

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
June 4, 2025

PRESENT: Galen Wells, Chair; Diana Lenkowsky; Louis Schulman; Richard Roina; Tammy Langalis; Chapin Bryce; Ana Tabachneck; Nick Kantor; Darius Williams (arrived at 6:06 pm)

STAFF: Steven Kleppin; Bryan Baker; Amelia Williams

OTHERS: Atty Adam Blank; Atty Emma Dignoti; Edward Gormbley; Andy Soumelidis; Mark Hopper; Brian Dempsey; Keith Wilberg; Wilbur Giron; Bradford Siff; Greg Biancardi; Keith Boczer; John Ruhnke; Kim Ruhnke; Peter Faust; Dori Harris; Emily Ruhnke; Mark Roach; Mark Vincent; Curt Lowenstein; Maria Genovese; Tim Rath

I. CALL TO ORDER

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

II. ROLL CALL

Mr. Kleppin called the roll. Ms. Wells changed the order of the agenda at this point. None of the commissioners objected to the changes.

III. PUBLIC HEARINGS

A. #2025-33 SP – 204 Flax Hill LLC c/o Edward Gormbley – 204 Flax Hill Road (District 2, Block 48, Lot 44) – Special permit for a historic preservation development to renovate existing historic building, demolish a separate non-historic building, and construct a new 21-unit multifamily building for a total of 53-units on-site (36-units existing), and other site improvements - Public hearing, report & recommended action

Mr. Bryce opened the public hearing. Atty Adam Blank introduced his colleague Atty Emma Dignoti who began the presentation by explaining the purpose of the public hearing which was for a special permit modification. She gave a brief description of the property by showing them an aerial photo. She noted that the structure on the property, The Mansion, was listed on the local historic registry. Notices had been sent to abutting neighbors and certificates of mailing had been provided to the Planning & Zoning

Department staff. She also discussed the prior special permit for the property but that the work had not started. The applicant had revised their plans based upon the updated zoning regulations. She described the upgrades that were being proposed, as well as showed them the new renderings. The parking currently in front of the Mansion House would be removed. She then introduced the project team.

She described the business of Workforce Partners which was to rehabilitate properties in Norwalk and lease them to Norwalk residents at modest rents. It owned numerous multi-family properties in Norwalk. She then discussed the proposed improvements on this property which would increase the number of rental units as well as the number of workforce housing units. The applicant was requesting a change in density from what is normally allowed in this zone.

Atty Dignoti gave a brief history of The Mansion and then discussed the renovations specific to it. She described the changes to the other buildings, some of which would remain unchanged. She then described the landscaping of the property, as well as the findings of the revised traffic study that the increased number of units would not impact traffic. She also discussed the number of parking spots which was the required number without a reduction from historic preservation. She discussed the signoffs from various departments as well as which departments had comments. TMP had comments that the applicant had issues with, including those about parking, curb cuts and the drive aisle.

There was a discussion about a discount to local heroes which included teachers, fire etc. which Edward Gormbley said was typically \$25-50 a month. There was a discussion about the applicant having a website so that people can apply for housing.

Andy Soumelidis, the engineer on the project, continued the presentation by showing the commissioners the current site plan as well as the current conditions. He addressed the comments from Traffic, Mobility and Parking (TMP) and Department of Public Works (DPW), including the driveway. He also described the shrubs in front of the historic structure. They would work with a landscape architect for this as well.

Mark Hopper, the architect on the project, continued the presentation by showing the commissioners the renderings of the project. The project had gone through historic review and approval. He also showed them the elevations. He also discussed the existing layout and the proposed layout. He said that the improvements were the same as the previous approval. He discussed the materials that would be used on the existing building and the other buildings. He then discussed the plans for the other buildings which were similar to the previous plans. He also discussed the lower and

upper floor plans. He also discussed the parking spaces. The exterior building and roof have been modified from the previous submission.

There was a discussion about the workforce unit. He also discussed the building materials. There was also a discussion about the building that was being demolished and why it wasn't preserved. Mr. Hopper said that it was not in good shape and there were structural difficulties.

Brian Dempsey, the traffic engineer on the project, continued the presentation. He noted that there are additional units from the previous submission which added vehicle trips to the study.

Atty Dignoti summarized the presentation by reminding them that the applicant was requesting a change in connection with density. She noted that the application met all zoning requirements, including the POCD and the special permit criteria and requested that the commission grant the special permit modification.

Ms. Wells opened the hearing for public comments.

