

**CITY OF NORWALK
PLANNING COMMISSION
November 10, 2021**

PRESENT: Fran DiMeglio, Chair; Tamara Shockley; Tammy Langalis; Brian Baxendale; Mike Mushak; Mary Peniston; Steven Ferguson (arrived at 6:07 pm)

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Darin Callahan; Vanessa Valadares

I. CALL TO ORDER

Ms. DiMeglio called the meeting to order at 6:02 p.m.

II. ROLL CALL

Mr. Kleppin called the roll. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately. Mr. Mushak expressed his condolences from the Planning Commission to Mr. Ferguson, whose uncle had passed away the previous day.

III. DISCUSSION AND/OR ACTION ON APPLICATIONS

A. 8-24 Referral #11-2021 – DPW – Walkbridge easement agreements – Report & recommended action

Darin Callahan discussed the various easements that the Connecticut Department of Transportation (DOT) would like to acquire for the Walkbridge project in Norwalk. The city has known about them for quite some time. He discussed the three categories of easements. One of them is a wetlands mitigation easement since it is adjacent to the Norwalk River which needs to be protected. A second type is ingress/egress easements to get from public lands to private property which includes city property. The last easement is for a strip of land that the Department of Transportation needs to construct the bridge and then for ongoing maintenance in the future. They also need an easement at North Water Street which would be temporary. Appraisals were done for these easements.

Vanessa Valadares then showed the commissioners the site plan for North Water Street. She noted where the new bridge would be constructed. She noted that some space under the bridge may be used as parking but that has not been finalized. There was a discussion about the temporary easements and permanent easements. There was also a discussion about who would be responsible for keeping this area aesthetically pleasing. Ms. Valadares said there has been a committee working on this.

Ms. Valadares showed them the next site plan for a temporary easement of an area which would be used for staging as the IMAX was demolished. There were discussions about the routes that would be used by the trucks during the demolition to remove materials from the site.

Ms. Valadares then discussed the next site plan and noted that there was necessary wetlands mitigation in the area. She said it would be done during the winter months and should not take that long.

**** MS. DIMEGLIO MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning Commission that 8-24 Referral #11-21 - DPW – Walkbridge easement agreements 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. That “Water-dependent uses continue to operate and expand in Norwalk Harbor and on the coast” (Chapter 9: Coastal Resources & Resilience); and
2. To “Plan for Liberty Square to have a publicly-accessible use and a water dependent use when it is no longer used for staging for the Walk Bridge project” (Chapter 9: Coastal Resources & Resilience); and

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

Mr. Baxendale seconded.

Fran DiMeglio; Tamara Shockley; Tammy Langalis; Brian Baxendale; Mike Mushak; Mary Peniston; Steven Ferguson approved.

No one opposed.

No one abstained.

B. Zoning Commission referral - #2021-38 R – Economic & Community Development –Text amendment to add outdoor dining as an allowed accessory use to all business zones – Report & recommended action

Ms. DiMeglio said that she did not appreciate last minute changes which made it more difficult for the Planning Commission to review

Mr. Baker noted that the Ordinance Committee of the Common Council was working on an ordinance to allow outdoor dining which had been allowed during the COVID-19 pandemic. It was necessary to make changes to Zoning regulations to conform to the ordinance. He discussed the changes. He noted that they had received one complaint about the proposed ordinance. This was due to lack of Americans with Disabilities Act (ADA) compliance by the restaurant. Restaurants would renew their permits every year. There was a discussion about whether a fee would be charged, but Mr. Baker was unsure. There was a discussion about the certificates of insurance and how this worked for the city. There was also a discussion about how to make things more uniform for the restaurants. Mr. Baker noted that the restaurants are in strip malls, and not directly on sidewalks like in some areas. There was a discussion about safety due to advertising, heating lamps and how this could be a hindrance for walking. There was also a discussion about the parking.

