

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
March 5, 2025

PRESENT: Chapin Bryce, acting as Chair; Diana Lenkowsky; Louis Schulman; Nick Kantor; Richard Roina; Darius Williams (left the meeting at 6:30 pm); Tammy Langalis (left the meeting at 7 pm but returned at 7:40 pm); Ana Tabachneck (arrived at 6:13 pm)

STAFF: Bryan Baker; Amelia Williams; Michelle Andrzejewski

OTHERS: Alan Lo; Kosta Dafla; Lyle Fishell; Stacey Cohen;

I. CALL TO ORDER

Mr. Bryce called the meeting to order at 6:05 p.m. It should be noted that this meeting was held on Zoom.com with participants calling in, separately.

II. ROLL CALL

Mr. Baker called the roll.

III. REVIEW AND ACTION ON APPLICATIONS

A. #2025-16 8-24 Referral and Special Appropriation - City of Norwalk - 8-24 Referral and Special Capital Appropriation relating to school HVAC grant projects - Report & recommended action

Alan Lo began the presentation by stating that the city had requested special appropriations last year related to grant applications for school projects which included HVAC. There would be a significant reimbursement from the state but the city would have to fund their share as part of the application process. The city had been awarded all of the grants that they had submitted applications for. He explained why they were requesting the special appropriation in order to be able to sign contracts.

There was a discussion about whether this special appropriation would go to the Common Council. Mr. Lo noted which schools were part of this application.

Ms. Lenkowsky was seated so she could vote on this resolution and was seated for the remainder of the meeting.

**** MR. SCHULMAN MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-16 8-24 Referral and Special Appropriation – City of Norwalk – 8-24 Referral and Special Capital Appropriation relating to school HVAC grant projects be **APPROVED**.

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

1. To achieve the goal that “Norwalk’s infrastructure and public facilities are resource-efficient, well-maintained, cost-effective, sustainable, and resilient.”

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council.

Ms. Langalis seconded.

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

No one opposed.

No one abstained.

B. #2025-09 CAM - Kosta Daffla - 12 Main Street (District 1, Block 66, Lot 25) - Change the use on the second floor of a commercial building to two (2) residential units, maintaining the retail use on the first floor - Report & recommended action

Kosta Daffla began the presentation by explaining how the first floor of the building was currently being used as a commercial space. The second floor is currently empty. The plan was to convert it into two apartments which had previously been used as office space. She explained how the spaces would be configured to make the apartments, including adding a wall for a larger bathroom. There would not be a gas stove but rather, a hotplate and microwave for a kitchen.

There was a discussion about parking for the proposed units which was in the back.

**** MS. LANGALIS MOVED: BE IT RESOLVED** that application #2025 - 09 CAM – Kosta Daffla – 12 Main Street – Change the use on the second floor of a commercial building to two (2) residential units, maintaining the retail use on the first floor be **APPROVED** subject to the following conditions:

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

- a. Per floor plans received by the Planning and Zoning Department on 2/13/2025 entitled, "12 Main Street"
2. That all department sign-offs, including Fire Marshal, are obtained prior to issuance of any Zoning Permit; and
3. That any changes to the plans be reviewed by Staff prior to implementation; and
4. Any utilities comply with setbacks; and
5. 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 this 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 March 14th, 2025.

A zoning approval and a building permit must be obtained prior to any work on the site.

Ms. Lenkowsky seconded.

At this point, the commission reviewed the resolution. There was a discussion about changing the hotplate to a stove. Ms. Williams said that they would need an over the counter permit for that.

There was a discussion about the number of stories allowed in this zone. Mr. Baker said it was 6 ½ stories.

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

No one opposed.

Darius Williams abstained.

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C. #2024-66 CAM - Nicola Vona, High Street, LLC - 80 Main Street (District 1, Block 66, Lot 4) - Coastal site plan review for the construction of a Small Multifamily Dwelling with a total of five (5) dwelling units within the structure and a total of 18 dwelling units on the lot - Report & recommended action

Lyle Fishell, the architect on the project, began the presentation by showing the commissioners the floor plans for the existing structure as well as plans for the addition on both the first and second floors. Mr. Fishell said that they would be providing parking although it was not required. He showed them some green space and recreation areas. There was a discussion about the workforce housing units.

Mr. Bryce clarified that Ms. Tabachneck was seated for the remainder of the meeting.

Ms. Williams said the application was consistent with the Coastal Area Management regulations and there would not be any adverse impacts.

