

**CITY OF NORWALK**  
**PLANNING & ZONING COMMISSION SPECIAL MEETING MINUTES**  
**September 13, 2023**

**PRESENT:** Louis Schulman, Chair; Nick Kantor; Tammy Langalis; Mike Mushak; Galen Wells; Jacquen Jordan-Byron; Ana Tabachneck; Richard Roina; Darius Williams (joined at 6:09 pm) Mr. Roina left at 6:09 pm

**STAFF:** Steve Kleppin; Bryan Baker

**I. CALL TO ORDER**

Mr. Schulman called the meeting to order at 6:04 p.m. It should be noted that this meeting was held on Zoom.com with participants calling in, separately.

**II. ROLL CALL**

Mr. Kleppin called the roll.

Mr. Schulman discussed the nominating committee that he had set up at the last meeting. Mr. Roina said that the committee had met and put forth a slate, Louis Schulman, Chair, Nick Kantor, as Vice Chair, Jacquen Jordan-Byron as Secretary. All the commissioners accepted their nominations. No one else put their name forth for any of these positions. Mr. Schulman noted that Mr. Pachas would be running for the Board of Education. The positions would be effective on October 1, 2023.

**\*\* MR. ROINA MOVED to elect the slate as put forth by the nominating committee.**

**Ms. Langalis seconded.**

**Louis Schulman; Nick Kantor; Tammy Langalis; Mike Mushak; Galen Wells; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams; Richard Roina approved.**

**No one opposed.**

**No one abstained.**

Mr. Schulman reminded them that the current officers would serve until the end of September. The new officers would serve as of October 1. Mr. Roina left the meeting.

### **III. DISCUSSION**

#### **a. #2023-19 R/M – Planning & Zoning Commission – Zoning text amendment for complete re-write of the zoning regulations and map amendment for complete rezoning of the entire city – Continued Discussion**

Mr. Schulman said they would like to end the meeting at 8 pm. Mr. Baker began the discussion with requirements for proposed safe, dry-access for multi-family developments in a site plan application. Mr. Mushak explained what this was with an example in the city, Soundview Landing. This project received a grant from the Department of Housing and Urban Development (HUD) which required dry egress. Streets and parks were raised. Mr. Kleppin noted that this requirement would be on their site and then there would be a bigger discussion about Water Street and that area. There was a discussion about the city having infrastructure to prevent flooding in this flood zone. There was a discussion about the 1% annual chance flood event. Mr. Schulman asked if they could change this language but Mr. Kleppin asked if they could check with the FEMA language first so it could be in line with this. There would be a separate agenda item at a future meeting to discuss changes in CD-4W and CD-5W. Mr. Mushak discussed the evacuation plans for Soundview Landing and One Cemetery Place.

There was a discussion about duplexes and that there should be interesting features, including covered porches so it is not a box. There was a discussion about Bed & Breakfasts and Air BnBs. Mr. Kleppin gave the staff's opinion on whether to keep or remove from special permit use. Ms. Tabachneck said she would like to see Bed & Breakfast in certain zones by special permit. Mr. Schulman asked if the staff could prepare language for a special permit.

There was a discussion about Air BnBs. Mr. Kleppin thought it should be addressed through an ordinance and not zoning. He explained when they become problematic, such as for quasi commercial uses. He said that they have not received many complaints about them over the years. There was a discussion about enforcement of Bed and Breakfast violations, if being used as an Air BnBs.

There was then a discussion about corner stores in single family neighborhoods. Mr. Kleppin said that the staff had a memo about this. There was also a discussion of some examples of corner stores. There was a discussion about customers walking there as well as the parking.

There was a discussion about CD-4W and CD-5W which staff recommends allowing water dependent uses. There was also a discussion about automotive uses in

residential areas, boutique manufacturing and accessory dwelling units. There was a discussion about drive-through facilities. Mr. Kleppin said it would be appropriate to allow them on Main Avenue and Westport Avenue but not in other areas. Mr. Mushak reminded everyone that drive-through facilities are helpful for those with accessibility issues so that they don't have to get out and go inside a building such as CVS or Wal-Greens. There was a discussion about allowing drive-throughs by special permit.

Mr. Schulman said he did not think it would be necessary to go through comments line by line. Mr. Kleppin discussed solar panels on EV fueling stations. There was a discussion about the use of the term "Motor Vehicles Sales." Mr. Baker explained that gas stations and motor vehicles sales were allowed in the same zones. They decided to come back to this item.

Mr. Kleppin explained that some uses had been lumped together into the CD-4 and CD-4W zone. There was then a discussion of greater setbacks and lot area religious institutions. There was a concern about the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). Mr. Kleppin said he would check with Corporation Counsel about the language that they were discussing. There was a discussion about the parking at a religious institution.

There was a discussion about shared parking as well as parking for commercial recreation. There was also a discussion about the parking at an adult day care facility. Mr. Baker explained what it was. Mr. Kantor noted that the parking requirements are a minimum but there could be more. There was a further discussion about the parking for commercial recreation. There was also a discussion about parking of large vehicles, like tractor trailers. There was a discussion about the use of trees on parking islands. Mr. Mushak recommended language for tree pruning. He also noted that there had been a Planning & Zoning staff member, Frank Strauch, who would issue violations about trees not being pruned properly.

There was a discussion about historic preservation and fee-in-lieu and the staff recommendations. There was then a discussion about adding criteria re: the climate action plan provided by SLR report. At this point, there was a review of the proposed zoning regulations in Article 6.

There was a discussion about fencing for solar which staff would review. There was also a discussion about definitions including heat island and native species.

Mr. Kleppin said that they are reviewing letters from developers which they would address in the next few weeks. Mr. Kantor asked if they could address residential parking, as well as other residential items, in a future meeting. Mr. Schulman asked if other topics could be included in that meeting and Mr. Kantor agreed. Mr. Williams

asked about notifications to tenants. Mr. Schulman thought that there should be a discussion as to whether they were adequate. Mr. Kleppin showed them a schedule for the next few meetings. Mr. Schulman noted that he did not see affordable housing on the list. Mr. Mushak asked if they could add a discussion about improving enforcement which Ms. Tabachneck had brought up at past meetings. Mr. Kleppin said that enforcement would have to be done outside of this process because it involved several other departments. Ms. Tabachneck thought that they should be educating the public as to how it works. Mr. Mushak thought they could have their state representatives help with enforcement regulations.

#### **IV. COMMENTS OF DIRECTOR**

There were no comments from the Director.

#### **V. COMMENTS OF COMMISSIONERS**

Mr. Mushak noted that it had been announced at the previous meeting that he would not be seeking re-appointment as a Planning & Zoning Commissioner since his term would end in December 2023. He then read a statement into the record.

Ms. Jordan-Byron said that at the next in-person public hearing, they should have representatives such as the Police Department and parking in attendance to discuss enforcement issues along with the commission. It would be similar to a town hall meeting. Mr. Schulman suggested that they should do this after the proposed zoning regulations had been finalized. There was a discussion about the format of the public meeting about enforcement issues.

#### **VI. ADJOURNMENT**

**Mr. Williams made a Motion to Adjourn.**

**Ms. Tabachneck seconded.**

**Louis Schulman; Nick Kantor; Tammy Langalis; Mike Mushak; Galen Wells; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams approved.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Diana Palmentiero