

**CITY OF NORWALK
ZONING COMMISSION
March 20, 2013**

PRESENT: Emily Wilson, Chair; Joseph Santo; Nathan Sumpter; Mike Mushak;
Adam Blank; Mike O'Reilly

STAFF: Mike Wrinn; Frank Strauch; Adam Carsen

OTHERS: Jeff Dragan

I. CALL TO ORDER

Emily Wilson called the meeting to order at 7:31 p.m.

II. ROLL CALL

Mr. Wrinn called the roll call.

III. PUBLIC HEARINGS

a. #1-13R - Merritt 7 Venture LLC/Marcus Partners - Proposed amendments to Development Park Sign regulations to permit larger ground signs

Emily Wilson opened the public hearing. Jeff Dragan, a landscape architect, who spoke on behalf of the applicant, the Merritt 7 Corporate Office Park, began the presentation. The proposed text amendment was for changes to the signage, one for the large signs and the other for the smaller signs. He discussed their proposals which also included a zero setback.

No members of the public spoke in support or in opposition to this application. Ms. Wilson closed the public hearing.

IV. REPORT OF PLAN REVIEW COMMITTEE, JOSEPH SANTO, ACTING ASCHAIR

a. #8-84SP - Graham Capital - 40 Highland Av - Office complex - Request for release of surety - Report & recommended action

**** MR. SANTO MOVED: BE IT RESOLVED** that the surety held on #8-84 SP Graham Capital, 40 Highland Avenue be released as all of the required improvements have been properly installed as required.

**** MR. BLANKSECONDED.
** MOTION PASSED UNANIMOUSLY.**

b. #1-09SP/#1-09CAM - SoNo Hotel TR Sono Partners, LLC - 43 - 47

South Main St - 121 room hotel with 7,764 sf office & 70 space indoor valet parking in automated garage - Request for 1 year extension of approval time - Report & recommended action

**** MR. SANTO 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, 2014**; and

BE IT FURTHER RESOLVED that the effective date of this action be March 29, 2013.

**** MR. MUSHAK SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

c. #2-08SPR/#2-08CAM - 95/7 Ventures LLC - West Av/Putnam Av & Reed St - North of Reed St - ±605,000 sf mixed use development in a Design District Development Park (park includes #3-08SPR) - Request for 1 year extension of approval time - Report & recommended action

**** MR. SANTO 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 the property be properly planted with a Northeast wildflower hydroseed and warm season grass mix; and,
2. That property taxes be kept current for the duration of the extension period; and
3. That the original conditions of approval remain in effect; and
4. That the new approval deadline for obtaining permits will be **April 4, 2014**; and

BE IT FURTHER RESOLVED that the effective date of this action be March 29, 2013.

**** MR. SUMPTER SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

d. #19-05SP - St. George Greek Orthodox Church - 238 W. Rocks Rd - Community center - Request for ext of time - Report & recommended action

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

BE IT FURTHER RESOLVED that the new deadline is April 24, 2013.

**** MR. SUMPTER SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

e. #5-13CAM - B. Beinfield - 280 Wilson Ave - New single family residence - Report & recommended action

Mr. Mushak recused himself from the vote on this application and left the room.

**** MR. SANTO MOVED: BE IT RESOLVED** that Coastal Area Management application #5 - 13, submitted by B. Benfield, for the construction of a new single family dwelling at 280 Wilson Avenue, as shown on a survey by William W. Seymour and Associates, Darien, CT, entitled "Topographic & Zoning Location Survey Prepared for Bruce Benfield 280 Wilson Avenue, Norwalk, CT, Scale 1" = 30", dated March 6, 2013, be approved, with the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
2. That any additional soil sedimentation and erosion controls required by staff during construction be placed immediately;
3. That all required Flood Certifications be provided; 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 March 28, 2013.

**** MR. SUMPTER SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

Mr. Mushak returned to the room.

V. REPORT OF ZONING COMMITTEE, ADAM BLANK, CHAIR

a. Action on Item III. a.

**** MR. SUMPTER MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#1-13R - Merritt 7 Venture LLC/Marcus Partners - Proposed amendments to Section 118-1294

regarding ground signs in development parks" and dated February 6, 2013, be **APPROVED**,

BE IT FURTHER RESOLVED that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development goal to "Minimize variance requests to the Zoning Board of Appeals" (F.2.1.7 p.42); and
- 2) To implement the Plan of Conservation and Development goal to "Continue to review and improve sign regulations" (F.4.1.4 p. 43); and
- 3) To implement the Plan of Conservation and Development goal to "Preserve and enhance the character of Norwalk" (A.1.1.4, p. 10); and

BE IT FURTHER RESOLVED that the effective date of this action be March 29, 2013.

**** MR. SANTOSECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

b. #11-12R - Zoning Commission - Proposed amendments to add indoor contractor parking facility as a new use in the Industrial No. 1 Zone, Business No. 1 & No. 2 zone and related technical amendments - Report & recommended action

**** MR. BLANK MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations *as modified to March 14, 2013* as shown on a certain document entitled "#11-12R - Zoning Commission - Proposed amendments to add indoor contractor parking facility as a new use in the Industrial No. 1 Zone, Business No. 1 & No. 2 zone" and dated revised to March 14, 2013, be approved.

BE IT FURTHER RESOLVED that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development policy to "Examine and modify existing zoning where necessary to achieve the goals of this plan" (F.2.1, p. 42); and

BE IT FURTHER RESOLVED that the effective date of this action be March 29, 2013.

**** MR. SUMPTER SECONDED.**

Before the vote, Mr. Mushak thanked the commissioners as well as the Zoning Department staff for their hard work on this matter. He said that there was an assurance that the commissioners would go back later this year to draft a regulation for 12,500 sq. ft. minimum lot size. He believed that regulation that had just been adopted would make a big difference.

**** MOTION PASSED UNANIMOUSLY.**

VI. APPROVAL OF MINUTES: February 20, 2013

MR. BLANK MADE A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 20, 2013 MEETING.

**** MR. MUSHAK SECONDED THE MOTION**

Before the vote, Mr. Mushak asked when the commissioners would approve the minutes from the Zoning Committee meeting on February 14, 2013. He was told that the commissioners only approve commission meeting minutes, not committee meeting minutes. Mr. Mushak said that he had sent changes to Dori Wilson for the Feb. 14 minutes. He also questioned why they were not having the minutes for both committees approved. There was a discussion about official and draft minutes that are put out on the Norwalk website. Mr. Blank reminded him that if there was a question about something said at the committee meetings, there was always a copy of the tape. Mr. Wrinn said that they would look into this matter for him.

**** MOTION PASSED UNANIMOUSLY**

VII. COMMENTS OF ASSISTANT DIRECTOR

There were no comments from the Assistant Director.

VIII. COMMENTS OF COMMISSIONERS

There were no comments from the Commissioners.

IX. ADJOURNMENT

**** MR. SANTO MADE A MOTION TO ADJOURN.**

**** MR. SUMPTER SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

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

Respectfully submitted,

Diana Palmentiero