

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
July 19, 2023

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

STAFF: Steve Kleppin; Amelia Williams

OTHERS: Atty Adam Blank; Matt Kivijarv; Jim Jamieson; Matt Popp; Carlo Vona; Gregory Del Rio; Diane Cece; Atty Liz Suchy; Adam Cerini; Sam Gardner; Carl Giordano; Neville Patel; Andy Soumelidis; Peter Lane;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:05 p.m. It should be noted that this meeting was held on Zoom.com with participants calling in, separately.

II. ROLL CALL

Mr. Kleppin called the roll.

III. SEATING OF MEMBERS

Mr. Schulman said both alternates, Ana Tabachneck and Chapin Bryce would be seated for the first item. For the second item on the agenda, he seated Hector Pachas and Ana Tabachneck. He would then rotate the commissioners throughout the meeting.

IV. PUBLIC HEARINGS

a. #2023-29 SP – RVCV LLC and Mary Grace Vona – 127 & 135 Richards Avenue (District 5, Block 70, Lots 20 & 28) – Construction of a 13-unit elderly housing development

Mr. Schulman opened the public hearing and then explained the process for the public hearing.

Atty Adam Blank, the attorney for the applicant, began the presentation with an introduction of the project team. He then oriented the commissioners as to the location of the property on an aerial map. He explained the project which was elderly housing

units, the parking, the landscaping, etc. He said that this project was similar in design and layout to the nearby elderly housing development. He addressed questions about whether there should be basements in these units and there should be 3 bedrooms. He said that staff had concerns about what is appropriate for the elderly. Atty Blank questioned why the city would regulate that. He also noted that there is no bonus for elderly housing. He then discussed what could be on the property as of right if this had been a subdivision. He also discussed other types of regulations that could be in place. There was a discussion about whether these would be rentals which Atty Blank said that is the plan at the moment.

There was also a discussion as to whether all residents should be 60 years old or older. Atty Blank said that other developments around the state did not have that requirement. He noted that there would be a requirement to certify that one resident on the lease was over 60 years old by checking a driver's license. Atty Blank also discussed the open space and conservation easement. He noted that there was a traffic report.

Matt Kivijarv, the engineer on the project, continued the presentation by discussing the proposed drainage system.

Jim Jamieson, the architect on the project, continued the presentation by showing the commissioners the interiors of the units which he described as duplexes that were mirrors of each other. The units were handicapped accessible. There was a common space which included the kitchen, living area with a fireplace. There is an outdoor area for dining, as well. He then described the upper floor. He then showed them the elevations for the project. He discussed the solar panels on the units. Atty Blank noted that one of the proposed conditions of approval included one about solar panels. He said that there had not been a feasibility study yet.

Matt Popp, the landscape architect, continued the presentation by describing the landscaping plan. He discussed the proposed plantings. He also described the lighting that they were proposing for the site. He noted that there was a location on the property that could be used for a dog area. They would also attempt to remove the bamboo which is on one corner of the property.

There was a discussion about flooding. Mr. Kivijarv said he was unaware of major flooding. There was a discussion about any trees that would remain. Mr. Popp said there was one that they were trying to save. There was a discussion about a cleaning service which Atty Blank said was a service that would be offered. There was also a discussion about the number of employees. Atty Blank said that there would not be any full-time employees, but rather, contracted services. The commissioners asked

for clarification on the costs. Atty Blank said that these services had to be offered through the regulations.

Carlo Vona said that they were still studying this to see what was the most effective way to have these services provided. There was a further discussion about the number of employees there would be which Mr. Vona said there could be up to 15 employees after the project was completed. There would also be many jobs provided during the 18 month construction. He also noted that much of the community would benefit from this project, including shops and restaurants.

Atty Blank noted that these parcels were assessed by the city at \$1 million which would help the tax base. There was a discussion about the rental price for these units but Mr. Vona was not sure at this moment. He also said that his family's goal was to leave a lasting mark on Norwalk since they have been residents since 1950. They would like to make the area beautiful.

There was a discussion about the narrative written for the elderly housing next door to this proposed project being exactly the same. Atty Blank explained that there was no relationship and that the Vonas hired the same project team used for that elderly housing project.

Gregory Del Rio, the traffic engineer, continued the presentation by discussing the traffic study. He described the site traffic generation.

