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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
JUNE 15, 2021
BY VIDEOCONFERENCE AND TELECONFERENCE**

ATTENDANCE: Lisa Shanahan, Chair; David Heuvelman; Dominique Johnson; Thomas Keegan; Manny Langella; Thomas Livingston; Kadeem Roberts

STAFF: Brian Candela, Corporation Counsel; Broadrick Sawyer, Fire Marshall; Steven Kleppin, Director of Planning and Zoning; Louis Schulman, Chair, Zoning Commission

ROLL CALL

Ms. Shanahan called the meeting to order at 7:02 p.m. and called the Roll as indicated above.

PUBLIC HEARING (possible action on)

Discuss and vote on Chapter 59A Housing: Equal Opportunity:
Section 59A-1
Section 59A-2

Ms. Shanahan opened the public hearing.

Hearing no one, the public hearing was closed at 7:04 p.m.

Discuss and Vote on chapter 60 Human Relations Commission:
Section 60-1
Section 60-2
Section 60-5

Ms. Shanahan opened the public hearing.

Hearing no one, the public hearing was closed at 7:05 p.m.

PUBLIC HEARING DISCUSSION

**** MR. LIVINGSTON MOVED SEND THE FOLLOWING TO THE
COMMON COUNCIL FOR ADOPTION**

CHAPTER 59A HOUSING: EQUAL OPPORTUNITY:
SECTION 59A-1
SECTION 59A-2

Mr. Livingston added the following suggestions/conforming changes:

59A 1 & 2– in the first parenthetical should read: in each case, whether actual or
perceived
59A-2 6th line, deafness and-or

**** MOTION PASSED UNANIMOUSLY AS AMENDED**

**** MS. JOHNSON MOVED SEND THE FOLLOWING TO THE COMMON
COUNCIL FOR ADOPTION**

CHAPTER 60 HUMAN RELATIONS COMMISSION:
SECTION 60-1

SECTION 60-2
SECTION 60-5

Mr. Livingston added the following suggestions/conforming changes:

60-1 and 60-2 in the first parenthetical should read: in each case, whether actual or perceived

60-2 deafness and-or

**** MOTION PASSED UNANIMOUSLY AS AMENDED**

PUBLIC COMMENT

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Ms. Diane Lauricella spoke about the possibility of merging the Planning and Zoning Commissions. She said that she was leaning against such a combination and asked that before any decision is made that a public hearing be held. She also asked that this group look at what other cities have. She said that most Planning and Zoning Commissioners are elected.

Ms. Lauricella asked if it would make sense for the volunteers on the Planning Commission to take on more work. She said she would like to see them do more as far as planning and look at an holistic, comprehensive plan.

Ms. Lauricella said that in chapter 79B, regarding the Search Committee, she suggested adding a citizen representative to the Planning and Zoning Commissions. She added that she would like to see wording that looks at diversity.

Ms. Lauricella said that a lot feel that the Redevelopment Agency does not always listen to what is needed in the City.

There were no other members of the public who wished to comment.

ACCEPTANCE OF MINUTES

May 18, 2021

**** MR. LIVINGSTON MOVED TO TABLE THE MINUTES TO THE JULY MEETING TO BETTER REFLECT THE CONVERSATION**
**** MOTION PASSED UNANIMOUSLY**

OLD BUSINESS

Discuss and Vote on Chapter 38, Article II, (Fireworks and Firecrackers) Sections 38-7 through 38-13

Ms. Shanahan thanked Mr. Livingston for making important and significant changes. Ms. Shanahan asked Mr. Sawyer about the reference “skilled in the discharge of fireworks”. Mr. Sawyer said that wording is directly in the CT General Statute. Mr. Livingston said he did not believe it was defined in the Statute. Ms. Shanahan said she found it vague. Mr. Sawyer said that if it came up, he would make the final determination.

Mr. Candela read the requirement in the Statute. He also read the section related to penalties. Mr. Sawyer said that most of the folks he deals with comply. He added that he was fine with whatever the Committee decides.

