

hot CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
October 22, 2025

PRESENT: Galen Wells, Chair; Diana Lenkowsky; Louis Schulman; Darius Williams; Tammy Langalis; Chapin Bryce; Harvey Jones; Richard Roina; Ana Tabachneck (left the meeting at 10:25 pm)

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Atty Liz Suchy; Atty Eric Bernheim; Brian Carey; Steve Haas; Daniel Abatemarco; John Torrioli; Atty Jay Klein; Alain Chabert; Alicia Chabert; Peter Wilson; Soulafreda Valazquez; Marway Saidi; Peter Hantes; Bill DeMarzo; Vinny Penna; Manny Silva; Colin Grotheer; Greg DelRio; Frank Fish; Emily Kleting; Lisa Fandel; Mateo Flores; Amy Couch; Linda Cavanaugh; Trent Regenbach; Tommy Gordon

I. CALL TO ORDER

Ms. Wells called the meeting to order at 6:07 p.m. It should be noted that this meeting was held on Zoom.com with participants calling in, separately, as well as in Council Chambers at 125 East Avenue, Norwalk, CT.

II. ROLL CALL & SEATING OF ALTERNATES

Mr. Kleppin called the roll. Ms. Wells noted that both Ms. Lenkowsky and Ms. Tabachneck were in attendance at this meeting.

III. REVIEW AND ACTION ON APPLICATIONS

A. #2024 – 43 SP/CAM – 50 Day Street, LLC – 165 Water Street – Extension of time request for Robot Competition Venue within existing two story, 54,000 sqft building - Report & recommended action

Atty Liz Suchy welcomed the new commissioner, Harvey Jones and then introduced the Director of Operations at avid Robotics League. She said that they are awaiting a signoff from one of the churches to use their property during tournaments. She requested an extension of one year.

**** MR. SCHULMAN MOVED: THEREFORE BE IT RESOLVED** that an extension of time of 1 year for #2024 – 43 SP/CAM – 50 Day Street, LLC – 165 Water Street - Robot Competition Venue within existing two story, 54,000 sqft building be **APPROVED.**

Ms. Langalis seconded.

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

No one opposed.

No one abstained.

IV. PUBLIC HEARINGS

A. #2025-49 SP – Enrico R. Costantini, Esq. – 284 New Canaan Avenue – Request to modify Special Permit #12-16 to expand the area of the previously approved contractors yard and change the stormwater management - Continuation of public hearing, report & recommended action

Ms. Wells opened the public hearing.

Atty Eric Bernheim, the attorney for the applicant, introduced the Penas and the site manager, as well as the project team. He gave a background of the applicant's business in the greater Norwalk area. He noted that they have to respond to emergencies within 2 hours from calls from utility providers. He showed a slide of newspaper headlines from the last few years. They have been in business for over 60 years. He then noted that their business had been moved to their current location, due to a taking for the Walk Bridge project in Norwalk. They have realized that they needed to revise the operations on the site, in order to function fully. They would build an acoustical barrier which he described as well as a wooden fence on top of the barrier. They have inland/wetlands approval as well. He oriented the commissioners as to the location of the property on an aerial map. He then showed them the original site plans. He also showed them the proposed underground stormwater system. He spoke briefly about the noise mitigation. He showed them a chart about noise levels with and without the noise barrier. He also discussed the letter which revised the neighbors request for the sound wall, which they wanted to be even higher than previously requested. He then discussed additional mitigation strategies. He noted that they complied with Norwalk's noise ordinance and that there were exclusions. Since they are an emergency public utility provider, he said that they should be excluded.

Brian Carey, the professional wetland scientist on the project, continued the presentation and noted that they had received approvals from the Inland/Wetland Agency. He also said that the restoration plan has been completed and the Conservation Department is reviewing it. He then explained the major change to the site layout. He said they are trying to correct issues that they have noticed since they moved there a few years ago. He noted that they had placed the detention basin underground. They had provided an operation and maintenance plan which is part of the record and would be placed on the land records. He said that they had agreed with the proposed conditions of approval. He noted that they would be appealing an area of property which the Inland/Wetland Agency had requested changes.

