

CITY OF NORWALK
PLANNING & ZONING COMMISSION
April 20, 2022

PRESENT: Louis Schulman, Chair; Richard Roina; Galen Wells; Tammy Langalis; Brian Baxendale; Hector Pachas; Darius Williams; Mike Mushak and Steve Ferguson (after the roll call); Jacquen Jordan-Byron (arrived at 6:40 pm)

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Liz Suchy; Rob Pryor; Matt Popp; Charles Georgie; Carl Giordano; John Blore; Carlo Schiattarella; Mike Galante

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:02 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.

III. PUBLIC HEARINGS a. #2022-13 SP – The Associated Food Distributors Company, Inc.– 16 Muller Avenue – Construct 10,000sf +/- warehouse building for manufacturing b. Action on III.a (#2022-13 SP)

Mr. Schulman opened the public hearing with an explanation of the rules. Atty Liz Suchy began the presentation with an introduction of the project team. She noted that the neighbors had been informed of the public hearing and the certified, return receipt cards are in the Planning and Zoning office. She gave a brief description of the property. She described the project to the commissioners. Parking would have to be upgraded and a sidewalk would be installed. She explained why the public hearing had been postponed from the previous meeting. She believed that they had addressed all concerns raised and had received sign-offs from most of the necessary departments. She noted that any outstanding sign offs could be a condition of approval. The applicant deemed the placement of solar panels too expensive and would delay the project.

Rob Pryor, the engineer on the project, continued the presentation by orienting the commissioners as to the location of the property. He showed them what currently exists on the property. He then showed them the site plan for the project. He discussed the curb cuts and changes to existing parking. The sidewalks have been requested by the City.

Matt Popp, the landscape architect, continued the presentation by showing the plans for the landscaping. He explained which trees they were recommending. He then explained the lighting plan.

Charles Georgie, the architect on the project, continued the presentation by showing them the floor plans. He showed them the elevations. They wanted to have it look nicer than the usual manufacturing building. He explained the elevations in the building.

Carl Giordano, the traffic engineer on the project, continued the presentation by explaining the traffic study. He said that the traffic would not be an issue because of the low volume of traffic going to the building as well as the low volume in the area. Sight lines are sufficient.

At this point, Atty Suchy completed the presentation. After members of the public had a chance to make their comments, she would respond to a letter received from Robinson & Cole, earlier that day.

John Blore, a managing member to the property next door, said that he had no objection to the project. He had concerns on the private road and asked that it not be obstructed. It was one of two accesses to his property. When it gets obstructed, there are complaints. He said that he had talked to them in the previous week and said that it would not become an issue. He addressed the Robinson & Cole letter which his attorney had written, and asked if the conditions set forth in it could be put into the resolution. Other than that, he said that they did not have issues with anything that was being proposed.

There were no other members of the public that spoke.

Atty Suchy addressed Mr. Blore's comments about the private road. She said that she thought that issues in the future would be addressed. She said that Mr. Palmer would be a good neighbor. She noted that the issues about the right of way were out of the purview of the Planning & Zoning Commission. If there were issues, they would be rectified quickly and asked that they not be included in the resolution.

There was a discussion about the five parking spaces that were remaining. They would like them to remain since they had been there for a long time.

**** MR. ROINA MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Zoning Commission, that application #2022-13 SP – Associated Food Distributors, Inc. – 16 Muller Ave – Proposed single-story manufacturing and warehouse building, be **APPROVED**, subject to the following conditions:

1. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required erosion and sediment controls prior to the filing of the Site Plan on the Land Records; and

2. That a special permit certificate and mylar of the approved Site Plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and

3. That any outstanding CEAC signoffs shall be submitted to staff prior to the issuance of a zoning permit; and

4. Site Plan Modifications:

a. The applicant shall work with Planning & Zoning staff to relocate or reduce the five (5) parking spaces in front of the existing warehouse building, which are close to Muller Avenue.

b. relocate the sidewalk along the entire portion of Muller Avenue,

c. landscape the asphalt location of the 5 former parking spaces to reduce impervious surface.

