

**CITY OF NORWALK
ZONING COMMITTEE
October 11, 2012**

PRESENT: Adam Blank; Michael Mushak; Jim White; Mike O'Reilly; Harry Rilling; Jill Jacobson; Nathan Sumpter

STAFF: Michael Greene; Frank Strauch; Adam Carsen

Adam Blank called the meeting to order at 8:13 p.m.

I. PROPOSED AMENDMENTS TO BUILDING ZONE REGULATIONS & SPECIAL PERMIT

a) #4-12R/#2-12SP - Petco - 230 East Av/Rowan St - Proposed amendments to Section 118-700 to revise distance for animal care centers allowed by special permit in Industrial #1 zones and special permit for 150 suite Pooch Hotel with 45 dog daycare and grooming - Final review prior to hearing

Mr. Greene began the presentation. The public hearing would be on the agenda for next week. They have all but one sign-off from the Water Pollution Control Authority. As soon as the staff receives it, they will forward it to the commissioners. Mr. Mushak asked if they had added any landscaping. Mr. Greene said that there was some on the plans. Mr. Rilling had some questions which Mr. Greene addressed.

b) #9-12R - Zoning Commission - Proposed amendments to establish a new Section 118-1130 Excavation & fill regulations and related technical amendments - Final review prior to hearing

Mr. Greene began the presentation. He explained how the City has an ordinance for excavation and fill regulations which has been enforced by the Department of Public Works ("DPW"). Corporation Counsel has advised Mr. Greene and his staff that the State statute said that if the municipality has a Zoning Commission then the ordinance must be part of the Zoning regulations. The procedure would only change the current procedure in that the application process would start with the Zoning Department staff which would then refer it to the DPW. At the end, the Zoning Department staff would issue the permit. They would not need to hire any new staff. Mr. Mushak asked where the fees would go. Mr. Greene said they would go into the General Fund. Mr. Mushak asked if any fees came back to the Zoning Department; Mr. Greene said they did not.

c) #10-12R - Zoning Commission - Proposed amendments regarding new surety requirements - Final review prior to hearing

Since State regulations have been revised, the Zoning Commission has to amend their regulations to accept any financial guaranty, i.e., letters of credit, etc. for projects. It will also allow a maintenance surety. This item will be on the Zoning Commission's agenda this month.

d) #11-12R - Zoning Commission - Proposed amendments regarding indoor

contractor parking facilities Preliminary review

Mr. Greene began the presentation. He said that, based on their conversation at the previous meeting, the staff had done several things. One was to change a map to show where contractor's yards were allowed and where the existing contractor's yards could expand. There was also a draft of a new definition and proposed amendment to "indoor contractor parking facility" in Industrial #1 and Business #1 zones. The Zoning Department staff is bringing the proposed amendment to the commissioners for review. The staff is in the process of doing an analysis to determine whether reducing the lot size required for the new use is appropriate.

Mr. Greene asked whether they should include Business 2 zones in the proposed amendment. Mr. Mushak asked whether the staff could look at the Restricted Industrial zone which is along Martin Luther King Jr. Drive. The staff did not include that area because they did not think that the commissioners wanted to change the Restricted Industrial zone for non-industrial uses. Mr. Mushak noted that it already exists there so it would be nice if it was now legal. Mr. Mushak thought it would also be necessary to include the Business 2 zones. Mr. Blank did not want to see this amendment affect the aquifer area. He had no problem allowing indoor parking facilities. There was a discussion as to what would be kept inside the indoor contractor parking facilities. Mr. Mushak requested a further analysis of the restricted industrial zone area.

e) #12-12R - Zoning Commission - Proposed amendments regarding parking for accessory uses - Send to public hearing

Mr. Greene began the presentation. The proposed amendment would say that accessory uses have to provide their own parking, unless it is a use at a different time than the primary use. An example that he used was a church and having the church run bingo. The bingo would not usually be at the same time as bingo. Mr. Mushak wondered whether this could be a hardship with smaller businesses. Mr. Greene said it could be. Mr. White said that the amendment was trying to address what happened with the mosque application. Mr. Blank said that he would work on the language of the proposed amendment.

f) Discussion of farms and bee keeping in residence zones

Mr. Blank began the presentation. Mr. Rilling asked whether those who had bees would be grandfathered in. Mr. Greene said if it was an ordinance from the Common Council, he was not sure. If it was a Zoning regulation, everybody would be grandfathered.

Mr. Blank said that he had heard about some complaints about some bees being kept on Silvermine Avenue. He thought that the Common Council should adopt the ordinance. Although he had no problem with anyone having bees, he thought there should be some rules. He set forth some questions about what a regulation should look like, such as whether the bee keeping should be commercial or just for someone's own use, etc. There were some questions about farming and whether there should be a house there.

The meeting was adjourned at 8:47 p.m.

Respectfully submitted by,

Diana Palmentiero