CITY OF NORWALK
PLANNING & ZONING COMMISSION
June 2, 2022

PRESENT: Louis Schulman, Chair; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Tammy Langalis; Galen Wells; Jacquen Jordan-Byron; Hector Pachas (arrived at 6:30 pm)

STAFF: Steve Kleppin (left the meeting at 7 pm and returned at 7:32 pm); Bryan Baker

OTHERS: Alan Lo; Atty Bill Hennessey; Steve Leaty; Atty Dave Waters; Don Poland; Francisco Gomes; Mark Vertucci;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:06 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

II. ROLL CALL

Mr. Kleppin called the roll. Mr. Schulman said that since there are 2 open seats, Mr. Williams and Ms. Jordan-byron would vote on resolutions, unless another Commissioner arrived.

III. REVIEW AND ACTION ON APPLICATIONS

a. #2022-20 8-24 Referral – City of Norwalk Board of Education/Building Management – Acquisition of property in South Norwalk for Sono Neighborhood School – Report & recommended action

Alan Lo began the presentation by noting there is no school in South Norwalk. The city has been working on this for approximately 5 years. They had not been able to find a site that worked. In November 2021 voted to move the Columbus School. There are funds available. They have been working behind the scenes to purchase this property in South Norwalk. He noted that they were asking for funds to be moved to a new sub account for the purchase of the property.

Mr. Schulman asked the commissioners to discuss the purchase of the property. Mr. Baxendale asked whether the purchase met state regulations for schools. Mr. Lo said that environmental testing was done and no remediation would need to be done. There was concern about the traffic in the area. Within the budget, funds were allocated to mitigate the traffic and make the streets safer for the area. It will be a long process with challenges. Mr. Lo said they would be acquiring 11 acres in South Norwalk. He also said that the city would receive about 60% reimbursement for the project. There was also a discussion about the projects that would have been done at the Columbus School.

There was a discussion about the crosswalks and sidewalks in the area. There was also a discussion about a tree canopy for the students walking to the school. There was a concern about the fumes from the trucks in this area. Mr. Lo said there is no specific plan at this time but the Common Council is planting trees around the city. Ms. Jordan-Byron asked that this not be forgotten during the planning stages. Mr. Schulman noted that the Board of Education would be before the Planning & Zoning Commission again so there would be more time to review. Mr. Mushak said that he supported Ms. Jordan-Byron's comments about the importance of the trees and plantings especially along the routes that students would walk to school.

**** MS. JORDAN-BYRON MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2022-20 8-24 Referral – City of Norwalk Board of Education/Building Management – Acquisition of property in South Norwalk for Sono Neighborhood School **APPROVED.**

BE IT FURTHER RESOLVED that the reasons for this action are to implement the following Plan of Conservation and Development goals, policies and actions:

1. That "The Norwalk Public School system is the most successful city school system in Connecticut…" (Chapter 5: A Community Committed to Life-Long Education); and

2. That "The Modern Schools for a Growing City plan provides new and renovated schools to alleviate overcrowding and better serve students." (Chapter 5: A Community Committed to Life-Long Education); and

a. That phase I of the plan specifically lists "A new school including magnet programs with new and renovated buildings in South Norwalk, where the need is greatest."

3. To "Continue to update, modernize and maintain Norwalk's infrastructure and city facilities" (Chapter

4. 11: Public Facilities, Infrastructure and Services).

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council.

Mr. Baxendale seconded.

Mr. Mushak asked that the city help relocate Corvel Landscaping in Norwalk. They are renting on the property so they don't have much say in what is happening. He also noted that the property had nice views of the side. Ms. Langalis also asked that this business be helped since there are a lot of people that work there.

Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Tammy Langalis; Galen Wells; Jacquen Jordan-Byron approved.
No one opposed.
No one abstained.

b. #2022-21 Special Appropriation - City of Norwalk Board of Education/Building Management – Special appropriation request for South Norwalk Neighborhood School – Report & recommendation

Mr. Schulman noted that the city was requesting additional funds in order to purchase and fund this school project.

