

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
March 15, 2023

PRESENT: Louis Schulman, Chair; Richard Roina; Mike Mushak; Nick Kantor; Galen Wells; Hector Pachas; Ana Tabachneck; Jacquen Jordan-Byron; Tammy Langalis

STAFF: Steven Kleppin; Bryan Baker

OTHERS: Tanner Thompson; Jo McDonald; Tracy Barclay; Susan Brown; Ben Hanpeter; Beth Iovinelli; Scott Goodwin; Randa Rogenski; Sam Hague; Susan Hawley; Amanda Seeroff; Judy Harris; Lisa Bretton; Donna Smaritopoulos; Clea Renway; James Mitchell; Bette Bono; Sarah Hunter; Peter Tucker; Diane Troy; Kim Bastone; Max _____; John Dese; Donna Menton; Trish Prince; Cheyenne Scarpelli; Noah Wilker; _____; Ken Kirschner; _____; David Alumbaugh; Kerrin Cole; Marlene _____; Brian Meek; Francesa _____; Elizabeth Barrera; Lisa Henderson; Diane Cece

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 both on Zoom.com with participants calling in, separately and at the Common Council Chambers, 125 East Avenue.

II. ROLL CALL

Mr. Kleppin called the roll. Mr. Schulman noted that this is a continuation of a public hearing on March 2, 2023. He said that they would not permit people to speak a second time, if they spoke at the last meeting. He reminded everyone of the rules of the public hearing especially if members of the public had not been present at the previous meeting. He also noted that most people at the last meeting had indicated that they were opposed to the project. He noted that the traffic counts had not been done during the summer months and they were asking for clarification from the applicant. He said that members of the public could comment on this new information only. He said that there is a sign-up sheet for members that were in the Council Chambers. Mr. Schulman also explained how the members of the public would be allowed to speak. Mr. Baker explained for anyone on Zoom how they could speak.

III. PUBLIC HEARINGS

a. Continuation of hearing opened 3/2/23: #2022-24 SP/CAM – Mill Pond Holdings, LLC – 1 Cemetery Street (District 3, Block 42, Lot 27) – Construction of a 77-unit mixed-

use development within two (2) buildings, 98 parking spaces and other on-site and off-site improvements

Tanner Thompson, 16 Hillside Place, said he was the chair of the city's Bike and Walk Commission. He said his first remarks would address the walkability of the project. He noted that he had attended a conference at Harvard University, which the city had paid for him to attend. He then read some rules that he learned at the conference, and applied them to this project. Some of his remarks addressed setbacks, curb cuts, raised crosswalks, among other items. He appreciated this mixed use development. He then offered personal remarks. He had previously lived in East Norwalk but now lived in Golden Hill. He wanted more retail near him as well as more neighbors.

Jo McDonald had concerns about parking and traffic. She was concerned that residents and their guests would park on the side streets. She said she was in support of the project but should be smaller.

Vincent _____, began by stating he has had a small business in East Norwalk for 20 years. He said that he had to come back to the Zoning Commission because he was missing one parking space. Now the applicant was allowed to have on street parking. He noted that residents are now hiring legal counsel to fight the project. He also noted that the residents on Mill Pond would be especially affected by this project.

Tracy Barclay, _____, a member of East Norwalk Neighborhood Association, said they were not against retail. She said this project did not accommodate retail. She then quoted Mike DiScala and Mr. Barnes from a previous meeting in 2020, at which time they said this was not an appropriate place for retail. She did not think the traffic study had done the correct traffic counts.

Susan Brown, 3 Spar Road, had concerns about the increased number of cars that would be headed to Calf Pasture Beach. She did not understand why a lane of traffic was being taken away. By taking it away, the developer would be allowed parking spaces and there would be more traffic.

Ben Hanpeter spoke in support of the application, for several reasons, including more density and more housing for the city. He said that the area around the cemetery is not a very nice place in the city with little retail. He also supported the road changes. However, he did not support the on-street parking. He preferred a bike lane. He did not understand why parking requirements were high.

Mr. Schulman reminded the members of the public when they were speaking to quickly agree with previous speakers. This would help facilitate the length of the meeting.

Beth Iovinelli, 16 Cove Avenue, said she was a resident and recent business owner in East Norwalk. She had concerns about increased traffic, infrastructure and the effect on the school system.

Scott Goodwin, 6 Pine Hill Avenue, thanked the commissioners for their time. He said he did not agree with a previous speaker who said that the tax base would increase with this project.

Randa Rogenski, Old Well Court, said she thought East Norwalk was lovely and that she was not vehemently opposed to it. She discussed the four extra parking spaces across from Sweet Ashley's. She also discussed the boardwalk on the pond. She noted the flood zones were not shown in the renderings. She thought the parking should be within their bounds but noted it was not.