Mr. Keegan asked Mr. Sawyer if this is what he was looking for when he first brought this matter to the Committee. Mr. Sawyer said it was much more and is really good. He said that most of the people selling fireworks are going to do the right thing.

**** MR. LIVINGSTON MOVED TO BRING CHAPTER 38, ARTICLE II, (FIREWORKS AND FIRECRACKERS) SECTIONS 38-7 THROUGH 38-13 TO A PUBLIC HEARING**
**** MOTION PASSED UNANIMOUSLY**

Discuss and Vote on Chapter 30 (Capital Projects Program and Chapter 79 (Planning and Zoning Commission as well as the possible merger of the Planning and Zoning Commissions

Mr. Livingston reviewed the proposed changes. He said he agrees with Ms. Lauricella and is eager to get public input. He reviewed the creation of the Planning and Zoning Commissions. He said they are waiting for an opinion and review of the document by the Law Department. He said that Section 79 is taken from the Ordinance related to the Zoning Commission language.

Mr. Livingston reviewed the duties and powers from the CT General Statutes. He said that it was not clear what the composition of the Commission would be in terms of number of members.

Mr. Livingston reviewed the composition and appointments and said would like to have an odd number. Mr. Shulman said he would like to see a small, manageable group. Mr. Livingston said the number would be subject to what the Law Department says. He said that this would be a new commission. He added that he was concerned that Zoning is a specialized area, and it is counter productive to move people out after a certain number of years.

Mr. Shulman said that the requirements for the Planning Commission are different from the requirements for the Zoning Commission. Ms. Shanahan asked how long it would take new Commissioners to get up to speed. Mr. Shulman said it takes a good six months to a year. He noted that Mr. Kleppin is good about offering training to the Commissioners.

Mr. Livingston discussed the terms for alternate members. Terms will be staggered as they have been in the past.

Mr. Livingston said the effective date is important. He said the new Commission would have to be made up. He said he wants to do it outside of the election season with an effective date of January 1, 2022. Mr. Shulman noted that both the Planning Commission and the Zoning Commissions are down in terms of members. He said they need some appointees, which may be problematic. He said the Chair of the Planning Commission has the same concerns. Mr. Livingston said this can't get done before some of the terms expire in July. Mr. Shulman said that if the effective date is January 1, 2022, they will run into election season.

Mr. Heuvelman asked if there was a way to allow some of the duties to overlap as the new Commission is being formed. Mr. Livingston explained it would not be new members; it would be made of existing members of the Planning and Zoning Commissions.

Mr. Livingston said that one of the concerns that has been expressed is the workload. He said he wants to see a way to streamline the capital budget process to reduce the workload.

Ms. Shanahan asked if any other committees are tasked with reviewing the capital budget. Mr. Livingston explained that the Board of Estimate and Taxation and the Common Council review the capital budget. Mr. Livingston said he wants more feedback from the public.

**** MR. LIVINGSTON MOVED CHAPTER 30 (CAPITAL PROJECTS PROGRAM AND CHAPTER 79 (PLANNING AND ZONING COMMISSION AS WELL AS THE POSSIBLE MERGER OF THE PLANNING AND ZONING COMMISSIONS TO A PUBLIC HEARING IN JULY**

Mr. Livingston said he hopes to have a legal opinion by the July public hearing.

**** MOTION PASSED UNANIMOUSLY**

NEW BUSINESS

Discuss and Vote on Chapter 38, Article II. Sections 37-9 through 37-15

Mr. Livingston explained that the Styrofoam ordinance was passed two years ago. It had great success, but in at least one instance a store interpreted it differently. He said that the only section being amended is the definition of a polystyrene product.

**** MR. LIVINGSTON MOVED TO TAKE CHAPTER 38, ARTICLE II.
SECTIONS 37-9 THROUGH 37-15 TO A PUBLIC HEARING IN JULY
** MOTON PASSED UNANIMOUSLY**

DISCUSSION ITEM

A discussion did not take place.

ADJOURNMENT

**** MR. ROBERTS MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:17 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services