

CITY OF NORWALK
PLANNING COMMISSION - SPECIAL MEETING
October 6, 2020

PRESENT: Fran DiMeglio, Chair; Brian Baxendale; Tammy Langalis; Tamara Shockley; Mike Mushak; Mary Peniston; Steve Ferguson

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Scott Goodwin; Diane Lauricella; Anna Tabachneck; Mimi Chang; Greg Reichman; Diane CeCe; Maribeth Payne; Marie Ketty; Jessie McCarty; Patricia Prince; Gene Tiernan; Gabriella Marinaccio; Luisa D'Allacco; Joe Licek;

I. CALL TO ORDER

Ms. DiMeglio called the meeting to order at 6:35 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.

III. SPECIAL CAPITAL APPROPRIATION REQUEST

A. Special Capital Appropriation Request - Information Technology - Special appropriation request totaling \$71,509 allocated to capital account number C0793 to provide the required 2020 Department of Homeland Security Port Security/FEMA Grant 25% matching funds to secure the \$214,525 in federal funds to proceed with the Security Camera & Fiber Optic Network Extension to Norwalk Harbor project - Report & recommended action

This item had been removed from the agenda shortly before the Planning Commission meeting.

IV. PUBLIC HEARING

A. Proposed amendments to the Citywide Plan (POCD) - East Norwalk TOD Plan (the Plan)

Ms. DiMeglio explained how the public hearing would be held. She asked everyone to state their first and last names as well as their address. No one could be anonymous over the phone.

Scott Goodwin, 6 Pine Hill Avenue, asked about moving the Plan forward and had concerns about proposed variances. He seemed that there were several of his neighbors who had not been aware of these meetings. Mr. Kleppin gave him the procedures as well as the city agencies that had already voted on the Plan. He explained how they had notified the East Norwalk about the drafting of the Plan which included mailers, Facebook ads, portable billboards. They had started drafting this Plan in 2018.

Diane Lauricella, 97 West Norwalk Road, Unit 18, said that she believed that some of the public's comments had not been added to the Plan. She also had comments on the Planning Committee of the Common Council. These comments spoke to urging them to adopt more green initiatives. She noted that

several of the Common Council members asked that green infrastructure be required by the developers under this Plan. She noted that other towns around the country were doing this. She thought it would be good to start with East Norwalk and in light of climate change. Mr. Kleppin noted that the draft zoning regulations are an appendix to the Plan. They would address climate change and would make it a requirement under the regulations.

Anna Tabachneck, Myrtle Street, spoke in support of the Plan. She thought it would be helpful to have more options near the train station especially for those working in NYC.

Mimi Chang, Raymond Terrace, did not speak in support of the Plan. She was disappointed that there was no traffic study as well as other components of it. Mr. Kleppin gave a brief overview of the infrastructure projects that are being contemplated. There was a discussion about the bottleneck at Exit 16 off of I-95.

Greg Reichman, 10 Pine Hill, had concerns about the Norden facility becoming a center for deliveries and that there would be a lot of traffic coming from the site. Mr. Kleppin noted that this site was not in the study area that they were discussing in this Plan. It would be on for a public hearing in November. There was a discussion about why the zoning on the Norden site was restricted to industrial.

Diane CeCe of the East Norwalk Neighborhood Association, said that there were reasons why they supported industrial and that they did also support residential on the Norden site. She believed that the public was being misled.

Maribeth Payne, Pine Hill Avenue, said she liked the idea of the Plan but was concerned about the traffic. She also thought they should review the traffic especially if the Norden application was passed. Mr. Kleppin reminded her that they had been restricted by state guidelines when they did the Plan and that the Norden site was outside the scope of the Plan. He was confident that by making it a more walkable area and the infrastructure changes would help mitigate the traffic. He had heard concerns of neighbors about truck traffic.

Marie Ketty, 2 Marvin Street, said that she had not been aware of the Plan. She was concerned about the addition of 1,200 residential units. She had questions about the number of vehicles generated from these additional units. She was also concerned about air pollution and the amount of people heading to the Calf Pasture Beach. Mr. Kleppin addressed her comments especially with adding green infrastructure, more green space and her concerns that there would be additional 1200 residential units.

Jessie McCarty, 10 Branford Avenue, thanked them for their work on the Plan but thought the Plan would not help the area. There were concerns about the traffic especially during peak hours in the summer. She liked the idea of walkability in the area. Mr. Kleppin addressed many of her comments, including the Wells Fargo site. He then discussed the study area and showed a map of where the Plan would affect.

Patricia Prince noted that she had not heard about the meetings for the Plan. She thought many people were still not aware of the Plan.

Gene Tiernan, 5 Marvin Street, had concerns that the East Norwalk residents did not want more residential area. He was fine with many of the other parts of the Plan and was supportive of the traffic

plans to fix East Avenue. He did not think that they needed the height in the Plan. Mr. Kleppin addressed some of his comments including those about water supply.

