

**CITY OF NORWALK
ZONING COMMISSION
April 16, 2014**

PRESENT: Emily Wilson, acting as Chair; Jill Jacobson; Nora King; Jim White; Nathan Sumpter; Mike O'Reilly; Mike Mushak (after the roll call)

STAFF: Mike Wrinn; Frank Strauch

OTHERS: Ron Kellogg; Ray Sullivan; Tom Quinn; Elaine Chay; Christine Williams;

I. CALL TO ORDER

Ms. Wilson called the meeting to order at 7:32 p.m.

II. ROLL CALL

Mr. Wrinn called the roll.

III. PUBLIC HEARINGS

a. #1-14SP – 15 Arch St. Assoc., LLC - 15 Arch St & Lynes Place – 16 unit multifamily development

Ms. Wilson opened the public hearing. Mr. Kellogg began the presentation by passing out photographs of the present property to the commissioners. He then handed over the certified, return receipts for the mailing of the legal notice for the public hearing. He also oriented the commissioners as to the location of the property as he reminded the commissioners that there is already an approval on the property. The applicant has recently purchased an additional property so they would like to add additional units to the multifamily development. The applicant has received all the necessary sign-offs from various departments in the city.

Ray Sullivan, the architect on the project, continued the presentation by explaining the expansion of the building and the parking. He believed it met "D" zone regulations. He noted that there are recreation areas on the property. He explained the exterior of the building as well as the interior of the buildings.

Mr. Mushak asked staff whether recreation areas could be in the front yard. Mr. Strauch said that although it seemed as if it was in the front yard, it is actually in the side yard. Mr. Mushak also asked whether this as a residential or rental building. Mr. Sullivan said that these units were rentals. There was a further discussion about the recreation areas.

Tom Quinn, the civil engineer on the project, continued the presentation. Since there was a question about having pervious pavement He said that he was not the engineer on the original project. Mr. Strauch said that the original approval said all walkways would be constructed with pervious pavers. Mr. Quinn said that it would be helpful to use them. It was decided that, if approved, the applicant would have the same condition as the original.

Ms. Wilson asked if there were any members of the public that would like to speak.

Elaine Chay, 16 Arch Street, asked whether the building would be apartments for rent or condos for sale. She had concerns about drainage, parking and respect for the land that is there. More specifically, she was concerned that there would not be enough parking as well

about parking by those that did not live on the street. She mentioned that there were problems during the winter with cars parked on the street. She also said that many of the cars had out of state license plates and would be on the street for a long time. She mentioned that she had reported these cars.

Christine Williams, 16 Arch Street, asked whether a traffic study had been done since there is a lot of traffic. She also said that cars are parked for a long time and that there were problems during the winter. They had difficulty coming in and out the buildings. Mr. Mushak said that the police should be handling the problem. Ms. Williams said that they were aware of it but had not done much about it. Mr. Sumpter asked if there was a neighborhood watch. Mr. White suggested that the Zoning Commission send a letter to the police department expressing the concerns of the neighbors. Mr. Sumpter mentioned that Ms. Williams contact her representative for help.

Mr. Kellogg addressed the comments received with his rebuttal. He believed that the two ladies that spoke had similar concerns. He said that the applicant complied with the parking regulations and that everyone in the building would have their own parking. He mentioned that there was a traffic study. Ms. Wilson closed the public hearing.

IV. REPORT OF PLAN REVIEW COMMITTEE, JILL JACOBSON, CHAIR

**a. Action on Item III. a.
#1-14SP – 15 Arch St. Assoc., LLC - 15 Arch St & Lynes Place – 16 unit multifamily development**

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #1-14SP – 15 Arch St. Assoc., LLC - 15 Arch St & Lynes Place – 16 unit multifamily development, by A-2 Survey titled: “Zoning Location Survey of a Property Prepared For 15 Arch Street Associates, #115 Arch Street, Norwalk, Connecticut, Scale: 1”=20’, Date: Jan. 21, 2014 and Revised to April 8, 2014” by Arcamone Land Surveyors, LLC, Wayne Arcamone Land Surveyor – Connecticut Registration No. 15773 and as shown on various site and engineering plans by Peak Engineers, LLC, Redding, CT dated 1/22/2014 and revised to 3/6/2014 and on the landscape plan by Environmental Land Solutions, LLC, Norwalk, CT dated 2/19/2014 and revised to 3/7/2014 and the Architectural Plans by the Sullivan Architectural Group, Fairfield, CT dated 4/8/2014 be **APPROVED** with the following conditions:

