

**CITY OF NORWALK**  
**SPECIAL MEETING AGENDA - PLANNING COMMISSION & ZONING COMMISSION**  
**September 27, 2021**

**PRESENT:** Louis Schulman, Chair of the Zoning Commission; Richard Roina; Marcela Sapone (did not rejoin at 6:20 pm); Josh Goldstein; Galen Wells; Frank Mancini (after 6:20 pm); Nick Kantor; Michael Witherspoon; Fran DiMeglio, Chair of the Planning Commission; Brian Baxendale; Mary Peniston; Tammy Langalis; Mike Mushak; Steve Ferguson

**STAFF:** Steve Kleppin; Bryan Baker

**OTHERS:** Roberta DiBisceglie; Marie Kenney; Jim Papadocko (sp.); Lou Garcia; Sarah Hunter; Gene Tiernan; Scott Goodwin; Judy Harris; Mimi Chang; Patricia Prince; Diane Cece

**I. CALL TO ORDER**

Ms. DiMeglio called the meeting to order at 6:04 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately. However there was a problem with the link and a new Zoom link was sent to all commissioners and staff. The meeting was re-started at 6:20 pm but the following members of the commissions had not yet logged on again: Marcela Sapone and Frank Mancini.

**II. ROLL CALL**

Mr. Kleppin called the roll. Mr. Schulman discussed the rules for the public hearings. He noted that public comment would end at 9:30 pm. The public hearing would then be continued to another day and time. It would also be held open to provide written comments as well.

**III. PUBLIC HEARINGS**

**a. #2021-20 R/M – Zoning Commission – Building Zone Regulation Text Amendment and Zoning Map Change to create the East Norwalk Village TOD Zone (EVTZ)**

Ms. DiMeglio opened the public hearing. Mr. Kleppin began the slide show presentation for the public. He showed them a map of areas of the city that it was recommended in the East Norwalk study to concentrate development. He discussed proposed regulations for East Norwalk. He then noted that the city had received grant funds for Transit Oriented Development (TOD) development. He showed them the meetings that had been held which had begun in 2018. He discussed the vision and goals of the plan, as well as recommendations. He noted that the feel of East Norwalk is maritime and it is not the most

pedestrian friendly. There is also a lack of parking for commuters as well as for Norwalk residents that may want to shop there. There are issues with utilities but this will be changed as part of the Walk Bridge project. Many wires will now be underground.

Mr. Kleppin then showed a map with the proposed new East Norwalk Village district. He showed them a summary of the recommendations which included fit studies by the consultants. The Zoning Department staff had done their own studies as well. He showed them a summary slide of the East Norwalk Village TOD zone. He also discussed the added uses as well as the ones that would be removed. He discussed the point system as well as the amenities and design guidelines. He also explained the adoption process which included referrals to Norwalk agencies, neighboring towns and other state and regional agencies. He then explained the post approval and next steps. It was hoped that it would be completed by the end of 2021.

Mr. Baker invited the members of the public to comment, but Mr. Schulman asked that the commissioners ask any questions before the public spoke.

Mr. Roina asked for an elaboration of the point system which Mr. Kleppin did with a slide. He discussed different categories. He noted that the Planning Commission had asked that some points come from sustainability amenities.

Ms. Shockley raised questions about the taking of some small businesses, as well as single and 2 family homes. Mr. Kleppin said that there was no eminent domain because the city cannot do that. These properties would not be re-zoned until the businesses or homes were re-developed. There are different rules when the time comes.

Ms. Langalis had questions about 1st floor retail and why it was not being leased. Mr. Kleppin said that COVID was part of it. He also said that for the Waypointe property, it was not street facing. He noted that they were not mandating the design for that property so that it could potentially be leased in the future. Mr. Mushak also noted that the owner of Waypointe had explained, prior to the pandemic, why there had been problems renting the ground floor space. He had said that larger retail stores had formulas which depended on critical mass foot traffic before they would lease at certain properties.

Ms. Wells made comments about the internal courtyard at Waypointe which she thought was successful.