**** MS. WELLS MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2022-21 Special Appropriation - City of Norwalk Board of Education/Building Management – Special appropriation request for South Norwalk Neighborhood School be **APPROVED.**

BE IT FURTHER RESOLVED that the reasons for this action are to implement the following Plan of Conservation and Development goals, policies and actions:

1. That "The Norwalk Public School system is the most successful city school system in Connecticut…" (Chapter 5: A Community Committed to Life-Long Education); and

2. That "The Modern Schools for a Growing City plan provides new and renovated schools to alleviate overcrowding and better serve students." (Chapter 5: A Community Committed to Life-Long Education); and

a. That phase I of the plan specifically lists "A new school including magnet programs with new and renovated buildings in South Norwalk, where the need is greatest."

3. To "Continue to update, modernize and maintain Norwalk's infrastructure and city facilities" (Chapter

4. 11: Public Facilities, Infrastructure and Services).

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council.

Mr. Baxendale seconded.
Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Tammy Langalis; Galen Wells; Jacquen Jordan-Byron approved.
No one opposed.
No one abstained.

Mr. Schulman noted that Hector Pachas had joined the meeting. He also said that Mr. Pachas could vote on the next item, but Mr. Williams and Ms. Jordan-Byron would not.

c. #2022-19 R/SP/SPR – Wegmans Food Markets, Inc. – 47 Richards Avenue and 677, 667 and 651 Connecticut Avenue – Zoning text amendment, special permit and site plan review applications for a Wegmans grocery store, parking structure and two additional retail buildings – Preliminary review

Mr. Schulman noted that they would decide whether to move this application to a public hearing.

Atty Bill Hennessey said that this is the first time that he had appeared before the Planning and Zoning Commission since the two Commission had become one in January. He also introduced himself to the new commissioners and then introduced the project team. He noted that this would be the first Wegmann's in Connecticut, if passed. He then began with a slide presentation. He then oriented the commissioners as to the location of the property on an aerial map. The principal access would be on Keeler Avenue. He discussed the grade of the property as well as an easement on Richards Avenue. There were also some wetlands in the area. They had obtained the necessary approvals from the Inland Wetlands Commission. He also discussed the other sites that Wegmans had purchased which allowed for the ingress and egress to Connecticut Avenue to be enhanced.

Steve Leaty, the project manager from Wegmans, said that they had been working on this project for a while. Their goal was to make it work for the city and Wegmans customers. He also asked how many people have been to Wegmans. He gave a brief history of the store from the early 1920s. It is a privately owned company, headquartered in Rochester. There are over 100 stores throughout the country. They have been ranked as one of the best places to work. He also said that they received many letters from people to bring a Wegmans to their town. They had received many from Connecticut as well. There would be over 100 full-time jobs and approximately 250 part-time jobs. There are management opportunities as well. They are very invested in every single community they have stores in. He discussed the programs that they had for employees as well as programs for the neighborhoods as well as annual giving. He also discussed their sustainability programs and goals, including sourcing near their stores. They also have an organic farm in the Finger Lakes. They hope to extend the Northeast farming season. He showed them pictures of what to expect in a Wegmans store.

Atty Hennessey then continued with a discussion of the proposed site plan. The applicant would combine the sites that they had acquired into a 12.2 acre site.There would be access off Keeler. He showed them the various levels of garage and the points of access including for trucks. He then showed them pictures of the current site. He also showed them renderings of what it would look like to arrive into the parking lot of Wegmans. The garage looked like it was part of a collection of buildings. Atty Hennessey discussed the proposed text amendment.

There was a discussion about the traffic on Connecticut Avenue. It was noted that there would be 3 access points from Connecticut Avenue, Richards Avenue and Keeler Avenue. All are in and out access points. The one on Richards was a right turn in and a right turn out.

There was a discussion about solar panels on the roof and on the parking deck.