Keith Wilberg, 208 Flax Hill Road, said that he works as the town engineer for DPW in Westport. He said he was in favor of the project and appreciated that the issue about the drainage had been addressed. He had comments about the new driveway, as well as revising the easement in the rear.

There were no other speakers who spoke for or against the application. Atty Dignot said that they did not have any rebuttal.

Ms. Langalis asked about the tenants who are living in the current building that will be demolished. Mr. Gormley said it was vacant. Ms. Wells closed the public hearing.

**** MR. SCHULMAN MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-33 SP – 204 Flax Hill LLC c/o Edward Gormbley – 204 Flax Hill Road (District 2, Block 48, Lot 44) – Special permit for a historic preservation development to renovate existing historic building, demolish a separate non-historic building, and construct a new 21-unit multifamily building for a total of 53-units on-site (36-units existing), and other site improvements be **APPROVED** subject to the following conditions:

1. That the site shall be developed in accordance with the following plans:

- a. Per the Site Plans entitled "Site Improvements for a Proposed Multi-Family Residential Building," prepared by LandTech, dated 9/24/2024; and
 - b. Per Architectural Plans entitled "204 Flax Hill Road," prepared by Crosskey Architects, dated March 21, 2025 and revised to May 21, 2025; and
2. That the site plans and architectural drawings shall be modified as follows:
 - a. That a landscaping streetscreen shall be provided to screen the parking as much as possible; and
 - b. That the driveway shall be aligned with Taylor Avenue as shown on the site plans presented on June 4, 2025, by LandTech; and
 3. That a certificate of special permit and mylar map of the approved site (as revised by any conditions of approval) shall be filed on the Norwalk Land Records prior to the issuance of a zoning permit; 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 erosion and sediment controls shall be installed and maintained prior to the start of any construction or site work and that additional controls shall be installed at the direction of the Commission's Staff (Staff), if necessary; and
 6. That a final Workforce Housing Plan showing a total of one new workforce housing unit(s), and a total of five workforce housing units on-site, shall be submitted for Staff review and approval and shall include deed restriction documents, architectural floor plans, and a list of the number of studio, one-bedroom, two-bedroom and three-bedroom workforce housing units, prior to the issuance of a Certificate of Zoning Compliance; and
 - a. Further provided that such workforce housing units shall be deed restricted in perpetuity and meet all requirements of Section 6.12 of the Norwalk Zoning Regulations; and
 - b. That the Workforce Housing Plan shall be filed on the Norwalk Land Records; and
 7. That all mechanical equipment shall be adequately screened from the Front Lot or Building Site Line and from adjacent and abutting property(s); and

8. That a Connecticut licensed engineer shall certify that all of the required improvements were installed to all applicable City standards prior to the issuance of a Certificate of Zoning Compliance; and

9. That a surety shall be submitted, in an amount to be determined by Staff, to guarantee the completion and maintenance of the site plan and all modifications to the plan as well as all work required as a condition of approval under this special permit prior to the issuance of a Certificate of Zoning Compliance; and

10. That all conditions as required by the Norwalk Water Pollution Control Authority (WPCA) shall be applicable to this approval; and

11. That all conditions as required by the Norwalk Department of Public Works (DPW) shall be applicable to this approval; and

12. That all conditions as required by the Norwalk Department of Transportation, Mobility, and Parking (TMP) shall be applicable to this approval; and

13. That all conditions as required by the Norwalk Fire Marshal shall be applicable to this approval; and

14. That any revisions to the approved plans shall be submitted to Staff for review and approval prior to implementation, and that should any revisions be determined to be substantive by Staff, shall be submitted to the Commission for review and approval prior to implementation; and

BE IT FURTHER RESOLVED that this application complies with all applicable sections of the Norwalk Zoning Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is June 13, 2025.

Mr.

Roina

seconded.

At this point, the commissioners reviewed the resolution. Mr. Baker said that he had made some updates to the resolution during the applicant's presentation. There was a discussion about the workforce housing units and inclusionary zoning fees. Mr. Baker said that everyone should be seated for the remainder of the meeting.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Tammy Langalis; Chapin Bryce; Ana Tabachneck; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

B. #2025-34 SP – Norwalk Housing Ventures II LLC c/o Edward Gormbley – 1 Elmcrest Terrace (District 1, Block 30, Lot 10) – Special permit for a historic preservation development to renovate an existing historic structure and construct a new 13-unit multifamily building - Public hearing, report & recommended action

Ms. Wells opened the public hearing.

