

**CITY OF NORWALK  
ZONING COMMISSION  
November 17, 2021**

**PRESENT:** Louis Schulman, Chair; Michael Witherspoon; Richard Roina; Galen Wells; Nick Kantor; Marcela Sapone (arrived at 6:08 pm)

**STAFF:** Steve Kleppin; Bryan Baker

**OTHERS:** Hiram Peck; Mark Vertucci; Virginia Tartaglia; Diane Cece

**I. CALL TO ORDER**

Mr. Schulman called the meeting to order at 6:03 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

**II. ROLL CALL**

Mr. Baker called the roll. Mr. Schulman explained the rules of the public hearing.

**III. PUBLIC HEARINGS**

**a. #2021-18 R/SPR/CAM – 25 Van Zant Street Condominium - 25 Van Zant Street – Building zone text amendment to create a “vocational/trade (workforce training center) school” use and to allow the use as a principal use in the Industrial #1 Zone in conjunction with a proposed vocational/trade school within an existing structure**

Mr. Schulman opened the public hearing and explained the application. Ms. Wells recused herself which left 4 commissioners to hear and act upon this application. Mr. Roina asked whether there would need to be four positive votes for the application. At this point, Commissioner Sapone appeared on the call so there were now 5 commissioners.

Mr. Peck acknowledged that this was a continuation of a previous public hearing. They had received questions from the last meeting as well as from the Zoning Department staff. He discussed the parking and traffic issues which would also be addressed by their traffic consultant. There was also a discussion about an easement which had to be clarified by the DOT. There is a non-recordable easement but Mr. Peck has been working to obtain a recordable easement. He had received an easement from the DOT which he believed would be the desired document. It had been provided to the Zoning Department staff and the Zoning Commission. He asked that it become a part of the conditions of approval.

Mr. Schulman noted that there was a concern about using part of the area as a staging area during the Walk Bridge project. Mr. Kleppin said that he had spoken with someone at DOT who said that they would not be using it as a staging area during construction.

Mr. Roina noted that he had read the easement and found that it could be revoked by the state at any time. He had concerns that if it was revoked this would affect the amount of parking spaces at the site. Mr. Peck said that the easement had been there for many years and that the DOT had no intention of revoking it. He also said that it did cut across about half of the parking spaces. They had agreements with the properties across the street in order to fulfill the parking requirements. He said that it had been a difficult process to obtain the easement but believed it would still work. There was a discussion about the allocation of the parking spaces. It would be revisited in a year to see how the parking situation is once the building is occupied.

Mr. Peck noted that fit-out permits would be completed once the building is completed. This is one way that the city could check the parking to see if it is working well. There was a concern that there could be more parking spaces needed once it has been approved. It was discussed whether they could stop the total buildout of the property as the parking was being monitored.

Mr. Peck said that they did not have problems with requested changes and comments by the Zoning Department staff.

Mark Vertucci, the traffic consultant on the project, explained the plan modification based upon staff comments. He oriented the commissioners as to the location on the site plan. He also discussed traffic analysis. He noted there is a surplus of parking spaces at the moment. He discussed ingress, egress, landscaping and the sidewalks. He discussed the access driveways. There was a discussion about the fact that there seem to be 3 different parking lots. Mr. Vertucci said that there would be signage along roadway frontages. He also noted that there would be some office spaces in the development. He also discussed the amenity zone. He showed them the parking lots across the street which would be the additional parking.

Mr. Peck continued by noting that the plan had modified it as requested by the commissioners and the staff. He said it was a unique opportunity to use this large building. He asked that the commissioners pass the resolution drafted by the staff.

Mr. Schulman asked if there were any members of the public that would like to comment.

Virginia Tartaglia, 32 Van Zant Street, noted that she lived and had a business at this address. She also said that it was a busy street already. She explained that Osborne is a one way street. There were many buses and trucks that congested the area. She also did not think

that the signage would help. She thought there would be pollution from the vehicles in the area. She suggested that the Norden site would be a better spot for this project.

Diane Cece, East Norwalk Neighborhood Association (ENNA), noted that some of the documents were not on the website until late in the day. She also said that while this was a needed project for Southern Fairfield County it would be a better location at the Norden site. She said that she agreed with Commissioner Roina's comments at this meeting. She had concerns about the parking spaces which needed clarification. She also had concerns about the number of curb cuts. She also noted that the Walk Bridge project would go on for 6 years. She also had concerns about lines waiting for parking spaces as students left classes and students came in. She had a concern about the easement. She said that ENNA had met with the applicant in the early stages of the application. She said that ENNA would like to have resolutions and condition lists before a public hearing.

Mr. Kantor noted that he had read the minutes of the previous hearing and he wanted to review the change of service levels again.

Mr. Peck noted that there was a lot of traffic but they had no intention of narrowing the right of way especially on Route 136. He then addressed the daycare situation and noted that it was not a drop-off daycare for the public, but rather, for those working in the building. This would not require additional parking spaces since parents would be there. He discussed his meetings with ENNA.

