



CITY OF NORWALK
Planning & Zoning
Commission
Norwalk City Hall, Room 129
125 East Avenue,
Norwalk, CT 06856-5125

MEMORANDUM

March 16th, 2022

TO: Planning and Zoning Commission – Louis Schulman, Chair

FROM: Michelle Andrzejewski, Land Use Planner

SUBJECT: #2022-07 SP – Bridgeport R.C. Diocesan Corp – 233 Richards Avenue – Proposed 2 ½ story building for office use for existing cemetery

District: 5 **Block:** 63 **Lot:** 3 **Zone:** AA Res. **Lot Size:** 30.7 acres

EXISTING CONDITIONS: Existing Saint John’s Cemetery has four existing structures on site a mausoleum, chapel, garage for maintenance of the cemetery and a smaller shed structure.

PROPOSED CONDITIONS:

The new 2 ½ office building will be located on the east side of the property closest to Priscilla Road. The footprint of the building will be 1,772.5 sf with 3,257.5 sf of office space. This office building will serve the Diocese. The applicant states there are offices currently in the maintenance garage, however they do not meet the needs of the Diocese. This proposal requires 10 on-site parking spaces and 10 spaces are being provided.

SIGN-OFFS: All department approvals/comments have been obtained except final approval from the Health Department.

VIOLATIONS: There are no violations on the property.

In granting a Special permit, the Commission may attach reasonable conditions and safeguards as it deems necessary to protect the general health, safety, welfare and property values of the neighborhood, including but not limited to, requiring additional screening of lights and parking areas, limiting the hours of operation, requiring the redesign of buildings, and similar types of safeguards or conditions. A Special Permit may be granted after determination by the Commission that the proposed use or structure is in harmony with the general purpose and intent of these regulations and after consideration of the following conditions where applicable:

1. The density of use and bulk of buildings.

- a. Due to the use of the property and minimal structures on site the existing coverage is 12,181 sf and the proposed total coverage will be 13,954 sf. In AA Residential zone 25% maximum building area is allowed – 326,700 sf allowed. Bulk and

eight, 2 ½ stories, 35' to mid-point and a maximum of 40' to peak is allowed. The applicant is proposing 2 ½ stories, 28' to mid-point and 37' to peak.

2. **"Stable traffic flow" shall mean that site-generated traffic shall not adversely affect pedestrian or vehicular safety, conflict with the pattern of highway circulation or increase traffic congestion to a level of service (LOS) considered unacceptable by the Commission. The Commission shall not approve developments which fail to maintain stable traffic flow unless provision has been made for the improvement of inadequate conditions.**
 - a. The applicant has requested a waiver of a traffic study. Staff and TMP concurs with this request.
3. **Availability of mass transit facilities and provision of sidewalks, with a minimum clearance of five (5) feet without obstructions.**
 - a. There is not mass transit directly available. This site is north of Route 1. There are no existing or proposed sidewalks provided on the perimeter of the property. However, there are sidewalks within the property due to the nature of a cemetery use and across the street of this application there is existing sidewalks.
4. **Availability and compatibility of utilities.**
 - a. This proposal includes a new septic system and well water. New on-site retention system for drainage and underground electric connection. Applicant is responsible to obtain all required permits for proposed utilities.
5. **Adverse impact from noise, odor, fumes, dust and artificial lighting.**
 - a. There are no expected impacts from this proposed office in conjunction with the Diocese. There are various light fixtures proposed attached to the building but no on site lighting is being proposed.
6. **Signs of size and design that are in harmony with the neighborhood.**
 - a. No signage proposed. Any new signage must meet Article 121 Sec.118-1295.
7. **Adequacy of yards and open space, screening and buffering.**
 - a. There are existing ornamental trees at the front of the structure that will remain. (There are no trees being removed from the site.)
8. **Impact on neighborhood properties, as compared to uses and structures permitted as a matter of right.**
 - a. This proposal is in a residential zone which is typically made up of single-family homes as of right. This existing cemetery and its associated buildings are a special permitted use in the zone.
9. **Existing land use in the area.**
 - a. There are primarily single-family homes that surround the property. There is another cemetery that abuts to the north of the property.
10. **Proximity of community facilities.**
 - a. St. Mathews Church is northeast of this cemetery and Norwalk Community College to the south.
11. **Compliance with the Zoning Code and Plan of Conservation and Development.**
 - a. This application complies with the Zoning Regulations
12. **Conservation of wetlands, watercourses and other ecologically valuable lands.**
 - a. See Conservation Department memorandum (no permit needed)



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13. No zoning violation exists on the property.

- a. No known zoning violation exist on the property.

The following resolution is offered:

DRAFT RESOLUTION TO APPROVE

THEREFORE BE IT RESOLVED that application #2022-07 SP – Bridgeport R.C. Diocesan Corp – 233 Richards Avenue – Proposed 2 ½ story building for office use for existing cemetery as shown on Grade Plane Plan Proposed Conditions, Development Plan, and Sedimentation and Erosion Control Plan dated 3/3/2022 prepared by D’Andrea Surveying & Engineering, PC, Riverside, CT, and architectural plans Sheets A1.01-A.02 dated 2/25/2022 prepared by Edmund Clemente Fairfield, CT be **APPROVED** subject to the following conditions:

1. That a certificate of special permit and mylar map of the approved site plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
2. That a surety be submitted, in an amount to be determined by Staff, to guarantee the installation of the required erosion and sediment controls prior to the issuance of a zoning permit; and
3. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
4. That all City storm-water management requirements are met; and
5. That a permit is obtained from the Department of Public Works regarding City storm-water management requirements; and
6. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
7. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and
8. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks and have flood certifications; and

9. That this approval is subject to Section 118-1460 C. (Violations & penalties) of the Norwalk Building Zone Regulations; and
10. That a building permit must be issued within one (1) year from the effective date or this special permit shall become null and void, unless an extension of time is applied for and granted by the Commission; and
11. That the applicant should consider rooftop solar panels on all new structures. If rooftop solar cannot be installed the applicant shall provide Staff with a feasibility report, indicating why solar could not be installed, prior to obtaining any zoning permits.
12. While the Commission does not feel that the applicant should bear the cost of constructing the entire length of sidewalk fronting the subject parcel, they did indicate that they would construct a portion of the sidewalk. Therefore, City staff (P&Z, TMP & DPW) will discuss with the applicant options for partnering on paving the sidewalk to the western side of Richards Avenue

BE IT FURTHER RESOLVED that this application complies with Section 118-320 AA Residence Zones, Section 118-1450 Special Permits and with all applicable sections of the Building Zone Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the effective date of this approval shall March 25th, 2022.

You must obtain a zoning approval and a building permit prior to any work on the site. A building permit must be obtained within one year of the effective date or this Special Permit approval automatically becomes null and void.

DRAFT RESOLUTION TO DENY

THEREFORE BE IT RESOLVED that application #2022-07 SP – Bridgeport R.C. Diocesan Corp – 233 Richards Avenue – Proposed 2 ½ story building for office use for existing cemetery as shown on grade plane plan proposed conditions, Development Plan, and Sedimentation and Erosion Control Plan dated 3/3/2022 prepared by D’Andrea Surveying & Engineering, PC, Riverside, CT, and architectural plans Sheets A1.01-A.02 prepared by Edmund Clemente Fairfield, CT be **DENIED** subject to the following conditions:

- 1.
- 2.
- 3.

BE IT FURTHER RESOLVED that the effective date of this denial shall be March 25th, 2022.