Gabriella Marinaccio, 20 Scofield Place, had concerns that it would look like SoNo. She was concerned that there would be too many units. Mr. Kleppin reminded her that mixed use was allowed in this zone.

Luisa D'Allacco said that she had similar concerns as previous speakers.

Diane CeCe, Olmstead Place, noted that many of the East Norwalk community believed that this Plan had been a done deal before it had started. She also noted that many of them had provided their comments, especially what they didn't want. She believed that these things are in the Plan. Some of what they did want was in the Plan. She thought that many things like facade improvements could have been done without a Plan. There had been a survey. Many people had said that they did not want the height and density requirements but they would meet the city in the middle. She also noted that the residents did not think this Plan was modest. She was also concerned about changes to the industrial zone regulations when there was about to be a study of the regulations. She discussed the deadline of October 30 and wondered if it was achieving what the community was hoping it would achieve. She noted that the definition of affordability and that many of those under the Plan would not be either.

Mr. Kleppin then explained that this was a grant application to the state. Under the grant it was accepted because a TOD study implied that there would be additional density. It has been understood that East Norwalk was a part of the study. The study is a small part of the East Norwalk area. He also noted that they would not have proposed something if they did not think it would work. It did not think it would be a large increase and that they had not only spoken with developers. He also spoke to affordability which he noted were the same as other parts of the city.

Diane Lauricella spoke about the Wells Fargo site. She also noted that under previous staff, studies had not been done. She also asked if statements from the Common Council, Planning Committee that green building design standards be included in the appendix to the Plan.

Mr. Kleppin noted that the new zoning regulations would include a green infrastructure that would be more than a baseline. It was noted that the Common Council language would be included in the resolution that would be approved for the Plan.

Joe Licek was concerned about the quality of life in the area because of the number of residential units.

At this time, Ms. DiMeglio closed the public hearing.

The meeting took a break at 8:31 and reconvened at 8:38 pm.

V. DISCUSSION AND/OR DECISION

A. Action on item III. A - Proposed amendments to the Citywide Plan (POCD) - East Norwalk TOD Plan

Ms. DiMeglio asked each of the commissioners to state their opinions on the Plan. She began with Mr. Baxendale.

Mr. Baxendale was in support of the Plan. He said they had heard from the residents of East Norwalk and East Norwalk Neighborhood Association. He said that he was in support of the green infrastructure and the affordability. He believed they would keep the character of the neighborhoods outside the Plan's study area.

Tamara Shockley noted that the city had four commercial areas including East Norwalk. She understood that there were concerns about the density and traffic. She was also concerned about the burdens on the municipal infrastructure. She was concerned with the ramifications to small business such as mechanic shops as well as eminent domain. She was concerned about displacement of residents and appreciated the diversity of the area. She was also concerned about the developers push to develop apartments with water views.

Mike Mushak said he supported the Plan and that the community was listened to. He noted that only 5% of East Norwalk would be affected. The other parts of East Norwalk would preserve the existing zoning in the other area. He was concerned with neighborhood preservation. He noted that Norwalk is growing but that in other decades it had grown more than this decade. He believed the Plan would help with development.

Steven Ferguson said that he supported the Plan, but noted that there were some parts that were concerning. He had seen some of the meetings with the public and was pleased. He then discussed rents in the area as well as parking. He thought with this Plan they could start working on the area.

Mary Peniston said she would support the Plan but wondered how they could address some issues that were raised during the process. She appreciated that they could still review some areas such as affordability. She was concerned about gentrification because she wanted all kinds of families to live in these areas. She wanted to find ways to have more people involved.

Tammy Langalis asked what percentage of the corridor in the study was commercial vs. residential and whether it was industrial or light industrial. She was concerned about the mass of some buildings being constructed around the city. She would support the Plan but they must balance growth to what the residents want. She was also concerned about the capacity at schools.

Ms. DiMeglio said she has lived in East Norwalk for most of her life. She also noted that she had worked at the Norden facility for many years which had about 5,000 employees at one point. There was a police officer who would direct traffic. She explained that many parts of East Norwalk were busy. She said that as she has driven around the areas because they seem stagnant. She thought that the area needed some reviving since nothing has happened here in years.

Mr. Mushak said that traffic is a concern. He noted that he had about 3,000 apartments near his home in Golden Hill but he did not have gridlock in his area. He thought that residents of East Norwalk were seeing 1200 vehicles on the streets at one time. He reminded them that it doesn't happen like that. He also hoped for roundabouts around the cemetery.

Ms. DiMeglio read the Common Council recommendation from the resolution into the record and noted the vote.