There was a discussion about the urgent care facility as well as whether sidewalks would be extended. There was a discussion about the number of parking spaces. They were required to have over 200 but there would be over 500. Ms. Langalis asked for a comparison to other parking lots in the area, including Walmart and Costco. There was a discussion about LEED certification for their properties. Mr. Baxendale said it was something to consider here in Norwalk.

Mr. Schulman said they were happy that Wegmans was coming to Norwalk and would move this forward as much as they could. There was a discussion about the date for the public hearing which could be at one of the July meetings.

There was a further discussion about Wegmans sustainability and their lack of LEEDS standards. Ms. Wells asked for continued conversations to understand what that means to Wegmans. Atty Hennessey said that they could be ready for a public hearing on July 7. Mr. Mushak asked them to consider solar panels on the top roof deck of the garage to keep the cars cool in the summer and protected in the winter.

IV. PUBLIC HEARINGS

a. #2022-05 R/M/SP – Merritt Station Norwalk LLC/129 Glover Avenue LLC/135 Glover Avenue LLC/156 Glover Avenue LLC/201 Glover Avenue LLC/Building & Land Technology – North 7 (67, 69, 79, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue and 2 Oakwood Avenue) – Zoning map amendment, zoning text amendment and special permit application for an Executive Office Development Park which includes approximately 1,300 dwelling units and +/- 50,000sf of retail within seven (7) buildings ranging from five (5) to fifteen (15) stories

Mr. Schulman said that he would have Mr. Pachas and Mr. Williams vote on this matter, if necessary. He then explained the public hearing process since there would be a large number of participants. He also noted that they would stop the meeting at 10 pm and then continue it at the next meeting on June 15.

Atty Dave Waters began the presentation by noting that he had submitted the certificates of mailing, noticing the public hearing to the abutting neighbors. He then introduced the project team. He discussed the various applications and how many of them had been revised over time. He then oriented the commissioners as to the location of the property on an aerial map. He discussed the Master Plan as well as the Zone Change Summary. He noted that some of the area is already zoned as Executive Office. There are some zones that are AAA, as a default zone. He also discussed the Merritt 7 Corporate Park Master Plan. He explained that after the Master Plan is approved, each individual project would be approved by site plan review. He did make comparisons to the Merritt 7 Corporate Park Master Plan. He then discussed the proposed height allowances of up to 150 ft. Atty Waters explained the definition of Commercial PRD (Planned Residential Development).

Atty Waters then discussed some of the requirements in the proposed regulations. He then discussed the proposed parking plan which included parking for the train station. There would be a town square with retail on either side. It would not be destination retail but rather, supportive retail like dry cleaners and a coffee shop. There would also be a park. He also discussed a proposed trail for the Norwalk River Valley Trail system. He also said they had proposed an area for residents to walk down from the condominiums to access the shops and train station, rather than walking down Oakwood Avenue. This would require the consent of surrounding property owners. He also identified points of interest, including sculptures and seating areas. He noted that the proposed Master Plan is mostly residential which would be a counterbalance to the mostly office space around them. However, with Planning and Zoning approval, the area could be flexible if Google or a hotel decided that those businesses would work in this area.

Atty Waters showed them the Master Plan Detail. He noted that there were reports submitted in support of the Master Plan including a drainage report, sanitary sewer report, and an economic analysis.

Don Poland noted that his company had done a study of the economic and fiscal impacts of the proposed project. Although parts of the Plan had changed, he did not think this had a significant impact on his analysis. He explained how this project would have a positive fiscal impact for the city, including effects on education, tax revenues, construction costs and consumer spending. There was a discussion about school enrollment.

There was a discussion about Norwalk's Plan of Conservation and Development (POCD). Francisco Gomes, of FHI Studio, continued the presentation with an assessment of compliance to the POCD. He noted that his company has drafted POCDs for towns around Connecticut. His company did find that the proposed Master Plan was supportive of the POCD and then explained why.

There was a discussion about the costs of municipal services, including police and fire department personnel and equipment. Mr. Poland said that their study showed no negative impacts on municipal services. There was a clarification of the 150 ft. height and how it was measured, which Atty Waters said it was measured from the ground. He explained that the measurement in other surroundings building it is from the plaza level.