Atty Blank said that they had submitted the return receipt cards evidencing notice of the public hearing to the abutting neighbors. They also had received their approval from the Inland/Wetlands Agency. He then discussed the proposed conditions in the resolution. He asked for the follow-up report from a traffic engineer to be removed. He then noted that TMP had asked for a sidewalk to be installed which he said that Mr. Vona would pay for. However, if there were many other expenses added to the resolution they reserved their right not to pay for it.

There was a discussion about the photometric plan and the grading on the property. Mr. Kivijarv showed them the existing and proposed grades on the property. There was a discussion about trash collection and how large trucks would get through the property. Atty Blank said that the Fire Department reviewed the plan and noted that a large fire truck would have to back out of the property. There was also a discussion about comments from the other departments such as TMP, etc. and whether they would be completed.

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

Diane Cece, Olmstead Place, said that she could not find the staff memo for this application and asked that they send it to her. She had questions about the elderly housing regulations. She did not understand if there was some state assistance for residents. She also had comments for Mr. DelRio which included whether these units were for homebound residents. She did not understand his trip generation rates. She asked for the current elderly housing and the proposed regulation for elderly housing.

Although he raised his hand to speak, Jim Anderson did not have any questions for this application.

Mr. Kleppin noted that the staff memo for this application had been posted to the city's website.

Atty Blank addressed the questions about the city's current regulations for elderly housing. He said he was not sure about the state or federal housing regulations. He said that this application was being made under the second part of the city's regulations. He noted that the services had to be offered and will be. He also addressed the traffic generation numbers and noted that adding another class at nearby Norwalk Community College would add more vehicles than this project would.

There was a discussion about the workforce housing issue that had been raised in the staff's memo. He noted that this was not a multi-family dwelling since the units were duplexes. He also noted that the city's corporation counsel had agreed with this opinion.

Mr. Schulman said that he would allow Ms. Cece to speak again but only to issues in the staff memo. She noted that she did not think the post development traffic study should be waived. She did not understand why there were 3 bedroom units. She did not think this project was necessary for elderly housing.

Atty Blank addressed her comments. He ended by noting that Norwalk needed elderly housing at all income levels.

Mr. Schulman closed the public hearing.

i. Action on #2023-29 SP

Mr. Bryce asked that the developer make these units affordable.

Ms. Tabachneck said she had concerns that there was no plan to offer the necessary services for the elderly. She also wondered if the elderly housing project next door was also offering the necessary services and whether this project was elderly

housing. Mr. Schulman suggested that they add conditions to the resolutions to address her concerns.

**** MR. KANTOR MOVED: THEREFORE BE IT RESOLVED** that application #2023-29 SP – RVCV, LLC and Mary Grace Vona – 127 and 135 Richards Avenue – Construction of a 13 unit elderly housing development be **APPROVED** subject to the following conditions:

1. That the building and site be developed in accordance with the following plans:
 - a. Per the Zoning Location Survey prepared by D'Andrea Surveying & Engineering P.C. dated 5/8/2023.
 - b. Per Site Plan Layout Plan dated 5/8/2023 (Sheet No. 1 of 5) and Sedimentation and Erosion Control Plan dated 9/8/2023 (Sheet No. 3 of 5); prepared by D'Andrea Surveying & Engineering P.C.
 - c. Per Architectural Plans prepared by j.a. jamieson architects, dated 3/31/2023.
 - d. Per Landscaping Plan prepared by Environmental Land Solutions dated 5/25/2021-10/7/2021.
2. That a certificate of special permit and mylar map 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 surety be submitted, in an amount to be determined by staff, to guarantee the installation of the required sedimentation and erosion controls prior to the issuance of a zoning permit; and
4. That all required sedimentation and erosion controls be installed and maintained prior to the start of any construction or site work, including silt sacks installed in all existing and proposed catch basins, and that any additional controls be installed at the direction of staff as needed; and
5. 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
6. That the Conservation area be managed in a natural state, allowing passive recreation and enjoyment by residents of the property; and

