

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
June 27, 2024

PRESENT: Louis Schulman, Chair; Nick Kantor; Ana Tabachneck; Richard Roina;
Tammy Langalis; Galen Wells; Diana Lenkowsky; Darius Williams

STAFF: Steve Kleppin; Bryan Baker; Amelia Williams

OTHERS: Andy Soumelidis;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:03 p.m. It should be noted that this meeting was held on Zoom.com with participants calling in, separately, as well as in person at the Common Council Chambers, Third Floor, City Hall 125 East Avenue, Norwalk, Connecticut.

II. ROLL CALL & SEATING OF MEMBERS

Mr. Kleppin called the roll. Mr. Schulman said that he would seat Ms. Tabachneck and Ms. Lenkowsky for the meeting.

III. PUBLIC HEARINGS

a. #2024-19 SPR/CAM – O&G Industries Inc. – 20, 34, 40, 46, 48 & 50 Smith Street (District 1, Block 59, Lots 9, 10, 11, 12, 14, 16 & 17) – Reconfiguration and changes to an existing materials yard

The applicant had withdrawn this application at the Planning & Zoning Commission meeting the night before.

i. Action on #2024-19 SPR/CAM

b. 2024-17 SUB – Andy Soumelidis – 70 Cranbury Road – Proposed two lot subdivision to construct two new single-family residences (existing structures to be demolished)

Mr. Schulman opened the public hearing and explained how it would be run. A member of the Planning and Zoning Department would make a statement after which the applicant would be asked to also make a statement.

Amelia Williams began the presentation by explaining that the application had been filed under the old regulations since rear lots are no longer allowed. She noted that the application had also gone before the Conservation/Inland Wetlands Agency which had suggested the plans be revised to have only two rear lots. She noted that there were some outstanding items as well as the fact that they were waiting for referrals from agencies.

Andy Soumelidis continued the presentation by explaining that a small portion of the property is in Westport. He oriented the commissioners as to the location of the property on an aerial map. He then showed them the site plans which included the current conditions including a single family residence on the property. He then showed them what the property would look like after the subdivision. He discussed the flood lines, and grading. He then discussed the buffer which would have plantings along the edge.

No members of the public spoke for or against this application.

Mr. Soumelidis said that they had not shown the existing trees to the survey to meet the street tree requirements. Mr. Schulman closed the public hearing.

i. Action on 2024-17 SUB

Ms. Williams said that the city supported the waiver of sidewalks since there are none in the area. There was a discussion about adding language to the resolution about adding the sidewalks.

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** that application #2024-17 SUB – Andy Soumelidis, LANDTECH – 70 Cranbury Road – Two lot subdivision to construct two new single family residences be **APPROVED** subject to the following conditions:

1. That the site be developed in accordance with the following plans:
 - a. Per map showing subdivision of land dated 5/21/2024 and revised 6/19/2024 prepared by LANDTECH, Thomas A. Deilus, Land Surveyor.
 - b. Per site plans dated 2/19/2024 and revised 5/22/2024 prepared by LANDTECH, Westport, CT
2. That the final subdivision map be filed on the Norwalk Land Records prior to the issuance of a Zoning Permit and in compliance with the timeline outlined in section 4.25 of the Norwalk Subdivision Regulations; and

3. That the demolition of future non-compliant structures takes place prior to the filing of the subdivision map mylar on the Norwalk Land Records; and
4. That any driveway easements be shown on the final subdivision map; and
5. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
6. That a financial guarantee, in an amount determined by Staff, be submitted to guarantee the installation of all erosion and sedimentation controls prior to issuance of a Zoning Permit; and
7. That approval is obtained from the Department of Public Works and WPCA regarding City storm-water management requirements; and
8. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
9. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and
10. That any changes to the plans be reviewed by Staff prior to implementation; and
11. That the proposed drainage system, when installed, be maintained to work at full capacity; and
12. That all plantings be maintained, and any dead plantings must be replaced in accordance with the approved planting plan; and
13. That both lots comply with the street tree requirements as outlined in section 3.38 of the Norwalk Subdivision Regulations; and
14. That a Connecticut licensed engineer submit an engineering certificate that all required drainage and utility improvements were properly installed prior to issuance of a certificate of zoning compliance; and
15. Nothing in this permit shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the City of Norwalk, State of Connecticut, or the Government of the United States, including any approval required by the Connecticut Department of Environmental Protection and U.S. Army Corps of Engineers- obtaining such assents, permits or licenses is the sole responsibility of the applicant; and

16. A sidewalk be installed per the Subdivision Regulation requirements should the Department of Transportation, Mobility, and Parking require it; and

BE IT FURTHER RESOLVED that this proposal complies with all applicable subdivision and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be July 5th, 2024.

