CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
February 21, 2024

PRESENT: Louis Schulman, Chair; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams; Chapin Bryce; Tammy Langalis; Richard Roina; Galen Wells

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Alan Lo; John Knuff; Kim Masiuk; Mark Marchisano; Chris Tiesler; Angela Balmer; Atty David Waters; Mark Vertucci; Brett Kerry; Joanne Horvath; Joanne Cabareli

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, as well as in the Common Council Chambers at City Hall, 125 East Avenue, Norwalk, CT.

II. ROLL CALL & SEATING OF MEMBERS

Mr. Kleppin called the roll. Mr. Schulman noted that two items on the agenda would be moved to a future meeting.

III. REVIEW & ACTION ON APPLICATIONS

a. #2024-07 8-24 Referral – City of Norwalk – 98 South Main Street – Request to enter into a License Agreement with the Riverbrook Regional Young Men's Christian Association, Inc. (YMCA) for the use of approximately 2,000 square feet of the proposed Norwalk Community Recreation Center at 98 South Main Street for youth recreation programs – Report & recommended action.

Alan Lo, the representative for the City of Norwalk, began the presentation with a brief history of the property. The building needed to be renovated so it has not been used for the last few years. Prior to the COVID epidemic they had negotiated with the YMCA for the property to be developed into a community center. Construction costs have increased the budget from what it had been prior to COVID so the project was abandoned. However, the city would like to convert it into a community center and have funds from prior projects to help fund it. They are also requesting Capital Budget funds. Under the prior project with the YMCA, funds had been secured from HUD by the YMCA. The city and the YMCA negotiated a sub-grant agreement so that the funds can be used by the city for this project. The Y would also do some programming at this location so there would be an operating agreement between the city and the Y. The project is in the design phase, so, they would be returning to the Planning & Zoning Commission for site plan review later in the year.

There was a discussion about whether there would be any social services. Mr. Lo said there would only be recreational programs.There is no membership requirement, although there is an affiliation with the YMCA. This would be specific to this location. They would also be adding a gymnasium since there is none at this building.

**** MS. LANGALIS MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-07 8-24 Referral – City of Norwalk – 98 South Main Street – Request to enter into a License Agreement with the Riverbrook Regional Young Men's Christian Association, Inc. (YMCA) for the use of approximately 2,000 square feet of the proposed Norwalk Community Recreation Center at 98 South Main Street for youth recreation programs 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. To achieve the policy to "Enhance recreational programming to serve the changing needs of all types of households and individuals;" and

2. To help further the policy to "Support resource-efficiency and cost-effectiveness through coordinated planning and maintenance;" and

3. To utilize the strategy to "Support local centers of activity in neighborhoods;" and

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

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

This item would be moved to a future Planning & Zoning Commission agenda.

c. #2023-58 SPR – Greenwich Realty Development LLC – 6 Butler Street (District 1, Block 9, Lot 3) – Construction of a five-story, 20-dwelling unit, multifamily building – Report & recommended action.

This item would be moved to a future Planning & Zoning Commission agenda.

IV. PUBLIC HEARINGS

a. #2023-69 SP – Costco Wholesale Corporation – 779 and 789 Connecticut Avenue (District 5, Block 71, Lots 3 and 13) – Site reconfiguration and redevelopment including but not limited to demolition of existing hotel building and expansion of existing parking garage, demolition of existing tire center portion of building and construction of new tire center, and +/- 14,000sf addition to existing warehouse/retail building.

Mr. Schulman opened the public hearing and explained how the public hearing worked.

John Knuff, attorney for the applicant, began the presentation by explaining the three components to the application. He then introduced the project team.

Kim Masiuk, the engineer on the project, continued the presentation with a review of the site plan. She began by orienting the commissioners as to the location of the property on an aerial map. She then showed them the parking decks and tire center. She also discussed the traffic flow on the property as well as the signage. Mark Marchisano, Director of Development for Costco, said that there is no designated parking for employees. Ms. Masiuk then discussed the proposed stormwater plan and explained what currently happens. There was a discussion about pedestrian walkways. Mr. Marchisano said that the aisles are wider but that they could not have raised meridians because of the flatbeds that customers use for their products. There was a discussion about the safety measures that would be in place for pedestrians which Mr. Marchisano discussed. Chris Tiesler, the traffic engineer, explained that the parking aisles are being changed and that consumers will find it easier to find parking, especially in the lower level. Angela Balmer said there would also be larger elevators.

