

CITY OF NORWALK  
ZONING COMMITTEE  
December 9, 2013

**PRESENT:** Emily Wilson, Chair; James White; Michael O'Reilly; Nathan Sumpter; Michael Mushak; Linda Kruk; Jill Jacobson and Joseph Santo (arrived after the meeting began)

**STAFF:** Dori Wilson; Frank Strauch; Adam Carsen

**OTHER:** Atty Chris Smith; Eric Raines; Kendra Halliwell; Eva Ehrlich; Rebecca Rito; Mr. Glazer, Pete Romano

Emily Wilson called the meeting to order at 8 p.m.

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

**a) #3-13R/#15-13SP/#21-13CAM – Trinity Washington Village Ltd Partnership/City of Norwalk – Raymond, Water & Day Sts - Proposed amendments to Industrial Zone #1 regarding the location of parking for TOD properties in flood zones & new 193 unit multifamily development – Final review prior to public hearing and b) #13-13SP/#19-13CAM – Trinity Washington Village Limited Partnership /City of Norwalk – 13 Day St - New 10 unit multifamily development – Final review prior to public hearing and c) #14-13SP/#20-13CAM – Trinity Washington Village Limited Partnership /Norwalk Housing Authority - New 70 unit multifamily development – Final review prior to public hearing**

Emily Wilson said that they would handle all three agenda items as one presentation.

Dori Wilson began the presentation by describing the various applications for the three parcels. She said that the Planning Commission would decide upon the zoning amendment application at their next meeting which was the following night. She said that the applicants have most of the necessary sign-offs but not all. They are working to address the comments of both the Zoning and Planning Commissions. There was a discussion as to whether the Department of Public Works ("DPW") sign-off had been provided. That along with other outstanding items would mean that the commission would not be able to vote on the applications at the Zoning Commission meeting.

Atty Chris Smith continued the presentation by introducing the team of experts for the applicant. Dori Wilson also told the commissioners that Atty Smith had provided packets at this meeting which they should also bring to the Zoning Commission meeting on Wednesday.

Eric Raines, the landscape architect, continued the presentation. He described the goal of the landscape plan which was to have street trees along all frontages. He also described how some of the trees would be seasonal. He said it is good to have a mixture of trees. Mr. Sumpter asked who would maintain the trees. Mr. Raines said that after the 1 year warranty on the trees, it is a site plan requirement to maintain them. Mr. Mushak asked

about the screening on the garages which led to a discussion about the urban design standards of the New York City Planning Department for flood resiliency. Mr. Mushak also asked about retail space on one corner of one parcel. Ms. Halliwell answered that a building lobby was moved to fill in the space and that the applicant had determined that retail was not feasible. Mr. Mushak then referred to the New York urban design standards which included the use of porches and steps. He compared it to the applicant's project. He also discussed the "eyes on the street" concept which he thought the applicant has addressed with lots of windows and entrances and exits. It feels safe. There was a discussion about the Mid-Harbor Plan and the need for additional public parking to serve Water Street.

Mr. Santo asked about the construction schedule. Ms. Ehrlich said that Trinity Financial hoped to have funding in place so that they could start the project in the summer of 2014. They would start on the vacant lots at 13 and 20 Day St so that residents could move into those buildings while the others are being built. Mr. Mushak asked about re-zoning South Main Street to allow for retail. South Main St. is outside the flood zone and one block from this project.

With respect to the commissioners' concerns about recreation and outdoor play areas, Ms. Halliwell said that a few more areas had been added to the project. Mr. White asked about the square foot build-out price. When Ms. Ehrlich quoted the price, he thought it was high and she explained why. Some reasons included the fact that it was in a flood plain, residential and had elevators. Mr. O'Reilly asked if they could find any cost savings. Mr. Sumpter asked about hiring practices. Ms. Ehrlich said that for the first phase they had advertised in a couple of newspapers. In the bid packages, the goals of hiring were set forth.

Rebecca Rito, the traffic consultant, continued the presentation. She discussed how the traffic study was done. The analysis showed that there were not a lot of trips nor was there any significant change in the level of service. Atty Smith said that there was a supplemental study which included Saturday midday counts.

Mr. Mushak had a question for staff about the Plan of Conservation and Development and its reference to parking. Staff noted the POCD and the Mid-Harbor Plan both reference the need for additional public parking to serve the Water Street area.