**** MR. SCHULMAN MOVED: BE IT RESOLVED** that application #2024 - 65 CAM – High Street, LLC – 80 Main Street – Construct a five unit addition to an existing four unit building for a total of nine residential units (eighteen on the property), including a workforce housing unit be **APPROVED** subject to the following conditions:

1. That the building and site be developed in accordance with the following plans:
 - a. Per architectural plans dated 10/1/2024 that shall be revised to include the designated workforce housing unit and demonstrate compliance with table 4.3.1-H of the Zoning Regulations prepared by Fishell Architecture, Stamford, CT
 - b. Per site plans dated 5/1/2024 that shall be revised to depict accurate existing grading conditions, screening of the parking area per section 4.3.12.C.12, a compliant photometric plan, and cite the driveway easement that has been filed on the NLR prepared by Kousidis Engineering, LLC, Fairfield, CT
2. That any modifications to the approved plan be reviewed and approved by City Staff prior to implementing; and
3. That all department sign-offs are obtained prior to issuance of any Zoning Permit; and
4. That a permit is obtained from the Department of Public Works prior to the issuance of any Zoning Permit; and

5. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
6. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and
7. That the applicant submit a revised site plan which:
 - a. accurately depicts the existing grade on the property
 - b. cites the volume and page number (2470/76) of the driveway easement that has been filed on the Norwalk Land Records
 - c. confirms the parking area is screened by a hedge and is extended southward along the entire width of the parking area
 - d. provides photometric details that comply with section 4.3.17 of the Zoning Regulations
8. That the parking area comply with section 4.3.12.C of the Zoning Regulations; and
9. All utilities must be located to comply with setbacks and screening requirements; and
10. That no more than three building colors be used per table 4.3.1-H of the Zoning Regulations; and
11. Should any building façade material become damaged or deteriorated, the applicant and future owners shall repair the damage or deterioration within thirty (30) days' notice from the City; and
12. That the stormwater runoff be treated in accordance with the DPW drainage manual and Section 6.2.2.G of the Norwalk Zoning Regulations; and
13. That the applicant's lighting be fully shielded from neighboring properties and in compliance with section 4.3.17 as demonstrated on a photometric plan submitted to and approved by Staff prior to the issuance of a Zoning Permit; and
14. That shrubs be planted continuously around the foundation at Façade to comply with table 4.3.1-H of the Zoning Regulations; and
15. That all plantings be implemented prior to COZC; and
16. That all plantings be maintained, and any dead plantings must be replaced in accordance with the approved planting plan; and

17. That prior to the issuance of any Zoning Permit, a draft workforce housing affordability plan be submitted to and approved by City Staff; and

18. That prior to obtaining a Certificate of Zoning Compliance, a final workforce housing affordability plan showing a total of one (1) workforce housing units, evenly disbursed throughout the building, including deed restricted documents shall be filed on the Norwalk Land Records; and

19. All such workforce housing units be deed restricted in perpetuity and meet all requirements of Section 6.12 Workforce Housing regulations; and

20. That a CT licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards prior to the issuance of a Certificate of Zoning Compliance; and

21. 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 Building Zone Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that this 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 March 14th, 2025.

Ms. Langalis seconded.

At this point, the commissioners reviewed the resolution. There was a discussion about the addition of trees and shrubs to the property.

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

No one opposed.

No one abstained.

D. #2024-32 SP - Angela Valenton - 5 Blackberry Lane (District 5, Block 45, Lot 134) - Proposed Rest Home use - Report & recommended action

Mr. Bryce and Mr. Kantor said that they had watched the videos of the previous meetings. At this point, however, they decided to move this item to later in the meeting to wait for Ms. Tabachneck to return to the meeting.

IV. PUBLIC HEARINGS

A. #2024-67 SP - Temple Shalom of Norwalk, Inc. - 259 Richards Avenue (District 5, Block 63, Lot 130) - Proposed child daycare center within existing religious facility - Public hearing, report & recommended action

Mr. Bryce opened the public hearing and explained how the public hearing would be run.

Stacey Cohen spoke for the applicant by explaining that the day center had been operating in Norwalk for 20 years under an exemption but now licensing was required. She noted that neighbors had provided letters to the commission. They do take all denominations into the daycare. They would like to apply for grants to continue providing their services. There was a discussion about their current operation and why the licensing was necessary. She explained that they had changed their hours of operation. Because they went from part-time to full-time, they were now required to get a license for a daycare center. She explained the similarities and differences of their programs. There was a discussion about dropoff and pickup.

There was a discussion about the number of children enrolled, as well as the number of children they would be allowed under the license.

Mr. Baker said that Traffic, Mobility and Parking had no issues with the traffic report.

The public was then invited to make comments, but no one did.

Mr. Bryce closed the hearing. He then noted that Ms. Tabacheck and Ms. Lenkowsky were seated for the remainder of the meeting.

