

CITY OF NORWALK
ZONING COMMISSION – SPECIAL MEETING
October 21, 2020

PRESENT: Louis Schulman, Chair; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor

STAFF: Steve Kleppin; Alexis Cherichetti; Bryan Baker; Tammy Maldonado; John Hayducky; Michelle Andrzejewski; Krystina Hernandez; Amelia Williams

OTHERS: Sharon Conners

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 6:02 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

II. ROLL CALL

Mr. Kleppin called the roll.

III. EXECUTIVE SESSION

a. Discussion of responses to Request for Proposals for the zoning regulations rewrite

**** MR. ROINA MOVED for the Zoning Commission to go into Executive Session.**
Ms. Wells seconded.
Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.
No one opposed.
No one abstained.

IV. RETURN FROM EXECUTIVE SESSION.

**** MR. JOHNSON MOVED for the Zoning Commission to close the Executive Session.**
Ms. Wells seconded.
Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.
No one opposed.
No one abstained.

V. ADJOURNMENT

Mr. Goldstein made a Motion to Adjourn.

Mr. Johnston seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina;

Nicholas Kantor approved.

No one opposed.

No one abstained.

The meeting was adjourned at 6:35 pm.

Respectfully submitted,

Diana Palmentiero

**CITY OF NORWALK
ZONING COMMISSION
October 21, 2020**

PRESENT: Louis Schulman, Chair; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor

STAFF: Steve Kleppin; Bryan Baker; Michelle Andrzejewski

OTHERS: Craig Flaherty; Bill Andriopoulos; Elena _____; Paxton Kinol; Atty Liz Suchy; Kevin McCutchan; Kate Throckmorton; Neil Olinski; Thomas Maistros; Adam Bovilsky; Diane Lauricella; Derya Lantowski; Greg Helms; John Kuran; Atty Adam Blank; Joe Cugno; Jim Kousidis; Lyle Fishell;

I. CALL TO ORDER

Mr. Schulman called the meeting to order at 7:04 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately. He also explained the rules for the public hearings.

II. ROLL CALL

Mr. Kleppin called the roll.

III. PUBLIC HEARINGS

a. #2-20M – Route 7 and Maple LLC – 24 Berkeley Street – Proposed change to the zoning map from AAA Residence to Central Business District and D Residential and b. #3-20R – Route 7 and Maple LLC – 24 Berkeley Street – Proposed amendments to revise the Central Business District schedule for maximum height on Maple St

Mr. Schulman opened the public hearing and said they would handle these two items together.

Craig Flaherty began the presentation by introducing the project team. He then noted that the certificates of mailing had been sent to the Zoning Department evidencing notice of the public hearing to the abutting neighbors. He also said that the Planning Commission had approved these applications and that the city's peer review had approved of them. He then oriented the commissioners as to the location of the property on an aerial map. He also gave a brief history of the property, including the current zoning of it. He discussed the heights and restrictions. He noted that the project was consistent with the Plan of Conservation and Development (POCD). He then discussed the site plan application which included townhomes. He showed them the landscape plan as well. There was a discussion about turning radiuses as well as parking spaces. The CEAC process has been thorough.

Mr. Andriopoulos continued the presentation regarding the parking spaces and the turning radiuses. He noted that owners may have to put out signs that say "Do Not Block Driveway" in order to avoid problems. He said that since the townhouses were 3 bedrooms there would be more people in the area.

Elena _____, said she lived in the property behind this land where the project would be constructed. She had not been aware of the project until she received the notice. She had a concern about how close this project would be to her property. Paxton Kinol noted that there had been an illegal addition on her property which encroached onto part of his property but that they would allow the house to remain so it would not have to be torn down.

Mr. Flaherty noted that this would be a great addition to the street and the applicant looked forward to the vote.

Mr. Schulman closed the public hearing.

c. #8-20SP – Norwalk Housing Authority (Colonial Village) – 0 Suncrest Rd & 164 W. Cedar St - New multifamily development with 69 dwelling units in 18 new buildings (200 units in 19 existing buildings to remain; 269 units total)

Mr. Schulman opened the public hearing.

Atty Suchy began by thanking Dori Wilson for her long service to the city as a staff member of the Zoning Department. Ms. Wilson had recently retired. She also noted that the certified, return receipt cards had been returned to the Zoning Department, evidencing notice of the public hearing. She also introduced the project team. She then oriented the commissioners as to the location of the property on an aerial map. She discussed the current property as well as the proposed development. She noted the amount of units as well as the number of parking spaces. There are no zone changes or variances. Although there are wetlands, there would not be any construction there. They are awaiting approvals from several city agencies.

