

**CITY OF NORWALK  
ZONING COMMITTEE  
October 10, 2013**

**PRESENT:** Nathan Sumpter, Chair; James White; Linda Kruk; Jill Jacobson; Mike Mushak; Emily Wilson

**STAFF:** Frank Strauch; Dori Wilson

**OTHERS:** Atty Liz Suchy; Atty Chris Smith; Eva Ehrlich; Candace Mayer; Kendra Halliwell; Frank Evans

Nathan Sumpter called the meeting to order at 8:08 p.m.

**I. PROPOSED CHANGES TO THE BUILDING ZONE MAP & SITE PLAN  
REVIEW**

a) **#2-13M/#5-13SPR – 34 Oakwood Ave Assoc. LLC - 34 Oakwood Ave - Proposed change to the Building Zone Map from AAA Residence in part & Business #2 in part to entirely Business #2 and proposed 4 story, 72,180 sq ft mixed use development with 53 units and 8,330 sf office space – Final review prior to public hearing**

Dori Wilson began the presentation by informing the commissioners that the application would be on the Zoning Commission agenda for the following week. She also said that the Planning Commission had approved the zone change. She showed the commissioners an aerial photo to show them where sidewalks would be.

Atty Suchy continued the presentation by discussing where new sidewalks would be built. She submitted a draft plan which she noted that the Zoning Department staff had not seen prior to the meeting. The applicant would be connecting its sidewalk to the one that was there. The sidewalk would be an addendum to the plan.

**II. PROPOSED AMENDMENTS TO THE BUILDING ZONE REGULATIONS,  
SPECIAL PERMITS & COASTAL SITE PLAN REVIEWS**

a) **#3-13R/#15-13SP/#21-13CAM – Trinity Wash Village Ltd Partner/City of Norwalk – Raymond, Water & Day St - Proposed amendments to Industrial Zone #1 regarding the location of parking for TOD properties in flood zones and proposed 192 unit multifamily development – Preliminary review**  
b) **#14-13SP/#20-13CAM – Trinity Wash Village Ltd Partner/City of Norwalk – 20 Day St - Proposed 70 unit multifamily development – Preliminary review**  
c) **#13-13SP/#19-13CAM – Trinity Wash Village Ltd Partner/City of Norwalk – 13 Day St - Proposed 10 unit multifamily development – Preliminary review**

Dori Wilson began the presentation by informing the commissioners that there were three different applications which would be handled together. She gave an update about the current properties. She said that it was the first TOD development for the city.

They would be providing 30% workforce housing. Ms. Wilson also said that the applicant was seeking a zone change to allow for parking underneath the building. After Superstorm Sandy the applicant wanted to make sure that the buildings would be safe even in a 500 year storm.

Atty Chris Smith continued the presentation. Before he could begin, Mr. Santo asked him who would maintain the property. Mr. Smith said that it would be a partnership with the Housing Authority. The applicant was trying to re-vitalize the area with mixed income housing. He then introduced the team that would be working on the project. After he completed this, he then thanked the Zoning Department's work that Ms. Wilson, and Mr. Strauch had done for the application. Mr. Smith did a brief, overview, describing the three parcels that were part of the three separate applications. All three parcels are in the new Transit Oriented Development ("TOD") zone. Because of the funding requirements of FEMA, the elevations on the buildings will be high. This has led them to request to propose an amendment to allow for parking underneath the buildings. Atty Smith discussed the proposed amendment in some detail.

Eva Ehrlich, project manager from Trinity Financial, continued the presentation. She gave a background of Trinity Financial which has worked with housing authorities including some in Connecticut. She mentioned some names of projects they have worked on. She gave a history of the re-development plan for these applications. She explained how the parcels would be leased to Trinity. Mr. White asked about the length of the leases which would be over 65 years. There was a discussion about the market rate vs. workforce housing units. The units were all to be rentals. Mr. Mushak said that the model that Trinity Financial was using for these applications was a model that the Department of Housing and Urban Development ("HUD") was encouraging. Ms. Ehrlich said that this type of use was integrating households of different income levels. Candace Mayer, Deputy Director of the Housing Authority, said that all of the Housing Authority units are rentals.

Mr. Sumpter discussed the current residents of Washington Village. Ms. Ehrlich said they were encouraging them to stay. There was then a discussion about the funding process which could include funds from HUD. Atty Smith said that if Trinity received an approval from the Zoning Commission it would help them receive the HUD funding.

Ms. Ehrlich explained that in the wake of Superstorm Sandy, many of the apartments were bad shape because they were flooded at that time. Mr. White asked how long they anticipated the construction phase to last. Ms. Ehrlich said that since there were three parcels, each one would have to follow the other. She expected the phases to last between 14-16 months.

