CITY OF NORWALK
PLANNING COMMISSION
September 9, 2014

PRESENT: Torgny Astrom, Chair; Frances DiMeglio; Walter McLaughlin; Joel Zaremby; Steven Ferguson; William Dunne

STAFF: Michael Greene; Frank Strauch

OTHERS: Ron Kellogg; Wayne DeFanzo

I. CALL TO ORDER

Mr. Astrom called the meeting to order at 8:19 p.m.

II. ROLL CALL

Mr. Greene took the roll.

III. PUBLIC HEARING

Before the public hearing began, Mr. Astrom discussed the rules for it.

a) Subdivision #3633 – Thomas Van Cura - 160 Fillow Street – 2 Lots

Mr. Astrom opened the public hearing. Mr. Kellogg began the presentation by orienting the commissioners as to the location of the property. He showed them the site plans for the project. The applicant had received their approval from the Conservation Commission. They could build two houses on the lots.

Mr. DeFanzo, the engineer for the project, continued the presentation. He told them that the septic system was approved by the Department of Health. He also said that there will be less impervious surface once the project is completed, then there is now. The old house will be removed. There was a discussion of the sidewalks during the construction phase.

No one spoke for or against the application. Mr. Astrom closed the public hearing.

IV. REPORT OF SUBDIVISION COMMITTEE, Joel Zaremby, Chair

a) Action on III. a. - Subdivision #3633 – Thomas Van Cura - 160 Fillow Street – 2 Lots

**** MR. ZAREMBY MOVED: BE IT RESOLVED** that subdivision application #3633 submitted by Thomas Van Cura, for a 2 lot resubdivision at 160 Fillow Street and as shown on a plan entitled “Preliminary Re-Subdivision Map Of Property Prepared For Frieda M. VanCura, 160 Fillow Street, Norwalk Connecticut,” Scale 1” = 30’, dated 9/19/2013 and certified "Substantially Correct" by Arcamone Land Surveyors, LLC, Wayne Arcamone Land Surveyor–
Connecticut Registration No. 15773 be **APPROVED** subject to the following conditions:

1. That the wetland and watercourse buffer area shall be depicted on the final subdivision map to be filed on the Norwalk Land Records; and

2. That all required soil and sedimentation controls be in place prior to any site work; and

3. That any additional soil erosion and sedimentation controls deemed necessary by the staff be installed at the direction of the staff; and

4. That a financial guarantee, in an amount to be determined by staff, be submitted to guarantee the installation of all erosion and sedimentation controls; and

5. That a financial guarantee, in an amount to be determined by staff, be submitted to guarantee the installation of the required improvements prior to the certificate of occupancy being issued on the construction of any new dwelling; and

6. That any damage to the sidewalks during construction will be replaced;

BE IT FURTHER RESOLVED that conditions **do not** warrant the installation of sidewalks; and

BE IT FURTHER RESOLVED that conditions **do not** warrant the installation of new street curbs; and

BE IT FURTHER RESOLVED that the street tree requirement **not be waived** and that eleven (11) street trees be installed and that where practical, any existing street trees which meet the street tree requirements, be retained and utilized towards the street tree requirement; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 19, 2014.

**** MR. MCLAUGHLIN SECONDED.**

** **MOTION PASSED UNANIMOUSLY.**

V. REPORT OF LAND USE COMMITTEE, Fran DiMeglio, Chair
Referrals – Report & recommendation

a) 8-24 Review – 6th Taxing District – Rowayton Community Center

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed improvements to the Rowayton Community Center be approved in accordance with Section 8-24 of the Ct General Statutes subject to the submission of drainage calculations and approval of the storm sewer by the DPW;

BE IT FURTHER RESOLVED that no adverse impacts on coastal resources are anticipated.

** **MR. ZAREMBY SECONDED.**
** **MOTION PASSED UNANIMOUSLY.**

b) Zoning Commission referral - #4-14R - NW MFP Norwalk Town Ctr LLC & 3Q Property LLC – Proposed amendments to revise CBDD residential setbacks to require only when residential use in residence zone

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#4-14R – NW MFP Norwalk II/3Q Property, LLC – Proposed amendments to Section 118-504 Central Business Design District to modify setbacks for properties across the street from a residence zone" and dated June 25, 2014 be **APPROVED**.

BE IT FURTHER RESOLVED that the reasons for this action are:

1) To implement the Plan of Conservation and Development to "Create an engaging urban landscape and architectural setting in the West Avenue area through the adoption and implementation of West Avenue planning, as amended" (F.4.1.10, p. 44); and

2) To implement the Plan of Conservation and Development to "Advance current redevelopment plans" (A.6.2, p. 13)

3) To implement the Plan of Conservation and Development to "Strengthen the character of neighborhoods and commercial areas and improve the quality of architectural design" (F.4.1, p. 43); and

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

** **MR. MCLAUGHLIN SECONDED.**

** **MOTION PASSED UNANIMOUSLY.**

c) Zoning Commission referral - #6-14R – The Berkeley Holding LLC & 520 West Ave LLC – Proposed amendments to revise definition of building height in a Design District Development Park to measure from centerline of the highest street (currently measured from centerline of West Ave)

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#6-14R – The Berkeley Holding, LLC & 520 West Ave, LLC – Proposed amendments to Section 118-100 to revise the definition for Height of Building Design District Development Park to measure from centerline of highest street " and dated July 23, 2014 be **APPROVED**.

BE IT FURTHER RESOLVED that the reasons for this action are:

1. To implement the Plan of Conservation and Development to “Advance current redevelopment plans” (A.6.2, p. 13); and

2. To implement the Plan of Conservation and Development to "Strengthen the character of neighborhoods and commercial areas and improve the quality of architectural design” (F.4.1, p. 43); and

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

** **MR. DUNNE SECONDED.**
** **MOTION PASSED UNANIMOUSLY.**

d) CT DEEP Referral – 5 Cliff Place – Installation of a new dock

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #201407131-KR – 5 Cliff Place – Installation of a new dock for recreational boating access; and

BE IT FURTHER RESOLVED that this proposal is consistent with coastal resource and use polices.

** **MR. FERGUSON SECONDED.**
** **MOTION PASSED UNANIMOUSLY.**

VI. APPOINTMENT OF NOMINATING COMMITTEE

Mr. Astrom appointed Ms. DiMeglio, Mr. McLaughlin and Mr. Ferguson to the nominating committee. He appointed Ms. DiMeglio as the chairperson of the committee. They would report to the Planning Commission at the October Planning Commission meeting.

VII. APPROVAL OF MINUTES: August 11, 2014

MS. DIMEGLIO MOVED to approve the minutes.
MR. ZAREMBY SECONDED.
MOTION PASSED UNANIMOUSLY.

VIII. COMMENTS OF THE DIRECTOR

He handed out a quarterly report to the commissioners of the ongoing projects that are being constructed around the city. The number of permits has been up for the 35th month in a row. The value of the permits has gone up as well. There were discussions about some of the projects in the report including the Trans Lux building and the Wall Street.

IX. COMMENTS OF COMMISSIONERS

In connection with the projects list, there was also a discussion about some of the completed projects as well as some of the new restaurants on Washington St.

X. COMMENTS FROM SWRPA

Mr. Cavallo was not present to make a report. Zaremby said that SWRPA would no longer be meeting.

XI. ADJOURNMENT

**** MR. MCLAUGHLIN MADE A MOTION TO ADJOURN.**
**** MR. FERGUSON SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:44 p.m.

Respectfully submitted by,

Diana Palmentiero