Kevin McCutchan, the civil engineer on the project, continued the presentation with the proposed stormwater management.

Kate Throckmorton, the landscape architect on the project, continued the presentation with a description of the landscape and lighting plan. There was also a discussion about the recreational uses on the property. There was also a discussion about the types of plantings on the site.

Neil Olinski, the traffic engineer on the project, continued the presentation by discussing how they prepared the traffic study. He discussed the traffic peak times. There was a discussion of the on street parking spaces. They have submitted an application to the state's Department of Traffic.

Thomas Maistros, the architect on the project, continued the presentation by showing them images of what the proposed complex would look like. He described the materials that would be used. He then discussed the number of units in the different buildings. He also discussed the community center which included classrooms.

Adam Bovilsky, of the Norwalk Housing Authority, continued the presentation by discussing some of the recreational spaces which would include a tennis court and basketball court. He discussed the financing on the existing portion of Colonial Village as well as the renovations of all the units. Construction would begin November 16 which should take 2 years to complete. He also addressed safety issues including the installation of cameras on buildings. He also discussed their wait lists, some from 2014 which no one can even get on at this time. He said that many people cannot afford to live in Norwalk, even though they work in the city. There was a discussion about a playground on the property. There was also a discussion about the levels of affordability at this project.

Mr. Kleppin had additional questions about the maintenance of permeable pavers. He also discussed having solar panels and their feasibility. Mr. Bovilsky said that it was something they were looking into doing. He also discussed updating the traffic counts since it was done in April which was during the quarantine.

Diane Lauricella spoke in favor of the application and what the good points of the site were. She asked them to remove a building or two for more green space.

Derya Lantowski, 44 Cedar Crest Lane, said he would have liked more information on the traffic data as well as an update on the traffic counts because of children back in school.

Greg Helms, managing director of 150-160 West Cedar Street, spoke about the increase of the units which could increase crime in the area. There are concerns about the loitering, alcohol and marijuana use. There seems to be a lack of management of these problems now and do not want it to be exacerbated with more units. They would like a better fencing system as well as more security measures.

John Kuran, 49 Cedar Crest Place, said that he agreed with Mr. Helms. He explained what other towns are doing to increase their open space. He was concerned about the kids that would be living in the complex. He was also concerned that it was a highly dense area. It was the right thing to do and vote against this project.

Atty Suchy reminded the commissioners that the application met all of the requirements and could not remove any buildings. It is being built as of right and the law permitted the applicant to build it under current regulations.

Mr. Bovilsky addressed the concerns about crime and they are working with the police. He noted that these are not Colonial Village tenants. He explained the advantages of this type of development. There would be office management on site which had not been there previously. He also noted that other towns were under the state limits of affordability. He explained how the market rate units worked in other projects that the Norwalk Housing Authority. He also discussed the amount of tax they paid to the city.

Mr. Olinksi then discussed the comments from members of the public about the traffic study.

There was a discussion about the traffic counts. This item would be on the November 5 Zoning Commission agenda.

Atty Suchy summarized the presentation and noted that they would not be voting on the application that evening since they were still waiting for an approval from the Conservation Commission. There would not be an impact on the neighborhood.

IV. REVIEW AND ACTION ON PENDING APPLICATIONS

a. Action on Items III a., b. and c.

i. #2-20M – Route 7 and Maple LLC – 24 Berkeley Street – Proposed change to the zoning map from AAA Residence to Central Business District and D Residential

At this point, there was a discussion about who could vote on this matter. The commissioners then discussed the application before they voted on it.

**** MS. WELLS MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that the proposed amendments to the Building Zone Map, #2-20M – Route 7 and Maple LLC - 24 Berkeley Street - Proposed change to the zoning map from AAA Residence to Central Business District and D Residential, be **APPROVED**.

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

1. “Support housing policies that promote higher-density housing near existing and future employment centers and availability of public transportation,” (Chapter 4: Housing Choice & Healthy Lifestyles); and

2. “Promote diverse housing types, such as townhouses, condos, live-work units, and rental apartments in Norwalk’s urban core, at transit-oriented locations and in mixed-use clusters on major corridors, in village districts when appropriate, and through redevelopment,” (Chapter 4: Housing Choice & Healthy Lifestyles).

