

CITY OF NORWALK
PLANNING & ZONING COMMISSION MINUTES
March 19, 2025

PRESENT: Galen Wells, Chair; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis

STAFF: Steve Kleppin; Bryan Baker

OTHERS: Wilber Geron; Ralph Kolb; Atty Darin Callahan; Atty Liz Suchy

I. CALL TO ORDER

Mr. Bryce called the meeting to order at 6:01 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. EXECUTIVE SESSION

At this point, Ms. Wells announced that the first two items would be handled together. The commissioners went into Executive Session at 6:03 pm

A. Terzian, Bryan S. v. Planning and Zoning Commission of the City of Norwalk (HHD-CV24-6182559-S) and B. Terzian, Bryan S. v. Planning and Zoning Commission of the City of Norwalk (HHD-CV-22-6182560-S)

**** MR. SCHULMAN MOVED THAT THE PLANNING & ZONING COMMISSION WOULD NOW BE IN EXECUTIVE SESSION.**

Ms. Langalis seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

IV. DISCUSSION AND ACTION ON POSSIBLE SETTLEMENT OF LITIGATION

The commissioners returned from Executive Session at 6:44 pm.

A. Discussion and action regarding possible settlement of litigation docketed as Terzian, Bryan S. v. Planning and Zoning Commission of the City of Norwalk (HHD-CV24-6182559-S)

**** MR. SCHULMAN MOVED** to approve the settlement based on the fact that (i) the stipulation is mutually beneficial, in that despite the long history and varied uses of the subject premises, it provides both the Planning & Zoning Commission and Mr. Terzian more certainty in their expectations for the subject property in the near-term and long-term development; (ii) the risk of an adverse decision at trial warrants consideration of this settlement; and (iii) the resolution of the appeal pursuant to the terms of the stipulation protects the commission's regulations that were passed in the last two years.

Mr. Bryce seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

B. Discussion and action regarding possible settlement of litigation docketed as Terzian, Bryan S. v. Planning and Zoning Commission of the City of Norwalk (HHD-CV-22-6182560-S)

**** MR. SCHULMAN MOVED** to approve the settlement based on the fact that (i) the stipulation is mutually beneficial, in that despite the long history and varied uses of the subject premises, it provides both the Planning & Zoning Commission and Mr. Terzian more certainty in their expectations for the subject property in the near-term and long-term development; (ii) the risk of an adverse decision at trial warrants consideration of this settlement; and (iii) the resolution of the appeal pursuant to the terms of the stipulation protects the commission's regulations that were passed in the last two years.

Mr. Bryce seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

Mr. Schulman made a final comment that this has been the only challenge to the new regulations.

V. REVIEW AND ACTION ON APPLICATIONS

Ms. Wells said that the A, B and C would be heard together since they were easements with the Eversource Company.

A. #2025-19 8-24 Referral - City of Norwalk - Referral of the proposed easement in the vicinity of Williams Street for purposes of access and maintenance - Report & recommended action

Wilber Geron, permit engineer for DPW, said that he would review all three. He then oriented the commissioners as to the location of the properties on an aerial map as well as showed them pictures of where the regulator station was and where Eversource would like it to be located. Eversource would provide trees and canopy to hide them.

There was a discussion about the regulator stations. Mr. Geron said that it regulated the infrastructure that is underground. Darin Callahan, the attorney for the city, said that they were working on an agreement and that compensation is still being addressed.

B. #2025-20 8-24 Referral - City of Norwalk - Referral of the proposed easement in the vicinity of Calf Pasture Beach Road for purposes of access and maintenance - Report & recommended action

Mr. Geron showed them pictures of where the regulating station would be located. The footprint would be smaller than the previous one. There was a discussion about cutting down trees which he said would not be necessary. No screening has been proposed for this one.

C. #2025-21 8-24 Referral - City of Norwalk - Referral of the proposed easement in the vicinity of Marvin Street for purposes of access and maintenance - Report & recommended action

Mr. Geron then showed them a picture of where Eversource would like the third easement which was behind a guardrail. It is near Calf Pasture Beach and would be a temporary project since they need it to upgrade their infrastructure in the Gregory Boulevard neighborhood. Once it is upgraded the regulator station would be removed. The project should take 2 years to complete. Eversource will have to restore the road since it had recently been repaved.

**** MS. LANGALIS MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-19 8-24 Referral – City of Norwalk – Referral of the proposed easement in the vicinity of Williams Street for purposes of access and maintenance 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,” through the strategy to “continue to update, modernize, and maintain Norwalk’s infrastructure and city facilities.”

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

Mr. Bryce seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

**** MS. LANGALIS MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-20 8-24 Referral – City of Norwalk – Referral of the proposed easement in the vicinity of Calf Pasture Beach Road for purposes of access and maintenance 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,” through the strategy to “continue to update, modernize, and maintain Norwalk’s infrastructure and city facilities.”

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

Mr. Bryce seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

**** MR. WILLIAMS MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-21 8-24 Referral – City of Norwalk – Referral of the proposed easement in the vicinity of Marvin Street for purposes of access and maintenance 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,” through the strategy to “continue to update, modernize, and maintain Norwalk’s infrastructure and city facilities.”