Steve Haas, the acoustics expert on the project team, continued the presentation by explaining how the study had been completed. He said that they reviewed the acoustical barrier that the applicant is proposing. He also discussed backup alarms for the vehicles. He said that these noise levels would meet state and city requirements. He believed the 21 ft. barrier would meet all of the noise regulations. He said that the sifter is noisy but it would be pushed closer to the barrier to shield the noise from the neighbors. He also discussed perpendicular barriers on the bins.

There was a discussion about 1st and 2nd floor sounds. There was a discussion about the height of the barrier.

At this point, Daniel Abatemarco, the peer review acoustical consultant, said that they agreed with the recommendations in the applicant's report. He had no concerns about the height of the barrier. He then discussed the bin wall tops. He thought that there could be some additional shielding for the neighbors. They did not do a full technical peer review, but are in agreement with the applicant's controls.

There was a discussion about the slamming of tailgates. John Torrioli, the site manager on the property, explained why it was happening. He explained that sometimes they were slammed to help empty the body of the truck. Going forward they could use shovels to remove materials or wait until a more appropriate time to remove them. He said that there are supervisors on site to monitor if a particular operator is slamming the tailgates. There have also been HR trainings as well as signs and warnings to the operator which Mr. Torrioli said had helped the situation. There was also a discussion about the changes to the backup noises from the vehicles. There was a discussion about the types of vehicles that had tailgates.

There was a discussion about whether the application was an expansion of the yard. Atty Bernheim said that it was the area where the above ground detention basin had been. Since it would now be underground the applicant was asking for it to be part

of the site. There was also a discussion about the increase of the size of the bins. Atty Bernheim noted that when the bins were full, they would act like an acoustical barrier which was what the berm would have done. It seemed that there were more materials on the site.

There was a discussion about the height of dump trucks, Atty Bernheim said that the backup sounds are required. They are hoping that with better circulation there would be less backup of trucks. There was a discussion about making the barrier higher. Mr. Carey said that the plantings will grow over the next year which would help with screening.

There was a discussion about whether supervisors were on site 24 hours. Mr. Torrioli said that there were not. There was a discussion about the violations of the tailgate requirements. Atty Bernheim said that they could install cameras to monitor the site, if necessary. He believed that if there were consequences, people would take things more seriously. Atty Bernheim said that suspensions and firings were proposals to address the neighbors' concerns. He noted that the applicant was modifying the original permit with the acoustical barrier. There was a discussion about complying with the noise ordinance which Atty Bernheim said that the applicant had not received any citations from the police.

At this point, Ms. Wells opened the hearing to the public for comments.

Atty Jay Klein, representing 178 Pocconock Trail, the Wilsons, noted that the noises made it seem that the work on the site was in their backyard. There are well-documented violations. At this point, they showed the commissioners the original site plan and special permit application. He then shared the regulations in place at the time of the original permit and then discussed the revised regulations. He also discussed responses received from the applicant under the original application regarding questions from Ms. Dori Wilson of the Planning & Zoning Department. He discussed the notice of violation and that this application was to correct the violations. He then showed them a video of a dump truck putting material into a processing machine. He discussed the hours of operation but noted that there were times when there was noise from the site at night. He then suggested conditions for the resolution. He also discussed the waiver of the environmental analysis as part of the application.

Alain Chabert, 166 Pocconock Trail, spoke about the waiver of the environmental analysis. He also said that the noise levels are high during the day. He believed that the owner had been in violation for years.

Alicia Chabert, 166 Pocconock Trail, thought that this might not be the right place for this business. She also had concerns about the health of the neighbors, due to the dust from the site.

Peter Wilson, 178 Pocconock Trail, said that they had been awakened 5 times the previous night. He showed them aerials of the site from 2016 and a recent aerial. He discussed the comments made by the owner during the original permit process.

Soulafreda Valazquez, 824 Carter Street, discussed the clear-cutting of the wetlands on the Friday of Memorial Day weekend. She noted the times when she heard noises the previous night. She also heard noises while she was on the Zoom call that evening.

Ms. Valazquez read a letter from Sarah Nguyen, 830 Carter Street, into the record.

Marway Saidi, 46 Carter Street, discussed the expansion of the property. He did not believe that the applicant had paid any of their fines. He also said that there is a neighborhood spreadsheet in which neighbors list any issues from the site. He discussed the banging of tailgates and the noises from the heavy equipment. Neighbors have seen more than 60 vehicles on the site. He is thinking of selling his house.