Atty Waters noted that their application was filed 2 years ago. He also noted that they had considered filing a year before but the POCD was in the process of being adopted. They waited until after it was adopted and filed immediately afterwards.

Atty Waters discussed the traffic study dated April 2020. He noted that traffic improvements would be necessary because they are near the train station and support the community. He noted that a further traffic study was done of Phase 1.

Mark Vertucci, Fuss & O'Neill briefly described the findings of the study of the Phase 1 project of the Master Plan. He noted there was good transportation access especially since there is a train station which would reduce the traffic load from this area. He discussed how the study was done. The retail is to support the residents who will walk to the stores. Phase 1 should not have a significant impact on the area, which was submitted to the DOT. He said they concurred but did have one comment which should not be difficult to implement. There was a discussion about the walk on Grist Mill from Main Avenue. There is no separation for anyone walking and vehicles are moving at high speeds. It was suggested a raised sidewalk would help the situation.

There was a discussion about Raccoon Park and whether it would be a part of the Phase 1 construction. Atty Waters said that it would not be because they would have to know where the surrounding buildings would be.

Atty Waters explained what was already permitted in this zone. He also noted what topics had been discussed and provided, including what analyses had been provided.

At 8:57 Mr. Schulman said that they could take a break for 8 minutes until 9:06 pm. He apologized to those waiting to speak. The public hearing resumed at 9:07 pm. Mr. Schulman reminded everyone that comments were addressed to the developer and would be handled after everyone had spoken. He also noted that members of the public could speak at the next Planning and Zoning meeting on June 15. Mr. Baker explained how members could speak on this Zoom call.

April Weinstein (?) on Ox YokeLane. She said that she was concerned about the overdevelopment of Norwalk. She said she would not be able to support this application. She had concerns about the funding of education and traffic and the tax breaks the developer would receive.

Leonna Shanti, a resident on Oakwood Avenue, spoke in opposition to the applications. She noted that some of the traffic studies were done pre-COVID as well as the fact that some studies were done much earlier. She also had concerns about the affordability of the units for those in Norwalk. There were no options for rent to buy.

Wes Hains, Merritt Parkway Conservancy, 22 Brightside, Stamford, CT, gave a brief overview of the Merritt Parkway. They have concerns about the Master Plan. He said that they were looking at plans to connect Exit 39 and 40. He noted that Atty Waters had not discussed another plan which the Conservancy preferred. The Conservancy had concerns about the height of the buildings. He asked for a condition of approval about who should be on the

Ben Hanpeter, 262 East Avenue, said he was in support of the application but did have suggestions/concerns about gentrification, connectivity, sustainability and walkability.

Elizabeth Lasaro had concerns about Glover Avenue because the street was too small. She said that people would use their cars in this neighborhood.

Diane Lauricella said that she did not support this plan because it is too dense. She did not think it fit with the POCD. She asked the commissioners to go out to the site and hold up a balloon 150 ft. to see the scale of the buildings. She asked the applicant to be more specific about the amount of affordable units. She also had concerns about the environmental impact, as well as the amount of parking spaces. She wanted to make the area more bikeable. She asked that the Planning & Zoning Department confirm that the traffic study be done with more recent numbers and not the ones during COVID. She also requested the solar panels be constructed on every project.

________ had concerns about the amount of rental units and the lack of open space. He said he would not support this project.

________ said that Norwalk did not need a third center in the city. She said that the buildings had doubled in size. She said that she had concerns about the environmental impacts.

Mr. Baker attempted to allow a member of the public to speak but it would not work. He suggested submitting written comments. There were no other members of the public that wished to speak.

