

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
May 8, 2024

PRESENT: Louis Schulman, Chair; Hector Pachas; Ana Tabachneck; Chapin Bryce; Jacquen Jordan-Byron; Galen Wells; Nick Kantor; Richard Roina; Darius Williams and Tammy Langalis (after roll call)

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Adam Blank; Atty Liz Suchy; Erik Lindquist; Craig Yannes; Kevin King; Marissa Tarallo; Anna Maria Bonilla; Karen Cole; Anthony Pavia; Sonam _____; Donna Menton;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:09 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 room at 125 East Avenue, Norwalk, CT.

II. ROLL CALL & SEATING OF MEMBERS

Mr. Kleppin called the roll. Mr. Schulman seated Mr. Pachas for the entire meeting. Ms. Tabachneck may not be able to attend the entire meeting. He also noted that there would be a change in the agenda.

III. REVIEW & ACTION ON APPLICATIONS

a. #2021-10 SP – Norwalk Housing Ventures II, LLC – 1 Elmcrest Terrace – Request for one-year extension of time for proposed historic preservation development to rehabilitate existing historic buildings and construct a six-unit residential addition- Report and recommend action

Atty Adam Blank began the presentation by noting that Norwalk Housing Ventures had received approvals for three different historic preservation developments. They have finished one of them. They would start on 2 or 4 Flax Hill but were not sure which one would start first, so they were requesting a one year extension. There was also a review of the architectural plans.

**** MR. ROINA MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that the one-year extension of time request for application **#2021-10 SP – Norwalk Housing Ventures II, LLC – 1 Elmcrest Terrace – be APPROVED**

Ms. Jordan-Byron seconded.

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

No one opposed.

No one abstained.

b. #2023-11 SP/MV - Thomas J. Telesco - 151 Main Street (District 1, Block 87, Lot 1) - Request for one-year extension of time for proposed new building (5,440sf – 2 story) for motor vehicle repairer use- Report and recommend action

Mr. Kleppin said that there were issues with financing and the developer is working through the issues.

**** MR. BRYCE MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that the one-year extension of time request for application **#2023-11 SP/MV - Thomas J. Telesco - 151 Main Street (District 1, Block 87, Lot 1) - be APPROVED**

Mr. Roina seconded.

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

No one opposed.

No one abstained.

c. #2023- 28 CAM – 300 Wilson Avenue LLC – 310 Wilson Avenue – Request for one-year extension to convert a 16,000 square foot portion of existing warehouse and office space to a recreational turf field- Report and recommend action

Atty Adam Blank began the presentation by noting that the applicant/owner and the tenant had had a falling out. A second tenant would have taken the space but that deal also had fallen through. The owner is trying to determine if they will operate the space itself. The deadline for the permit is June 15, 2024 but they are requesting an extension to sort out these matters.

There was a discussion about the ice containing paint and what the remediation would or had been done.

Planning & Zoning Commission - Minutes

May 8, 2024

Page 2 of 9

**** MR. BRYCE MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that the one-year extension of time request for application **#2023-28 CAM – 300 Wilson Avenue LLC – 310 Wilson Avenue – be APPROVED**

Mr. Roina seconded.

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

No one opposed.

No one abstained.

d. #2023-29 SP – RVCV, LLC and Mary Grace Vona – 127 and 135 Richards Avenue - Request for one-year extension for construction of a 13-unit elderly housing development – Report and recommend action

Atty Adam Blank began the presentation by noting that they have not attempted to obtain financing, since there is a two year moratorium from the Department of Public Works (DPW) on paving Richards Avenue. He then oriented the commissioners as to the location of the property on an aerial map, as well as showed them another parcel which the applicant was seeking to purchase. He explained that there would be a minor modification or amendment to the permit.

There was a discussion about whether there was sewer and water in the lot the applicant was purchasing. There was a discussion about whether there should be a 2 year extension since the DPW moratorium was 2 years.

**** MR. ROINA MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that the two-year extension of time request for application **#2023-29 SP – RVCV, LLC and Mary Grace Vona – 127 and 135 Richards Avenue - be APPROVED**

Mr. Williams seconded.

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

No one opposed.

No one abstained.

III. PUBLIC HEARING

a. #2024-14 SPR – Norwalk Center LLC – 10 Norden Pl (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.

Planning & Zoning Commission - Minutes

May 8, 2024

Page 3 of 9

Mr. Schulman opened the public hearing. He explained the requirements of a site plan review. He noted that under a site plan review a public hearing was not required but they were holding one because of the public interest in this application. He explained that the commissioners could ask questions during the applicant's presentation. After that the city's transportation peer review consultant would also make a presentation. Mr. Schulman said that this meeting could extend into the next meeting.