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that Zoning Commission Referral #2021-38 R – Economic & Community Development – Text amendment to allow outdoor dining as an accessory use to all business zones 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/or actions:

1. To “Develop a cohesive tourism strategy by optimizing Norwalk’s historic, cultural and historic resources, coastal location, unique waterfront areas, Norwalk River and other natural assets...This should include exploring locations for waterfront restaurants...” (Chapter 3: Prosperity & Opportunity); and

2. That “The City of Norwalk has the right policies, infrastructure, and leadership for business growth and development.” (Chapter 3: Prosperity & Opportunity); and

BE IT FURTHER RESOLVED that notice of this action is forwarded to the Norwalk Zoning Commission.

There was a further discussion about the parking situation once the executive order was lifted. Mr. Baker said that additional parking would not be necessary for outdoor dining at certain times of the year. Mr. Mushak noted that the text of the regulation should be amended because there is no November 31.

Mr. Ferguson seconded.

Fran DiMeglio; Tamara Shockley; Tammy Langalis; Brian Baxendale; Mike Mushak; Mary Peniston; Steven Ferguson approved.

No one opposed.

No one abstained.

C. Zoning Commission referral - #2021-20 R/M – Zoning Commission – Building Zone Regulation text amendment and Building Zoning Map amendments to create the East Norwalk Village TOD Zone (EVTZ) – Report & recommended action

Mr. Kleppin noted that the commissioners had attended a joint Planning and Zoning Commission and from that meeting the Zoning Commission had taken another look at the amenity points. He also noted that the report had been reviewed by Bob Grzywacz and his comments had been incorporated. The Zoning Commission had reviewed the changes as well and they are ready to hold a public hearing on December 15.

Mr. Kleppin presented a map which showed the proposed zoning for the EVTZ. He also discussed the proposed use changes. He noted that sidewalk size had increased. He also discussed the amenity points which included rooftop solar panels, seating areas, rain gardens, etc. The signage section had been rewritten in the design guidelines.

Ms. DiMeglio noted that although someone was looking down, it did not mean that they were not paying attention to the speaker. They could be looking down at their notes, etc.

There was a discussion about when does a property change to the new use as stated in the proposed regulations. Mr. Kleppin gave examples of this.

There was a discussion about the EVTZ report and whether workforce housing would be included in this zone. Mr. Kleppin noted that since the regulations had been revised a few months ago, it did not matter what zone the property was in.

There was a discussion about shaded outdoor seating as well how public art would be judged. There was also a discussion about a green wall and what it is. There was also a discussion about bringing businesses into the city to add to the vitality of the neighborhood. There was a discussion about the amenity points and where it would be required for developers. Mr. Kleppin showed the commissioners on the proposed zoning map where the amenities would be required.

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** that #2021-20 R/M- East Norwalk Village District TOD Regulations and Design Guidelines, as well as the accompanying zoning map changes, be **APPROVED**.

BE IT FURTHER RESOLVED that the reasons for this action are to implement the Citywide Plan:

1) Chapter 12, Goal 1Ai. Adopt guidelines and standards, with required findings, as part of the zoning ordinance, to guide decision making that will help achieve the vision and goals of the plan:

- a. Direct future development to Norwalk's urban core, village districts, and corridors through redevelopment and infill,
- b. Promote land use configurations that increase connectivity and walkability in the urban core, village districts, and corridors,
- c. Promote walkable mixed-use development in the established Wall St/West Ave, SoNo, and Merritt 7 areas, in the future East Norwalk TOD area, and in key activity centers along the Route 1 and Main Avenue/Main Street commercial corridors,
- d. Promote transit-oriented development (TOD) near rail stations and high-frequency bus stops, emphasizing walkability and transit-supportive densities and uses,
- e. Implement the goals and recommendations of the 2020 East Norwalk Neighborhood TOD Plan and as further amended,
- f. Establish appropriate transitions from higher density and higher-impact land uses to lower density and lower-impact land uses; and

2) Chapter 12, Goal 1Ai. Strengthen existing Village District design standards. Clearly identify the unique elements or design features of each Village District that establish the context for renovations and new construction. Revise zoning to include basic urban design standards to ensure distinct, walkable villages such as:

- a. Minimum sidewalk width of 6' (8'-10' preferred) in commercial areas,
- b. Maximum front set-back between 0 and 5' (or matching existing buildings),
- c. Main entry oriented to the street and sidewalk,
- d. Ground floor standards for commercial space: minimum façade transparency, awning/signage façade zone, minimum interior ceiling height,
- e. Provision of convenient bicycle parking,
- f. Vehicular parking located to the rear of buildings where possible, with clear path to front door,
- g. Vehicular parking maximums, and/or the ability to request a waiver of some or all required parking on small lots.