Atty Blank began the presentation by orienting the commissioners as to the location of the property. He showed them the historic structure as well as the other structures on the property. He then introduced the project team. He said that the applicant had an approval but that they were making modifications to it.

There would have been 30 units but they were now asking for 10 more units, including an additional workforce housing unit. He discussed the modifications under the historic preservation regulation which was an increase in density. He also discussed the comments that they had received from various departments. There was also an Architectural Review from Redevelopment whose comments would become part of the commission's resolution. He said that there were comments from WPCA, TMP and DPW. There were concerns about the number of parking spots. He noted that the applicant had agreed to stripe one crosswalk. There was a comment about one of the driveway, as well as a landscaping island. Atty Blank said that this could be a problem for large delivery and emergency vehicles. There was a structure on the property that TMP should be preserved as historic but Atty Blank said that this was not their purview, nor was the structure on any local or national registry.

At this point, Atty Blank showed them pictures of the current home as well as a retaining wall that extends around the site. They would clean it up and add some junipers to it. They could not take it down. He also discussed rental limits for the number of bedroom units in an apartment. He showed them the rents for typical units in Norwalk. Mr. Gormbley explained how they were able to construct affordable housing units. He said that they refurbish existing units since it is less expensive than building new ones to keep them affordable.

There was a discussion about the retaining wall and how to make it look nicer. Mr. Gormbley said that since it is a big wall it would be expensive to take down. They have worked with their landscape architect to beautify it. He said there was another idea to paint a mural but that would deteriorate. There was also a discussion about the other two buildings on the property and how many units were in them.

Atty Blank showed them a picture of the house as the existing conditions as well as a rendering of the proposed structure. He gave a brief history of the property as well as discussing the decommissioning of the basement unit. They were not going to preserve the buildings in the back, only the Victorian house. New parking and drive aisles would be added and some of the property would be landscaped. He said that the drainage improvements and traffic would be discussed later.

Andy Soumelidis, the engineer on the project, continued the presentation by discussing the current conditions on the site. He then discussed the building they are proposing as well as the parking spaces. He also discussed the landscaping plan. There was a discussion about the types of trees that should be planted at the front of the property.

Mark Hopper, the architect on the project, continued the presentation by showing them the rendering of the building. He showed them the floor plans for the new building, as well as the parking. He showed them the exterior elevations. He also discussed the building materials and the lighting plan. There was a discussion about lowering the light fixtures and whether it would reflect into some of the rental units.

Brian Dempsey, the traffic engineer on the project, discussed the traffic generation study that he had prepared. He said that there would not be a significant amount of traffic.

Atty Blank said that they were asking for a couple of modifications. There would be fire suppression in the units which would preserve the units.

Ms. Wells opened the hearing for public comments. There were no comments from the public either for or against the application. She closed the public hearing.

At this point, Ms. Tabachneck made a motion which Mr. Bryce seconded. However, the commissioners made modifications to the resolution. Ms. Wells said that she is not in favor of the juniper over the retaining wall. She made a suggestion for a facing on the wall. Mr. Chapin and Mr. Williams agreed. There was a discussion about having the applicant work with the staff for a solution. There was a review of other conditions.

**** MS. TABACHNECK MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-34 SP – Norwalk Housing Ventures II LLC c/o Edward Gormbley – 1 Elmcrest Terrace (District 1, Block 30, Lot 10) – Special permit for a historic preservation development to renovate an

existing historic structure and construct a new 13-unit multifamily building be **APPROVED**, as amended, subject to the following conditions:

1. That the site shall be developed in accordance with the following plans:

- a. Per the Site Plans entitled "Site Improvements for a Proposed Multi-Family Residential Building," prepared by LandTech, dated 11/26/2024; and
- b. Per Architectural Plans entitled "1 Elmcrest Terrace (50 Connecticut Avenue)," prepared by Crosskey Architects, dated 3/21/25 and revised to 5/9/25; and

2. That the site plans shall be modified as follows:

- a. That a plan detailing proposed improvements to the concrete wall along the frontage of the property, including but not limited to the exploration of a stone or brick veneer installed along the wall in addition to the junipers/plantings, be submitted to Staff for review and approval prior to the issuance of a certificate of zoning compliance; and
- b. That a landscaping plan be submitted to Staff that includes street trees, as feasible, along the frontage of the property for review and approval prior to the issuance of a zoning permit; and

3. That a certificate of special permit and mylar map of the approved site (as revised by any conditions of approval) shall be filed on the Norwalk Land Records prior to the issuance of a zoning permit; 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 erosion and sediment controls shall be installed and maintained prior to the start of any construction or site work and that additional controls shall be installed at the direction of the Commission's Staff (Staff), if necessary; and