Mr. Vertucci addressed some comments from TMP. Except for some comments about the loading docks, they had no problems with them. He also discussed the level of service in this area. If there were issues, they could make timing modifications. There was a discussion about doing new traffic counts in the future.

There was a discussion about the 2 additional parking lots that are included in the application.

The Planning Commission and DEEP referrals were read into the record. Mr. Schulman closed the hearing.

#### **IV. REVIEW AND ACTION ON PENDING APPLICATIONS**

##### **a. Action on item III. a.**

Mr. Roina said he had concerns about the parking situation. He suggested approving a certain amount of square footage and having an amount of parking spaces for that square footage. He also had concerns about how parking would affect the neighbors.

Mr. Kantor wanted to see the project happen but had a lot of concerns about the traffic and parking in the area.

The commissioners did have concerns about the traffic and parking and considered Mr. Roina's suggestion. It was noted that it was difficult to know about parking since the developer had no tenants at the moment. It did not seem that it would be a detriment to reduce the square footage to see how the parking situation worked out. There was a discussion about voting on the resolution at the next Zoning Commission meeting in December. There was a further review of the text amendment language. There was also a question about Norwalk Community College but it was noted that it is regulated by the state.

Mr. Kleppin asked that the commissioners not vote on this resolution at this meeting so that the staff could re-draft it, especially after these discussions. They could vote on it at their next meeting. There was also a discussion about the text amendment changing the zoning in different areas. There was a discussion about adding items to the special meeting agenda in December. Mr. Kleppin said it would be fine. The combined Planning and Zoning Commission would not happen until January 11, 2022.

There was another discussion about the easement that was on the property and how many spaces they could lose if it was revoked. The item would be left open until the next meeting.

## **V. DISCUSSION OF OTHER ITEMS**

### **a. Fee Schedule**

Ms. Wells returned to the meeting. Mr Kleppin noted that the zoning fees had not been changed in 4 years so the Zoning Department would like to have revised fees to share at the next meeting. They would also do a comparison to surrounding towns.

### **b. 2022 Planning & Zoning Commission schedule**

Mr. Schulman said that he had checked the schedule for the holidays.

**\* MR. WITHERSPOON MOVED: to approve the 2022 Planning & Zoning Commission schedule, with one change of September 1, 2022 to September 8, 2022.**

**Mr. Roina seconded.**

**Louis Schulman; Michael Witherspoon; Richard Roina; Galen Wells; Nick Kantor; Marcela Sapone approved.**

**No one opposed.**

**No one abstained.**

**c. Discussion of Planning Commission roles and functions**

Mr. Schulman said that the Zoning Commission would end in early January. A new combined P&Z would be set up then. If any of the commissioners would like to serve on the commission they should let the Mayor know. Members would have to be approved by the Common Council in December.

Mr. Kleppin explained how the Planning Commission operated since the Zoning Commissioners could be on the combined commission. He showed them a paragraph from the city code to help explain the Planning Commission's function. He discussed 8-24 applications as well as other administrative actions. There was also a discussion of subdivisions which Mr. Kleppin noted that the Planning Commission would confirm that the application met the regulations. There was also a discussion about the Capital Budget process which would be an additional workload. He noted that the combined commission would occur as the budget season was in January and February. He did note that there would be a way to streamline the process. Departments would have to reference the POCD to make sure the requests are appropriate and meet the city's goals. He said there would probably be a separate sub-committee for the Capital Budget process. They would make recommendations to the combined Planning and Zoning Commission.

**VI. COMMENTS OF DIRECTOR**

Mr. Kleppin noted that the first meeting of the Industrial Waterfront Committee had been the previous day.

**VII. COMMENTS OF COMMISSIONERS**

Mr. Schulman said that the East Norwalk Neighborhood Association (ENNA) had asked that the East Norwalk Village plan not be voted on. He said that it had been worked on for months and that there had been public comment. He also noted that it would have to be done over because the Planning and Zoning Commissions were to be combined in 2022. He said it did not make sense to delay. Ms. Wells agreed that the public had input from the beginning, including ENNA. It was noted that they were implementing the recommendations of the POCD. Mr. Roina thought that there should be more clarity on the bonus/amenity points. The other commissioners felt they should complete the process.

**VIII. APPROVAL OF MINUTES: November 4, 2021**

**\*\* MR. ROINA MOVED to approve the November 4, 2021 meeting minutes.**

**Mr. Witherspoon seconded.**

**Mr. Roina seconded.**

**Louis Schulman; Michael Witherspoon; Richard Roina; Galen Wells; Nick Kantor; approved.**

**No one opposed.**

**Marcela Sapone abstained.**

**IX. ADJOURNMENT**

**Mr. Roina made a Motion to Adjourn.**

**Louis Schulman; Michael Witherspoon; Richard Roina; Galen Wells; Nick Kantor;**

**Marcela Sapone approved.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 8:22 p.m.

Respectfully submitted,

Diana Palmentiero