Atty Waters said that there were no tax breaks given at this point. They have sought to get funding to improve the roadways. He said that the amount of revenue generated will offset the education expenses. He also explained that the traffic studies were done in 2019 but that the reports had been done later, in 2020. He then addressed the concerns of the impervious surfaces. He also addressed the Conservancy's concerns and said that the reason they showed the Merritt Parkway plan was it was the most impactful. He said that they did not favor that plan. He noted that the depictions of the buildings that were shown were not what would actually be built. He discussed bike racks as well as vegetative roofs. He also discussed the heights of the buildings and that it is already allowed in this zone.

Mr. Schulman said that they would not be voting on this at this meeting. They would vote on it at the next meeting. There was a discussion about whether additional members of the public should be allowed to speak at the next meeting. They decided to have residents send comments to Steve Kleppin. He gave his email address to the public. He also noted that the special permit application may have to be voted on at a later meeting, after the effective date of the other two applications.

**** MR. WILLIAMS MOVED** to close the public hearing and allow for written comments to be sent to the Planning & Zoning Department by 3 pm. through June 15, 2022.

Mr. Roina seconded.
Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Tammy Langalis; Galen Wells; Hector Pachas approved.
No one opposed.
No one abstained.

i. Action on #2022-05 M

The commissioners took no action at this meeting.

ii. Action on #2022-05 R

The commissioners took no action at this meeting.

iii. Action on #2022-05 SP

The commissioners took no action at this meeting.

V. REVIEW ON NEW APPLICATIONS

a. #2022-22 – Planning & Zoning Commission – Public Act No. 21-29 – Opt-out of accessory apartment with intent to revise existing regulations – Preliminary review

Mr. Schulman asked if they could vote on whether they would be opting out of the accessory units statutes. Mr. Baker said that these applications were to allow the city to opt out of the state regulations for accessory apartments. They would not be voting on any new regulations at this meeting.

**** MR. ROINA MOVED: THEREFORE BE IT RESOLVED** to allow the opt-out of accessory apartment state regulations with the intent to revise existing regulations.

Mr. Mushak seconded.
Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Tammy Langalis; Galen Wells; Hector Pachas; Jacquen Jordan-Byron approved.
No one opposed.
No one abstained.

Mr. Baker noted that this would allow the commission to hold a public hearing at their next meeting. Mr. Mushak said that he thought the proposed regulations were good. Mr. Baker asked the commissioners to send him any comments that they had.

b. #2022-23 – Planning & Zoning Commission – Public Act No. 21-29 – Opt-out of parking requirements – Preliminary review

Mr. Schulman noted that they were voting on whether to hold a public hearing so that they could decide whether they would be opting out of the state's parking requirements.

**** MS. LANGALIS MOVED: THEREFORE BE IT RESOLVED** to allow the opt-out of the state's parking requirements with the intent to revise existing regulations.

Mr. Baxendale seconded.

There was some discussion about the parking maximums for all developments and how it pertained to what they would be holding a public hearing on.

Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Tammy Langalis; Galen Wells; Hector Pachas; Jacquen Jordan-Byron approved.
No one opposed.
No one abstained.

VI. APPROVAL OF MINUTES: May 18, 2022

**** MR. ROINA MOVED to approve the May 18, 2022 meeting minutes.**
Mr. Baxendale seconded.
Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Galen Wells; Hector Pachas approved.
No one opposed.
Tammy Langalis and Jacquen Jordan-Byron abstained.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin said that Mr. Baker should present at the public hearing for why the city would like to opt out of the accessory apartment regulations.

Mr. Kleppin also said that he would send out a notice about the special meeting on June 28 on the school.

VIII. COMMENTS OF COMMISSIONERS

There was a discussion about how the commissioners could send their comments to Mr. Baker on the draft regulations on accessory dwelling units.

IX. ADJOURNMENT

Mr. Pachas made a Motion to Adjourn.
Mr. Langalis seconded.
Louis Schulman; Richard Roina; Brian Baxendale; Darius Williams; Mike Mushak; Nick Kantor; Galen Wells; **Jacquen Jordan-Byron approved.**
No one opposed.
No one abstained.

The meeting was adjourned at 10:17 p.m.

Respectfully submitted,

Diana Palmentiero