Sam Hague, 13 River Drive, thought that the sound system could be better in the Common Council room. He said that he was in favor of the project, if it was scaled back and leaving Cemetery Street, two lanes. He thought that changing it to one lane with parking would stop traffic. He said it would be similar to Washington Street. He also noted that the bridge at East Norwalk would allow tractor trailers to go under it. He asked for some retail at the site, including a bank. He thought that the residents would be amenable to these changes.

Susan Hawley, 13 Wallace, asked the developer whether units would be offered at below market rates. She agreed with the previous speaker that it should be scaled back.

Amanda Seeroff, Norden Place, had concerns about the traffic on East Avenue. She did not think that the traffic study made sense in connection with the parking spots. She compared this project with where she lives. She also discussed overcrowding in the public schools from the students who would be living in these units. She noted that there would not be any supermarkets within walking distance of the project. She also compared Norwalk to downtown Stamford.

Judy Harris, 7 Pequot Drive, noted that there was only one handicapped spot even though there was retail in the building. She said she would not go anywhere if there was not adequate parking. She asked that the project be scaled back. She asked what below market housing would be.

Lisa Bretton, 19 Shorefront Park, said she understood increased density. She said that many communities did it smartly. She had issues with the TOD plan's point system. She also had concerns with changing Cemetery Street from two lanes to one. She asked the commissioners to scale back the project.

Donna Smaritopoulos, said that she had worked on the Plan of Conservation and Development, while working with the Coalition of Norwalk's Neighbors. She read a letter into the record from 2019 which were suggestions for the draft POCD. She said they asked for a meeting with the POCD consultants but there had been no meeting. She noted that one of the previous speakers, Mr. Hanpeter, had recently been appointed to the Zoning Board of Appeals.

Clea Renway said that she lived behind the project. She was concerned about the number of units and that her property values would go down. She asked them to reconsider the number of units being developed.

James Mitchell, 3 Platt Street, asked if there were any other projects at this site that the city had considered. He asked about the tax ramifications and the revenue that would be realized. He had concerns about the number of children that would be in the public school system, as well as the parking. He asked the commissioners to scale the project back.

Bette Bono, 35 Fifth Street, said she had driven around the Cemetery Street circle many times over 39 years. She said that the traffic was bad many times of the year, not just during the summer. She was concerned when there was an accident. She was also concerned about the increase of units because of the bonus points.

Sarah Hunter, 17 Scofield Place, said she spoke in opposition to the scale of the project. She said she agreed with several of the previous speakers. She also asked the commissioners to scale the project back.

Peter Tucker, 92 Old Saugatuck Road, had concerns about scale, and the time to consider the neighbors concerns. He thanked the commissioners for their time on this project.

Diane Troy, 3 Stanley Street, said she was in opposition to the project because of the scale of it. She had concerns about the traffic study as well as the traffic, especially on the side streets.

Kim Bastone, 1 Sasqua Road, said she agreed with the previous speaker. She said that there were not enough teachers at the Marvin School. She said there were many amenities that the residents would never use. She asked them to scale back the project and to re-do the traffic study when it would be done in the summer through November.

Max _____, 285 East Avenue, said he lived near the project. He had issues with the number of parking spaces and that it is already hard to park on East Avenue. He said that there would be a choke point and that it would lead drivers to drive faster. He asked the commissioners to scale the project back.

John Deseey spoke in opposition to the project. He did not see any benefits to some of the buildings that had previously been constructed. He asked the commissioners to scale the project back.

Donna Menton, 8 Gregory Boulevard, spoke in opposition to the application. She said she agreed with many previous speakers, about the size of the building and the traffic.

Trish Prince, 8 Fenwick Place, said she was on Mill Pond, and had concerns about the birds that nest in the area. She also had concerns about the on street parking. She asked that the project be scaled back. She also asked that the environmental study be reviewed again.

Cheyenne Scarpelli, 1 Villaway Road, noted that there was no grocery store in East Norwalk. There were plenty of banks, drug stores but nowhere to purchase food.

At this point, there was a discussion about whether to take a break at this point. They decided to take a 15 minute break. The meeting resumed at 8:40 pm.

Noah Wilker, 40 Pine Hill Avenue, said he agreed with previous speakers about traffic and challenges of this project. He agreed that there should be redevelopment in East Norwalk. He said that the residents did not want to turn this into an urban area. He asked them to consider the residents' concerns.

_____, said she looked forward to the beautification of the property but that this project would not do that. She enjoyed going to South Norwalk but liked the quiet of East Norwalk. She was concerned about the birds nesting in this area, as well as the quality of life for the neighbors on the Mill Pond. She also had concerns about the traffic. She asked that they reconfigure the development. She also noted that 700 people had signed a petition opposing this project.