Ms. Langalis seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Diana Lenkowsky; Darius Williams approved.

No one opposed.

No one abstained.

c. #2024-27 R – Planning & Zoning Commission – Zoning Regulations text amendment to Article 4 and Article 9 to revise the definition of “Lot or Building Site Width,” the location of where Recreational Vehicles are Permitted to be stored in all zones, façade requirements for duplexes in the CD-2 zone, and window and façade requirements for the mixed-use and industrial zones.

Mr. Schulman opened the public hearing and explained how the public hearing would be conducted which was similar to the previous one.

Mr. Baker began the presentation by explaining the text amendments. The first one was the current definition of “lot or building site width” and what the proposed language was. There was a concern about odd shaped lots. The next one was the definition for “the location of where recreational vehicles (RV) are permitted to be stored in all zones.” The staff suggested removing that the RV could be stored in the driveway but rather that it be stored in the rear yard. There was a discussion of “rear yard” and “recreational vehicles.” There was also a discussion about whether they were allowed to be parked in the right of way.

The next definition was for facade glazing specific to the 2 family zone and duplexes. Mr. Baker said that the staff believed the language was restrictive and should be modified. They would delete and modify language from these zones.

Another definition to be modified was window and facade requirements. The current language only allows for one type of window, so it would be modified to allow rounded or circular, as well as the type of glass.

Mr. Baker discussed the amount of facade glazing to be allowed that the staff were recommending. He showed them graphics of what the current regulations allowed and what the revised regulations would allow. He then said that he had referred to the appropriate agencies, including Harbor Management Commission and the Department of Energy and Environmental Protection (DEEP).

There were no members of the public who spoke for or against the application.

Mr. Schulman closed the public hearing.

i. Action on #2024-27 R

**** MR. ROINA MOVED: BE IT RESOLVED** that application #2024-27 R – Planning & Zoning Commission – Zoning Regulations text amendment to Article 4 and Article 9 to revise the definition of “Lot or Building Site Width,” the location of where Recreational Vehicles are Permitted to be stored in all zones, façade requirements for duplexes in the CD-2 zone, and window and façade requirements for the mixed-use and industrial zones be **APPROVED**.

BE IT FURTHER RESOLVED that the reasons for these actions are to implement the Citywide Plan:

- 1) Chapter 12, Goal 3 that “The user-friendly zoning ordinance is consistent with the future land use map and achievement of the vision and goals of the POCD.” • The policy to “Support revision of the zoning ordinance to promote desired development and design patterns.”

- The policy to “Support permit streamlining for projects with desired characteristics.”
i. Strategy A., “Modernize the Zoning Ordinance and the development approval process to achieve the goals of the POCD.” 1. Action i., “Rewrite the Zoning Ordinance to reflect contemporary best practices in administration and user-friendliness and to be consistent with the POCD.”

- 2. Action ii., “Review existing zoning districts to eliminate or replace zoning districts that do not contribute to achieve the Norwalk Tomorrow vision.”

- 3. Action iii., “Include place-making and functional design standards in the requirements for non-residential and mixed-use development.”

BE IT FURTHER RESOLVED that the effective date of this action shall be July 5, 2024

Mr. Williams seconded.

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Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Diana Lenkowsky; Darius Williams approved.

No one opposed.

No one abstained.

d. #2024-33 R – Planning & Zoning Commission – Zoning regulations text amendment to Article 4 to amend the residential building height determinations and modification to frontage/building types permitted in the CD-4 zone.

Mr. Schulman opened the public hearing.

Mr. Kleppin began the presentation by explaining that there are two components to this text amendment. The first component was about the CD-4 zone and explained that large multi-family buildings could go in certain areas. These buildings would have ground floor uses for activation in these areas. However, around the Webster Street parking lot, since the area has many commercial spaces, the regulation would exempt it from providing commercial use on the ground floor. There was a discussion about the first part of the language, which Mr. Kleppin said that on certain roads there cannot be a multi-family building that is all residential.

There was then a discussion about landscaping or screening for these buildings. There was also a discussion about the width of the sidewalk. Mr. Kleppin showed them a zoning map so they could see which areas would be affected. He also discussed frontage types and screening standards.