6. That a final Workforce Housing Plan showing a total of one (1) workforce housing unit(s) shall be submitted for Staff review and approval and shall include deed restriction documents, architectural floor plans, and a list of the number of studio, one-bedroom, two-bedroom and three-bedroom workforce housing units, prior to the issuance of a Certificate of Zoning Compliance; and

a. Further provided that such workforce housing units shall be deed restricted in perpetuity and meet all requirements of Section 6.12 of the Norwalk Zoning Regulations; and

- b. That the Workforce Housing Plan shall be filed on the Norwalk Land Records; and
7. That all mechanical equipment shall be adequately screened from the Front Lot or Building Site Line and from adjacent and abutting property(s); and
8. That a Connecticut licensed engineer shall certify that all of the required improvements were installed to all applicable City standards prior to the issuance of a Certificate of Zoning Compliance; and
9. That a surety shall be submitted, in an amount to be determined by Staff, to guarantee the completion and maintenance of the site plan and all modifications to the plan as well as all work required as a condition of approval under this special permit prior to the issuance of a Certificate of Zoning Compliance; and
10. That all conditions as required by the Norwalk Water Pollution Control Authority (WPCA) shall be applicable to this approval; and
11. That all conditions as required by the Norwalk Department of Public Works (DPW) shall be applicable to this approval; and
12. That all conditions as required by the Norwalk Department of Transportation, Mobility, and Parking (TMP) shall be applicable to this approval; and
13. That all conditions as required by the Norwalk Fire Marshal shall be applicable to this approval; and
14. That any revisions to the approved plans shall be submitted to Staff for review and approval prior to implementation, and that should any revisions be determined to be substantive by Staff, shall be submitted to the Commission for review and approval prior to implementation; and

BE IT FURTHER RESOLVED that this application complies with all applicable sections of the Norwalk Zoning Regulations; and

BE IT FURTHER RESOLVED that the effective date of this action is June 13, 2025.

Mr. Bryce seconded.
Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Tammy Langalis; Chapin Bryce; Ana Tabachneck; Nick Kantor; Darius Williams approved.
No one opposed.
No one abstained.

IV. REVIEW AND ACTION ON APPLICATIONS

A. #2025-42 - 8-24 Referral - City of Norwalk - 1 Calf Pasture Beach Road - Proposed expansion of public parking lot - Report & recommended action

Wilbur Giron, from the Department of Public Works, began the presentation by showing the commissioners a plan to extend a parking lot on Canfield Avenue for a dog park. He said that the city must also adhere to the drainage regulations. Because of the location they had to submit a CAM application.

There was a discussion about the address for the associated lot number. There was a discussion about using pervious pavers.

**** MR. BRYCE MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-42 - 8-24 Referral - City of Norwalk - 1 Calf Pasture Beach Road - for the proposed expansion of public parking lot, be **APPROVED**.

Mr. Roina seconded.
Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Darius Williams approved.
Tammy Langalis and Nick Kantor opposed.
No one abstained.

B. #2025-44 - 8-24 Referral - Shawn's Lawns - 2 Muller Avenue - Sanitary sewer extension - Report & recommended action

Wilbur Giron, from DPW, began the presentation by showing the commissioners the site plan for the property. They are facilitating a connection to the city's sanitary sewer system. A hearing was held by WPCA and the extension was approved. He showed them the existing sewer main. He said that DPW will confirm that it meets city standards. He noted that the owner would be donating the system to the city.

Mr. Baker said that this is a required step for the applicant to get their aquifer approval. Mr. Schulman noted that Shawn's Lawns had not been in compliance for years. Mr. Kleppin said that they do need this to be in compliance. Mr. Giorn said that the goal is to limit the septic. There was a request to add this to the approval. There was a discussion about whether there are timeframes for this approval. Mr. Roina said he would vote in favor of this application. Mr. Baker reminded them that this is a necessary step for the applicant.

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-44 - 8-24 Referral - Shawn's Lawns - 2 Muller Avenue - Sanitary sewer extension be **APPROVED**.

Ms. Langalis seconded.
Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Tammy Langalis; Nick Kantor; Darius Williams approved.
No one opposed.
No one abstained.

C. #2025-29 SP - MOCA Westport Holdings, LLC - 19 Newtown Turnpike (District 5, Block 31, Lot 26) - Modification to existing special permit to allow for manufacturing use - Public hearing, report & recommended action

Ms. Wells opened the public hearing.