**** MR. KANTOR MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-67 SP – Temple Shalom of Norwalk, Inc. – 259 Richards Avenue (District 5, Block 63, Lot 130) – Special permit for a proposed

child day-care center within an existing religious facility be APPROVED subject to the following conditions:

1. That the child day-care center is an accessory use to the religious facility principal use; and

2. That the child day-care center may be allowed to increase enrollment and make interior renovations/alterations via administrative approval, provided that the peak number of vehicle trips during any peak hour is 50 or less and that the application complies with all other applicable zoning regulations; and

a. That should a proposed increase in enrollment result in more than 50 vehicle trips during any peak hour, the applicant shall provide an updated traffic report to the Commission for their review and action; 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 shall be March 14, 2025.

Ms. Langalis seconded.

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

No one opposed.

No one abstained.

B. #2025-05 R - Planning & Zoning Commission - Zoning Regulation Text Amendments to Articles 4 and 9 regarding Tobacco/Vape Shop uses - Public hearing, report & recommended action

Mr. Bryce opened the public hearing.

Mr. Baker began the presentation by discussing the changes to the regulations for vape shops. He said that the city is having issues with these uses. There would be three amendments and the city would be proposing an ordinance. The regulations would include tobacco and vape shops as one use. He noted that some uses were exempt under state regulations from the local ones. He showed them the proposed changes to the use table in the regulations. There was a discussion about getting a list of approved and unapproved vape shops in the city which Mr. Baker said was being worked on.

The public was then invited to make comments, but there was no one.

Mr. Bryce closed the hearing.

**** MS. TABACHNECK MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning and Zoning Commission, that application #2025-05 R – Vape Shop Changes be approved:

1. That the Zoning Regulations shall be amended in accordance with the Planning & Zoning Staff Memo dated January 17, 2025 “Changes to Vape Shop Classification”.

BE IT RESOLVED that the reasons for these actions are to implement the Citywide Plan:

1) Chapter 12, Goal 3 that “The user-friendly zoning ordinance is consistent with the future land use map and achievement of the vision and goals of the POCD.”

· The policy to “Support revision of the zoning ordinance to promote desired development and design patterns.”

· The policy to “Support permit streamlining for projects with desired characteristics.”

i. Strategy A., “Modernize the Zoning Ordinance and the development approval process to achieve the goals of the POCD.”

1. Action i., “Rewrite the Zoning Ordinance to reflect contemporary best practices in administration and user-friendliness and to be consistent with the POCD.”

BE IT FURTHER RESOLVED that the effective date of this action shall be March 14, 2025.

Mr. Schulman seconded.

Mr. Baker noted that the application had been referred to the appropriate bodies and surrounding communities.

Chapin Bryce; Diana Lenkowsky; Louis Schulman; Nick Kantor; Richard Roina; Ana Tabachneck approved.

No one opposed.

No one abstained.

E. #2025-13 POCD - Planning & Zoning Commission - Amendment to the Plan of Conservation and Development to adopt the Affordable Housing Action Plan - Report & referral to Economic & Community Development Committee

Michelle Andrzejewski began the presentation by noting that there had been a joint meeting of the Common Council and the Planning & Zoning Commission on January 30, 2025 which had presented the proposed affordable housing plan. She then explained the next steps which was this presentation before the commission. She noted that some edits had been made after the January meeting. This would be a referral to send over to the Common Council and ECD. There would be a public hearing in either April or May.

There was a discussion about the 40 South Main Street facility which offered reasonably priced housing for those coming out of homelessness. Mr. Schulman said that it should be added to the list of organizations in the report and Ms. Andrzejewski said it could be done.

**** MS. TABACHNECK MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning and Zoning Commission, that application #2025-13 POCD - Planning & Zoning Commission - Amendment to the Plan of Conservation and Development to adopt the Affordable Housing Action Plan - Report & referral to Economic & Community Development Committee be **APPROVED, as amended.**

Mr. Schulman seconded. The motion was unanimously approved by the six commissioners at the meeting.

D. #2024-32 SP - Angela Valenton - 5 Blackberry Lane (District 5, Block 45, Lot 134) - Proposed Rest Home use - Report & recommended action

Mr. Schulman said that he had made a motion at the previous meeting. He said he had concerns about people that would be visiting the residents of this facility. They may not have vehicles to drive to the facility and would need public transportation which is not close to the location of the rest home. His previous motion was to deny the application since it was not convenient to public facilities and public transportation.

