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VIA email only (skleppin@norwalkct.org)

Louis Schulman, Chair
Norwalk Zoning Commission
125 East Avenue
PO Box 5125
Norwalk, Connecticut 06856

Re: Wall Street Place #5-20SPR/#07-20CAM
61 Wall Street & 17 Isaacs Street, Norwalk, Connecticut

Dear Mr. Schulman,

This firm represents, IJ Group Oz, LLC, (“LLC”) which owns property at 20 Isaacs Street, and 64 Wall Street. As a neighboring property owner, the LLC has an interest in the development at Wal Street Place, and some concerns regarding compliance with the current zoning regulations of the applications being considered.

As you are aware, Schedule Limiting the Height and Bulk of Buildings located within the Central Business Districts (“Height and Bulk Schedule”), attached hereto and made a part hereof as Exhibit A, permits a maximum building height of 6 stories, except that Isaacs Street and Wall Street are expressly limited to a maximum height of 4 stories. Additional height can be achieved with the inclusion of certain amenities as specified in Section 118-504(E)(2) (“Amenities”), in the project, which would have the effect of permitting a 5-story building on Isaacs Street and Wall Street. In no event, does the current Height and Bulk Schedule permit the construction of a 6-story building on Isaacs Street or on Wall Street.

Furthermore, the guiding criteria for the approval of any project must include consideration of whether the project’s scale is in proportion and appropriate to the area and to its neighbors. The existing buildings in the Wall Street area are predominately in the height range of 2-4 stories,

which scale is reflected in the Height and Bulk Schedule, and is an appropriate target for new structures.

The recent efforts by the Norwalk Zoning Commission to implement the current Height and Bulk Schedule reflect the targets and ideals for the Wall Street area, which should be upheld in all new applications, including the proposed project at 61 Wall Street. Therefore, grandfathering new construction up to a sixth-story undermines the current regulations, and the stated zoning goals for the area, and is contrary to the appropriate scale for the neighborhood.

As you are further aware, Section 118-1220(F) permits the use of off-premises parking, in business districts, provided that (i) such off-premises parking is (i) within six-hundred (600) feet of the subject project, and (ii) subject to a “long-term instrument” defined in Section 118-1220(H) of the Norwalk Building Zone Regulations as “*a legal instrument including, but not limited to a lease or easement, having a term of not less than twenty (20) years and which is filed in the Norwalk land records.*” Such long-term instrument shall be subject to renewals, to provide off-premises parking in perpetuity.

Whether a lease or an easement, such long-term instrument is necessary to ensure that parking requirements continue to be met, for the life of the project, regardless of future changes in ownership to separate lots of land.

No long-term agreement was submitted with the application, nor has such instrument been discussed with the Commission, as yet.

Therefore, we request that the Zoning Commission deny this application, unless:

1. All new construction conforms to the current Height and Bulk Schedule, and
2. The off-premises parking is subject to a long-term instrument approved by the Zoning Inspector.

Thank you for your attention to this matter.

Very truly yours,



Emily D. Wilson
Goldman, Gruder & Woods, LLC

Enclosures

EXHIBIT A

CENTRAL BUSINESS DISTRICT (CBD) & CENTRAL BUSINESS DISTRICT WATER (CBD-W)	
SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS	
COMMERCIAL AND INDUSTRIAL	
CITY OF NORWALK	
	6 stories, 75 ft, except that: <ol style="list-style-type: none"> 1. Through the granting of a special permit and approval from the Redevelopment Agency, Building height and number of stories on West Avenue may be increased to: <ol style="list-style-type: none"> a. 7 stories, 85 ft, provided that a minimum of two (2) stories are comprised of commercial uses b. 8 stories, 100 ft, provided that a minimum of three (3) stories are comprised of commercial uses. c. 10 stories, 120 ft, for hotels 2. Commerce St., Isaac St. & Wall St., shall not exceed 4 stories, 55 ft, except that developments may be built to 5 stories, 65 ft, provided 2 amenity bonus provisions are included, as approved by the Commission and Redevelopment Agency; 3. Beiden Ave., Burnell Blvd., Cross St., Main St., North Ave & Smith St., shall not exceed 4 stories, 55 ft, except that developments may be built to 6 stories, 75 ft, provided 3 amenity bonus provisions are included, as approved by the Commission and Redevelopment Agency; 4. Maple St., 4 stories, 45 ft, no exceptions.
HEIGHT	<p>1. The upper story facades, commencing at either the third, fourth or fifth floor, must be set back a minimum of ten (10) feet from the second floor building facade. However, through the granting of a special permit, the Commission may eliminate the 10-foot upper story setback requirement provided they make an affirmative finding that:</p> <p>a. the proposed design will provide for excellence in design which enhances the pedestrian experience and overall streetscape; and</p> <p>b. due to the location and/or design of the proposed use and the size of existing neighboring structures, no neighboring property will be adversely impacted by such structure.</p> <p>2. When abutting a residential use in a residential zone, or a religious use, any story above the fourth floor shall be set back a minimum of 20 feet from the property line.</p> <p>3. In a Special Flood Hazard Area, height shall be measured above Base Flood Elevation in the manner described in §178-1100.</p> <p align="center">2 stories or 30 feet for buildings within 200 feet of a public street.</p>
ADDITIONAL HEIGHT STANDARDS	
MINIMUM	
MINIMUM SIZE OF PLOT	10,890 sq ft
AREA	
WIDTH	50 feet
FRONT	None
SIDE	None
AGG. SIDE	None
REAR	10 feet
MAXIMUM FRONT YARD	10 feet from the property line or from the edge of any public improvements required as part of the development
MAXIMUM BUILDING AREA	90% for buildings with a minimum of 15% open space, provided that, in mixed use developments, a minimum 20% open space is required, of which a minimum of 10% must be devoted to Public Realm Uses
FLOOR AREA RATIO MAXIMUM	3.0, except that: <ol style="list-style-type: none"> a. 4.0 for hotels, through the granting of a special permit; b. 4.0 for buildings greater than 6 stories, through the granting of a special permit, provided that a minimum of three (3) stories are comprised of commercial uses c. No FAR shall apply for properties fronting Wall St., provided that a property containing a structure listed on a local, state or national historic inventory is not merged with any abutting parcels <p>For properties where the principal ground floor use (comprising at least 75% of the lot width) is a theater or auditorium for use by cultural arts and entertainment or a library, 4.0</p>
RECREATION AREA	150 sq ft per dwelling unit may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreational areas
RESIDENTIAL DENSITY	1 dwelling unit per 500 sq ft of lot area

Dated: 4/25/94, as revised to Oct. 26, 2007; June 27, 2008; July 25, 2008; Mar. 27, 2009; Jan. 29, 2010; Oct. 29, 2010; Sept. 30, 2011; July 27, 2012; Feb. 28, 2014; Oct. 24, 2014; Feb 27, 2015; Feb 26, 2016; Oct 28, 2016; June 20, 2019; Oct. 30, 2020. Note: See copy of Building Zone Regulations in P&Z office for amendment and revision dates.