Atty Liz Suchy said that she was glad to see the commissioners back in the Common Council room, except for those that were on Zoom. She then introduced the project team, some that were present and others on Zoom. She said the application had been filed under the old regulations so they would apply to this application. The certified, return receipt cards evidencing notice of the public hearing to the neighbors had been given to staff that day. The applicant had met with neighbors earlier in the week to answer their questions. She noted that the Code Enforcement Administration Committee (CEAC) had met and some agencies provided sign-offs. The applicant had also received comments the previous evening from Transportation, Mobility and Parking (TMP) which they would have to review and respond by the following week. She then discussed the eight standards of review of a site plan review application. She then gave a brief history of the property including the recent subdivision to create one three acre lot. She oriented the property on an aerial map. She then described the use of the proposed building which included the number of employees, hours of operation, office spaces and storage, parking spaces, landscaping, etc.

Erik Lindquist, the engineer on the project, continued the presentation by showing them the site plan. He noted that the proposed use by the Metropolitan Transportation Authority (MTA) would occupy the southeast portion of the building. He showed them where they would store maintenance vehicles. He discussed areas where they may be able to reduce impervious surfaces. Water quality would be provided on site. He discussed screening on the north side. The lighting would not be changed. There are no plans for electric vehicle charging stations, especially since it is not required. He also discussed the truck turning options. He discussed a sliding gate which is not shown on the plans.

Craig Yannes, the traffic engineer, continued the presentation with the traffic study that was prepared. The project had been submitted to the office of the state traffic Administration. He discussed the study area. He also described the hours for the work site. He explained that employees would drive to the site and then leave in maintenance vehicles. Supervisors would remain on site. He also discussed delivery vehicles. He then described the site-generated traffic study. He also discussed the maintenance vehicles that would remain on-site on a daily basis. Some of them would go to a site and remain at the site. He also discussed the number of trips. He noted that they are

not ready to discuss comments about striping since they had been received the day before this meeting. There was a discussion about traffic calming measures.

Kevin King, a licensed environmental professional, continued with a presentation of the environmental report. He explained that the property is under remediation and monitoring, due to manufacturing processes on the site. They were also asked to review other environmental issues such as particulate matter, noise and dust, etc. He noted that there will not be significant impacts since this would not be a manufacturing operation. There are some trades, like welding, which would be done inside the building and have little to no impact.

Atty Suchy said that they would abide by the city's noise ordinance. She also said they would meet with Police Chief Walsh about speeding concerns. She asked that they have time to respond to the comments from TMP in the next week.

Marissa Tarallo, the traffic peer review consultant, continued the presentation by noting that the applicant's study began in March. She gave a brief background of the site. She noted that her firm had not worked on this site previously. She also said that there was an analysis as well as a supplemental analysis and was not based on existing conditions, but rather, what will it look like in 2025, with and without this development. She discussed impacts and quality of life, which are not the same. The site was looked at in multiple phases. She also discussed what would be reasonable on this site, as opposed to worst case scenarios. She discussed levels of service and safety conditions. There were areas of unpredictability which led to driver confusion and speeding. They advised revisions to the striping in the area.

There was a discussion about the school start and end times. Ms. Tarallo said the analysis was done with overlapping school times. The applicant had said that their start time would be 7 am but she did not know whether that would be the case. There was also a discussion about adding lights to a sign to warn drivers that a pedestrian crossing was ahead. Ms. Tarallo suggested adding this crosswalk to the 6 month follow-up to see if it was still needed on this roadway. She said there was also a pedestrian count at the signalized intersections, for both 2019 and 2024. There was also a discussion as to whether there was a crossing guard at the intersection during school time.

There was a discussion about MTA dropoff near the Norden site for their employees. Anna Maria Bonilla, the chief engineer for Metro-North, explained that it would not be safe. If there was a yard then it could be considered. She said they could explore that in the future. However, she noted that stopping the train would cut into the

schedule. There would also be additional costs for this to happen; however, it could always be considered.

There was a discussion about the overlap with school timing. Mr. Yannes explained how the counts were done for this. There were concerns from the neighborhood about whether employees would be arriving at the site at the same time as people were going to school. From reading the materials, Mr. Kantor did not think this was the case but wanted to confirm with the applicant. Mr. Yannes showed a chart to confirm this. He explained further their analysis. Atty Suchy said that the MTA start and end times can be adjusted so as not to conflict with the school. There was a discussion about the economic impact. Atty Suchy said that there would be 100 new jobs. She said that they would have additional information for the commissioners next week. There was also a discussion about making the site a car free one, similar to the Cul De Sac development in Arizona. There was a discussion about the types of jobs that would be on site.

Mr. Kleppin said that he recommended that they hold off public comment until the next meeting so everyone could review all the new materials received the previous day as well as that day. There was a discussion about how the remainder of the public hearing would progress. Atty Suchy said they could wait. A member of the public was speaking. Mr. Schulman reminded the public that they could speak but would not get a turn to speak at the next meeting.

At this point, the commission took a break until 8:19 pm.

When the commission returned to the public hearing, Mr. Schulman explained the rules for the comment period, between those on Zoom and those in person. Ms. Jordan-Byron had left to participate in the meeting at home. Mr. Williams was a few minutes late returning.

Karen Cole, 24 Olmstead Place, said that she had four questions and/or comments. She also had concerns about increased pollution in the area from diesel trucks. She also had questions about the routes to access the site. She discussed the increased traffic since she had moved to the neighborhood twenty years prior.

