

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
March 6, 2024

PRESENT: Louis Schulman, Chair; Jacquen Jordan-Byron; Ana Tabachneck; Chapin Bryce; Richard Roina; Galen Wells; Nick Kantor; Darius Williams; Tammy Langalis (left the meeting at 6:50 pm)

STAFF: Steve Kleppin (left the meeting early but returned at 7:50 pm); Bryan Baker; Amelia Williams

OTHERS: Atty David Waters; Deputy Police Chief Melissa Lepore; Atty Liz Suchy; Adam Cerini; Justin Quinn; Seelan Pather; Matthew Bruton; Phil Cerrone; Craig Yannes

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 & SEATING OF MEMBERS

Mr. Kleppin called the roll. Mr. Schulman seated Ms. Tabachneck for the entire meeting. He also noted that the application, #2024-06 SPR/CAM, MillaMilly Corp, has withdrawn their application.

III. PUBLIC HEARINGS

a. #2024-04 R/SPR – Building & Land Technology – 77, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue (District 5, Block 38A, Lots 40, 51, 5A, 22, 29, 19, 36, 35 and 50) (North 7) – Zoning regulations text amendment to revise Article 20 to modify the front setback requirement for Development Parks in the Executive Office zone and a site plan review application to construct a 12-story, 266 dwelling-unit, mixed-use building and other associated site improvements at 77 Glover Avenue in accordance with the approved North 7 Master Plan.

Atty Waters noted that the public hearing had started at the previous Planning & Zoning Commission meeting. The comments from the Commission's consultant and TMP were extensive so that they were requesting a continuance to the next meeting. Mr. Schulman said that they had only recently received the consultant's report so that they did not have enough time to review it.

i. Action on #2024-04 R/SPR

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that for application #2024-04 R/SPR – Building & Land Technology – 77, 87, 111, 117, 129, 135, 155, 156 and 201 Glover Avenue (District 5, Block 38A, Lots 40, 51, 5A, 22, 29, 19, 36, 35 and 50) (North 7) the public hearing be continued for two weeks until the next Planning & Zoning Commission meeting on Wednesday, March 20, 2024 at 6 pm.

Mr. Bryce seconded.

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

No one opposed.

No one abstained.

IV. REVIEW & ACTION ON APPLICATIONS

a. #2024-21 Special Appropriation – Norwalk Police Department – Transfer of capital funds in the amount of \$657,000 for the purchase of eight (8) vehicles – Report & recommended action.

Deputy Police Chief Melissa Lepore said that they would purchase electric vehicles for the high schools with the school's and police logos on it. There would also be a purchase of six vehicles from Chevy since Ford no longer has a police package.

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-21 Special Appropriation – Norwalk Police Department – Transfer of capital funds in the amount of \$657,000 for the purchase of eight (8) vehicles – be **APPROVED**.

Mr. Williams seconded.

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

No one opposed.

No one abstained.

b. #2024-02 CAM – David E. Keelan & Christina Lake – 16 Rocky Point Road (District 6, Block 36, Lot 61) – Proposed addition to and raising of existing single-family house – Report & recommended action.

Atty Liz Suchy began the presentation with the introduction of the project team. She then described some of the changes and then introduced Adam Cerini, the engineer on the project.

Mr. Cerini continued the presentation with a diagram of the existing and proposed conditions. He noted that although the house is increasing in size other impervious areas are decreasing. He showed them the impervious and pervious areas.

Justin Quinn, the landscape architect, said it was a sustainable plan and more forwarding thinking than what is on the property now.

Ms. Williams continued the presentation with questions about Mr. Cerini's calculations for impervious surfaces. There was a discussion about the grass pavers. Mr. Cerini noted that DPW did not have comments on drainage, only on the sewer connection. There was a discussion about the seawall drain which Mr. Cerini said would remain as is. Ms. Williams said it was fine but could be better. There was also a discussion about two of the conditions for the resolution. Ms. Williams said that they should revise language for the driveway.

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** that application #2024 - 02 CAM – David E. Keelan & Christina Lake – 16 Rocky Point Road – Raise and modify an existing single family residence to be flood compliant be **APPROVED** subject to the following conditions:

1. That the building and site be developed in accordance with the following plans:
 - a. Per zoning location survey dated 10/19/2023 and revised 12/6/2023 prepared by D'Andrea Surveying & Engineering, P.C., Riverside, CT
 - b. Per architectural plans dated 12/14/2023 and revised 3/6/2024 prepared by Workshop/APD, New York, NY
 - c. Per the site plan review set dated 12/6/2023 and revised 2/28/2024 prepared by D'Andrea Surveying & Engineering, P.C., Riverside, CT
 - d. Per landscape/grading/planting plans dated 3/6/2024 prepared by James Doyle Design Associates, Greenwich, CT
2. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and

