

**CITY OF NORWALK
ZONING COMMITTEE
May 8, 2014**

PRESENT: Linda Kruk, acting as Chair; Joe Santo; Jill Jacobson; Nora King; Mike Mushak and Michael O'Reilly (who left before the meeting was over)

STAFF: Michael Wrinn; Dori Wilson; Frank Strauch

OTHERS: Atty. Liz Suchy; Paxton Kinol; Kwesi Brown; Kevin Conroy

Before the beginning of the meeting, Mr. Santo appointed Ms. Kruk, acting Chair

Linda Kruk called the meeting to order at 9:26 p.m.

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

a) #1-14M/#2-14SPR/#2-14CAM – Norwalk West VI, LLC. – 26-36, 33 Orchard St/2 Quincy St – Proposed change to Building Zone Map from D Residence to CBDD Subarea B (1.44 acres; 8 parcels) & 6 story, 69 unit multifamily bldg in a Design District Development Park with 87 pkg. spaces (7 parcels) & related modifications to DDDP – Further review

Ms. Wilson began the presentation by explaining the proposed zone change. The applicant has been working to be prepared for the Zoning Commission meeting in May. She said that the Planning Commission would be making their recommendation at their upcoming meeting. The applicant was still waiting for some sign-offs. She also explained to the commissioners that one of the conditions of approval was for the applicant to replace some parking spaces that would be lost due to the development. There were also some changes made to the height of the building. She said they had received some additional renderings and the material board.

Atty. Suchy continued the presentation by introducing some members of the project's team. She discussed the application as it was originally presented and then explained the modifications, as Ms. Wilson had also explained. She then showed the commissioners the materials board. She also said that there would be another application being filed in a few weeks which would replace the parking spaces that Ms. Wilson had mentioned would be lost.

Mr. Kinol continued the presentation by discussing the stoops that were being added. These stoops would go directly into the apartments. There was also a discussion about the water tables.

Atty. Suchy said that the applicant had received most of the sign-offs. They were waiting for the Department of Public Works as well as Redevelopment's completion of the design review. The applicant had requested a waiver of the model.

Kwesi Brown discussed the fast track process with the Connecticut office of the State Traffic Administration ("OSTA") which Waypointe has used for its other applications. He explained that they prepared a traffic study which was then sent to the state.

Atty. Suchy said that legal notices had been run in the newspaper because the applicant would be ready for the public hearing on May 21.

II. PROPOSED AMENDMENTS TO THE BUILDING ZONE REGULATIONS

a) 1-14R – Planning Commission - Proposed amendments to regulate the location and screening of mechanical equipment and HVAC units on rooftops in multifamily and business zones – Review of revised draft amendment

Ms. Wilson began the presentation by telling the commissioners that this revised draft amendment would be reviewed by the Planning Commission and the public hearing would be in June.

b) #2-14R – Zoning Commission – Discussion of possible amendments to revise minimum lot size for indoor contractor parking facility from 12,500 sf to 10,000 sf, to allow as principal use in Bus #1, Bus #2 subject to submittal of Environmental impact statement (EIS) and related technical amendments – Further review

Ms. Wilson summarized the discussion at last month's meeting. Mr. Mushak was pleased with the draft. Referrals and the public hearing would be held in July.

c) #3-14R – Zoning Commission – Proposed amendments to revise Section 118-1100 Flood Hazard Zone to comply with new State Building Code regulations regarding base flood elevation plus one foot - Preliminary review

Ms. Wilson began by noting that the state code has changed and now requires that first floor flood elevations should be one foot above base flood. The zoning regulations have to be changed to meet these new standards. Mr. Wrinn said that although the state regulations had been changed, the staff was informing new applicants of it so they would not be surprised when they went to the Building Department.

Ms. King asked the staff to find out how many recently issued zoning permits this regulation would affect. Ms. Wilson said they would look back to July 2013. Mr. Wrinn said that the changes were required by the State Building Code used by the Building Department. He explained the procedure that the staff follows when someone comes into the Zoning Department to raise their house.

d) Rowayton Avenue Village District: Discussion of possible amendments to reduce parking requirements

Ms. King began the presentation. She said that she had been working with the Zoning Department staff as well as Rowayton commissioners to discuss making Rowayton a more walkable village. They would like to see it become more retail and restaurant friendly. They had gathered parking counts to begin the process which she handed out to the commissioners. She said they also spoke with community members, experts in the field and that it was positively received. There were concerns about the amount of high end condos that were being built. She said that she would like to see an amendment to the parking regulations drafted.

There was a discussion about some cars backing onto Rt. 136 from parking in front of Post Office. Mr. Mushak thought that it encouraged traffic calming and did not think there was much speeding on the street.

Ms. Wilson said that the staff would draft an amendment which would be restricted to the Rowayton Avenue Village District. There was a discussion of other areas on Rowayton Avenue that the Sixth District has agreed to conduct parking counts. Mr. Mushak suggested that other cities that have no parking regulations let the market determine how much parking is necessary and referred to the recommendations from the Norwalk Parking Master Plan. Ms. Wilson said that the commissioners should be cautious about making any blanket changes to parking for the rest of the city. She suggested waiting to see how the parking works at several mixed use projects that are under construction to determine what works and what does not. Ms. King said that she thought the existing parking regulations were complicated. Mr. Mushak thought that the city should do away with its parking regulations. The Committee came to a consensus that perhaps they should begin with Rowayton.

e) Discussion of possible zoning regulation changes: Traffic studies, traffic peer review and possible moratorium on Special Permits over 20,000 SF

Mr. Mushak began by discussing the Transportation Plan that had been completed in September of 2012. He said that many of those recommendations still had not been implemented and that many of them should be. The plan said that the City's regulations are too generic. He handed out a list of recommendations from the plan to the commissioners and staff, which he discussed with them. One in particular, peer review, he recommended to the other commissioners to implement. He explained that peer review did not have to be complicated and that the traffic study was completed correctly. Ms. King thought it would hold applicants accountable for their traffic studies. Mr. Santo asked that the staff look at the regulations from other towns. Many of the commissioners thought peer review was a good place to start. Ms. Kruk thought that they should be mindful of what they were doing before placing more regulations on applicants. Mr. Mushak made some requests as to how the regulations should be written. Mr. Wrinn made some suggestions to further these regulation changes such as obtaining language from other towns' regulations, etc.

Mr. Mushak then began to discuss the moratorium issue. He said that several neighborhoods did not have a chance to speak on this issue because of the withdrawal of the application by BJ's Wholesale Club in the prior fall. They felt left out of the process. He did not know if a moratorium was a good idea but thought that it was something the public wanted. Mr. Santo thought that Mr. Mushak was trying to prevent an application from BJ's Warehouse Club, or other similar applicant, from being filed in Norwalk in this corridor. Mr. Mushak denied this and reminded him that these zone changes were recommended in the Transportation Plan. Ms. Kruk believed that the Zoning Commission should help businesses come to Norwalk and be successful. The commissioners did not think a moratorium was a good idea. They decided that it would be best to have public comments on these regulation changes.

The meeting was adjourned at 11:02 p.m.

Respectfully submitted by,

Diana Palmentiero