

May 13, 2022

Sent Via Email To: skleppin@norwalkct.org and Regular Mail To:

Steven Kleppin, director
City of Norwalk
Department of Planning & Zoning
125 East Avenue
Norwalk, CT 06851

Re: #2022-16SP – Schoolhouse Academy, Inc.
32 Weed Avenue, Norwalk, CT

Dear Mr. Kleppin:

RECEIVED

MAY 18 2022

CITY OF NORWALK
PLANNING & ZONING

As you know, this firm represents Schoolhouse Academy, Inc., which proposes to adaptively reuse existing buildings at 32 Weed Avenue in Norwalk, Connecticut to establish a private school for grades kindergarten through 12. We are in receipt of your memorandum dated April 18, 2022 and supply the following responses:

- While there is no indication of overnight boarding, are there plans to incorporate them in the future?*

Response: First, it will take several years for Schoolhouse Academy, Inc. to reach its anticipated 650 maximum enrollment. Currently, the goal is to establish the school and populate the grades on a consistent and continual basis. There are no plans at this time to provide boarding opportunities for students. However, if any such plan were to be contemplated in the future, my client would be obligated to return to the City of Norwalk Planning & Zoning Commission (“Commission”) to modify approvals.
- The application narrative indicated that there were no plans for sports fields; however, the large grass area on the southern side of the property does not contain any regulated areas and is not under any conservation easements. This area could potentially house a multi-purpose sports field, for such things as soccer, baseball etc. Since the setback is 80’ on that side, staff would recommend that a minimum eighty (80’) foot conservation easement be considered along the southern property line and extending westward connecting to the existing conservation easement.*

Response: As indicated in the application narrative and explained to the Commission at its April 19, 2022 meeting, there are no plans to create a multi-purpose sports field anywhere on the property. Any such change would require the Applicant to return to the Commission for approval. Since there is an 80’ setback established by the City of Norwalk Building Zone Regulations (“zoning regulations”), any additional encumbrance on the property is not necessary. Furthermore, the Applicant is a proposed tenant and not a contract purchaser, so it has no authority to agree to any further restrictions imposed on the use of the property beyond those which are codified in the zoning regulations. However, the Applicant has shared this suggestion with ownership and will report back as to ownership’s position. Finally, the Applicant is not aware of other conservation easements imposed on other private schools

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such as Winston Prep, All Saints Catholic School, or even any City of Norwalk Public School; therefore, it is inappropriate to impose such a restriction on this institution.

3. *The area on the northeast portion of the property, abutting Huckleberry Drive South, is not currently under a conservation easement. Staff would recommend that this area also be placed under a conservation easement to further protect the neighbors.*

Response: As noted above, there is a required zoning setback on this side of the property which will continue to be respected. Per the plans and identified use, there is no activity, building, or other use proposed for the naturally wooded area between the edge of the on-grade parking lot and the property line adjacent to neighbors on Huckleberry Drive South. As noted in the photos that accompanied the application, there is nearly 100' of woods, trees, bushes, and other vegetation separating the properties. Any additional restriction or encumbrance is unnecessary and outside the authority of the Commission.

4. *The property is generally open and accessible for neighbors for walking. Will this no longer be allowed considering the securing concerns with schools?*

Response: The Applicant is obligated to abide by the Declaration of Grant of Conservation Restriction (Volume 5122, Page 73 Norwalk Land Records, attached hereto) ("Declaration"), which permits "walking and hiking at such times and places" as the Grantor may permit. Access is limited to "members of the West Norwalk Property Owners Association and property owners eligible to belong to the West Norwalk Property Owners Association and immediate families." Moreover, "children under 18 must be accompanied by an adult." The Applicant will continue to abide by this obligation but will not extend access to the Property beyond those entitled to access as identified in the Declaration. Further, the Applicant will expect neighbors to be respectful and similarly abide by and honor their limitations of their access and use.

5. *How does this proposal align with the goals of the Citywide Plan?*

Response: If the question is how does this proposal comply with the Plan of Conservation & Development ("POCD"), I call your attention to p. 237 in which the POCD indicates that schools are compatible uses in residential zones (the underlying zone of the Property). And, although the POCD identifies the Property as "institutional" which does not include private schools, it notes on p. 240 that private schools are included in residential zones.

6. *What percent of the student population do they anticipate being from Norwalk? Are they contemplating scholarships for Norwalk students?*

Response: Although the demographics or population base for this school are outside the purview and jurisdiction of the Commission to consider or review, the Applicant has indicated that initial interest suggests that 50% of pupils could be from Norwalk. And, as was explained, scholarships, once available, will be awarded on a need basis, unrelated to where a student resides. The Applicant anticipates the granting of scholarships a few years after it has become operational in order for its fundraising effort to become well-established to generate sufficient revenue to sustain a scholarship program.

7. *How will this project benefit Norwalk?*

Response: First, this private school will offer educational choice to families from Norwalk and surrounding communities who may desire that their children attend private school but may be unable to either access existing schools due to their location or cost. The proposed private school is not aligned with any religious order, which may also be attractive to some parents seeking educational alternatives. Further, the proposed school will adaptively reuse an underutilized and underperforming building,

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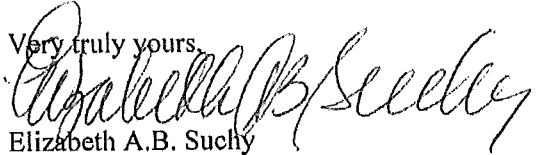
without any changes to the physical appearance of the buildings or grounds. If acceptable to the Commission, the Applicant would consider allowing civic and other groups to hold events at the Property, if they do not conflict with school operations or functions and provided proper and sufficient insurance coverage is provided.

8. *The real estate tax bill was \$355,764 for the 2020 grand list which includes a \$32,207 sewer use fee. In addition, there is also a personal property tax bill for \$51,931. Will they eventually seek a tax-exempt status?*

Response: The impact to real estate taxes, if any, is not an articulated standard of review that the Commission may consider when acting upon a special permit application. However, Schoolhouse Academy, Inc. is a for-profit entity.

Should you have further questions, please do not hesitate to forward them to me.

Very truly yours,


Elizabeth A.B. Suchy

EABS

Encl.

cc: C. Schiattarella (via email)