Peter Hantes, 824 Carter Street, said that the site operated like a construction site. He said that the special permit is not being followed and that they are not acting as good neighbors.

Bill DeMarzo, 1 Lane, said that he was supporting his neighbors and agreed with the previous speakers. He had concerns about the eastern portion of the property and thought it was being used as a staging area. He discussed neighbors on May Drive. He also believed that the requirements of the 2017 permit should be upheld by the applicant. He had concerns about the sound barrier.

Ms. Wells closed the public portion of the meeting.

At this point, the applicant, Mr. Penna, addressed the commissioners. He discussed how his business had been started by his father and that in 1956 the state took a portion of their property to build I-95. The state told his father to go out of business but they survived. In recent years they had to move from their property in Norwalk because of the Walk Bridge project. He had looked for 2 years for another property. He said that he had planted trees on the Wilson's property. He also said he had suspended his

grandson for slamming a tailgate. He said that he would work with the neighbors and they should come to his office.

Mr. Torrioli said that they had spoken with neighbors about taking down trees. He also discussed the berm and that they were trying to be neighborly.

Atty Bernheim addressed comments from the public. They said that they were trying to find a solution and he did not think the original permit was well thought out. He said that they should build the wall and see if it works for the noise issues. He reminded them that the site was approved as a contractor's yard so there would be noise. He discussed why they requested the environmental waiver.

There was a discussion about having Mr. Penna meet the requirements of the original permit, as well as addressing the slamming and backup noises. They could then return to the commission in 6 months. Mr. Kleppin had concerns about not authorizing parts of the application which would be modifications to the original approval. There was also a discussion about how the wall would absorb sound that was closer to it. Mr. Kleppin suggested that they let the experts confirm.

Mr. Kleppin said that the paving for construction vehicles was to help with collecting water from them to be sent to the detention basins. There was a discussion about the environmental analysis. Mr. Kleppin suggested a proposed timeline for modifications could be completed and some that the applicant could complete in the future.

Atty Bernheim noted that they had been through the Conservation Commission but are appealing a part of the approval for a 25-foot buffer adjacent to where their underground water detention system was proposed. He said that they would honor that buffer at this time. He also said that the stormwater drainage system that they were adding was better than what was originally approved. He said that they would like to have the wall up before the holidays. The commission had concerns that the underground detention basin would allow for an expansion of the property.

Mr. Carey discussed the detention system. Although the above-ground basin is less expensive there could be problems with it. He discussed the proposed system. He explained that the building on the property needed significant improvements when they first moved into it. The above ground detention system helped to defray some of the applicant's costs. Since the area where the detention system would be located would be paved it would be better for managing dust.

There was a discussion about the bins and what would be stored in them. Mr. Carey said it was mostly inert materials that would be brought to job sites. Mr. Kleppin had concerns that it is a tight site.

Mr. Carey said that there were records of when emergencies were happening which could be provided. Atty Bernheim said that they could do a quarterly affidavit. He also said that some of the work that the applicant did was planned.

There was a discussion about the assessed fines. Mr. Kleppin said that there had not been any assessed fines. There was a discussion about consequences to those that violate the zoning regulations and that the commission should discuss this matter at a later date. Atty Bernheim said that Mr. Penna would make a donation to a Norwalk charity since no fines had been imposed. Atty Bernheim requested that the commission approve the plan as presented with reasonable conditions.

There was a discussion on reducing the amount of backups. Mr. Torrioli explained how the backup beeping could be modified. There was a discussion about the turns and backups from vehicles. Atty Bernheim said that the vehicles would park and unload in the morning when they had gone out to emergencies during the night.

Mr. Kleppin suggested that the commission close the public hearing but that they did not vote on it that evening. Atty Bernheim made closing remarks. The commissioners discussed possible conditions for the staff when drafting the resolution.

Ms. Wells closed the public hearing.

**** MR. SCHULMAN MOVED: THEREFORE BE IT RESOLVED** that the public hearing for application **#2025-49 SP – Enrico R. Costantini, Esq. – 284 New Canaan Avenue** be closed and further action to be taken at the next meeting of the Planning & Zoning Commission.

Mr. Bryce seconded.

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

No one opposed.

Harvey Jones abstained.