7. That all utilities be buried underground; and
8. That the applicant shall install rooftop solar panels to greatest extent possible. If rooftop solar panels cannot be installed, the applicant shall provide Planning and Zoning Commission Staff with a feasibility report, indicating why solar panels could not be installed, prior to obtaining any zoning permits; and
9. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
10. That all City storm-water management requirements are met and stormwater shall be mitigated using Low Impact Development (LID techniques); and
11. That any and all conditions listed in a memo dated June 27, 2023, from Norwalk DPW are applicable to this approval including any revisions; and
12. That any and all conditions listed in a memo dated July 6, 2023, from Norwalk WPCA are applicable to this approval including any revisions; and
13. That any and all conditions listed in a memo from July 5, 2023, from Norwalk TMP are applicable to this approval including any revisions; and
14. A certified letter by a CT licensed landscape architect is required prior to COZC to confirm that all plantings have been installed based on the approved landscape plan; and
15. Any dead plantings must be replaced in accordance with this landscape plan; and
16. That a CT licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards prior to the issuance of a Certificate of Zoning Compliance; and
17. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks and have flood certifications; and
18. That all signage complies with the Norwalk Building Zone regulations; and
19. Lighting shall not emit onto neighboring properties and the Eastern most light fixture shall be located to the Northern side of the proposed driveway; and
20. That the applicant shall provide a plan to staff indicating the senior services provided, and the ways in which they will be provided, prior to the issuance of a Certificate of Zoning Compliance; and

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

22. That this approval is subject to Section 118-1460 C. [violations and penalties] of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that this proposal complies with Section 118-340 B Residence, Section 118-1450 Special Permits and with all applicable sections of the Building Zone Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be July 28th, 2023.

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 Special Permit approval automatically becomes null and void.

Mr. Mushak seconded.

There was a discussion about conditions #3 and #8. There were also changes to conditions #19 and 20. There was also language added regarding Ms. Tabachneck's concerns about the lack of a services plan to be offered to residents. Mr. Kleppin said staff should review it prior to the Certificate of Occupancy. There was a discussion about the difference between disabled and seniors. Mr. Schulman thought that the language should be included in the proposed zoning regulations. Mr. Kleppin reminded them that these units were high-end units.

There was a discussion about a follow-up traffic report being done after completion of the project, which was condition #16. There was a discussion about the comments from Norwalk TMP being added as condition #13.

Louis Schulman; Nick Kantor; Mike Mushak; Galen Wells; Chapin Bryce; Jacquen Jordan-Byron; Richard Roina approved
Ana Tabachneck opposed
No one abstained.

b. #2023-38 SP – Shangri-La CT, Inc. – 71-75 Connecticut Avenue (District 2, Block 8, Lot 21) – Proposed 2-story, 5,500sf cannabis retail store with drive-thru pick up

Mr. Schulman opened the public hearing. Atty Liz Suchy began the presentation by noting that the applicant had received an approval for an application of a cannabis retail store at another location in Norwalk. She then introduced the project team and

asked that they be qualified as experts due to their educational backgrounds and experience. She noted that the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors, had been turned over to the staff. She then oriented the commissioners as to the location of the property and explained the proposed project. She reminded the commissioners as to the presentation they had made in May about how the business worked, including hours of operation. She noted that there were certain regulations that this application met. She discussed the sign-offs they had received and which comments they were still working on.

At this point, Mr. Schulman noted which alternates would be seated for this application. He said that Ms. Tabachneck and Mr. Pachas would be able to vote on this matter.

Adam Cerini, the engineer on this project, noted other projects that he worked on and then showed them the site plan for this property. He described the parking spaces, the walkway to enter the building. He also described the drainage system, and the electrical system. He also described the refuse system.

Mr. Schulman asked if there were drive-thrus allowed in the proposed zoning regulations. Mr. Kleppin explained how it would affect this project.

Sam Gardner, the architect on the project, continued the presentation with a review of the site plan. He said that they would add planters to protect the building and soften it as well. He also described the plantings along the sidewalk. The center line would have to be adjusted. He discussed the drive-thru window. He also noted the retaining wall which the driveway is up against. He then discussed the first and second floor plan. There are no windows and it is extremely secure. The first floor includes a vault. He said there would be skylights on the second floor since there are no windows in the building. He also discussed the roof plan which included solar panels on the roof. He also showed them the facades and discussed the signage. Atty Liz Suchy noted that in this zone there is a 2 story minimum. Mr. Gardner showed them details of the signage.

Mr. Schulman thought that this building made no attempt to relate to the building next to it. Mr. Gardner said that it was contemporary to the buildings around it. He noted that the city does not have an architectural review board. He also explained that they were following the state requirements for this type of building. He believed this building should advertise what it is. Mr. Mushak said that he liked the building. There was a discussion about whether the panels had any thermal protection to help keep it cool.

There was a discussion about bicycle parking spaces. Mr. Cerini said that there were not but they could look into it.