BE IT FURTHER RESOLVED that the Norwalk Planning Commission determined that the proposed map amendment is consistent with the Plan of Conservation and Development.

BE IT FURTHER RESOLVED that the effective date of this approval shall be Friday, October 30th, 2020.

Mr. Goldstein seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

ii. #3-20R – Route 7 and Maple LLC – 24 Berkeley Street – Proposed amendments to revise the Central Business District schedule for maximum height on Maple St

Mr. Schulman asked if any commissioners had any comments on this application but there were none. He thought it was a reasonable request that the applicant had made.

**** MR. JOHNSON MOVED: BE IT FURTHER RESOLVED** that the reason for this action is to implement the following Plan of Conservation and Development goals:

1. "Support housing policies that promote higher-density housing near existing and future employment centers and availability of public transportation," (Chapter 4: Housing Choice & Healthy Lifestyles); and

2. "Promote diverse housing types, such as townhouses, condos, live-work units, and rental apartments in Norwalk's urban core, at transit-oriented locations and in mixed-use clusters on major corridors, in village districts when appropriate, and through redevelopment," (Chapter 4: Housing Choice & Healthy Lifestyles); and

BE IT FURTHER RESOLVED that the effective date of this approval shall be Friday, October 30th, 2020.

Ms. Wells seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

iii. **#8-20SP – Norwalk Housing Authority (Colonial Village) – 0 Suncrest Rd & 164 W. Cedar St - New multifamily development with 69 dwelling units in 18 new buildings (200 units in 19 existing buildings to remain; 269 units total)**

**** MR. GOLDSTEIN MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that action on #8-20SP – Norwalk Housing Authority (Colonial Village) – 0 Suncrest Rd & 164 W. Cedar St - New multifamily development with 69 dwelling units in 18 new buildings (200 units in 19 existing buildings to remain; 269 units total) would be deferred until such time as the applicant had received the necessary approval from the Conservation Commission.

Ms. Wells seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

b. **#4-20SPR – Route 7 and Maple LLC – 24 Berkeley Street – Construction of five-unit, four story townhouse building – Report & recommended action**

Mr. Schulman said this application had not required a public hearing. Mr. Johnson thought it was a good project and would look nice in the neighborhood.

**** MR. ROINA MOVED: BE IT RESOLVED** that #4-20SPR – Route 7 and Maple LLC - 24 Berkeley Street - Construction of five-unit, four story townhouse building as shown on architectural drawings entitled "Berkeley Townhouses" by Phase Zero Design dated 10/14/20, on the engineering site plan entitled "Grading & Utility Plan Depicting 24 Berkeley Street" by Redniss & Mead dated 7/16/20 and revised to 10/21/20, on the zoning location survey entitled

“Zoning Location Survey Depicting Proposed Improvements, 24 Berkeley Street,” by Redniss & Mead dated 7/16/20 and revised to 10/21/20 and on the landscaping plan entitled “Landscape Plan” by Environmental Land Solutions, LLC dated 7/10/20 and revised to 10/13/20 be **APPROVED** subject to the following conditions:

1. That all CEAC sign-offs are submitted prior to the issuance of a zoning permit; and
2. That the required backup space for vehicle maneuvering must comply with the Building Zone Regulations prior to issuance of a zoning permit; and
3. That there shall be no modifications to the building design or site plan without approval from the Planning & Zoning Department, which may also require approval by the Commission; and
4. That a surety be submitted, in an amount to be determined by Staff, to guarantee the installation of the required erosion and sediment controls prior to the issuance of a zoning permit; and
5. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work and that additional controls be installed at the direction of the Commission’s Staff, as needed; and
6. That the stormwater maintenance plan be implemented to ensure the maintenance of onsite drainage system; and
7. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks
8. That a Connecticut licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards prior to issuance of a Certificate of Zoning Compliance; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be Friday, October 30th, 2020

Mr. Johnson seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

c. #3-14SP/#11-14CAM – Maritime Village I, LLC – 19 Day St – Mixed use development with 57 dwelling units and 9,790 sf manufacturing (distillery) – Request for release of surety - Report & recommended action

Mr. Kleppin said this would be on the next Zoning Commission agenda when they submitted all of their documentation.

d. #3-17SPR/#15-17CAM-6 Butler Properties, LLC - 6 Butler St - Demolish existing historic building at 6 Butler St; dismantle the historic building at 3 Quincy St (in

lieu of relocation) and build new building with portions of original building for use as 1,395 sf restaurant & 3,840 sf office - Request for extension of approval time - Report & recommended action

Mr. Kleppin said the applicant was requesting an extension of time. Atty Kaufman explained why the applicant would need an extension. She explained that the application had been purchased by Toll Brothers and why they needed the extension.