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

Ms. Lenkowsky seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

D. #2025-22 8-24 Referral - City of Norwalk - Referral of acquisition of 493 Connecticut Avenue - Report & recommended action

Ralph Kolb, WPCA, began the presentation by orienting the commissioners as to the location of the Keeler Brook pump station. He said that the station now has to be rebuilt due to flooding but it cannot be rebuilt in the same location. They have worked with Eversource to relocate the station which Mr. Kolb showed them on an aerial map. FEMA had concerns about the location being in the 100 year flood plain. He then discussed another location, 493 Connecticut Avenue, which is not in the 100 year flood plain. This property would also have less construction requirements from Eversource.

Atty Darin Callahan said that there had been ongoing discussions with Eversource since 2018. Eversource proposed limitations for safety reasons as well as protecting infrastructure. He said that the Common Council had approved an acquisition by eminent domain. They are also working with the owner on an acquisition price.

There was a discussion about the demolition of a building on the property. Some of the building might remain, but a portion of it would have to be removed for the new pumping station. Design work still has to happen to find the optimal place for it. The

owners would sell but they are negotiating a price. There were concerns about displacing a business in the building. The costs of construction have escalated.

Mr. Kolb described how the pump station in the area would work. He also noted that components of the flood station would have to be raised to be out of the 100 year flood plain. Because of this they did need a variance from the Zoning Board of Appeals (ZBA). He explained how they could receive funding from FEMA.

Atty Callahan said that they have attempted to work with Eversource for 7 years but are now realizing that the project may be unconstructable due to height issues. He also noted that the city is spending a lot of money operating the temporary pump station.

There was a discussion about the impervious surfaces on nearby properties. Atty Callahan said there was potential to reduce the asphalt during the design phase. There was also a discussion about the footprint size for the pump station, as well as the wet well. The project has been approved by the Common Council and the WPCA as well as the funding for the acquisition.

**** MR. SCHULMAN MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-22 8-24 Referral – City of Norwalk – Referral of acquisition of 493 Connecticut Avenue 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,” through the strategy to “continue to update, modernize, and maintain Norwalk’s infrastructure and city facilities.”

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

Mr. Williams seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams approved.

Tammy Langalis opposed.

No one abstained.

E. #10-20 SP - Zion Properties, LLC - 512-528 Main Avenue - Request for bond release for approved car dealership - Report & recommended action

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Mr. Baker began the presentation by explaining that the applicants had received their Certificates of Occupancy. They are requesting the release of the erosion and control bond.

**** MR. WILLIAMS MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #10-20 SP - Zion Properties, LLC - 512-528 Main Avenue, a request for bond release for approved car dealership be **APPROVED**.

Ms. Langalis seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

F. #2024-10 SP/CAM – WEB Construction LLC – 34 Meadow Street (District 2, Block 91, Lot 105) – Extension of time request for approved contractor’s storage yard and rock crushing and processing use

Atty Liz Suchy, the attorney for the applicant, noted that they had received a permit for a contractor’s yard. She explained what the applicant had done since receiving it last year. She also explained the reasons why they were requesting an extension. She also noted what had been put in place. They expected to begin demolition soon. She then requested a six month extension but would abide by any extension that the commission deemed appropriate.

**** MR. SCHULMAN MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-10 SP/CAM – WEB Construction LLC – 34 Meadow Street (District 2, Block 91, Lot 105) – a request for a one year extension of time for an approved contractor’s storage yard and rock crushing and processing use be **APPROVED**.

Mr. Bryce seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

G. #2024-08 SP/CAM – Harbor Ventures, LLC and Plumbing Works, LLC – 18 Harbor Avenue (District 1, Block 25, Lot 7) – Extension of time request to construct a new building and use the entire property as an Earth Processing and Contractor Materials Storage Yard

Atty Liz Suchy began the presentation with an introduction of the project and then discussed the approval that they had received. She also discussed the delay in receiving permits. She requested a one year permit but would abide with whatever the commission granted.

**** MR. SCHULMAN MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2024-08 SP/CAM – Harbor Ventures, LLC and Plumbing Works, LLC – 18 Harbor Avenue (District 1, Block 25, Lot 7) – a request for an extension of time for one year to construct a new building and use the entire property as an Earth Processing and Contractor Materials Storage Yard

Mr. Williams seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

VI. PUBLIC HEARINGS

A. #2025-06 R – City of Norwalk – Zoning Regulation Text Amendments to Articles 4, 6, and 8 relating to setbacks within the SD-LI, SD-HI and SD-MC zones; updating terminology to reference the Norwalk Complete Streets ordinance and design guide; revising where certain building types are permitted; updating language to reference stormwater and drainage best practices per the MS4 program; revisions to parking space dimensions; incentives to certain workforce housing criteria and clarifications to site plan review and special permit requirements - Public hearing, report & recommended action

Ms. Wells opened the public hearing. Mr. Baker began the presentation by noting that they had presented the changes in a previous meeting. Changes had been requested by TMP and WPCA but were too late to be added to the previous updates of the regulations. He then reviewed some of the changes which included ones that were staff initiated. There would be some modifications to the setback tables. There would also be references to the Norwalk Complete Streets Design Guide made to the regulations. There was also a change to the waterfront club. There was also a discussion about the minimum size of parking spaces. There were also changes to the workforce housing regulations. There was also a discussion about site plan review applications.