3) Chapter 12, Goal 2Aii. Study the potential for additional village districts or "neighborhood centers" with local commercial activity. Further study and public engagement is needed to determine whether existing neighborhood commercial areas possess defining characteristics to be designated as village districts on the zoning map. Potential locations include:

a. Implement the East Norwalk TOD Village District recommendations, including the zoning regulations and design standards, as proposed within the East Norwalk TOD Village Plan, as further amended by the Zoning Commission.

4) Chapter 12, Goal 2Aii. Improve the public realm within village districts and activity centers with design standards for sidewalks, street trees, pedestrian lighting, bicycle racks, seating, signage and public art.

a. Physical improvements will enhance the visual appeal and functional safety of these places. Investments in the public realm should be coordinated with private projects when possible to maximize impact.

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Norwalk Zoning Commission.

Mr. Baxendale seconded.

Fran DiMeglio; Tamara Shockley; Tammy Langalis; Brian Baxendale; Mike Mushak; Mary Peniston; Steven Ferguson approved.

No one opposed.

No one abstained.

IV. APPROVAL OF MINUTES: October 13, 2021

***** MS. DIMEGLIO MOVED** to accept the **October 13, 2021** Planning Commission minutes.

Mr. Mushak seconded.

Tamara Shockley; Tammy Langalis; Brian Baxendale; Mike Mushak; Steven Ferguson approved.

No one opposed.

Fran DiMeglio and Mary Peniston abstained.

V. COMMENTS OF DIRECTOR

Mr. Kleppin asked the commissioners to review the map for the waterfront survey and make comments on it. He noted that they have received good comments already. Ms. Langalis would be on the committee. She said that it was a good map. Some schools would also respond to it as well. It would be kept open for another 3 weeks. They would ask neighborhood groups to send it out again to its members. Churches and libraries would be asked to send it out as well.

VI. COMMENTS OF COMMISSIONERS

There was a discussion about the wastewater treatment plant which is in the waterfront study area. The Department of Public Works (DPW) also had its garage in this area. The city parking facility would be replaced.

There was also a discussion about how the Redevelopment Agency had sent out an RFP of the Webster lot. Mr. Ferguson said he was looking forward to seeing what would be developed here, possibly with affordable housing. He said that he appreciated receiving the application so that he would be aware

of what was going on in the city. There was a discussion about how some buildings were demolished in the 1960s for this parking lot.

Ms. DiMeglio said that the Planning Commission would now be a part of a joint Planning and Zoning Commission which would start in January 2021. The Mayor would decide the makeup of the list of commissioners on the Planning and Zoning Commission. She had no idea who would be on this joint Commission. The last meeting of the Planning Commission would be the December meeting. There was then a discussion about the date of the last meeting which would be December 14.

Ms. DiMeglio noted that circular driveways were not allowed in Norwalk. Mr. Kleppin explained the restrictive parking regulations in the front yard. However, with the zoning regulation rewrite it would be addressed. He noted that DPW did not like them because of the curb cuts. Ms. DiMeglio thought that it should be allowed. Mr. Mushak said he agreed that circular driveways should be allowed.

VII. ADJOURNMENT

Ms. Langalis made a Motion to Adjourn.

Mr. Baxendale seconded.

Steve Ferguson; Tamara Shockley; Tammy Langalis; Brian Baxendale; Mike Mushak approved.

No one opposed.

No one abstained.

The meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Diana Palmentiero