There was also a discussion about the aesthetics and trees on the property. Mr. Marchisano said that landscaping would be enhanced around the property by adding more green space. Ms. Masiuk discussed the planting plan which she said had been reviewed by the Conservation Commission. There was a discussion about the demolition of the tire center which would be constructed in a new place on the site. There was also a discussion of the cart corrals and the canopies over them. There was a request for more trees especially along Richards Avenue where many trees were taken down.

There was a discussion about adding solar panels over the parking lot. Atty Knuff said that the current regulations did not require solar panels and none would be added to the site since it was too expensive. Mr. Marchisano said that there are solar panels on some sites in California and noted that it could take up to 12 years to recoup those costs. He said it does not benefit anyone and that there are more benefits from LED lights. He also discussed their plans to upgrade their buildings throughout the company. Ms. Masiuk discussed the many benefits to the site due to this project. Ms. Balmer said that there is very little room on the roof to add solar panels. Ms. Masiuk continued the presentation with a discussion of the lighting plan.

Angela Balmer, the architect on the project, continued the presentation with a discussion of the ramp system to the lower parking level. She discussed the relocation of the tire center and the cart corrals. There was a discussion about a sidewalk along the Richards Avenue ramp. Ms. Balmer explained the pedestrian access on the site. She showed them different perspectives around the building including one of the tire center. She also discussed the signage.

Chris Tiesler, the traffic engineer, continued the presentation, by explaining the goals including to improve traffic circulation on the site. He discussed the current site issues including the limited access points. He then explained the proposed site plan. He also discussed the trip generation impacts and the new (hotel) site access.

There was a lengthy discussion about the safety of left turn in vs. right turns in for access to the lower parking level. There was also a discussion about vehicles going into the lower level parking garage through the tire center. Mr. Tiesler said they recommended different options to get into the lower level.

Mr. Tiesler then discussed the parking and circulation improvements including increased utilization of the lower level parking.

At this point, Atty Knuff discussed the Planning & Zoning Department’s staff memo including the draft resolution and conditions. He clarified which ones that they would agree to but that the conditions for solar panels, they did not agree with and were not proposing them on any of the buildings. They would not be providing fiber optic cables because it was too expensive. They would provide an easement for a sidewalk and bridge but would not construct it.

At this point, Mr. Schulman explained that they would allow the public to speak on this matter. He also noted that he would be seating Ms. Tabachneck for this public hearing and the second one as well.

Mr. Kleppin then explained how the public could make comments on this matter, including both online and in person. No one spoke in support or against the application.

There was a discussion about the number of parking spots on the site.There was also a discussion about extending the park deck vs. adding another level of parking to the existing structure. There was a discussion about an intersection that would lead to a walk up a ramp. Mr. Marchisano said that there are other ways for pedestrians to walk and there would be signage for that. There was also a discussion about whether there were bike racks which had been added to the site plan. There was also a discussion about the retaining wall near the Five Mile River. There was an ongoing study to see if it could be removed. The study would be submitted to the Inlands Wetland Agency.

There was a discussion about the number of parking spaces, as well as the demolition of the hotel. Mr. Baker suggested that the carbon be offset for the health of the city's environment. Under the new zoning regulations, adding more parking would make the store more non-conforming. Mr. Marchisano discussed the initiatives that Costco was taking to reduce their carbon footprint at other stores. There was a further discussion about adding solar panels and their impact on the environment. Mr Marchisano asked for financial help from Norwalk to offset the costs. Atty Knuff reminded them that the regulations do not require solar panels. There was then a discussion about the sidewalk crossing over Connecticut Avenue to Costco and the loss of sidewalk to safely walk to the building. Mr. Marchisano said that they could stripe this and fix that situation.

Mr. Schulman closed the public hearing.

i. Action on #2023-69 SP

The commissioners reviewed and made changes to the resolution before they voted on it. Atty Knuff reminded the commissioners that the regulations do not require Costo to do certain things. He asked them to review the conditions for fiber optics and solar panels.