At this point, the commissioners took a break until 9:30 pm.

B. #2025-56 SP/CAM – Alpha5MK 19 Day , LLC – 19 Day Street (District 2, Block 58, Lot 44) – Special permit for a proposed multifamily building with 32 units - Public hearing, report & recommended action

Ms. Wells opened the public hearing. Atty Suchy began the presentation with an introduction of the project team. She then gave a background of the application and that the neighbors were notified of the public hearing. The certificates were provided to the Planning & Zoning Department. A sign, notifying the public of the hearing, was posted in front of the property and was still up at the time of the meeting. She described the property and showed the commissioners the existing condition site plan. She also described the existing structures, one of which is bicycle storage, an existing commercial building and a 5 story residential building. She discussed the proposed application and showed the site plan. There would be 32 residential units and there would be an increase in parking spaces. She described the affordable housing units. There would be one unit to one parking space. However, the other building had different parking requirements. She discussed how they arrived at the number of parking spaces on site. She said that there would be a deficiency of spaces as well as some tandem spaces. She also noted that the city's goal is to increase the use of public transportation. She said that they had received signoffs from various city agencies. She addressed the comments that they had received from tenants. They would work with the tenants in the other buildings. They would demolish the rear building first.

There was a discussion about the tandem parking spaces.

Manny Silva, the engineer on the project, continued the presentation by showing the commissioners an aerial view of the property. He showed them a current street view as well as the proposed site plan. He said building A would be demolished and there would be more parking at this place. There would be EV parking spaces. He then discussed the drainage, but there would be some modifications. He discussed the erosion controls during construction. He discussed the landscaping plan as well as the lighting plan.

Colin Grotheer, the architect on the project, continued the presentation by showing the commissioners the renderings of the building. He showed the plans for the interior as well as the public realm. The renderings showed the massing of the building.

Greg DelRio, the traffic engineer, continued the presentation by showing the commissioners a chart of the traffic generation. He noted that there would actually be a reduction of the numbers since the study was done based on 40 units and not the proposed 32 units. He did not include the distillery on the property.

Frank Fish, the city's peer review consultant, continued the presentation by discussing the memos that they had sent to the commission. He discussed the final issues. One issue was the street frontage and landscaping. He described how it could be improved. He had notes on screening and landscaping. He did not think the tandem spaces would not work and thought more landscaping or a park area would be better. He also discussed the signage, which the applicant had responded to in revised plans. He discussed the materials that the applicant was proposing. He said that they had suggested adding the lights on the site plan.

There was a discussion about the increased use of ebikes and the Fire Department's response. There was an additional discussion about the materials to be used on the building. Mr. Silva said that they had added some different plantings, including mountain laurels. He also discussed the fencing, the transformers, tree wells, and handicapped spaces. He showed them the lighting plan. Mr. Fish asked that there be two separate plans, the engineering plan and the site civil plan, so that the shrubs could be shown on the site civil plan.

There was a discussion as to why there would be tandem parking spaces as opposed to regular parking spaces. There was a discussion about the bike storage that is currently in a building that will be demolished. There would be a new bike storage available for residents on a first come, first serve basis.

At this point, Ms. Wells opened the hearing up to the public for comments.

Emily Kleting, 19 Day Street, Apt. 502, began the presentation by thanking the commissioners for their work. She said that she and other residents of the building were opposing this application. She asked them to stand up for the commissioners. They felt that they were the last to know about what is proposed. She asked where they will be able to park during construction. She thought she would have to work outside of her apartment. She had concerns about the demolition of the distillery, as well as about the number of parking spaces. She had concerns about the tandem spaces.

Lisa Fandel, 19 Day Street, Apt. 504, said that the application should not go forward. She had concerns about the current residents not having parking spaces which they are guaranteed in their lease. Some people are paying for two parking spaces, so how the owner would meet their obligations during construction. She said she had not heard them discuss this. She also discussed how she had renewed her lease but was not told about these plans. She had concerns about the dust from the construction since her apartment would face the construction. She also noted that she had not received a letter about this application, unlike nearby property owners. She also had concerns about

the new units only having 1 parking space, as well as the number of parking spaces. It was unclear to her if there would be enough and she didn't see them on the plans.