Carl Giordano, the traffic engineer, continued the presentation by explaining how they completed the traffic study. He also discussed the levels of service of C and D during peak hours. He said that traffic will be kept moving since most orders will be handled online and that none would be at the drive-thru. He also discussed opening week. They had also reviewed crash data and found nothing notable.

Neville Patel, the owner, said that he had spoken to the commissioners in May. He said that he had explained how he operated. He also met with neighbors and made some changes to their operations to make the neighbors comfortable. There was a discussion about possible loitering of clients which Mr. Patel said they addressed.

Mr. Kleppin explained how the members of the public could access the meeting to speak.

Diane Cece, Olmstead Place, asked if there was a right turn only coming out of the property. She had comments about the drive-thru and wondered if there was a way to get out of it. She wondered if the pick-up window could be more visible and face Connecticut Avenue.

Atty Suchy addressed Ms. Cece's questions. She said that it was a full access driveway. She also noted that there was no escape lane because the order was already made. She also noted that the pickup window was placed where it worked for the owner. She also addressed the comments from some commissioners about the exterior of the building. She noted that the application met all of the regulations.

There was also a discussion about how customers would know about how the drive-through worked. Mr. Patel said that there would be signage that an order had to be placed before they went to the drive-thru.

Atty Suchy made some closing remarks and Mr. Schulman closed the public hearing.

i. Action on #2023-38 SP

There was a discussion about the landscaping on this project in this area. There was also a discussion about the parking lot of Lowe's. It was also suggested to add a wildflower, pollinating meadow at the corner.

**** MS. WELLS MOVED: THEREFORE BE IT RESOLVED** that application #2023-38 SP – Shangri-La CT Inc. – 71-75 Connecticut Avenue (District 2, Block 8, Lot 21) –

Proposed 2 story, 5,500sf cannabis retail store with drive thru pickup be **APPROVED** with the conditions:

1. That the building and site will be developed in accordance with the following plans as amended per staff comments:
 - a. Per architectural plans dated 6/19/2023, Sheet T-1.0 – A-4.2 prepared by Gregg Wies & Gardner Architects, LLC, New Haven, CT; and
 - b. Per civil engineered plans dated 6/16/2023, Sheet 1-3 prepared by D’Andrea Surveying & Engineering, P.C. Riverside, CT; and
 - c. Per Zoning Location Survey dated 6/16/2023 prepared by D’Andrea Surveying & Engineering, P.C. Riverside, CT; and
2. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
3. That any modifications to the approved plan be reviewed and approved by City Staff prior to implementing; and
4. Retailers shall operate only between the hours of Monday through Saturday 9:00 AM to 8:00 PM, and on Sundays from 9:00 AM to 5:00 PM; and
5. Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access; and
6. If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission; and
7. The applicant, at its sole expense, shall ensure that there is additional and adequate traffic control, using Norwalk Police Department, available during its grand opening and if deemed necessary by Norwalk Police and Staff for a minimum of fourteen (14) days thereafter. After 14 days, the applicant shall confer with Planning and Zoning Staff, regarding the need to extend the presence of the Norwalk Police Department for an additional sixteen (16), provided total fees do not exceed fifty thousand dollars; and
8. Prior to Certificate of Zoning Compliance for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Zoning Enforcement Officer. The applicant for the Cannabis Establishment use shall be the licensee; and

9. That all signage shall comply with Article 121 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended; and
10. That a special permit certificate and mylar be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
11. That the applicant expands the proposed rooftop solar panels to the furthest extent possible and evaluate the feasibility of a parking lot solar canopy; and
12. 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
13. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; and that additional controls be installed at the direction of staff, as needed; and
14. That a surety be submitted to guarantee the installation of required erosion and sediment controls; and
15. That a Connecticut licensed engineer shall certify that all of the required improvements, including any required off-site improvements were installed to City standards and that develop as constructed complies with all relevant regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
16. A certified letter by a CT licensed architect is required prior to COZC to confirm that all plantings have been installed based on the approved landscape plan; and
17. That in the future any dead plantings must be replaced in accordance with this landscape plan and comply with the landscape maintenance plan; and
18. The western most portion of the site landscaping be modified to include a pollinating wildflower meadow in lieu of a portion of the grass, as approved by Staff; and
19. The applicant shall review proposed conditions with Transportation, Mobility and Parking, including the direction of the drive-through and proper exiting from the site and verify with Planning and Zoning Staff, that agreement has been reached; and
20. That the building be setback an additional 5' to comply with the required 70' front setback, including reducing drive thru isle widths to 12' and installing additional landscaping to buffer the front of the property toward Connecticut Avenue; and

21. That all proposed utilities be buried underground; and

22. Following six months of operation, the applicant shall provide a traffic letter, from a traffic engineer regarding operation and function of the drive through; and

23. Shall the building exterior be damaged for any reason, the applicant shall make repairs in a timely fashion.

BE IT FURTHER RESOLVED that this proposal complies with Section 118-1041, Section 118-1450, Section 118-1460 and any other applicable section in the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action shall be July 28th, 2023.