Ken Kirschner, said that he did not understand why they were narrowing the area from two lanes to one. He had concerns about trucks going through the area. He asked if they knew the effects of light on the Mill Pond.

David Alumbaugh, 74 Old Saugatuck Road, said he was opposed to the density of the development.

Kerrin Cole, 24 Olmstead Place, said that they had lived in Norwalk for 25 years. She was impressed with Norwalk public schools. She noted that the schools now are overcrowded which is unfair to teachers. The quality of education was concerning to her now. She asked that the project be scaled back.

Marlene _____, Emerson Street, had concerns about the traffic and speeding on her street. She noted that there were other buildings around the city with high density. She also noted that some of these buildings were ugly, including the one being proposed. She asked that lights be turned down because it does not stop crime.

Brian Meek, Cranbury Woods Road, said that he was able to find the link after the 15 minute break but realized that others could not. He said he would appreciate it if they could conduct a public meeting.

Francesca _____, Second Street, noted that her elementary school classes were crowded and asked that the project be scaled back.

Elizabeth Barrera, Raymond Terrace, said that her family moved to East Norwalk during COVID. She explained that there are not enough special needs teachers in Norwalk so she could not get help for her child. She was concerned that adding more children would exacerbate the situation. She also noted that the trains for her husband are overloaded.

Lisa Henderson, Appletree Lane, asked that the project be scaled back.

Diane Cece, Olmstead Place, addressed Mr. Schulman's comments from the previous meeting about postponing the public hearing. She spoke to the East Norwalk Neighborhood Association. She noted that every regulation in the East Village Zone was opposed by the residents. She thought the application could be modified. She discussed the Planning & Zoning memo to the commissioners which is 24 pages. She read a few of the points raised in the memo from Mr. Kleppin. She noted that everyone is amenable to change on the current property. She said that there were comparisons of this development to other New England towns. She said that they had tried to work compatibly with the developer. She agreed with the other speakers that the traffic study was flawed. ENNA was filing to become an intervenor and had engaged the services of a traffic analyst for this project. She said that the Planning and Zoning Commission could deny without prejudice so that the applicant could come back to the commission without re-applying. There were many issues with the parking spaces according to their consultant's analysis. She said that the amenity points benefited the developer and the tenants, not the community. She also said that many of the commissioners had been on the commission when the East Village zone had been approved. She asked them to scale back the development and modify the regulations.

At this point, Mr. Schulman said that he wanted to make sure that all of the commissioners understood the intervenor status. He also said that there were concerns about the traffic study not having counts for the summer traffic. He also asked the audience members to show the same respect to the commissioners as they had shown to them. Mr. Schulman asked Atty Blank to present his rebuttal at the next meeting. Atty Blank said he would agree with that. He also wanted to maintain the deadlines for the application.

Mr. Kleppin suggested a meeting on March 22 at another Planning & Zoning Commission. There was also a suggestion to have a separate meeting for the rebuttal. There was then a polling of the commissioners to see who was available as well as whether to hold the meeting virtually. There was also a concern about holding the meeting in other rooms of City Hall. Mr. Kleppin said that he could resolve these issues on the next day.

i. Action on #2022-24 SP/CAM

Mr. Roina made a Motion to continue the Planning & Zoning Commission on March 22, 2023.

Ms. Tabachneck seconded.

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

No one opposed.

No one abstained.

IV. APPROVAL OF MINUTES: February 15, 2023; March 2, 2023

**** MS. LANGALIS MOVED to approve the February 15, 2023 minutes.**

Mr. Roina seconded.

Louis Schulman; Richard Roina; Mike Mushak; Nick Kantor; Hector Pachas; Ana Tabachneck; Tammy Langalis approved.

No one opposed.

Galen Wells and Jacquen Jordan-Byron abstained.

**** MS. LANGALIS MOVED to approve the March 2, 2023 minutes.**

Mr. Tabachneck seconded.

Louis Schulman; Richard Roina; Mike Mushak; Nick Kantor; Hector Pachas; Ana Tabachneck; Galen Wells; Tammy Langalis approved.

No one opposed.

Jacquen Jordan-Byron abstained.

V. COMMENTS OF DIRECTOR

There were no comments from the director.

VI. COMMENTS OF COMMISSIONERS

Mr. Roina asked if there could be a break during meetings after 2.5 hours, even if it was 5 minutes.

Mr. Mushak asked if the recordings were part of the record. He also noted that the minutes were summarizations of the meetings but that the video recordings would be a full and complete record of the meeting.

VII. ADJOURNMENT

Ms. Langalis made a Motion to Adjourn.

Mr. Pachas seconded.

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

No one opposed.

No one abstained.

The meeting was adjourned at 10:21 p.m.

Respectfully submitted,

Diana Palmentiero