Kendra Halliwell, architect for the project, continued the presentation. She said that they had met with the residents to discuss their needs, one of which was slightly larger apartments. The current ones are small. She then began going over the maps of the various parcels that would be involved in the project. She described the different types of residences such as townhouses and apartment buildings. Ms. Halliwell showed the commissioners the elevations of the buildings. Some of the buildings would

have stoops, seating areas to help the streetscape. There would be amenity and community spaces along with a plaza. There was a discussion about security after Mr. Sumpter had questions about the use of some areas on the ground level. Mr. Santo also asked about the garages and whether someone could see in and out for security reasons. The garages were to be clean, safe and secure and only for the residents. Mr. Mushak thought that there would have to be some trade-off between security and aesthetics.

After Dori Wilson briefly discussed possible public hearing dates, Ms. Halliwell continued the presentation. She discussed the building materials which would be appropriate for buildings near the water. For example, masonry would be used at the ground floor. There was a discussion about water from the Long Island that floods the streets near the project as well as about an evacuation plan.

Ms. Halliwell said that there was not enough parking currently at the site. She described the additional parking. She discussed the parking and access drives between buildings. There would be parking under some buildings. Mr. Mushak discussed the idea of "defensible space." Ms. Kruk suggested putting some small businesses in kiosks in some of the small areas that might be of concern.

There was a discussion about date of the public hearing. Atty Smith thought the applicant would be able to get all of its approvals and be ready for a public hearing in November. The commissioners thought it would be best to wait until Dec. 11. Mr. Evans also said that the applicant would prefer a public hearing in November but did not want the commissioners to feel pressured. Mr. Mushak said that he had heard about community meetings to quell the resident's fears about the new project. Ms. Mayer said that they had had several meetings with the residents as recently as August. Mr. Santo asked if the residents were concerned about being forced out of their housing. Ms. Mayer said they were welcoming the change and wanted to be part of the first phase. They were very supportive of the new housing.

### **III. MAIN AVENUE: Discussion of possible new regulations for Main Avenue Service area from Linden St to New Canaan Avenue as recommended in Westport -North-Main Corridor Study and Plan**

Dori Wilson began the presentation by showing the commissioners an aerial map of Main Avenue. She handed out a summary of the properties along Main Avenue which included the sizes of them. She noted that there is an aquifer protection area. She had marked the larger, retail buildings on the map. She noted that any of the smaller stores could merge and become much larger, as large as 10,000 sq. ft. She has not had an opportunity to do a parking analysis. She cautioned Mr. Mushak that it had taken several months to pass a previous zone change based upon the 2006 Westport-North Main Corridor Study ("the Study") so they would need the same effort for this to go to public hearing as well. Dori Wilson did have some historical parking analysis in her summary which she began to discuss at this time. She showed the drive-thru locations which would be recommended to be prohibited. She said that car washes were more problematic on this road than retail. Dori Wilson said that she would like it if the committee could review the plan, Main Avenue and come up with what they would like

to do. The plan mentioned that it was a framework to make policy decisions. Not all of it had to be adopted. Mr. Santo suggested that 10,000 sq. ft for retail was too small. Mr. Mushak discussed the Study in length which included widening Main Avenue at several different intersections. He then began a discussion about local businesses vs. big box stores. Mr. Santo asked him whether he was trying to prevent an application from BJ's Warehouse Club but he said he was not. Then there was a discussion of the history of the height of buildings. Mr. Mushak said that he was not against big box stores, just that they should be in places near highways so that they would not affect surrounding neighborhoods. Mr. Mushak asked why the Master Plan was not followed where it said that the Study should be implemented. Ms. Kruk asked Mr. Mushak asked him to specifically state what he wanted the commissioners to act upon.

Dori Wilson had a review sheet that she wanted the commissioners to look over. The sheet said that there should be a new village district zone called Main Avenue Service. She read some highlights from the sheet to begin a discussion of what the commissioners wanted the zone to be. She also gave some information about trip generation for different uses. There was a discussion about the big box stores. Ms. Kruk stated that many towns were now requiring them to have a plan when they vacate the store and/or the town. Dori Wilson told the commissioners that they should proceed cautiously because the courts could look at a zone change unfavorably, especially when an application in the proposed zone has been withdrawn. She had asked Corporation Counsel to look for case law in connection with this. The commissioners thought that they should all take the review sheet home and discuss it again at the November Zoning Committee meeting. Ms. Wilson said that any zone changes would be on that committee's agenda. The three members of that committee are Nathan Sumpter, chairperson, Mike Mushak and Linda Kruk. Dori Wilson said that she would prepare a draft amendment with more input from the commissioners. Mr. Mushak did not think the village district was a good idea.

The meeting was adjourned at 10:45 p.m.

Respectfully submitted by,

Diana Palmentiero