Mr. Schulman noted that the public would receive responses from the applicant after everyone spoke.

The next speaker said she would speak at the next meeting.

Anthony Pavia, of City Hall Neighbors, 34 Buckingham Place, said that they found it interesting that East Avenue was not included in the traffic study, especially since vehicles would use East Avenue. He would like further information on this.

Sonam _____, 7 Lockwood Lane, said that he and his neighbors have noticed an increase in traffic and speeding on his street. He said that the street had requested speed bumps as well as signs that there were kids playing.

Donna Menton, 8 Gregory, said that there needs to be further study on East Avenue since this would be a main thoroughfare for trucks. She also suggested a new exit ramp in the area to I-95.

At this point, the public hearing was held open to the following meeting on May 15.

V. DISCUSSION

a. c. Discussion on amendments to determining Residential Building Heights and Multi-Family Building typology in CD-4

Mr. Kleppin began the presentation by noting that during the revision of the zoning regulations, they tried to make them as consistent as possible. However, since it was difficult with building heights in single family residences, they would go back to the prior method of a numerical measurement. He also explained why they were changing it now. There was also a discussion on how this revision would work in flood zones. He also discussed changes in the CD-4 to activate the street.

b. Discussion of Daycare Uses in Residential Zones

Mr. Kleppin began the discussion on this memo but noted that Michelle Andrzejewski, a member of the Planning and Zoning staff, was the author. She had researched what other communities are doing, as well as researching what is happening in Norwalk by daycare providers and the Board of Education, and whether there is a missing piece in the daycare system. He said that it did not look like it was the regulations that were holding back an increase in daycare capacity. Providers are also not seeing a need to expand. He also discussed the change in state legislation for the starting age of kindergarten. He said that the staff did not see a need to change the city's regulations at this time.

Ms. Tabachneck noted that a resident had brought up this topic in November and December last year, during the zoning rewrite process and public hearing. Since it

was late in the process, it was decided to address it in the new year. She did not believe the issue was having enough daycare slots for the children not meeting the new kindergarten requirement age. She said that the issue was that daycare centers were not allowed in residential zones in Norwalk as well as other towns. The exception is for daycare centers in houses of worship in residential zones. She then discussed the different types of daycare centers allowed in Norwalk. She said that daycare care centers could be allowed in residential zones with special permits and up to a set number of children, similar to houses of worship. She thought it would help make Norwalk a family-friendly city. She also noted that there are wait lists for not only infant slots but toddler slots at daycare centers, as well. She then set forth a proposal to allow centers in residential zones with the special permit requirements. She said that there is state grant money for some centers to expand but they cannot because the zoning regulations do not allow them to do so.

Mr. Bryce said he appreciated the memo that Ms. Tabachneck prepared. She said that she would be happy to send it out. Mr. Kantor said that there seemed to be disagreement about whether there is enough capacity or not, and that they could discuss it at the next meeting.

b. Discussion of Planning & Zoning Capital Budget Ordinance changes

Mr. Kleppin began the discussion with a bit of history of the Capital Budget process which was handled by the Planning Commission when they were not combined with the Zoning Commission. Although the Planning Commission prepared a budget, it was not acted upon by other bodies in the city. When the Planning & Zoning Commission combined, they tried to make the role such that it would have meaning to the process by having them review the Capital Budget requests to ascertain whether they were consistent with the Plan of Conservation and Development (POCD). He did think there was a benefit to the commission listening to the requests so that they had a better understanding of the projects and why they are happening. The changes they were proposing would have to go to the ordinance committee. The language would help the Planning & Zoning Commission to have more weight when projects are being discussed. The revision also removed the public hearing by the Planning & Zoning Commission because it seemed unnecessary.

Ms. Wells did not quite understand why they were involved in this process except that the Planning Commission always was. She thought it was appropriate for them to be involved in the 10 year Master Plan. Mr. Kleppin said that the commission is also involved in the 8-24 process. There was a review of the proposed amendment as well as the process. Ms. Langalis suggested that the subcommittee should write a brief

synopsis of each department's request, if it is going to be taken into consideration. The summary could be more detailed.

VI. APPROVAL OF MINUTES: April 17, 2024

**** MR. WILLIAMS MOVED to approve the April 17, 2024 minutes.**

Mr. Bryce seconded.

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

No one opposed.

Hector Pachas and Nick Kantor abstained.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin said that there would be a meeting on May 30 in the Community Room, for departments involved with enforcement, ie. blight to explain what each department does as well as their processes. There would be break out sessions. It would be hybrid for the presentations but not for the break out sessions. The commissioners can go if they would like to attend.

VIII. COMMENTS OF COMMISSIONERS

Mr. Roina asked for the invitation to be sent to him again for the May 30 meeting.

There was a discussion about the agenda for the next meeting.

IX. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.

Mr. Bryce seconded.

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

No one opposed.

No one abstained.

The meeting was adjourned at 9:19 p.m.

Respectfully submitted,

Diana Palmentiero