**** MS. LANGALIS MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission, that application #2023-69 SPU – Costco – 779-789 CT Ave. – Special Permit, 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 Special Permit 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 a consolidation map be filed on the land records prior to obtaining a zoning permit; and

4. That any outstanding City agency signoffs shall be submitted to staff prior to the issuance of a zoning permit; and

5. That a copy of the permit issued by the Office of the State Traffic Administration (OSTA) be submitted prior to the issuance of a zoning permit and that any modifications to the approved plan, including changes requested by OSTA, be submitted for review by the Commission; and

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

7. That protected pedestrian access is maintained between the primary entrance from Connecticut Avenue to the entrance of the building; 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 to the greatest extent possible, all existing landscaping shall be retained; and

10. That all utilities associated with the new tire center building shall be buried underground in compliance with all applicable utility agency standards. If it is determined to be impossible to bury the utility, based on a written determination from the utility company, any above-ground, ground-mounted utilities shall be located to the side or rear of the building and screened from view from the street; and

11. That the applicant shall explore the feasibility of installing rooftop solar atop the existing Costco building. The analysis shall be presented and reviewed with Staff prior to obtaining a Zoning Permit; and

12. That the applicant shall install rooftop solar panels on the rooftop of the new tire center building, oriented to capture the maximum solar exposure; and

13. That the applicant shall install a solar canopy atop the new decked parking extension to the greatest extent possible. A plan shall be presented and reviewed with Staff prior to obtaining a Zoning Permit; and

14. That the secondary entrance, formerly the hotel site, shall be right-in and right-out only and shall be constructed such that entering or exiting vehicles are naturally deterred from making a left turn when entering into or exiting from that location, with a design that shall be subject to City of Norwalk Transportation, Mobility, and Parking Department review and approval; and

15. That the applicant shall be responsible for the installation of fiber optic cables to facilitate adaptive signalization along this section of the corridor, as outlined in the memorandum prepared by Benjamin Yeung, P.E., Senior Traffic Engineer, dated January 11, 2024; and

16. That the applicant provide an easement for the future construction and possible location of a sidewalk from the secondary entrance, formerly the hotel site, exceeding to the end of their property, including a potential pedestrian bridge across the Five Mile River; and

17. That the applicant shall perform the modifications agreed to within the response from BL Companies, dated February 2, 2024; and

18. That any modifications to the approved plans shall be reviewed and approved by City Staff prior to implementing; and

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

20. That a surety be submitted, in an amount to be determined by Staff, to guarantee the completion and maintenance of the site plan and any and all modifications to the plan and all work required as a condition of approval under this special permit, prior to the issuance of a Certificate of Zoning Compliance; and

21. Should any building or parking deck 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

22. That all signage comply with the applicable Zoning Regulations; and

23. The building and site will be developed in accordance with the Local Land Development Permit Plans, Costco Wholesale, 779 Connecticut Avenue, Norwalk, CT, dated August 31, 2023, revised to January 4, 2024.

BE IT FURTHER RESOLVED that the effective date of this action be March 1, 2024.

Ms. Tabachneck seconded.
Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams; Tammy Langalis; Richard Roina approved.
Galen Wells opposed.
Chapin Bryce abstained.

Mr. Schulman announced that they would take a break and return to the meeting at 8:15 pm.

b. #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.

Mr. Schulman opened the public hearing and noted that the peer view had not been completed. The public hearing would be continued until such time that the commissioners had a chance to review it.

Atty David Waters, the attorney for the applicant, continued the presentation by introducing the project team. He said that notices were sent to the abutting neighbors. The proof of mailing and the certified, return receipt cards had been submitted to Planning & Zoning Department staff. He then gave a history of the Master Plan for the development of the west side of Glover Avenue. He discussed the site plan for the first building. A text amendment was submitted but noted that the new zoning regulations had not been adopted. The application was no longer necessary. He then showed them an aerial map of the Glover Avenue area. He showed them another aerial of the site which is currently in the area. He then showed them the Master Plan which had been approved 2 years ago. He then discussed some modifications which included combining three proposed buildings into one. He noted that the number of units approved for the Master Plan would be reduced by 7 units. He discussed the town square which would increase green space. He then discussed nodes of interest where interesting things would happen. He then noted that 35% of the roof would be green which was double what was required. He also discussed the landscaping plan which included ballards. They are proposing the usual and required street trees. He also discussed the balconies and the green roofs which would be where they could be seen.

There would be a swimming pool as well. He discussed some of the floor plans and active spaces such as lobbies, retail, etc.

There was a discussion about the affordable housing units which Atty Waters said they had not decided where they would be.He then showed pictures of what the buildings would look like. There was a discussion about soundproofing the buildings which Atty Waters said they made sure they are. He said that they had received sign offs from various city departments. He said that they would be increasing the number of parking spaces. He then discussed the outstanding items. Atty Waters also noted that the building is a pet-friendly one. He said that the dog park is public. They have experience maintaining them since they have ones in other areas. It is a pet friendly building. There was a discussion about a playground as well as programming for the park. He discussed the retail which would be outward facing.