Attorney Blank began the presentation by orienting the commissioners as to the location of the property on an aerial map. He gave a brief history which he noted the applicant was requesting the modification of a special permit. In 2019 the front portion of the building became a museum while the remainder of the building is a pre-existing nonconforming for commercial use. He said that they were requesting the amendment to allow BioWave to become a tenant in the building.

He introduced the project team. He discussed the signoffs that they had received. He said that the application had been referred to Westport since it was on the town line. He then showed them the site plan which included how the space in the building would be used. He also showed them pictures of the front of the building. He showed them pictures of what the building looked like to the neighbors. He said the neighbors were shielded from their site. He said that he did not expect impacts from BioWave becoming a tenant. He also discussed the parking on the site which he believed should not be a problem. He said that the site predated the residential structures around it. It had always been a manufacturing use, including as Martha Stewart's studios. He then discussed the use of BioWave which would use it as their headquarters and light manufacturing.

Bradford Siff, founder and president of BioWave, which is a medical device company, continued the presentation by describing what the device did and then some of the uses, including use in VA hospitals and sports teams. The devices are manufactured in the United States. He explained the business process. He even showed them some of the medical devices that people buy. He said that there would be

offices, conference rooms. He described the work process for shipping. There was also a discussion about the number of employees in the office.

Ryan DeSilva, the architect on the project, continued the presentation by introducing his partner Greg Biancardi, who would discuss the exterior. Mr. Biancardi showed them the proposed site plan. He explained that they are converting a walkway to a drive aisle for a turnaround. He also noted that no additional parking spaces are needed since there is an excess. He showed them the office space and warehouse space and where the receiving of pallets would occur. He also showed them the interior offices. He said that the building was below grade. He showed them pictures of the main door of the existing space and where the delivery door would be. He also discussed the exterior lights above the main entrance and garage door, as well as other lights to be added to the rear. He discussed the other doors and lights to be added, and he showed them the renderings. He discussed the exterior changes, including the specifications for the lights.

Mr. DeSilva continued the presentation with descriptions of the interior spaces, including the warehouse and office components and conference room. There would be glass partition walls, cubicles and a demising wall in between the office and warehouse space. There would be a kitchenette, foyer and break area. He also showed on the renderings where the doors would be located between the office and warehouse space.

Brian Dempsey, the traffic engineer, continued the presentation by discussing how his study was completed. He also discussed Amazon trucks and other delivery trucks arriving at the site. Some employees would work at home a few days a week. There was a discussion about whether the other tenant, the wallpaper factory, also received deliveries. Mr. Dempsey said that they do but was unsure about how many.

Since the application had been referred to the Town of Westport, Atty Blank addressed those concerns which included additional traffic on Newtown Turnpike, violations of the fire code, landscaping and lighting among other things. He said that the application had been referred to the Western Connecticut Council of Governments (WestCog) which found it to be a beneficial use of the property. He believed it was consistent with the Plan of Conservation and Development (POCD) and special permit regulations. He said that they were keeping a business and jobs in Norwalk. Tom Hofstetter said that the current tenants, Fasano and MOCA, do get deliveries every day.

There was a discussion about whether the delivery trucks would use the driveway to the back. There was a discussion about whether this was an intensification of use in this residential zone, since it was a nonconforming use. There was a concern

about the back up of the trucks. There was a discussion of the amount of pallets that would arrive. Their lease was for 10 years.

At this point, Ms. Wells suggested a break until 9 pm. She opened the public comment portion of the meeting at this point.

Keith Boczer, 20 Columbine Lane, said that he had sent pictures because he is the closest to the MOCA building. He said that Martha Stewart had built an 8 foot fence but it had fallen down. MOCA replaced it with a 6 ft. fence. He said that they had tried to work with MOCA about the fence but they had not solved the issue. They want their privacy. He invited the commissioners to his house to see what he sees.

John Ruhnke, 1 Thistle Road, said that he did not think manufacturing should be in this area. He thought that there would be deadlines and understood that they said they wouldn't have much noise.

Kim Ruhnke, 1 Thistle Road, said she had the same concerns as her neighbors. She had concerns about the noise from the manufacturing.

Peter Faust, 48 Crawford Road, was concerned about setting a precedent of allowing manufacturing activities in a residential area, especially if MOCA was to close. He had concerns about increased traffic. He thought there were other viable options to promote art and culture in an established commercial zone.