5. That any sidewalks provide a minimum of 5' clearance from any obstruction; and

6. That the driveway entrance on the private drive, be free of obstructions at all times;

7. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and

8. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and

9. That all signage complies with the zoning regulations; and

10. The applicant shall install rooftop solar on the proposed building unless determined to be infeasible. If that is the determination a report shall be provided to the Commission prior to obtaining a building permit.

11. That any modifications to the approved plan be reviewed and approved by City Staff prior to implementing; and

12. That a Connecticut licensed engineer certify that all of the required improvements, including any required off-site improvements, were installed to City standards; and

13. Should any building façade material become damaged or deteriorated, the applicant and future owners shall repair the damage or deterioration within thirty (30) days' notice from the City; and

BE IT FURTHER RESOLVED that the effective date of this action be May 1, 2022.

Mr. Baxendale seconded.

There was a discussion about Mr. Blore's additional request to the resolution. There was also a discussion about 4d, which were TMP comments. There was also a discussion about keeping access available to the Fire Department. There was a discussion about the shared driveway being kept open for access.

Louis Schulman; Richard Roina; Galen Wells; Tammy Langalis; Brian Baxendale; Hector Pachas; Darius Williams; Mike Mushak and Steve Ferguson approved.

No one opposed.

No one abstained.

IV. REVIEW AND ACTION ON APPLICATIONS a. #2022-16 SP – Schoolhouse Academy Inc – 32 Weed Avenue – Proposed prekindergarten through grade 12 private school – Preliminary review

Mr. Schulman noted that there would be no discussion from the public since this was not a public hearing.

Atty Suchy began the presentation with a description of the project. She noted what would be included at the school and not included. She believed that the school admissions would start at approximately 350 and then increase to approximately 650 students. She then introduced the project team. Mr. Schulman asked that the commissioners go take a look at the property.

Carlo Schiattarella gave his background to the commissioners which included running charter schools. He explained the curriculum which included STEAM and learning by doing, and supported by technology. He said that there is interest from Norwalk and the surrounding towns. Parents were interested in a different choice for their children's education. He said that his children are young and would be attending the school. He claimed it was a more affordable private school than others in the area. There was a discussion about the types of students that would be targeted. There will not be an entrance exam. Mr. Schiatterella answered questions about what the concept for this school was. He also noted that most sports would be off-site. There would most likely be a bus system but smaller buses. He also explained that the school would operate under a 30 year lease.

There was a discussion about whether the property would be off the tax rolls. Mr. Schulman suggested doing a peer review for traffic. At this point, Mr. Galante spoke about traffic.

Mike Galante, the traffic engineer, said that a full traffic study had been prepared and submitted to the city. He noted that students would arrive at different times and they would also make their start later than the nearby elementary school. There was a discussion about basing the number of students arriving by bus on a questionnaire. Mr. Galante said that they would run the numbers with more cars and less buses. There is concern about traffic from the nearby elementary school which may need mitigation. There was concern about the neighborhood not being allowed to access the walking trails currently on the property. There were also concerns about the easements on the property.

After explaining the duties of the peer review traffic consultant, Mr. Kleppin said that they could hire one. The applicant paid for the fee, not the city. By a show of hands, the commissioners agreed to hire the consultant. There was a discussion about when the public hearing would be held.

V. APPROVAL OF MINUTES: April 7, 2022

This item was tabled to the next meeting.

VI. COMMENTS OF DIRECTOR

There were no comments from Mr. Kleppin.

VII. COMMENTS OF COMMISSIONERS

There was a discussion about adding a special meeting for the commissioners or changing the date of one of the May meetings. The May 18 meeting could be on May 9.

VIII. ADJOURNMENT

Mr. Ferguson made a Motion to Adjourn.

Mr. Williams seconded.

Louis Schulman; Richard Roina; Galen Wells; Tammy Langalis; Brian Baxendale; Hector Pachas; Darius Williams; Mike Mushak and Steve Ferguson; Jacquen Jordan-Byron approved.

No one opposed.

No one abstained.

The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Diana Palmentiero