

**CITY OF NORWALK
PLANNING COMMISSION
January 13, 2021**

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

STAFF: Steve Kleppin; Michelle Andrzejewski

OTHERS: Atty Liz Suchy; Atty Adam Blank; Ralph Kolb; David Herbst; Clay Fowler; Jerry Effren

I. CALL TO ORDER

Mr. Ferguson 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.

III. DISCUSSION AND/OR DECISION ON NEW APPLICATIONS

A. Subdivision #3654 – Estate of Dorothy Newman – 10 Range Road - Proposed two (2) lot subdivision

Atty Liz Suchy began the presentation with a brief overview of the application process. She introduced the co-executors of the estate. She then oriented the commissioners as to the location of the property on a site plan. She noted that they have a Conservation approval. However, they believed they could divide the parcel due to a “free cut” but Zoning Department staff determined they could not and are before the Planning Commission for approval. They are asking for waivers of sidewalks. There are still outstanding approvals from some City departments. She noted that both lots met the Zoning requirements.

There was a discussion on what the address would be for the rear lot. There was also a discussion about the sidewalk waivers for Range Road. It was noted that there are no other sidewalks on Range Road but there is a sidewalk on Witch Lane.

There was then discussion about scheduling a public hearing in February for this application. Atty Suchy would coordinate with Mr. Kleppin.

B. #01-21 8-24 Referral – Norwalk WPCA – 473 Connecticut Avenue – Proposed new Keeler Brook Sewage Pump Station and easement agreement with Eversource – Report & recommended action

Ralph Kolb, of the Norwalk Water Pollution Control Authority (WPCA), began the presentation. He noted where the pump station was which included it being in a Federal Emergency Management Agency (FEMA) floodway. He said they had been working with Eversource for over 1 year on this project. He described the conditions from Eversource which were challenging. He is also working on the easement.

The funding for this project had been approved by the Planning Commission through the Capital Budget last year. He noted that there are a lot of setback requirements to comply with. There was a discussion about the flood area. Mr. Kolb said that the proposed station would be able to remain online if Keeler Brook overflowed. It was noted that this was an important infrastructure project.

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that 8-24 Referral 8-24 Referral #01-21 - Norwalk WPCA - 473 Connecticut Avenue - Proposed new Keeler Brook Sewage Pump Station and easement agreement with Eversource be **APPROVED** subject to the following reasons:

1. To implement the Plan of Conservation and Development goal that “Norwalk’s infrastructure and public facilities are resource-efficient, well-maintained, cost-effective, sustainable and resilient” (Chapter 4: Public Facilities, Infrastructure & Services, pg. 219); and
2. To implement the Plan of Conservation and Development policy to “Support resource-efficiency and cost-effectiveness through coordinated planning and maintenance” (Chapter 4: Public Facilities, Infrastructure & Maintenance, pg. 208); and

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

Mr. Lesko seconded.

Fran DiMeglio; Steve Ferguson; Brian Baxendale; Tamara Shockley; Mike Mushak; John Lesko; Mary Peniston approved.

No one opposed.

No one abstained.

C. Zoning Commission Referral – 2021-01 SP/R – RAP II, LLC – 125 Richards Avenue – Text amendment to the definition of “Elderly Housing Unit” and to allow the use in the B Residence Zone by special permit – Report & recommended action

Mr. Kleppin gave a brief summary of this application. He noted that there were two text amendment applications for changes to the Zoning regulations. He also discussed what could be conditions to the Zoning Commission resolution. There was also a discussion about some properties that could be affected by these text amendment changes. Atty Blank noted that a congregate housing project could go up under the regulations as they are written now. However, the text amendment would not allow that. He then discussed what the applicant could build as of right, currently. He then showed them the renderings of what the applicant proposed to build. He also explained that they had done a market analysis and realized there was a need for this type of housing project.

David Herbst, a real estate appraiser, continued the presentation with his Sr. Housing Market Update. He explained the Sr. Housing Market drivers which included regional demographic trends; supply and types of sr. housing and consumer preferences. He discussed the Connecticut Long-Term Rebalancing Strategies. Many seniors would like to age in place. He described some of the goals of the state. He also described the challenges that the state has identified. He then discussed the proposed zone text amendment.