Atty Waters said that there had been conversations with TMP about a sidewalk to be installed on Glover Avenue but the rights had to be acquired to do it. If TMP did so, the applicant would pay for the construction costs within a reasonable amount of time. He also discussed placing overhead wires underground. Eversource said they would not do it at all. He then discussed the realignment of the intersection of Oakwood and Seir Hill Road with Glover Avenue which TMP recommended should be a 90 degree angle. He explained that the node of interest would then be taken away in this area. They have provided information to TMP which is under consideration. There was a discussion about adding bioswales into amenity areas which Atty Waters said TMP and Planning & Zoning staff were working through. Atty Waters discussed a public walkway from Glover Avenue through the property to Oakwood Avenue which would not be happening. Atty Waters discussed service parking and drop-off parking for Amazon, Uber, etc. He also discussed the sidewalk on Grist Mill Road down to Main Avenue. An application had been filed last year and they are waiting for a decision.

Mark Vertucci, the traffic engineer on the project, continued the presentation, and described the findings of their analysis. He also discussed the intersections that were used in the study. He then discussed the traffic analysis and said they would be maintaining the levels of service that are there now. They had submitted their study to the Office of the State Traffic Administration (OSTA) which had one recommendation.

Atty Waters discussed the standards that the application must meet. He also noted that the application must comply with the Master Plan. He discussed the conditions of the resolution. He noted that they were still awaiting comments and reserved the right to respond.

At this point, the public was invited to speak on this application.

Brett Kerry, 3 Oakwood Avenue, asked when the traffic study could be done for all the buildings, not just this first one.

Joanne Horvath, One Cobbler's Lane, said that she is a member of the DOT project advisory of the Merritt Parkway Interchange project. The project would add traffic lights to the Route 7 Connector. She went through the project timeline if it was approved by the federal government. Ms. Horvath believed that the building would add traffic to this area, along with other projects in the area.

Joanne Cabareli, 10 Glen Rock, said she has experience at the Merritt 7 Train Station. She said that the traffic is difficult at rush hours and thought it would be worse when more vehicles were added to the area.

Atty Waters addressed the comments about the impacts of traffic from all the buildings, as well as the impact of the Merritt Parkway Interchange project. He noted that a traffic analysis would have to be done on the future projects as well. Mr. Vertucci addressed the comments about whether other projects had been reviewed for this traffic study.

The public hearing was held open for further information at the March 6 meeting.

i. Action on #2024-04 R/SPR

The public hearing was continued to the next Planning & Zoning Commission meeting.

V. APPROVAL OF MINUTES: February 14, 2024

**** MS. LANGALIS MOVED to approve the February 14, 2024 minutes.**
Ms. Jordan-Byron seconded.
Louis Schulman; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams; Chapin Bryce; Tammy Langalis approved.
No one opposed.
Galen Wells and Richard Roina abstained.

VI. COMMENTS OF DIRECTOR

Mr. Kleppin asked the commissioners for comments on the Capital Budget ordinance that he had sent to them. Ms. Tabachneck asked if there could be a table of what the process was currently and what the recommendations of change were.

VII. COMMENTS OF COMMISSIONERS

There were comments about the Freedom of Information Act video that they had to watch for continuing education. Mr. Kleppin said that they had training which was to be completed by the end of 2025.

Mr. Bryce asked whether the new zoning regulations were effective as of Monday, February 19 which Mr. Kleppin said they were. There was a discussion about the complaint process. Ms. Tabachneck asked if residents should file a new complaint. Mr. Kleppin said they could or email the staff to follow up on the status.

Mr. Bryce asked questions about a project on Meadow Street which could not add additional units because of parking requirements. He asked if there could be a way to determine that it did not happen again on another project, especially where affordable housing units are needed. Mr. Baker said he had some ideas about that.

Mr. Schulman noted that the next meeting of the Planning and Zoning Commission is on March 6.

VIII. ADJOURNMENT

Mr. Bryce made a Motion to Adjourn.
Ms. Tabachneck seconded.
Louis Schulman; Nick Kantor; Ana Tabachneck; Darius Williams; Chapin Bryce; Tammy Langalis; Jacquen Jordan-Byron approved.
No one opposed.
No one abstained.

The meeting was adjourned at 9:56 p.m.

Respectfully submitted,

Diana Palmentiero