Mr. Baker noted that the application was referred out to the appropriate agencies and read the letter from DEEP into the record. He said they were in favor of the changes.

Ms. Wells explained to the public how they could comment for this hearing. There were no comments for or against the application. She closed the public hearing.

There was a discussion about the Planning & Zoning Department being comfortable with the changes. Mr. Baker said that they were minor and provided more clarity for the staff and the commission. Mr. Kleppin said that there would still be a few more changes to the workforce housing regulations after the affordable housing study. There was also a discussion about compact parking spaces.

**** MR. SCHULMAN MOVED: THEREFORE, BE IT RESOLVED** by the Norwalk Planning & Zoning Commission that application #2025-06 R – be **APPROVED**.

BE IT FURTHER RESOLVED that the reason for these actions is to implement the following goals, policies, strategies, and actions of the Norwalk Plan of Conservation and Development:

1. Chapter 10, Goal 1: “Norwalk has a comprehensive and balanced transportation system, with safety and multimodal accessibility the top priority of citywide transportation planning.”

a. Policy: “Support Complete Streets policies and multimodal level of service analysis to improve streets for all users and varying abilities.”

i. Strategy B: “Provide roads that serve the needs of Norwalk residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and pedestrian facilities.”

1. Action i: “Make land use decisions that support walking, bicycling, and public transit use.”

2. Chapter 11, Goal 1: “Norwalk’s infrastructure and public facilities are resource-efficient, well-maintained, cost-effective, sustainable, and resilient.”

a. Policy: “City government actions are guided by sustainability principles.”

i. Action xii: “Use green infrastructure and Best Management Practices to manage stormwater on City property.”

b. Policy: "Promote green infrastructure strategies to improve environmental quality and sustainability."

3. Chapter 12, Goal 1: "General guidelines guide land use decision making."

a. Policy: "Promote urban design guidelines for walkability for development in urbanized parts of Norwalk."

b. Policy: "Implement transit-oriented design (TOD) guidelines promoting density, walkability, and mix of uses for development near transit stations (rail and high-frequency bus)."

4. Chapter 12, Goal 2: "Neighborhood and corridor activity centers have urban design standards that promote walkability."

a. Policy: "Support mixed-use redevelopment along commercial corridors."

5. Chapter 12, Goal 3: "The user-friendly zoning ordinance is consistent with the future land use map and achievement of the vision and goals of the POCD."

a. Policy: "Support revision of the zoning ordinance to promote desired development and design patterns."

b. Policy: "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 28, 2025.

Mr. Williams seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

VII. DISCUSSION

A. Capital Budget Ordinance Discussion

Mr. Kleppin explained how the city was thinking of streamlining the process. He had been working with the city's CFO, Jared Schmitt on the process. Mr. Schmitt had been working with the Common Council's charter revision committee. He explained how there would be one presentation to all of the appropriate agencies, rather than the current multiple presentations. He said that he thought it was necessary for the commission to see how money is being spent for the long term. He would keep them apprised of his conversations with Mr. Schmitt.

VIII. ACCEPTANCE OF MINUTES

A. Regular Meeting: March 5, 2025

**** MR. BRYCE MOVED to approve the March 5, 2025 minutes.**

Ms. Langalis seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Tammy Langalis approved.

No one opposed.

Jacquen Jordan-Byron; Darius Williams abstained.

IX. COMMENTS OF DIRECTOR

Mr. Kleppin said that he had sent out a training opportunity for the commissioners, if they were interested.

He also said that there is an application from Grey BArns for events at the site. The applicant had requested a site visit which would be a special meeting in April.

The April 16th meeting would be in person at the Common Council chambers. There would be a Zoom option.

Mr. Kleppin said that he thought it should wait because some commissioners had been trained. He said that Mario Coppola, the city's corporation counsel, has a program that they present to other municipalities as well. Mr. Schulman thought the training should be sooner rather than later.

Mr. Kleppin said that the fountain on Washington Street would be running again. Mr. Schulman asked to confirm that the number of trees on Water Street would be the same as what was required.

X. COMMENTS OF COMMISSIONERS

Mr. Williams said that he had spoken with the CFO of the Norwalk Public Schools, Lunda Asmani, who invited the commissioners for a site visit of the South Norwalk elementary school.

Ms. Langalis had comments about the businesses on Meadow Street that had said they would beautify the area at one point. She thought everything looked the same as before. She also had a question about an application from the previous meeting which converted commercial space to residential. She wondered if the property would be reassessed.

XI. ADJOURNMENT

Mr. Bryce made a Motion to Adjourn.

Mr. Williams seconded.

Galen Wells; Chapin Bryce; Diana Lenkowsky; Louis Schulman; Jacquen Jordan-Byron; Darius Williams; Tammy Langalis approved.

No one opposed.

No one abstained.

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Diana Palmentiero