Mr. Mushak seconded.

There was a discussion about the TMP comments. There was a discussion about condition #18 which was revised by Mr. Kleppin. There was an addition about adding a pollinating wildflower meadow. There was also a discussion about the proper exiting from the site. There was a revision to the solar panels condition. There was also a condition for a traffic engineer report about the drive thru.

Before voting, Mr. Schulman said he had a strong objection to the design but since that could not be a factor in his vote, he voted in favor of the application.

Louis Schulman; Nick Kantor; Mike Mushak; Galen Wells; Hector Pachas; Jacquen Jordan-Byron; Ana Tabachneck approved

No one opposed

Richard Roina abstained because he said he had no grounds to vote no on this application.

Mr. Schulman said they would take a break and return to their meeting at 9:12 pm.

V. REVIEW & ACTION ON APPLICATIONS

a. #2023-40 R/M – Peter & Lisa Lane – 3, 5 and 6 River Road, 1032 Silvermine Road and a property on River Road described as District 5, Block 39, Lot 12A (District 5, Block 44, Lots 2, 11 & 7 and District 5, Block 39, Lots 29 and 12A) – Zoning map amendment to change the properties listed above from A Residence to the Silvermine Tavern District and a zoning regulation amendment

to Section 118-531 (Silvermine Tavern District) B.(e) and D.(a) – Preliminary review

Mr. Schulman opened the presentation.

Andy Soumelidis began the presentation by noting that his firm was familiar with this property since they had worked on the Grey Barns project. He discussed the history of the Silvermine Village District. This application would expand the Silvermine Village District to adjacent properties to preserve them. He described the number of units, some of which would use existing foundations. Under the conservation development regulations, the developer would be allowed 9 units, but this proposal was requesting 7 units. He showed them an aerial which included the design for connecting the guild to the tavern. They would also continue the open space along the river. He noted that the Plan of Conservation and Development (POCD) discussed expanding village districts, as well as in the proposed rewrite of the zoning regulations. He noted that there were no other properties in the area that could support this proposal.

Peter Lane, 3 River Road, said that he had lived in Silvermine for 25 years. He described some of the historical and iconic buildings in the area. He noted that some of the units would resemble the barns and cottages that were previously there. They also met with the Silvermine Community Association at their board meeting which voted for the project. They have been working with Todd Lampert from the preservation trust to oversee the project. He said that they would follow the designs of Margaret Hoyt Smith, who was the architect that had renovated his own house.

There was a discussion about the location of the country store. Mr. Lane said that the parcel is in New Canaan but they would be working on a parcel that is in Norwalk. Mr. Soumelidis clarified this on an aerial map. There was also a discussion about whether these buildings met the requirements for historic structures. Mr. Lane said that they had also worked with Tod Bryant who said that some of the structures were from the 1800s. There was further discussion of what the commission would like to review about the historic structures before the final proposal.

VI. DISCUSSION

a. #2023-19 R/M – Planning & Zoning Commission – Zoning text amendment for complete rewrite of the zoning regulations and map amendment for complete rezoning of the entire city

Mr. Schulman said that they would act upon some matters at this meeting.

Mr. Kleppin noted that he had sent them some sheets about minor edits. He suggested that they look at specific page numbers about the edits. They began with the use table in Article 1. However, very minor edits the commissioners thought that could be left to staff. Mr. Kleppin suggested that they look at the uses for discussion. There was a discussion about adding workforce housing units in elderly housing. Mr. Kleppin said that it could be in the workforce housing section. There was also a discussion about how to handle the review of the draft.

There was a discussion about the current 8 halfway houses and whether they should expand the possibility of allowing them in more zones. The map would allow it in some areas where it is not now and in some areas it would no longer be permitted. There was a discussion about the difference between group homes and a halfway house.

At this point, the commissioners discussed how they should be reviewing the changes. Mr. Schulman said he would have a meeting with the staff on how to organize this process.