**** MR. ROINA MOVED: BE IT RESOLVED** that #3-17SPR/#15-17CAM-6 Butler Properties, LLC - 6 Butler St - Demolish existing historic building at 6 Butler St; dismantle the historic building at 3 Quincy St (in lieu of relocation) and build new building with portions of original building for use as 1,395 sf restaurant & 3,840 sf office - request for extension of approval time be **APPROVED**.

Ms. Wells seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

V. REVIEW AND ACTION ON NEW APPLICATIONS

a. #7-20SP - G & T Norwalk LLC – 93 Winfield Street - Special permit for new 2/12 story multifamily development with 14 dwelling units (to replace former Bank of America building) - Preliminary review

Atty Blank began the presentation by introducing the project team. He then gave a description of the application by orienting the commissioners as to the location of the property on an aerial map. The applicant would like to construct a multifamily development. The developer reduced the units number based upon comments from staff and neighbors. He then described the units and number of bedrooms which will include parking underneath the buildings. There were concerns about light flowing from the site into neighbors' homes. He noted that there would not be more traffic than the prior bank use. He also discussed the storm water retention.

Joe Cugno, the civil engineer on the project, began with some changes that they had made based on comments from staff and neighbors. He described the materials to be used. He showed them the elevations of the building. There was a discussion about the garage levels.

Jim Kousidis explained about the garage levels further. He noted that if they were dropped lower the garage could experience flooding. There was further discussion about the buildings' design as well.

They decided to schedule this application for the 2nd November Zoning Commission meeting.

b. #06-20CAM – High St, LLC – 41 High Street – Proposed five-unit addition to existing six-family building for a total of 11 residential units – Report & recommended action

Since Atty Lyle Fishell was having computer problems, they re-scheduled this application for the next Zoning Commission meeting. He asked to be put at the top of the agenda.

VI. INDUSTRIAL ZONES: Status report

Mr. Roina said there would be another meeting the following Tuesday.

VII. ZONING REGULATION UPDATE: Status report

Mr. Schulman noted that the Zoning Commission would meet on November 2, 2020 at 8:30 am to meet with the three firms to interview them.

VIII. APPROVAL OF MINUTES: October 1, 2020

**** MR. GOLDSTEIN MOVED to approve the October 1, 2020 Special meeting minutes.**

Ms. Wells seconded.

Louis Schulman; Josh Goldstein; Galen Wells; Nicholas Kantor approved.

No one opposed.

Rod Johnson and Richard Roina abstained.

IX. REPORT OF NOMINATING COMMITTEE: Election of officers

Ms. Wells reported that the slate the nominating committee would like to put forth was the following:

Louis Schulman - Chair

Michael Witherspoon - Vice Chair

Galen Wells - Secretary

She suggested for next year, if anyone was interested in a position to let the nominating committee know so that everyone can have an opportunity.

**** MR. JOHNSON MOVED to approve the slate of officers as stated by Ms. Wells.**

Mr. Goldstein seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

Mr. Schulman thanked everyone for the show of support for his continuance as Chair of the Zoning Commission.

X. COMMENTS OF DIRECTOR

He congratulated Bryan Baker for the promotion to Principal Planner.

XI. COMMENTS OF COMMISSIONERS

The commissioners discussed their letter to Mayor Rilling regarding how the Zoning Commission could help small businesses and restaurants to remain open by quickly approving applications which had first been approved by the city's agencies. It was unclear whether there were city and state guidelines for these businesses to consult in order to operate safely during the fall and winter months during the pandemic. They asked Mayor Rilling whether these guidelines existed and were easily accessible.

**** MR. SCHULMAN MOVED to approve the letter to Mayor Rilling, as drafted by Joshua Goldstein, so that it could be sent on Zoning Commission letterhead to the Mayor.**

Mr. Roina seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

XII. ADJOURNMENT

Mr. Goldstein made a Motion to Adjourn.

Mr. Roina seconded.

Louis Schulman; Rod Johnson; Josh Goldstein; Galen Wells; Richard Roina; Nicholas Kantor approved.

No one opposed.

No one abstained.

The meeting was adjourned at 10:40 p.m.

Respectfully submitted,

Diana Palmentiero