**d) #6-13R/#16-13SP – A. Glazer – 194 Perry Ave/River Rd - Proposed amendments to Silvermine Tavern Village District to increase to 15,000 sf for new structures, allow single family residences and special permit to rehabilitate Silvermine Tavern buildings, rehab existing SFR/guest house, construct new barn, add 4 units cluster housing and reconfigure existing parking lot – Preliminary review**

Dori Wilson began the presentation by discussing how the Silvermine Tavern Village District was set up to preserve the property, rather than the having the buildings being sold off individually. This is the first application under the new village district. She handed out copies of the site plan as well as discussed the next steps for the application. The Planning Commission would receive the proposed zoning amendment as a referral.

Mr. Glazer continued the presentation by discussing how he became involved with the project. He received positive feedback from the community. He then described the work to

be done to the buildings on the property. Four single family residences, which would include artist studios on the property, would be constructed from old barns. These residences would be built on the existing parking area. Since the reconstructed Silvermine Tavern would have much less seating, they would not need as much parking. There would also be an event barn which would house farmer's markets, holiday events, etc. He also described the renovation that would be done to the Tavern, the Inn and the store building. He then discussed the parking further. Since there is less parking, the applicant proposed a valet parking plan. He spent some time discussing the text changes which they have been working on with staff. He also discussed the new driveway and drop off area for the Inn.

Mr. Mushak had questions about the water quality which Mr. Romano addressed. He said that the applicant had received sign-offs from the Health Department for the septic systems. He then discussed the storm water drainage. There was also a discussion about public access and walkway to the Inn and about when the applicant could proceed to the public hearing. Most likely it would be in January. Mr. Sumpter asked about the store that is located on the property. Emily Wilson asked for clarification about the walkway. Mr. Mushak asked for an informational sign describing the history of the inn as well as the planned location for a dumpster. There was also a discussion about the barn.

**e) #7-13R – Planning Commission - Proposed amendments to regulate the location and screening of mechanical equipment and HVAC units on rooftops in multifamily and business zones – Preliminary review**

Mr. Carsen began the presentation by discussing the information in their packets which gave the Planning Commission's proposed text amendment that included height limits, setbacks, etc for new rooftop HVAC units. He also gave a handout which showed the regulations that other surrounding towns have. Emily Wilson inquired whether this proposed amendment was codifying what the Zoning Commission reviewed during a site plan application. The proposed amendment would put this in place at the beginning of the process, rather than having the commissioners ask the applicant to screen the equipment. Mr. Carsen told the commissioners that they could make changes that they thought appropriate. It would be on the January committee agenda.

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

Dori Wilson began the presentation by orienting the commissioners as to the location of the area which would be under the proposed regulations. This map included the shopping plazas and stores which would be affected. She noted that the commissioners were concerned about the traffic flow in this corridor. If the regulations went into effect, some stores such as CVS and Walgreens would be non-conforming. She also noted that some buildings were over 10,000 sq. ft. Although individual stores were less than 10,000 sq. ft., if a property owner wanted to lease the whole building it would then be non-conforming. Mr. Mushak discussed a SWRPA study in 2011 noted that this corridor had the highest pedestrian and bicycle injury rate. There was a discussion that the smaller stores generate more traffic and larger stores generate less. Mr. Mushak asked whether they should revise the amendment to allow the square footage to 25,000 sq. ft. Emily Wilson asked if they

shouldn't revise it to whatever the largest store in the corridor was, which was Walgreens, it was suggested that 35,000 sq ft would be sufficient to accommodate all existing stores. If that was done, there would be no properties that were non-conforming. Mr. White thought that traffic was coming from vehicles accessing I-95 and the Merritt Parkway. Dori Wilson said that traffic on the corridor had actually been worse in the 1980s.

Mr. Santo was concerned that this amendment was being proposed because of the BJs application. He did not want it to seem as if the commissioners did not want any big box store on that lot. Ms. Kruk said that they had to take into consideration the property owner's rights at that lot. There was further discussion about Route 7 and the intersections as well as suggestions set forth in the Master Plan.

It was suggested that the Zoning Dept. staff evaluate the largest vacant parcel to determine how many parcels could be created under varying scenarios. There was a discussion about what steps to take with property owners in the corridor before changing the regulations which included possibly holding a workshop for property owners. The commissioners agreed that they needed more information. The analysis would be done for Bus #2 zone parcels fronting on Main Avenue. There was a discussion about speaking with the Planning Commission about subdivisions and curb cuts. Mr. Strauch said that the Planning Commission encourages shared curb cuts but cannot require them.

The meeting was adjourned at 9:37 p.m.

Respectfully submitted by,

Diana Palmentiero