3. That a permit is obtained from the Department of Public Works regarding City stormwater management requirements; and

4. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and

5. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

6. That any changes to the plans be reviewed by Staff prior to implementation; and

7. Any utilities comply with setbacks and do not expand a non-conformity; and

8. That flood certifications be submitted prior to issuance of a zoning permit by a CT licensed engineer or architect for the main dwelling structure, utilities, and any accessory structures; and

9. That flood compliance be achieved and demonstrated with a FEMA elevation certificate prior to COZC; and

10. Pervious surface be used to the maximum extent possible after further conversation between Staff and the project engineers, with an appropriate surfacing acceptable to the Staff; and

11. Stormwater be treated on site, to the maximum extent possible; and

12. That all plantings be implemented prior to COZC; and

13. That all plantings be maintained, and any dead plantings must be replaced in accordance with the approved planting plan; and

14. That no changes to the seawall are permitted without City review and DEEP approval; 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

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be March 15th , 2024. You must obtain a zoning approval and a building permit prior to any work on the site. A building permit must be obtained within one year of the effective date or this CAM approval automatically becomes null and void.

Ms. Langalis seconded.

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

No one opposed.

No one abstained.

V. PRELIMINARY REVIEW & ACTION ON APPLICATIONS

a. #2024-06 SPR/CAM – MillaMilly Corp – 13 Chapel Street (District 1, Block 28, Lot 2) – Proposed development of a 13-unit, seven (7) story residential apartment building.

This application was withdrawn.

i. Action on #2024-06 CAM/SPR and authorize design peer review.

b. #2024-11 SP/CAM – TR Sono Partners LLC – 25 & 31-35 South Main St. (District 2, Block 45, Lots 12 & 13) – Proposed construction of an eight (8) story, 100-room extended stay hotel.

Mr. Schulman said that the applicants agreed to a 10 minute presentation especially since there will be a public hearing at some point in the future. Atty Suchy introduced the project team and then explained the application process which was filed under the previous zoning regulations. She then described the project at the site. She noted which sign offs the applicant had received. She explained the economic benefits from tax revenue generated by the hotel as well as the number of jobs.

Seelan Pather, the architect on the project, oriented the commissioners as to the location of the project on an aerial map. He then showed them the designs of the hotel, both interior and exterior. There would be a rooftop bar as well as solar panels on the roof.

There was a discussion about preserving the facade. There was also a discussion about the space between this building and the one next door. There was also a discussion about the elements on the back of the building which would be seen by passengers on Metro-North.

**** MR. BRYCE MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission to authorize a design peer review for application #2024-11 SP/CAM – TR Sono Partners LLC – 25 & 31-35 South Main St. (District 2, Block 45, Lots 12 & 13) – Proposed construction of an eight (8) story, 100-room extended stay hotel be **APPROVED**.

Mr. Williams seconded.

Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Chapin Bryce; Richard Roina; Galen Wells; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

Once the design peer review has been completed, this application would return to the commission's agenda.

i. Action on #2024-10 SP/CAM: Authorize design peer review only.

c. #2024-12 SPR – Main Norwalk LLC – 272-280 Main Ave (District 5, Block 21, Lot 97 & 174) – Proposed construction of a total of three (3) buildings; a +/- 19,000 square foot retail building with 10 dwelling units; a +/- 2,240 restaurant; and a +/- 2,200 square foot restaurant; and a total of 196 parking spaces

Mr. Schulman opened the presentation by noting that this site had been formerly known as the BJ's site. The developer is now proposing different construction on the site. He asked that the presentation be kept to 10 minutes and noted that at the end the commission would have to authorize a traffic peer review.

Atty Suchy introduced the project team and then explained the application process which was filed under the previous zoning regulations. She then described the current site which included a watercourse. The applicant was awaiting a decision from the Conservation Commission on their application. Atty Suchy continued the presentation with a description of the proposed construction which included a coffee shop, restaurant, 10 residential units, one affordable and a restaurant. The site would include solar panels and electric car charging stations. She then discussed the sign offs received as well as the comments from city departments. A traffic study has been submitted for review as well.

Matthew Bruton, the engineer on the project, continued the presentation by showing them the existing condition survey. There is a treatment facility on the site and a watercourse which is off the property. He also showed them the site plan which included the proposed parking spaces around the three buildings. There would be a new, updated storm water management system. He also discussed the utilities available for connection. He briefly described the landscaping plan.

There was a discussion about the electric vehicle charging stations which were site amenities. It would help attract customers to the businesses in the plaza. Atty Suchy noted that they would be open to the public as well. Level 2 and Level 3 chargers will be provided.

There was a discussion about the number of residential units as well as the buffering around the property. There was also a discussion about a traffic light at the entrance. Atty Suchy said that their traffic analysis had shown it was not necessary. Mr. Schulman reminded the commissioners that their own traffic consultant would review the study as well.