Dori Harris, 5 Newtown Turnpike, Westport showed a map of the area, noted that she had lived in this area her whole life. She noted that the building had not been used for manufacturing since the 1960s. Her parents had bought her house in the 1960s as well. She was concerned about the growth of the company in the next 10 years, as well as the precedent set by allowing this use. She asked them not to turn it into a manufacturing site.

Emily Ruhnke, 1 Thistle Road, said that she believed that they could hear trucks going to MOCA. She had concerns about the noise and how it would affect property values.

Mark Roach, 2 Thistle Road, had concerns about setting a precedent which would then later allow for manufacturing in the whole building. He thought the growth should be managed. He also noted that bamboo is encroaching on his property. He also had concerns about the lighting in his upper floor.

Mark Vincent, 16 Columbine, said that the fence does not help but that the trees do when they are full in the summer. There is no trust from MOCA. He said that there were concerns about the lighting from MOCA.

At this point, Ms. Wells closed the comment portion of the public hearing.

Atty Blank said they would put up an eight ft. fence. He said that they expected reasonable conditions for the hours. He also noted that these devices are mostly made at other locations. Mr. Siff said that other locations are open at 7 am. They basically ship the products. The hours are 8:30 am to 5:30 pm. He said that this location is half a mile from his home and is cognizant of how it would affect the neighborhood. Atty Blank said that they would put in blinds to help with the internal light issue. This was a less intense use than in the past. He addressed the comments about the decrease in property values.

There was a question about the permit for the other tenant which Mr. Kleppin said was a wallpaper manufacturer. If the applicant had not requested an additional driveway and loading dock, they would have been issued an over the counter permit.

There was a discussion about the photos that Mr. Blank had shown which he had recently taken of the property. He said that they had been taken in the prior weekend. There was a discussion about previous violations of outdoor events at MOCA. There was a discussion about the use of the driveway.

Mr. Hofstetter said that MOCA was not the owner when they first moved into the building. At that time, they were leasing the property. They would address the concerns about the bamboo. Ms. Wells then closed the public hearing.

Before they reviewed the resolution, they reviewed the prior approval. They then reviewed the proposed resolution with Mr. Kantor making the motion and Ms. Tabachneck seconding it.

**** MR. KANTOR MOVED: THEREFORE BE IT RESOLVED** by the Norwalk Planning & Zoning Commission, that the Special Permit application #2025-29 SP, 19 Newtown Tpk., MOCA be **APPROVED**, subject to the following conditions:

1. All conditions imposed by the Zoning Commission, as part of Zoning Commission for application #13-28SP remain in effect.
2. Any change in tenancy requires Commission approval.

3. That any additional exterior lighting proposed or lighting replaced on the exterior of the building comply with Article 4.3.17 Private Lighting Standards of the Zoning Regulations.

4. Prior to obtaining the Zoning Permit, the Applicant shall provide a modified landscape plan, including:

a. evaluating the removal of any existing bamboo and preventing the off-site spread of the bamboo,

b. the installation of an 8' fence where required; and

c. confer with Staff to ensure that there is adequate screening, including vegetative screening and fencing, between the site and neighboring properties, prior to receipt of the Certificate of Zoning Compliance.

5. There shall be no outdoor events on the site, unless approved by the Commission as part of an additional Special Permit application and provided the uses are allowed within the regulations.

BE IT FURTHER RESOLVED that the effective date of this action be June 13, 2025.

Ms. Tabachneck seconded.

They then discussed the fence, screening, hours of operation, among others. At this point, Mr. Kantor made a motion to accept the amended resolution.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Tammy Langalis; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

Ms. Wells suggested that they end the meeting by 11 pm, as well as putting an item at the end of the aquifer agenda for next week.

C. #2025-26 CAM – PMB Services, LLC – 145 Water Street – Change in use from storage to office within the Coastal Area Management boundary - Report & recommended action

Ms. Williams said that she had not prepared any materials since she had not received any from the applicant. She also said that there is a violation on the property.

WHEREAS, the Date of Receipt of the application was April 2, 2025;

WHEREAS, proof of initial neighbor notification within ten (10) days of submission has not been provided;

WHEREAS, City Staff consulted with the applicant and reviewed the submission to find the materials were insufficient;

WHEREAS, the applicant has not submitted revised materials nor provided an extension for the Commission to make their decision;

WHEREAS, the applicant has not indicated the submission has been referred to the Fire Marshal and Building Department;

WHEREAS, the property is currently in violation of the Norwalk Zoning Regulations and obtaining a Coastal Site Plan approval is necessary to legalize the existing use;

WHEREAS, the application is incomplete and does not comply with sections 6.10 and 8.4 of the Norwalk Zoning Regulations;

**** MR. ROINA MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission, that #2025-26 CAM – PMB Services, LLC – 145 Water Street – Change in use from storage to office within the Coastal Area Management boundary be **DENIED**.