MS. DIMEGLIO MOVED:

WHEREAS, the Planning Commission met on October 6, 2020 and made the following findings:

WHEREAS, the City of Norwalk established an Oversight Committee to aid and guide the development of the East Norwalk Neighborhood TOD Plan (the plan);

WHEREAS, the Oversight Committee was comprised of members of the Planning Commission, Zoning Commission, Common Council, East Norwalk Neighborhood Association, East Norwalk Business Association, Third Taxing District and City staff;

WHEREAS, the City held three (3) separate public meetings to gather input and discuss East Norwalk and planning concepts for the area;

WHEREAS, City staff and the consultant collected data and input through surveys, interviews and public discussion;

WHEREAS, the Oversight Committee held seventeen (17) separate meetings to discuss and oversee plan concepts, as well as review plan recommendations, including the draft zoning regulations and draft design guidelines;

WHEREAS, the draft plan was presented to the Planning Commission, Zoning Commission, Planning Committee, Bike/Walk Commission, Harbor Management Commission, East Norwalk Neighborhood Association and East Norwalk Business Association;

WHEREAS, comments received from the Harbor Management Commission on May 26, 2020 were incorporated into the plan;

WHEREAS, City staff and the consultant presented the draft plan to the public on July 1, 2020, and July 2, 2020;

WHEREAS, on July 21, 2020, the Planning Commission moved the proposed amendments to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, to public hearings in August and authorized staff to refer the draft plan and amendment to all the required agencies;

WHEREAS, on July 22, 2020, the proposed amendments to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, were referred to the Common Council, CT DEEP, CT OPM, WESTCOG, the Norwalk Harbor Management Commission and the Town of Westport;

WHEREAS, no additional comments were received from the Harbor Management Commission;

WHEREAS, no comments were received from CT OPM or the Town of Westport;

WHEREAS, WESTCOG stated *“The opinion of WestCOG staff is that the proposed amendments to the Norwalk POCD are consistent with the goals and objectives set forth in the 2020-2030 Western Connecticut POCD and have no additional comments.”*;

WHEREAS, CT DEEP *“commended the Commission on all the work performed to develop an interconnection between the City’s POCD and the 2020 East Norwalk Neighborhood TOD Plan”*; further stating: *“This dedicated effort has help to create stronger holistic plan that will be very beneficial in guiding conservation and development activities in the future.”*;

WHEREAS, the Planning Commission held two (2) public hearings on the proposed amendments to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, on August 18, 2020 and August 24, 2020;

WHEREAS, public comments on the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, were considered by the Planning Commission at their September 1, 2020 meeting;

WHEREAS, upon consideration of the public comments, the Planning Commission authorized forwarding the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, to the Planning Committee of Common Council for consideration;

WHEREAS, the Planning Committee held a public hearing on the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, on September 17, 2020 and moved the item to the Common Council for consideration;

WHEREAS, the Common Council considered the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, at their September 22, 2020 meeting;

WHEREAS, the Common Council approved the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, by a vote of 12-2-1, including the following amendment:

“The Common Council of the City of Norwalk would like to strongly recommend the Planning and Zoning Commissions that as pertains to the East Norwalk TOD Plan (The Plan) these Commissions find ways to include Green Building Techniques, Sustainable Material Use, Renewable Energy Sourcing, Energy Efficiency Standards and Affordable Housing Standards in The Plan not as bonus amenities that earn points but as baseline standards by which new construction will be held to.”

WHEREAS, The Planning Commission of the City of Norwalk met on October 6, 2020 and held an adoption hearing on the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan;

WHEREAS, The Planning Commission at their October 6, 2020 meeting, considered all testimony received regarding the proposed amendment to the 2019 Plan of Conservation and Development (Citywide Plan), incorporating the East Norwalk Neighborhood TOD Plan, as well as the amendment as recommended by the Common Council;

WHEREAS, The Planning Commission agrees with the amendment recommended by the Common Council and will push to ensure that the final zoning regulations for the area include the items listed by the Common Council in the Plan not as bonus amenities that earn points but as baseline standards by which new construction will be held to;

THEREFORE, be it resolved that the Planning Commission of the City of Norwalk recommends adoption of the amendments to the Norwalk Citywide Plan: 2019-2029, Plan of Conservation and Development, incorporating the East Norwalk Neighborhood TOD Plan;

THEREFORE, be it further resolved that the Norwalk Citywide Plan: 2019-2029, Plan of Conservation and Development, be effective upon adoption of the Planning Commission and signature of the Mayor.

Mr. Baxendale seconded.

Fran DiMeglio; Brian Baxendale; Mike Mushak; Mary Peniston; Tammy Langalis; Steve Ferguson approved.

Tamara Shockley opposed.

No one abstained.

Ms. Langalis asked whether the design standards could be added to the Plan. Mr. Kleppin said that the design standards were an appendix to the Plan. There was a discussion about the green building techniques which were included in the resolution which had passed. Mr. Kleppin discussed the design standards that would be in the area which were very detailed.

VI. APPROVAL OF MINUTES: September 15, 2020

They did not approve the minutes at this meeting.

VII. COMMENTS OF DIRECTOR

There were no comments from the Director.

VIII. COMMENTS OF COMMISSIONERS

Mr. Mushak noted that the commissioners shared the concerns of the public and had voted accordingly.

IX. ADJOURNMENT

Ms. Langalis made a Motion to Adjourn.

Ms. Peniston seconded.

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

No one abstained.

The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Diana Palmentiero