There was a discussion about the wetlands adjacent to the property. Atty Blank noted that the applicant needed a permit from the Inland Wetlands Agency which they hoped to receive in the next 2 weeks. He noted that they would be protecting the wetlands. He then introduced some of the owners that

would be developing this property. Atty Blank explained that the application was in line with the Plan of Conservation and Development (POCD). He also noted that each building was a duplex, two single family houses joined together.

There was a discussion of the cost of the units, which Atty Blank noted would be at the higher end of rental prices. There was also a discussion about the text amendment changes recommended by the Zoning Department staff. Atty Blank also noted that the developers were looking into solar but could not guarantee it. He could not state specifically what the rental costs would be but seemed to indicate that it would be less than the congregate housing units that were next door. There was support for the application with some commissioners. There was a concern about having the text amendment change the B zones in Norwalk. Mr. Kleppin explained how this would not necessarily be the case by showing some of the properties on a map. There was also a concern about the affordability of the units. There was a discussion about having a resolution to approve and deny.

Clay Fowler, one of the developers, noted that his company thought there was a need for this type of project. These developments are in the tri-state area,, including one in Rye, New York. He suggested that it was also beneficial being next to the congregate housing unit. He believed there could be some collaboration with it. He told a personal story about his own mother's decision to remain in her home. Jerry Effren discussed why he believed that these units were necessary as well as the floor plan.

**** MS. DIMEGLIO MOVED: BE IT RESOLVED** that #1-20R –Zoning Commission Referral – 2021-01 SP/R – RAP II, LLC – 125 Richards Avenue – Text amendment to the definition of “Elderly Housing Unit” and to allow the use in the B Residence Zone by special permit, be **APPROVED**.

BE IT FURTHER RESOLVED that the reasons for this action are to implement the Plan of Conservation and Development:

1. Chapter 4, Goal 1 - Norwalk has a neighborhood and housing strategy that maintains a variety of neighborhood types and housing choices through a variety of mechanisms.
2. Chapter 4, Housing Choice & Healthy Lifestyle, Goal 1C.iv - Identify potential markets for downsizing by empty-nesters and aging seniors who want to stay in Norwalk and encourage housing for that market. Downtown and SoNo have attracted some empty-nesters. Others may want to downsize but would prefer other options; and
3. Chapter 4, Housing Choice & Healthy Lifestyle, Goal 1C.v - As part of a zoning re-write, explore innovative housing types such as cottage communities, and create zoning and design standards. Cottage communities provide modest-sized housing as infill on vacant or underused lots designed to give a single-family experience; and

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

Mr. Ferguson seconded.

Fran DiMeglio; Steve Ferguson; Brian Baxendale; Tamara Shockley; Mike Mushak; John Lesko; Mary Peniston approved.

No one opposed.

No one abstained.

IV. DISCUSSION OF OTHER ITEMS

A. Industrial Zones Study Update

Mr. Kleppin explained that there had been a meeting the previous day of the committee which Ms. Langalis had attended. There would be a memo on the survey results. He would also share the video of the meeting. The consultants would work on recommendations which would then lead to public comments. The draft recommendations would be ready in one month and out to the public in 2 months. He said they were on schedule and should be done by June, 2021.

B. South Norwalk TOD Update

Mr. Kleppin did have any information to report. He said he believed there would be a meeting the following week.

V. APPROVAL OF MINUTES: December 8, 2020

Since none of the commissioners had received the minutes, this item was tabled to the next meeting.

VI. 2021 MEETING SCHEDULE

Ms. DiMeglio said that the Planning Commission meetings would now start at 6 pm and stop at 9 pm. There was then a discussion of the Capital Budget meetings and confirming that members of the public knew about the new meeting time. Both the Planning Commission meetings and the Capital Budget meetings were now scheduled earlier than previous years. There was also a discussion about whether there had been changes to the Capital Budget books. There was then a discussion about how to handle the Capital Budget process review in February.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin had no comments.

VIII. COMMENTS OF COMMISSIONERS

The commissioners had no comments.

IX. ADJOURNMENT

Ms. Peniston made a Motion to Adjourn.

Mr. Baxendale seconded.

Fran DiMeglio; Steve Ferguson; Brian Baxendale; Tamara Shockley; Mike Mushak; John Lesko; Mary Peniston approved.

No one opposed.

No one abstained.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Diana Palmentiero