1. That a surety, in an amount to be determined by staff, be submitted to guarantee the installation of the required erosion and sediment controls; and
2. That a surety, in an amount to be determined by staff, be submitted to guarantee the installation of the required improvements; and
3. That all soil and erosion controls be in place and verified by an inspection by Staff prior to the start of any work on the site; and
4. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
5. That the proposed dumpster be locked and properly screened; and
6. That the hours of garbage pick-up and any deliveries be no earlier than 7 a.m. and no later than 7 p.m.; and
7. That a final certified “as-built” will be required to verify the completed project is built in accordance with the Zoning Regulations (height, setback, etc.); and
8. That a stormwater system be maintained per the maintenance plan submitted; and
9. That the property consolidation map of the property be placed on the Norwalk Land Records prior to the zoning permit being issued; and
10. That all signage, existing and proposed, comply with the zoning regulations; and
11. That any graffiti on the site, now or in the future, be removed immediately; and

12. That all HVAC units shall be located in conformance with the applicable zoning setbacks; and
13. That all onsite walkways shall be constructed with permeable pavers; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-360, "D Residence Zone" and 118-1450 Special Permit; and

BE IT FURTHER RESOLVED that a Certificate of Special Permit **AND** map be placed on the Norwalk Land Records; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 25, 2014.

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

b. #8-11SP – Norwalk Hospital – 34 Maple St - Outpatient addition – Request to modify approved sign manual with new cornice sign for outpatient addition and to relocate and revise Whittingham Cancer Center, Main entrance & Emergency Department wall signs – Report & recommended action

**** MR. SUMPTER MOVED: BE IT RESOLVED** that the request to revise the sign manual for Norwalk Hospital entitled "Exterior Signage and Graphics Manual" dated August 21, 1996 and "Exterior Signage Location Map" dated revised to October 1, 1996 prepared by HLM with four signs including relocating the "Whittingham Cancer Center" sign to the new cancer center on Maple Street; redesigning the Emergency Department sign to read "Bauer Emergency" (2 signs); revising the Main Entrance to "Ambulatory Entrance" and adding a new cornice sign at the top of the new 5 story outpatient addition to read "The Anne P. and Harold W. McGraw, Jr. Center" as shown on a various plans prepared by ASI, New England dated as revised to April 4, 2014 be approved, subject to the following conditions:

1. That the proposed new signs will not be illuminated, except for the "Emergency" sign; and
2. That any further changes to the above manual be reviewed and approved by the Zoning Commission; and

BE IT FURTHER RESOLVED that the effective date of this action be April 25, 2014.

**** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

c. #9-11SPR/#22-11CAM – North Water, LLC - 20 N. Water St – 5 story, 133,035 sf mixed use development with 108 units, 7,700 sf retail, 6,000 sf office, 7,200 sf restaurant & related site amenities – Request to modify pedestrian plaza amenity to reduce size and seating provided – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the proposed modification to the approved site plan for #9-11SPR and coastal site plan application #22-11CAM; North Water, LLC – 20 N. Water/Washington St for a 133,035 sq. ft. mixed use development with 108 multifamily dwelling units, 7,700 sf retail, 6,000 sf office, 7,200 sf restaurant and related site amenities including 10 public parking spaces, a pedestrian plaza and a water feature as shown on a set of plans entitled "The Norwalk Company, North Water Street, Norwalk, CT." by Beinfield Architecture, PC; Rotondo Engineering, LLC; Eric Rains Landscape Architecture, LLC and related plans dated February 3, 2012 as revised to March 24, 2014 to show the final design of the pedestrian plaza and water feature be approved, subject to the following conditions:

1. That a covenant which ensures the continuous operation and maintenance of each of the three (3) proposed site amenities, including a public pedestrian plaza with a portion set aside for outdoor dining provided that a minimum of 3,015 sq ft of plaza is reserved and available for public use at all times, a 1,567 sq. ft. water feature in the center of the plaza and 10 public parking spaces, shall run with the land in perpetuity and shall be filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance (CZC); and
2. That the all other conditions of approval remain in effect; and

BE IT FURTHER RESOLVED that the effective date of this action be April 25, 2014.

**** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

d. #4-14CAM – Shorehaven Golf Course – 14 Canfield Av – Additions & alterations to main clubhouse – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** #14-13CAM, submitted by Shorehaven Golf Club, Incl. for addition and alterations to the main clubhouse at 14 Canfield Avenue as shown on various plans entitled “Shorehaven Golf Course Additions and Renovations” by KG & D Architects, Architects, Mount Kisco, NY, dated 3/10/14, revised to 3/20/14 be **APPROVED** with the following conditions:

1. That all required CEAC signoffs are submitted; and
2. That all required flood certifications be submitted, and
3. That all required soil and sedimentation controls be installed prior to the start of construction and maintained until the project is completed and stabilized; and,
4. That any change to the plan will require Zoning Commission approval; and
5. That any graffiti on the site, now or in the future, be removed immediately; and
6. That all required permits are in hand for the proposed drainage; and,

BE IT FURTHER RESOLVED that the application complies with the applicable Colony Area Management resource and use policies; and,

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 25, 2014.