Mr. Kleppin then discussed amending residential building height determinations by explaining what this was under the prior regulations and what the new regulations said. It said that the height would be measured in stories which Mr. Kleppin said they tried to make uniform in all zones. However, they saw problems after the regulations had been adopted. He said they were suggesting to adopt regulations similar to the old ones. Diagrams would be added to the regulations when they make additional changes in the fall. Mr. Kleppin discussed the height requirements in single family and two family zones which would now be the same.

There was a discussion about determining the average grade before a house is lifted. Mr. Kleppin explained the section on grading the property in the new regulations. He also explained the new permit forms for this and hoped there would be online permitting in the next year or so. Mr. Baker explained that residents could not add more grade since it would now be documented. Mr. Baker said that the application had been referred to the appropriate agencies.

There were no members of the public that spoke for or against the application. Mr. Schulman closed the public hearing.

i. Action on #2024-33 R

**** MS. WELLS MOVED: BE IT RESOLVED** that application #2024-33 R – Planning & Zoning Commission – Zoning regulations text amendment to Article 4 to amend the residential building height determinations and modification to frontage/building types permitted in the CD-4 zone, be **APPROVED**.

BE IT FURTHER RESOLVED that the reasons for these actions are to implement the Citywide Plan:

- 1) Chapter 12, Goal 3 that “The user-friendly zoning ordinance is consistent with the future land use map and achievement of the vision and goals of the POCD.” • The policy to “Support revision of the zoning ordinance to promote desired development and design patterns.”

- The policy to “Support permit streamlining for projects with desired characteristics.”
i. Strategy A., “Modernize the Zoning Ordinance and the development approval process to achieve the goals of the POCD.” 1. Action i., “Rewrite the Zoning Ordinance to reflect contemporary best practices in administration and user-friendliness and to be consistent with the POCD.”

- 2. Action ii., “Review existing zoning districts to eliminate or replace zoning districts that do not contribute to achieve the Norwalk Tomorrow vision.”

- 3. Action iii., “Include place-making and functional design standards in the requirements for non-residential and mixed-use development.”

BE IT FURTHER RESOLVED that the effective date of this action shall be July 8, 2024.

Mr. Williams seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Diana Lenkowsky; Darius Williams approved.

No one opposed.

No one abstained.

IV. APPROVAL OF MINUTES: May 15, 2024; May 22, 2024; June 5, 2024; June 20, 2024

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**** MR. ROINA MOVED to approve the May 15, 2024 minutes.**

Ms. Langalis seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Darius Williams approved.

No one opposed.

Diana Lenkowsky abstained.

**** MS. LANGALIS MOVED to approve the May 22, 2024 minutes.**

Mr. Williams seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Darius Williams approved.

No one opposed.

Diana Lenkowsky abstained.

**** MR. ROINA MOVED to approve the June 5, 2024 minutes.**

Ms. Langalis seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Darius Williams; Diana Lenkowsky approved.

No one opposed.

No one abstained.

**** MS. TABACHNECK MOVED to approve the June 20, 2024 minutes.**

Ms. Langalis seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Darius Williams; Diana Lenkowsky approved.

No one opposed.

No one abstained.

V. COMMENTS OF DIRECTOR

Mr. Kleppin noted that the staff had noticed some items that would need to be tweaked on the new regulations. There would also be a session in the fall for the public. The staff would send the commissioners memos and packets of information to review. If they were in agreement, the changes would be published for review by the public and receive feedback. A public hearing date would then be set. They could also decide to do another public session in 2025.

VI. COMMENTS OF COMMISSIONERS

Mr. Schulman said that Mr. Kantor had sent out information about solar panels and asked the commissioners to review it.

Mr. Roina asked about the procedure for referring applications to outside agencies for revisions to the zoning regulations. Mr. Baker explained which agencies received the referrals and why.

Ms. Tabachneck asked for followup to an email that she had sent to the other commissioners about allowing small daycare centers in residential zones under a special permit. Mr. Kleppin said that this discussion had been placed on the agenda for the July 10th meeting.

Ms. Langalis asked about adding email discussions to the minutes. Mr. Kleppin explained the differences about discussing items via email and which are appropriate and which are not. There was a discussion about having a dialogue at the beginning of the meeting.

Mr. Schulman thanked everyone for their patience during the recent extended meetings and thanked everyone for attending the meetings.

VII. ADJOURNMENT

Ms. Langalis made a Motion to Adjourn.

Mr. Williams seconded.

Louis Schulman; Nick Kantor; Ana Tabachneck; Richard Roina; Tammy Langalis; Galen Wells; Darius Williams; Diana Lenkowsky approved.

No one opposed.

No one abstained.

The meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Diana Palmentiero