There was a discussion about the septic plan which Mr. Baker said was a proposed plan. If the current septic plan failed they would have to implement the proposed plan. The current plan is for an accessory use to the single family home which is adequate for the proposed use of a rest home. Mr. Baker clarified that the Health Department had reviewed plans for a 2 bedroom caretaker's quarters. There would be a total of 5 bedrooms.

**** MR. SCHULMAN MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-32 SP – Angela Valenton – 5 Blackberry Lane (District 5, Block 45, Lot 134) – Proposed Rest Home use be **DENIED, as amended**, for the following reasons:

1. That per Section 8.4.8 of the Norwalk Zoning Regulations, based on the size of the lot, that the yard, screening and buffering is not adequate for the use; and

a. Further, that the size and width of the road is not adequate for emergency vehicles; and

2. That per Section 8.4.8 of the Norwalk Zoning Regulations, the site is not in proximity to community facilities such as public transportation; and

BE IT FURTHER RESOLVED that the effective date of this action shall be March 14, 2025.

Mr. Kantor seconded.

There was a discussion as to whether the caretaker's quarters had to be classified as an ADU. There was a review of the resolution including whether the road was adequate for emergency vehicles and their effect on the neighbors' properties. There was also a discussion about the licensing from the state as a rest home use.

Louis Schulman; Nick Kantor; Richard Roina; approved.

Diana Lenkowsky; Ana Tabachneck; Chapin Bryce opposed.

No one abstained.

This motion did not pass since it was a tie.

At this point, the commissioners discussed amending the motion to approve. There was a discussion about inspections from the Zoning Department, the Fire Department and the state. There was also a discussion about what the state would receive from the city as to the local zoning permit. There was a discussion about the number of residents which would allow the rest home to be financially viable. There was also a discussion about the recreation room in the rest home portion of the home.

**** MS. TABACHNECK MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-32 SP – Angela Valenton – 5 Blackberry Lane (District 5, Block 45, Lot 134) – Proposed Rest Home use be **APPROVED** subject to the following conditions:

1. That the site shall be developed in accordance with the following plans, and as further revised per these conditions of approval:
2. That the number of beds shall be limited to three for the Rest Home tenants and two bedrooms for the caretaker's quarters; and
3. That prior to the issuance of a zoning permit, the applicant shall confirm with the State of Connecticut (Department of Social Services) and provide proof to Staff that the Rest Home use with only three beds complies with the Final Decision letter issued by the Department of Social Services of the State of Connecticut; and
4. That the Recreation Room on the caretaker's quarters side of the structure may be converted into a bedroom, provided that Health Department approval is obtained by the applicant; and
5. That any Commercial Vehicles stored on the property shall be in accordance with the same Commercial Vehicle regulations that apply to single-family residences within the CD-1M Zoning District; and
6. That any changes to the approved plans, including any increase in the number of beds on site, shall be submitted to the Planning & Zoning Commission for review and approval prior to implementation; and
7. That any and all conditions required by Norwalk Health Department are applicable to this approval; and
8. That any and all conditions required by the Norwalk Fire Marshal are applicable to this approval; 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 shall be March 14, 2025.

Mr. Schulman said that he would be voting against the motion due to the lack of public transportation.

Ms. Langalis seconded.

Chapin Bryce; Tammy Langalis; Diana Lenkowsky; Ana Tabachneck; approved.

Richard Roina; Louis Schulman; Nick Kantor opposed.

No one abstained.

V. DISCUSSION

A. Zoning Regulation Amendments relating to the Special Flood Hazard Area and Coastal Area Management Zone

Mr. Baker noted that Ms. Lenkowsky had pointed out that these proposed changes would be specific to the flood zone and not the CAM zone. He explained that these are staff initiated changes to the regulations and why they were being done. There was also a discussion about public access requirements. There was a discussion about the finish of the exterior walls of the first level.

VI. ACCEPTANCE OF MINUTES

A. Regular Meeting: February 19, 2025

**** MR. SCHULMAN MOVED to approve the February 19, 2025 minutes, as amended.**

Ms. Langalis seconded.

Chapin Bryce; Diana Lenkowsky; Louis Schulman; Richard Roina; Tammy Langalis approved.

No one opposed.

Nick Kantor; Ana Tabachneck abstained.

VII. COMMENTS OF DIRECTOR

There were no comments from Mr. Baker.

VIII. COMMENTS OF COMMISSIONERS

Ms. Tabachneck said that Mr. Bryce had done a good job as chair.

Mr. Bryce asked about size minimums for workforce housing units and whether other communities had one.

IX. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.

Ms. Langalis seconded.

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

No one opposed.

No one abstained.

The meeting was adjourned at 8 p.m.

Respectfully submitted,

Diana Palmentiero