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

e. #6-14SPR – Norwalk Fire Dept – 180 Westport Ave – 1,975 sq ft addition to existing firehouse – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application # 6-14 SPR, submitted by the Norwalk Fire Department, for the construction of a 1975 SF addition of new space at the existing fire station at 180 Westport Avenue, as shown on various plans by Pachco Ross Architects, Voorheesville, NY, dated January 6 2011, be approved, with the following conditions:

1. That the final drainage report be approved by DPW and CT DOT;
2. That the landscaping be modified as per the staff recommendations of March 16, 2011, adding a street tree and foundation plantings; and
3. that any and all required erosion and sedimentation controls be installed prior to the start of any work on the site;
4. That any additional required erosion and sedimentation controls be installed at the direction of the staff;
5. That any graffiti be removed from the building immediately;

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 25, 2014.

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

f. #13-10SP – Norwalk Inn – 99 East Ave – Modify approved plans to remove storage trailers and replace with proposed 3 story addition to rear of existing hotel – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request to modify the approved plan for special permit application #13-10SP/#17-10CAM – Norwalk Inn & Conference Center – 93 - 99 East Avenue – Third story, 37 room addition to existing hotel at 99 East Avenue and conversion of existing rooming house at 93 East Avenue to 11 hotel rooms with kitchen and related site improvements as shown on a set of plans entitled "Norwalk Inn 93-99 East Avenue" prepared by Jozsef Solta Architects, Peter F. Alexander, Landscape Architect, Joseph Risoli, P.E. and Fairfield County Engineering, LLC and dated as revised to October 15, 2010 be modified as shown on a set of plans by Jozsef Solta Architects and Arcamone Land Surveyors dated revised to March 11, 2014 be approved, subject to the following conditions:

1. That the original conditions of approval remain in effect; and
2. That a revised survey be filed on the Norwalk Land Records; and
3. That any changes to the approved plans be submitted to the Zoning Commission for review and approval; and

BE IT FURTHER RESOLVED that the effective date of this action be April 25, 2014.

**** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

g. #1-09SP/#1-09CAM - SoNo Hotel TR SoNo Partners, LLC – 43 - 47 South Main Street – 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

**** MS. JACOBSON 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 property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be **April 24, 2015**; and

BE IT FURTHER RESOLVED that the effective date of this action be April 25, 2014.

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

h. #9-06SP – 110 Richards Ave LLC – 110 Richards Avenue – Third story, 13,056 sq. ft office addition - Request for 1 year extension of approval time – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension of time for special permit #9-06SP - 110 Richards Avenue, LLC - 110 Richards Avenue – Renovations and addition to 110 Richards Avenue for a 116,200 sq ft office and manufacturing building as shown on various plans by Telfer-Palmquist Architects and Studio Rai Architectural Design and dated as revised to March 17, 2010 be approved, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be April 8, 2015; and

BE IT FURTHER RESOLVED that the effective date of this action be April 25, 2014.

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

i. #4-13SP – Shelter Development, LLC – 162 New Canaan Ave & 9 Wood Acres Road – 90 unit congregate housing and assisted living facility - Request for 1 year extension of approval time – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that the approval time on #4-13SP – Shelter Development, LLC – 162 New Canaan Ave & 9 Wood Acres Road – 90 unit congregate housing and assisted living facility be **APPROVED** for an extension of a period of 365 days with the following condition:

1. That property taxes be kept current for the duration of the extension period;

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 25, 2014.

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

j. #2-09SPR – Tilly – 25 - 29 Bouton Street – 12 unit multifamily development – Request for 1 year extension of approval time – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that the approval time on #2-09SP – Tilly – 25-29 Bouton Street – 12 units of multifamily be **APPROVED** for an extension of a period of 365 days with the following condition:

2. That property taxes be kept current for the duration of the extension period;

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 25, 2014.

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

k. #5-13CAM – B. Beinfield – 280 Wilson Avenue – Single family residence – Request for 1 year extension of approval time – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension on Coastal Area Management application # 5-13, submitted by B. Beinfield, 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 Beinfield 280 Wilson Avenue, Norwalk, CT, Scale 1” = 30”, dated March

6, 2013, be approved.

BE IT FURTHER RESOLVED that the new deadline for obtaining a build permit is March 28, 2015.

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 25, 2014.

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

V. APPROVAL OF MINUTES: March 19, 2014

MS. WILSON MOVED to approve the minutes, as amended.

**** MS. JACOBSON SECONDED.
** MOTION PASSED UNANIMOUSLY**

VI. COMMENTS OF ASSISTANT DIRECTOR

There were no comments from Mr. Wrinn.

VII. COMMENTS OF COMMISSIONERS

Ms. King had questions about the dates of the next Zoning Commission meetings. Mr. Wrinn explained that because of the way the calendar was this month, the Zoning Commission meeting would be on May 21.

VIII. ADJOURNMENT

**** MS. WILSON MADE A MOTION TO ADJOURN.
** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Diana Palmentiero