Mr. Williams seconded.
Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Tammy Langalis; Nick Kantor; Darius Williams approved.
No one opposed.
No one abstained.

Ms. Williams and Mr. Kleppin said that it was difficult dealing with this applicant.

D. #2025-36 CAM – LANDTECH – 18 Marion Avenue – Construct a new single-family residence and dock with associated site improvements on a vacant lot adjacent to the Norwalk Harbor - Report & recommended action

Curt Lowenstein, the engineer on the project, showed the commissioners the current site plan. The property lies within the flood zone. He described the coastal resources. He also described the proposed project of constructing a new single family residence. He discussed the new Coltex system which was in accordance with the

Norwalk drainage standards. He then showed them the proposed site plan and described the buffer.

There was a discussion about the height of the first floor of the new house. Maria Genovese, from Andriopolous Design, continued the presentation by explaining that the structure is one foot above because the zoning regulations had changed.

Ms. Williams said that the application is consistent with the Coastal Area Management Act goals, but also discussed her comments about the VE zone and the revised plans for the landscaping.

**** MR. BRYCE MOVED: THEREFORE BE IT RESOLVED** that application #2025 - 36 CAM – LANDTECH – 18 Marion Avenue – Construct a new single-family residence and dock with associated site improvements on a vacant lot adjacent to the Norwalk Harbor be **APPROVED** subject to the following conditions:

1. That the building and site be developed in accordance with the following plans:
 - a. Per site development plans dated 4/15/2025 and revised 5/5/2025 prepared by LANDTECH, Westport, CT
 - b. Per architectural plans dated 9/27/2024 and revised 5/9/2025 prepared by ADA Architects, Norwalk, CT
2. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
3. That a permit is obtained from the Department of Public Works regarding City storm-water management requirements; and
4. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
5. That any additional needed soil sedimentation and erosion controls be installed at the direction of Staff; and
6. That any changes to the plans be reviewed by Staff prior to implementation; and
7. That a revised landscape plan with an expanded buffer that includes trees be submitted and approved by Staff prior to the issuance of a zoning permit; and
8. That all plantings be implemented prior to COZC; and

9. That all plantings be maintained, and any dead plantings must be replaced in accordance with the approved planting plan; and
10. That flood certifications be submitted prior to issuance of a zoning permit and prior to obtaining a Certificate of Zoning Compliance (COZC), prepared by a CT licensed engineer or architect; and
11. That flood compliance be achieved and demonstrated with a FEMA elevation certificate prior to COZC; and
12. That no changes to the seawall are permitted without City review and DEEP approval; and
13. Nothing in this permit shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the City of Norwalk, State of Connecticut, or the Government of the United States, including any approval required by the Connecticut Department of Environmental Protection and U.S. Army Corps of Engineers- obtaining such assents, permits or licenses is the sole responsibility of the applicant; and

BE IT FURTHER RESOLVED that this proposal complies with all applicable coastal resource and use policies and with all applicable sections of the Zoning Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the preceding conditions and modifications of this application are integral to the Commission's approval because, if not for those conditions and modifications, the Commission would have denied this application.

BE IT FURTHER RESOLVED that the effective date of this approval shall be June 13th, 2025.

You must obtain a zoning approval and a building permit prior to any work on the site.

Ms. Langalis seconded.

At this point, the commissioners reviewed the resolution.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Tammy Langalis; Darius Williams approved.

Nick Kantor opposed.

No one abstained.

E. #2025-37 CAM – Tim Rath – 22 Harbor View Avenue – Raise an existing single-family residence to be FEMA flood compliant adjacent to the Norwalk Harbor - Report & recommended action

Tim Rath explained that they were raising the house and had submitted a new landscaping plan. The application was to elevate the house to be flood compliant. Ms. Williams said that the only other modification would be to the rear deck to pull it away from the coastal resources.