Mr. Goldstein had comments about the sustainability amenity in the regulations. He thought it should be defined which it was not. He thought that was important and a central focus of the plan. Mr. Kleppin said he would speak with Mr. Goldstein off-line to clarify. Mr. Goldstein also asked how traffic issues could be mitigated. Mr. Kleppin said he believed that the road and bridge projects in the area would help to alleviate these issues. He also thought that residents using public transportation could help. He also noted that traffic studies would be done through separate special permit applications.

Mr. Baker explained how the public should enter the meeting.

Roberta DiBisceglie, 2 Osborne Avenue, said she was speaking for herself and her husband and not as a part of the Board of ENNA. She also owns a business in Norwalk and is familiar with the area. She read from a written letter which she would submit as part of the file.

Marie Kenney, 3 Marvin Street, began with complimenting the commissioners for the work that they had done. However she was concerned about negative impacts on the residents of East Norwalk. She was concerned about the density and noted that there were other areas in the city that had height requirements. She was also concerned about large trucks coming through residential streets as well as having maritime concerns.

Jim Papadocko (sp.), 5 Cloverleaf Circle, said he was a longtime resident of Norwalk and noted that he agreed with previous speakers. He said he had attended several of the public forums for the East Norwalk TOD plan and did not think that any neighbors had requested additional density but it was in there. He also said that he had traffic concerns.

Lou Garcia, an architect, who has lived in East Norwalk for about 50 years, had concerns about traffic, specifically parking. He had worked on projects in the area and there had been problems with them. He did not want East Norwalk to become like Brooklyn when residents have issues trying to park.

Sarah Hunter, 17 Scofield Place, spoke on behalf of herself and not East Norwalk Neighborhood Association (ENNA). She agreed with everyone who had spoken before her. She then spoke about the amenities which she did not give anything to the residents. She believed that developers would make more money with more density. She asked that they go back to the drawing board.

Gene Tiernan, 5 Marvin Street, noted that he agreed with previous speakers. He thought that there were problems and that the plan did not fix them. He did not think the growth and density would help the problems.

Mr. Mushak asked Mr. Kleppin about the amount of apartments that Mr. Tiernan mentioned in his comments. Mr. Kleppin noted that the zoning regulations are what had already been adopted in the plan which had previously been studied and discussed.

Scott Goodwin had concerns about the amenities and the point system. He thought some of them should be mandatory. He said that there are some things in the plan that are good and thanked the commissioners for their work.

Judy Harris, 7 Pequot Drive, said that it would be nice to have a downtown area like New Canaan or Darien. She thought that East Norwalk had historical attributes

Mimi Chang, 37 Raymond Terrace, read comments into the record, which included concerns about traffic. She asked that there be a comprehensive traffic study and noted other issues had not been addressed. She noted that many residents liked the Cove Avenue area and wanted to see that same “vibe” near the train station and other parts of East Norwalk. However, she did not believe that would be the case and thought that developers were setting the tone, rather than the other way around.

Patricia Prince, 8 Fenwick Place, asked to see models of the proposed developments and also had a question about traffic.

Diane Cece said she would make a statement as a private citizen and then would submit a written statement from ENNA. She said she agreed with other speakers. She also discussed the points system, especially the one for the sustainability system. She did not think it would benefit the residents of East Norwalk. She also discussed the widening of streets in the traffic study which she did not believe were the correct data due to newer projects being put in place. She also asked about whether there would be tax assessments on current property owners, once the TOD is approved, based on highest and best use. She also noted that other village zones have a minimum height designation unlike the other zones in the city. She also had concerns about density.

Mr. Mushak added that Golden Hill Village is only on Cedar Street. It is over a half mile to the South Norwalk Train station. The Rowayton Village district starts at the park and is also over a half mile to the Rowayton train station.

Mr. Kleppin noted that under the Plan of Conservation and Development (POCD), Norwalk is a growing city. He explained about Cove Avenue and that currently there are no incentives to improve East Avenue. It would be better to have developers to improve the properties. He also explained why they had used a point system. He also explained that development would not happen all at once and that there were many small parcels of land.

Mr. Baxendale asked questions about the timing of the traffic studies in the East Norwalk area. Mr. Kleppin noted that there are peer reviews of traffic studies as new projects are being worked on.

