm water management plan. It would tie back into the DOT system as it does now. There have been some flooding concerns in Clinton Avenue area. The DOT is trying to fix the problem. Mr. Bogardus said the DOT planned to have it done in 2013, in advance of the Lowe's project.

Mr. Rilling had concerns about trucks idling on the lot as well as their reverse noises. He thought the police would then receive calls about it. Atty Cafero said that there would only be four trucks doing that between the hours of 7 a.m. - 4 p.m. Mr. White suggested that there could be a condition in the resolution.

Mr. Santo asked about the entrance/exit on Clinton Avenue. Mr. Plante said that it would be a truck only entrance. Customers could get in but there wouldn't be anywhere for them to go. Originally it was both an entrance and exit but the owner of the five houses on Clinton Avenue was concerned about the traffic.

Mr. Mushak requested an arborist report on the two main trees. There was one main oak on the corner of Frost and Clinton, as well. Mr. Wrinn noted that the applicant is going to the Conservation Commission as well as its CEAC meetings. Other City departments have begun their reviews. The applicant will present again at the December meeting. Mr. Wrinn reminded the commissioners to take a copy of the revised traffic report.

**c) #11-12R - Zoning Commission - Proposed amendments regarding indoor contractor parking facilities in Industrial #1 & Business #1 zones - Further review**

Mr. Greene began the presentation. Since the commissioners had asked the staff at the last meeting to what sites would be available for indoor contractor parking facilities, the staff prepared an analysis of properties under 12,000 sq. ft. but more than 10,000 sq. ft. There was a list included in the commissioners' packets and Mr. Greene asked that they go visit them.

Mr. Greene said that there are three definitions to be discussed, one of which was "Indoor contractor parking facilities." This last one concerned Mr. White. He thought that the contractors would be doing work at the facility, not just parking their equipment. There was some discussion about the three definitions. Mr. Wrinn told them that some of the contractors just need storage areas.

Mr. Mushak thought the proposed amendment was too restrictive. He thought there was a lack of parking for contractors in Norwalk. He thought that contractors would not want to use their indoor space when they could park outside. Mr. Blank agreed that the proposed amendment did not go as far as Mr. Mushak had wanted. Mr. Mushak wanted an amendment that would get properties sold and open properties up for contractors. He said there were many small businesses that had signed a petition about these restrictions. The other commissioners thought they should accept the proposed amendment and then come back to tweak it later. Mr. Mushak mentioned that most of these contractors did not have big construction vehicles, but rather, medium build trucks. He included himself if this. Mr. Blank thought that the definition gave them multiple uses. However, Mr. Mushak thought it did not open up enough locations, geographically. He also did not want to wait because he was concerned that the commissioners would not come back to it and fix it. Mr. White thought that neighbors would be unhappy if they opened up the geographic locations. He thought that they should get the amendment passed now. Mr. Santo asked if a contractor's yard could have an indoor parking facility, if the proposed amendment were passed. Mr. Greene said yes, it could. Mr. Mushak thought that there were several issues that the proposed amendment did not address.

**d) Discussion of farms and bee keeping in residence zones**

Mr. Greene began the presentation by giving the commissioners a list of various regulations from different towns in Connecticut. Mr. Blank thought Norwalk should have a regulation for making honey for personal consumption. There was a discussion about the house on Silvermine Avenue that had many hives there. Mr. Greene thought that there should be an ordinance, not a Zoning Department regulation. Ordinances do not allow grandfathering, while regulations do. For the house on Silvermine Avenue, Mr. Greene said that it is technically considered a "farm." Mr. Blank proposed an amendment to allow farming, except that bee farming would only allow 2 hives per quarter acre. There was also a discussion about other places to put bee hives such as Fodor Farm.

The meeting was adjourned at 10:05 p.m.

Respectfully submitted by,

Diana Palmentiero