

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
January 17, 2024

PRESENT: Louis Schulman, Chair; Nick Kantor; Tammy Langalis; Galen Wells; Jacquen Jordan-Byron; Ana Tabachneck; Darius Williams; Richard Roina; Chapin Bryce; Darius Williams (arrived at 6:06 pm)

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Liz Suchy; John Conte; Bill Earls; Robert Downes

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 at the Common Council Chambers, Third Floor, City Hall, 125 East Avenue, Norwalk, Connecticut.

II. ROLL CALL & SEATING OF MEMBERS

Mr. Kleppin called the roll. Mr. Schulman noted that the first public hearing had been postponed and would be on their agenda in February. He seated Ms. Tabachneck and noted that the other alternate was not present at the meeting.

III. 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.

This item had been postponed.

i. Action on #2023-69 SP

Since this application was postponed, there was no action.

IV. REVIEW & ACTION ON APPLICATIONS

a. #2022-55 SP/CAM – TR Sono Partners – 31-35 South Main Street (District 2, Block 45, Lot 12) – Request for one-year extension of time for the construction of an eight (8) story addition to existing Marriott SoNo Residence Inn hotel to add 48 rooms and 45 off-street parking spaces – Report & recommended action

Atty Liz Suchy began the presentation with a background of the application. She explained that the extension was requested because of the volatility in the interest market and the construction industry in 2023. The applicant believed it would become more stable in 2024. The state historic preservation office weighed in on the demolition of the structure and the Redevelopment Agency's third party review had extended into late April. They were requesting a one year extension of the permit which is the first request for an extension.

**** MS. LANGALIS MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that the one-year extension of time request for application **#2022-55 SP/CAM – TR Sono Partners – 31-35 South Main Street (District 2, Block 45, Lot 12)** be **APPROVED**

Mr. Roina seconded.

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

No one opposed.

No one abstained.

Mr. Schulman noted that Darius Williams had joined the meeting.

b. #2024-01 CAM – Conte & Conte LLC – 23 Channel Avenue (District 5, Block 85C, Lot 65) – Raise and modify an existing single-family residence to be flood compliant – Review & recommended action

John Conte, the representative for the owners, gave a brief overview of the application by orienting the commissioners as to the location of the property on an aerial map. He showed them a picture of the existing house, as well as the site plan. The house would be raised to be compliant with FEMA regulations. The house would be raised in the same place that it is now so the footprint would remain the same. There would be a new staircase to accommodate the new building. Parking is not compliant so a new porous pavement driveway would be added. He also explained which sign-

offs that they had received including DPW and the Health Department. WPCA had not commented yet. He explained about the piers raising the structure.

There was a discussion about the use of concrete and considering stone for the patio. Mr. Conte said there was a deck in this area now. He explained about the impervious coverage in this area and had not considered crushed stone. Mr. Kleppin said that they would like to see a buffer for water filtration. Mr. Conte said they would consider an alternate construction method.

There was also a discussion about the patio and the dock. Bill Earls said that the parapet wall is higher than the grade. There was a discussion about access from the patio to the dock. There was also a discussion about whether the owners had any water from the past week's rains. Robert Downes, one of the owners, said that there had not been any water in the house. There was a discussion about the current elevation. Mr. Conte also noted that the basement would be removed.

There was a discussion about water filtration and having plantings on the southern side. There was also a discussion about the material to be used for the driveway as well as the lawn area. Mr. Conte said that the tree would remain.

**** MS. LANGALIS MOVED: THEREFORE BE IT RESOLVED** that application #2024 - 01 CAM – Conte & Conte, LLC – 23 Channel Avenue – 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 11/28/2023 prepared by Arcamone Land Surveyors LLC, Norwalk, CT
 - b. Per architectural plans dated 8/30/2023 prepared by William D. Earls, AIA PC, Wilton, CT
 - c. Per the site plan dated 12/13/2023 and revised 1/10/24 prepared by Conte & Conte, LLC, 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 storm-water 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, such as A/C units, 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. Silt fence or construction fence shall be installed at the dripline of the preserved oak tree; and
11. That crushed stone be used as the base/foundation material for the rear patio nearest the dock; and
12. That a landscaping plan depicting a buffer of native plantings along the seawall and/or southern property line be submitted to and approved by Staff prior to the issuance of a zoning permit; and
13. That all plantings be implemented prior to COZC; and
14. That all plantings be maintained, and any dead plantings must be replaced in accordance with the approved landscape plan; and
15. That no changes to the seawall are permitted without City review and DEEP approval; and
16. 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 January 26th, 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.

There were some further changes made to the resolution including about the landscaping plan and the tree in front,

There was a discussion as to the cost of lifting the house. Mr. Conte said that he would check with the owner to see whether they would be willing to share that information.

Mr. Williams seconded.

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

No one opposed.

No one abstained.

V. APPROVAL OF MINUTES: November 8, 2023; November 15, 2023; November 21, 2023; December 5, 2023; December 6, 2023; December 13, 2023; January 3, 2024

Ms. Jordan-Byron requested some changes to her arrival time due to technical difficulties during the November 8 meeting.

**** MR. ROINA MOVED to approve the November 8, 2023 minutes, as amended.**

Mr. Williams seconded.

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

No one opposed.

No one abstained.

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

Mr. Roina seconded.

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

No one opposed.

Richard Roina abstained.

**** MS. LANGALIS MOVED to approve the November 21, 2023 minutes.**

Mr. Williams seconded.

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

No one opposed.

No one abstained.

**** MR. ROINA MOVED to approve the December 5, 2023 minutes.**

Ms. Jordan-Byron seconded.

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

No one opposed.

No one abstained.

**** MS. LANGALIS MOVED to approve the December 6, 2023 minutes.**

Mr. Williams seconded.

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

No one opposed.

No one abstained.

**** MS. LANGALIS MOVED to approve the December 13, 2023 minutes.**

Mr. Williams seconded.

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

No one opposed.

Ana Tabachneck abstained.

**** MR. ROINA MOVED to approve the January 3, 2024 minutes.**

Mr. Williams seconded.

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

Bryce approved.

No one opposed.

No one abstained.

At this point, Ms. Tabachneck asked Ms. Palmentiero if she could incorporate plans or next steps after the commissioners' discussions into the minutes.

VI. COMMENTS OF DIRECTOR

Since there is a forecast of snow on Friday, which could affect the schedule for the Capital Budget hearings, Mr. Kleppin said that they would decide the following day on how to proceed. He also said that some department heads might not be able to attend. The Mayor's office would decide to delay or close City Hall. The other thing they could decide is whether it would be a virtual meeting. Ms. Langalis said that she would rather not move the date and would like to make a decision late on Thursday. Mr. Kleppin said that they could not miss certain deadlines. They were also considering a virtual meeting.

Mr. Kleppin also discussed a change in the February Planning & Zoning meetings which would move their February 7 meeting to February 14.

Mr. Kleppin said that there had been one appeal on the zoning regulations re-write but it would not affect anything. He would forward the complaint to them for review.

VII. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

VIII. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.

Ms. Langalis seconded.

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

Bryce approved.

No one opposed.

No one abstained.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Diana Palmentiero