Mr. Roina said that he would ask for statements from the Water Pollution Control Authority about whether they had concerns about the water capacity in this area. Mr. Kleppin then showed a slide which addressed this concern. He explained that new developments have new infrastructure which includes water reduction improvements. Mr. Mushak said that water consumption does go up in the spring however, in areas with single family homes because they water their lawns. Residents of apartment buildings use less water because there is significantly less green space.

Ms. Shockley noted that developers would negotiate with real estate owners of properties, rather than business owners who leased them. She also believed that this application was not anything that residents could change. She was concerned that East Norwalk was a place where small businesses thrived but would no longer continue to do so. Mr. Kleppin explained that part of the regulations required the developers to have ground floor commercial so that small businesses could be relocated into those spaces. There was some comparison of East Norwalk to South Norwalk, with regards to these regulations.

Ms. DiMeglio asked about a letter from Mike DiScala but Mr. Kleppin said that the commissioners had received it. It was made a part of the file. There was a discussion about when written comments would be due on October 8.

Ms. DiMeglio noted that she grew up and still lived in East Norwalk. She talked about businesses that she remembered. She also commented on the traffic that is everywhere. She noted that every area of Norwalk has its own uniqueness and charm. She wanted it to add to the charm and improve it.

Nick Kantor asked about the current height requirement.

Ms. Shockley addressed a comment to Chairperson Schulman that her statements should not be taken with disdain. Mr. Schulman apologized if there had been any misunderstanding or disrespect. She asked that the views of people of color should be listened to. She also thought the commission should reflect the population of the city.

Mary Peniston asked for clarification as to what they would be deciding upon and what they would have influence upon. Mr. Kleppin said there would be no vote at this meeting. He said that the Zoning Commission would vote on zoning regulations and design guidelines. The Planning Commission would make a decision as to whether the regulations would comply with the POCD.

Ms. Peniston then had a question about whether there would be a more formal traffic study. Mr. Kleppin said that there had not been a comprehensive traffic study in quite some time but that every new application in this area would have to submit a new traffic study. Mr. Baxendale commented about the potential redesign of the traffic flow around the cemetery area. Mr. Mushak noted that the area around the cemetery was like a speedway. There was also a discussion about resident permit parking which Mr. Kleppin noted that would not be a part of the Zoning regulations. Ms. Shockley asked why there was no multi-level parking to alleviate the parking issues. Mr. Kleppin said that it was part of the amenity system.

There was a discussion about next steps. It would be on the Zoning Commission agenda at the meeting after its next meeting.

#### **IV. DISCUSSION**

##### **a. Accessory Apartment regulations because of Public Act #21-29**

Mr. Schulman noted that this item is not a public hearing. Mr. Baker explained that the state had passed new legislation which would affect accessory apartments and parking. He also explained what the Act was. It defined accessory apartments and explained what would be impacted. He also noted the changes to parking spaces. He explained where Norwalk complied with these new regulations and where the regulations need to be revised. Mr. Baker compared the state's parking requirements to the City's. He also explained next steps. There were some deadlines that he discussed.

There was a discussion about the opt out for these regulations. Mr. Baker noted that if the city locks into the language, no other changes can be made to the language.

There was a discussion about the language about sewer systems, and not connecting to the grid. There was a discussion about setbacks and parking spots. It was noted that other towns allowed parking in the front setback or circular driveways, which was more dangerous. There was a further discussion about the septic system and whether it needed to be increased. Most commissioners believed that the city should opt-out but that there were certain requirements that must be met. Ms. DiMeglio noted that if the city does opt-out, it must have a plan.

#### **V. ADJOURNMENT**

**Ms. DiMeglio made a Motion to Adjourn.**

**Mr. Roina seconded.**

**Louis Schulman; Richard Roina; Josh Goldstein; Galen Wells; Frank Mancini; Nick Kantor; Michael Witherspoon; Fran DiMeglio; Brian Baxendale; Mary Peniston; Tammy Langalis; Mike Mushak; Steve Ferguson approved.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Diana Palmentiero