Ted Dumbault, 26 Cove Avenue, the founder and owner of Sono 1420 Distilleries, began with a brief history of how his business started at 19 Day Street. He said he signed a 15 year lease in 2017. He noted that he had not found out about the application from the landlord, but rather, from a reporter. His landlord told him not to worry about it. However, after reviewing documents, he believed that the landlord had known about it since January 2021. He cautioned the commission about the promises this applicant was making to them.

Mateo Flores, 19 Day Street, Apt. 104, said that his apartment would be facing the construction and was concerned about the dust. He said that they were not properly informed of the construction. He also had concerns about the parking.

Amy Couch, 19 Day Street, Apt. 407, said that they received no communication from building management. She also had concerns about the loss of Sono 14220 and it was important to the residents. She also said that they had just found out about the plans which seemed to be further along than they realized.

Linda Cavanaugh, 102 Alton Road, said she was the marketing and PR Director for Sono 1420 and they were the last to know. She said that it would not be easy to find another spot, especially since they are near the water. They have many layers to their business, food service, making products as well as a bar.

Trent Regenbach, 19 Day Street, Apt. 208, spoke about his concerns about the construction as well as the parking.

Tommy Gordon said that he appreciated the commissioners for listening to them and wanted to keep Lobstercraft in South Norwalk. He said he understood that progress is progress.

There were no other commenters. Because of the late night, Mr. Kleppin suggested how to proceed. Ms. Wells closed the public portion of the meeting.

**** MR. SCHULMAN MOVED: THEREFORE BE IT RESOLVED** that the public hearing for application **#2025-56 SP/CAM – Alpha5MK 19 Day , LLC – 19 Day Street (District 2, Block 58, Lot 44)** be closed and further action to be taken at the next meeting of the Planning & Zoning Commission.

Mr. Bryce seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Darius Williams; Harvey Jones; Tammy Langalis; Chapin Bryce; Richard Roina approved.
No one opposed.
No one abstained.

C. #2025-59 R – RMS Real Estate Group, LLC – Zoning Regulation Text Amendment to Article 7 (Sign Standards) to create a “Cornice Sign” sign type and permit Cornice Signs within the CD-3C and CD-4 zones - Public hearing, report & recommended action

**** MR. SCHULMAN MOVED: THEREFORE BE IT RESOLVED** that the public hearing for application **#2025-59 R – RMS Real Estate Group, LLC – Zoning Regulation Text Amendment to Article 7 (Sign Standards) to create a “Cornice Sign” sign type and permit Cornice Signs within the CD-3C and CD-4 zones** be opened and continued at the next meeting of the Planning & Zoning Commission on November 5, 2025.

Mr. Bryce seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Darius Williams; Harvey Jones; Tammy Langalis; Chapin Bryce; Richard Roina approved.
No one opposed.
No one abstained.

V. ELECTION OF OFFICERS

Ms. Lenkowsky said since Mr. Kantor, the chair of the nominating committee, could not be at the meeting, she would present the new slate of officers, as President, Mr. Bryce, Vice President, Galen Wells and Secretary Louis Schulman.

Ms. Langalis then nominated Mr. Roina to be the chair. Mr. Schulman said that he would like to see younger leadership and would like to see Mr. Bryce as chair. Mr. Roina said would decline the nomination.

**** MR. ROINA MOVED that the new slate of officers should be:** as Chair, Chapin Bryce, Vice Chair, Galen Wells and Secretary Louis Schulman.

Mr. Bryce seconded.

Galen Wells; Diana Lenkowsky; Louis Schulman; Darius Williams; Harvey Jones; Tammy Langalis; Chapin Bryce; Richard Roina approved.
No one opposed.
No one abstained.

VI. DISCUSSION

There was no discussion

VII. ACCEPTANCE OF MINUTES

A. Regular Meeting: October 8, 2025

This item was tabled for the commission's next meeting.

VIII. COMMENTS OF DIRECTOR

Due to the late hour, there were no comments from the director.

IX. COMMENTS OF COMMISSIONERS

Due to the late hour, there were no comments from the commissioners.

X. ADJOURNMENT

Mr. Bryce made a Motion to Adjourn.

Mr. Williams seconded.

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

No one opposed.

No one abstained.

The meeting was adjourned at 11:28 p.m.

Respectfully submitted,

Diana Palmentiero