**** MR. SCHULMAN MOVED: BE IT RESOLVED** that application #2025 - 37 CAM – Tim Rath – 22 Harbor View Avenue – Raise an existing single-family residence to be FEMA flood compliant adjacent to the Norwalk Harbor be **APPROVED** subject to the following conditions:

1. That the building and site be developed in accordance with the following plans:
 - a. Per sedimentation and erosion control plan (site plan) dated 5/14/2025 prepared by Fairfield County Engineering LLC, Norwalk, CT
 - b. Per architectural plans dated 10/10/2024 and revised 4/23/2025 prepared by AWA Design Group P.C., Stamford, CT
 - c. Per architectural plans (garage sheet) dated 10/10/2024 and revised 5/8/2025 prepared by AWA Design Group P.C., Stamford, CT
 - d. Per zoning location survey dated 2/11/2025 and revised 4/24/2025 prepared by Arcamone Land Surveyors, LLC, Norwalk, CT
2. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
4. That any additional needed soil sedimentation and erosion controls be installed at the direction of Staff; and
5. That any changes to the plans be reviewed by Staff prior to implementation; and
6. That any utilities comply with setbacks and flood regulations; and
7. That flood certifications be submitted prior to issuance of a zoning permit and prior to obtaining a Certificate of Zoning Compliance (COZC), prepared by a CT licensed engineer or architect; and

8. That flood compliance be achieved and demonstrated with a FEMA elevation certificate prior to COZC; and
9. That a landscape plan be submitted to and approved by Staff prior to the issuance of a zoning permit; and
10. That all plantings be implemented prior to COZC; and
11. That all plantings be maintained, and any dead plantings must be replaced in accordance with the approved planting plan; and
12. That no changes to the seawall are permitted without City review and DEEP approval; and
13. Nothing in this permit shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the City of Norwalk, State of Connecticut, or the Government of the United States, including any approval required by the Connecticut Department of Environmental Protection and U.S. Army Corps of Engineers- obtaining such assents, permits or licenses is the sole responsibility of the applicant; and

BE IT FURTHER RESOLVED that this proposal complies with all applicable coastal resource and use policies and with all applicable sections of the Zoning Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the preceding conditions and modifications of this application are integral to the Commission's approval because, if not for those conditions and modifications, the Commission would have denied this application.

BE IT FURTHER RESOLVED that the effective date of this approval shall be June 13th, 2025.

You must obtain a zoning approval and a building permit prior to any work on the site.

Mr. Bryce seconded.

At this point, they reviewed the resolution that Ms. Williams had drafted.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Tammy Langalis; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

V. DISCUSSION A. #2025-41 R - Planning & Zoning Commission - Zoning Regulation Text Amendment to Article(s) 1, 4 and 9 regarding non-conforming parking; clarification on the permits required for cluster housing in the Silvermine Tavern District Overlay; modifying where Commercial Recreation Establishments are permitted and associated limitations - Discussion

Mr. Kleppin said that the changes were mostly cleanup and corrections from the zoning re-write. One of them was about parking spaces. There was also a change to the definition of the commercial recreation establishment. Another change was for language for special permits. He said that they would vote on the changes at their July meeting.

VI. ACCEPTANCE OF MINUTES

A. Regular Meeting: April 2, 2025; April 16, 2025; May 21, 2025

**** MR. SCHULMAN MOVED to approve the April 2, 2025 minutes.**

Mr. Bryce seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Chapin Bryce; Ana Tabachneck; Tammy Langalis; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

**** MR. SCHULMAN MOVED to approve the April 16, 2025 minutes.**

Ms. Langalis seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Ana Tabachneck; Chapin Bryce; Tammy Langalis; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

**** MR. BRYCE MOVED to approve the May 21, 2025 minutes.**

Mr. Schulman seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Ana Tabachneck; Chapin Bryce; Tammy Langalis; Darius Williams approved.

No one opposed.

Nick Kantor abstained.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin said that if they had questions about setting up the emails for the commissioners. He reminded them that they had a meeting for the Aquifer Protection Commission the following week. Mr. Schulman said that they could wait to discuss the housing bill since it was late. They decided to defer the conversation to the next meeting or at the aquifer meeting the following week.

VIII. COMMENTS OF COMMISSIONERS

Ms. Langalis asked about a Planning & Zoning meeting on June 12th. Mr. Kleppin said this was an optional meeting.

Mr. Roina asked about an agenda for the aquifer meeting.

IX. ADJOURNMENT

Mr. Williams made a Motion to Adjourn.

Mr. Bryce seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Richard Roina; Ana Tabachneck; Chapin Bryce; Tammy Langalis; Nick Kantor; Darius Williams approved.

No one opposed.

No one abstained.

The meeting was adjourned at 10:42 p.m.

Respectfully submitted,

Diana Palmentiero