VII. APPROVAL OF MINUTES: June 7, 2023; June 21, 2023; June 28, 2023; July 5, 2023

**** MR. MUSHAK MOVED to approve the June 7, 2023 minutes.**

Mr. Pachas seconded.

Louis Schulman; Nick Kantor; Mike Mushak; Galen Wells; Chapin Bryce; Jacquen Jordan-Byron; Richard Roina; Hector Pachas approved.

No one opposed.

Ana Tabachneck abstained.

**** MR. PACHAS MOVED to approve the June 21, 2023 minutes.**

Mr. Kantor seconded.

Louis Schulman; Nick Kantor; Mike Mushak; Galen Wells; Chapin Bryce; Jacquen Jordan-Byron; Richard Roina; Hector Pachas approved.

No one opposed.

Ana Tabachneck abstained.

**** MR. MUSHAK MOVED to approve the June 28, 2023 minutes, as amended.**

Ms. Jordan-Byron seconded.

Louis Schulman; Nick Kantor; Mike Mushak; Galen Wells; Chapin Bryce; Jacquen Jordan-Byron; Richard Roina; Hector Pachas approved.

No one opposed.

Ana Tabachneck abstained.

**** MS. JORDAN-BYRON MOVED to approve the July 5, 2023 minutes, as amended.**

Mr. Bryce seconded.

Louis Schulman; Nick Kantor; Galen Wells; Chapin Bryce; Jacquen Jordan-Byron; Richard Roina; Hector Pachas approved.

No one opposed.

Ana Tabachneck and Mike Mushak abstained.

VIII. COMMENTS OF DIRECTOR

There were no comments from Mr. Kleppin.

IX. COMMENTS OF COMMISSIONERS

Mr. Schulman noted that at the previous meeting, the commissioners had spoken about upzoning. He gave an opportunity to Mr. Mushak and Ms. Tabachneck to comment as well.

Ms. Tabachneck said she had analyzed much of the data that had been sent out by staff. She did not think they should eliminate the idea of upzoning. She was disappointed that the only consideration was location of streets to transportation. She thought there should be other considerations as well. She discussed the ADU regulation and thought it was working. She wanted to table the upzoning of East Norwalk until there were expanded residential parking passes. She requested more information about the lane changes and timing on East Avenue.

Mr. Mushak said he agreed with some of Ms. Tabachneck's comments. He said he had 15 pages of comments. He believed his perspective was unique since he has lived in a 2 family zone for 24 years. He said that he has fought for enforcement through the Golden Hill Association. He discussed how bad landlords could destabilize a neighborhood. He thought that there was a lot to discuss and that they could wait until the spring. He thought there was a lot to discuss and did not want to rush the process. He asked to set aside the upzoning for now. He wanted the new ADU law to take effect to help with middle housing. He explained that bestneighborhoods.org showed Norwalk's Diversity score. He said that where the upzoning was happening were in neighborhoods that were already diverse. He would not rule out all upzoning. He thought commercial real estate was collapsing because of the pandemic. He said that investors are being told to go into single family neighborhoods to invest in them. He thought absentee landlords took advantage of tenants. He thought they should put aside the single family to 2 family zoning. He also thought there were other ways to encourage home ownership for minorities and first-time homebuyers. He did not want to

encourage investors or encourage the demolition of historical buildings. He thought that the sustainability discussion before the public hearing was embarrassing because they had kept so many people waiting. He believed that they would have to make concessions and compromises. He noted that on the Norwalk Diversity score there were some neighborhoods that scored homogenous. He thought that there needs to be more thinking on the upzoning. At a future meeting, he wanted to add his written comments to the record since he had facts and figures to share.

Ms. Tabachneck asked if she could email her 5 page document of remarks to Mr. Kleppin, as well as Mr. Mushak for the record.

For the zoning rewrite discussion, Mr. Kleppin suggested holding special meetings since at their regular meetings, there were always a few applications on the agenda. He also said that they did not have to follow the timeline but that the rewrite process should take as long as it takes. He said that the next draft incorporated the recent changes that they had been discussing and thought that the process was working the way he had thought it would.

There was a discussion about holding a special meeting regarding the proposed regulations. They set a tentative date of August 9. There was a discussion about identifying neighborhoods on the map. Mr. Kleppin said that staff had sent out maps but they could add neighborhood names on it.

X. ADJOURNMENT

Ms. Wells made a Motion to Adjourn.

Mr. Bryce seconded.

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

No one opposed.

No one abstained.

The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Diana Palmentiero