Phil Cerrone, the architect on the project, continued the presentation by showing the commissioners the designs for interior and exterior of the three buildings proposed for the site. The exteriors are simple since there are no tenants yet. He said that two of the buildings are relatively small and only two floors high. Another building will have some seasonal dining, drive-thru and takeout. There will be solar panels on the roof. Some of the buildings will have parking in the rear so it is not seen from the street. There will be ten 2 bedroom apartments and one 3 bedroom apartment. Mechanicals will be on the roof and screened so they are not seen from the street.

There was a discussion as to how much of the electricity will be served by the solar panels. Mr. Kantor asked about the size of the project, considering that it could be larger on this site. Atty Suchy said that there are continued remediation under the Brownfield program. She noted the other restraints which included that the buildings could only be 2 stories. She also explained that this was the interest in the market that was shown in the property.

Mr. Baker had concerns that the EV charging stations were far from the restaurant and retail. He also noted that there is a lot more parking than was required. He also had questions about not having a traffic signal at this intersection. Mr. Bruton addressed his concerns.

Mr. Roina and Mr. Bryce agreed with Mr. Kantor. Mr. Bryce also had questions about the open space requirement. Atty Suchy said that there are constraints because of the remediation.

i. Action on #2024-12 SPR: Authorize traffic peer review only.

**** MS. JORDAN-BYRON MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission to authorize a traffic peer review for application #2024-12 SPR – Main Norwalk LLC – 272-280 Main Ave (District 5, Block 21, Lot 97 & 174) – Proposed construction of a total of three (3) buildings; a +/- 19,000 square foot retail building with 10 dwelling units; a +/- 2,240 restaurant; and a +/- 2,200 square foot restaurant; and a total of 196 parking spaces be **APPROVED**.

Mr. Bryce seconded.

Mr. Roina asked whether they should put off the peer review since it was a small development. Mr. Schulman noted that the applicant had asked for it and would pay for it. If the size of the project became larger, the commission could have the applicant do another peer review at their expense.

Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Chapin Bryce; Richard Roina; Galen Wells; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

d. #2024-14 SPR – Norwalk Center LLC – 10 Norden PI (District 3, Block 17, Lot 40, Unit A) – Use of +/- 113,500sf of an existing building and +/- 155,000 square feet of the site for a Transportation Maintenance Terminal use.

Mr. Schulman again asked that the applicant keep their presentation brief.

Atty Suchy introduced the project team and then explained the application process which was filed under the previous zoning regulations. She then described the project at the site. She showed them the site plan and discussed the use of the building and the parking by the Metropolitan Transportation Authority (MTA). She said there would be about 150 employees on the site every day. A traffic report had been submitted to which they had received some comments from the city. The applicant had also received comments from DPW as well as some sign offs from different city departments. She also noted that there are small wetlands on the property. .

Craig Yannes described the types and uses of the vehicles that would be on the site which included buses and tractor trailers. There was also a discussion about what types of jobs would be at the site, as well as who would remain on site. This is not a vehicle repair facility..

i. Action on #2024-14 SPR: Authorize traffic peer review only.

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission to authorize a traffic peer review for application #2024-14 SPR – Norwalk Center LLC – 10 Norden PI (District 3, Block 17, Lot 40, Unit A) – Use of +/- 113,500sf of an existing building and +/- 155,000 square feet of the site for a Transportation Maintenance Terminal use.

Ms. Wells seconded.

Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Chapin Bryce; Richard Roina; Galen Wells; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

VI. APPROVAL OF MINUTES: February 21, 2024

**** MR. WILLIAMS MOVED to approve the February 21, 2024 minutes.**

Mr.. Bryce seconded.

Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams; Chapin Bryce approved.

No one opposed.

Galen Wells and Richard Roina abstained.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin had left the meeting early. Mr. Baker asked if the commissioners had any questions on the Capital Budget ordinance that Mr. Kleppin had prepared. Mr. Kleppin would then forward it to others on the Common Council. Mr. Schulman said that he would like Ms. Langalis to be a part of the discussion since she had chaired the Capital Budget Committee since last year. Ms. Tabachneck asked for bullet points on what is being added and what is being changed in the ordinance. Mr. Kleppin returned to the meeting and said he had forgotten to add the bullet points but would do that.

VIII. COMMENTS OF COMMISSIONERS

Mr. Schulman asked if the Norden Place subdivision application would be a public hearing. Mr. Kleppin said it would be. Mr. Schulman also said that the commission would be reviewing resumes for traffic consultants and architectural consultants in the next few weeks.

Ms. Tabachneck requested a draft of a letter to Jim Travers about residential parking permits. Mr. Kleppin said they should be able to do that.

Mr. Roina asked if they could find out what the increase in the tax base was with the increase in the number of apartments. Mr. Kleppin said that he thought the REdevelopment Agency was working on this. Ms. Tabachneck requested information about which properties received abatements, etc.

IX. ADJOURNMENT

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Ms. Jordan-Byron made a Motion to Adjourn.

Mr. Roina seconded.

Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Chapin Bryce; Richard Roina; Galen Wells; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Diana Palmentiero