

**CITY OF NORWALK  
ZONING COMMISSION  
July 20, 2016**

**PRESENT:** Nathan Sumpter, acting as Chair; Mike O'Reilly; Douglas Stern; Roderick Johnson; Michael Witherspoon

**STAFF:** Mike Wrinn; Frank Strauch

**I. CALL TO ORDER**

Mr. Sumpter called the meeting to order at 7:40 p.m.

**II. ROLL CALL**

Mr. Wrinn called the roll.

**III. PUBLIC HEARINGS**

**a. #5-16R - Zoning Commission – Proposed amendments to establish a moratorium on licensed medical marijuana producer or dispensary facility as permitted by the State of CT.**

Mr. Sumpter opened the public hearing. Mr. Stern read the legal memo into the record. Mr. Wrinn explained the proposed amendments which would give the commissioners an opportunity to create a definition for “medical marijuana producer” and “medical marijuana dispensary” which would be used in the regulations as well as establishing a 9 month moratorium to help them create the regulations. The only thing is that the commissioners cannot decide to not allow dispensaries to open.

No one spoke either for or against the proposed amendments. Mr. Stern read the referrals into the record. Mr. Sumpter closed the public hearing.

**IV. REPORT OF PLAN REVIEW COMMITTEE**

**a. #14-16CAM – Christopher Bogart – 15 Seabreeze Place – New single family residence - Report & recommended action**

**\*\* MR. SUMPTER MOVED: BE IT RESOLVED** that application #14-16CAM, construction of a proposed additions to an existing single-family residence for the property 15 Seabreeze Place and as shown on the engineering drawings dated 6/22/2016 and revised to 6/27/2016 by McChord Engineering Associates, Inc., Wilton, CT and on the architectural drawings dated 5/12/2016 and revised to 5/31/2016 by Tesoro Architects, New York, NY be **APPROVED** subject to the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
2. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

**BE IT FURTHER RESOLVED** that this proposal complies with all applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be July 29, 2016.

**Rod Johnson seconded.**

**Nathan Sumpter, Doug Stern, Rod Johnson, Michael Witherspoon and Michael O'Reilly voted in favor.**

**No one opposed.**

**No one abstained.**

**b. #3-14SP/#11-14CAM – Maritime Village I, LLC – 17-19 Day St – 68 units/ 9790 sf mfg – Request to modify approved plan to reduce lot area and number of units to 57; revise manufacturing use in Bldg A to office; revise affordable housing plan to change # of units from 8 to 6 and related modifications – Determine if minor change (ZC must act on change to Special Permit & Workforce Housing Plan) - Report & recommended action**

**\*\* MR. SUMPTER MOVED: BE IT RESOLVED** that the request to modify the approved plans for special permit application **#3-14SP** and coastal site plan review application **#11-14CAM**– Maritime Village I, LLC – 17-19 Day/Raymond Street – New 5 story, 56 ft mixed use development with 68 unit multifamily dwelling units in two new buildings & 9,790 sf mfg in an existing bldg in a Transit Oriented Development (TOD) area as modified to reduce to one lot (19 Day Street); to reduce the number of dwelling units from 76 to 57 units (21 studio, 19 one-bedroom, 16 two-bedroom and 1 three-bedroom); to revise the workforce housing plan from 8 workforce units to 6 workforce units (2 studio, 2 one-bedroom and 2 two-bedroom), to change the use of Building A from 6,430 sf office and 2 dwelling units to 9,790 sf office and to add a new smaller Building C with bike storage on ground floor and 1 residential unit above as shown on a set of plans entitled "Maritime Village LLC 19 Day Street South Norwalk, CT 06854" by Beinfield Architecture and Rose Tiso & Co. LLC Engineers and other related plans dated as revised to July 14, 2016, be **APPROVED**, subject to the following conditions:

1. That the draft deed restriction as shown on a certain document entitled "Workforce and Affordable Housing Affordability Plan Maritime Village I, LLC Version 3" dated revised to July 14, 2016 and related documents showing two (2) studio units, two (2) one-bedroom and two (2) two-bedroom units, for a total of six (6) workforce housing units, shall run with the land in perpetuity and shall be submitted for Corporation Counsel review and then filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance; and
2. That a certificate of special permit and mylar of the approved site plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
3. That all CEAC signoffs shall be submitted prior to the start of construction; and
4. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and

5. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required erosion and sediment controls; and
6. That a Connecticut licensed engineer certify that all of the required improvements, including any required off-site improvements, were installed to City standards and that the development as constructed complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
7. That all signage, existing and proposed, comply with the zoning regulations and that any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
8. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
9. That the storm water maintenance plan be implemented to ensure the maintenance of onsite drainage systems; and
10. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and

**BE IT FURTHER RESOLVED** that the reason for this action is that this application complies with applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that this application complies with Section 118-700 Industrial Zone. No. 1, as amended, and with the applicable sections of the Building Zone Regulations for the City of Norwalk.

**BE IT FURTHER RESOLVED** that the effective date of this action be July 29, 2016.

**Rod Johnson seconded.**

**Nathan Sumpter, Doug Stern, Rod Johnson, Michael Witherspoon and Michael O'Reilly voted in favor.**

**No one opposed.**

**No one abstained.**

**c. #2-14SP – 15 Arch Street Assoc., LLC – 15 Arch Street & 13 Lynes Place – 16 units multifamily residential – Return of maintenance surety - Report & recommended action**

**\*\* MR. JOHNSON MOVED: BE IT RESOLVED** that the surety be **APPROVED** to be released on application #2-14SP submitted by 15 Arch Street Assoc., LLC – 15 Arch Street & 13 Lynes Place as all improvements have been completed and maintained; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be July 29, 2016.

**Michael Witherspoon seconded.**

**Nathan Sumpter, Doug Stern, Rod Johnson, Michael Witherspoon and Michael O'Reilly voted in favor.**

**No one opposed.**

**No one abstained.**

**d. #18-03SP – Luke’s Autobody – 137 CT. Ave – Motor vehicle storage facility – Return of maintenance surety - Report & recommended action**

This application was postponed.

**V. REPORT OF ZONING COMMITTEE**

**a. Action on Item III. a.**

**i. #5-16R - Zoning Commission – Proposed amendments to establish a moratorium on licensed medical marijuana producer or dispensary facility as permitted by the State of CT.**

**\*\* MR. STERN MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "**#5-16R - Zoning Commission – Proposed amendments to establish a moratorium on licensed medical marijuana producer or dispensary facility as permitted by the State of Connecticut** " and dated May 10, 2016 be **APPROVED**.

**BE IT FURTHER RESOLVED** that the reasons for this action are:

1) To implement the Plan of Conservation and Development to "Preserve and enhance the character of Norwalk" (A.1.1.4, p. 10); and

2) To implement the Plan of Conservation and Development to "Protect residential neighborhoods from incompatible development" (A.1.1.6, p. 10); and

**BE IT FURTHER RESOLVED** that the effective date of this action be July 29, 2016.

**Rod Johnson seconded.**

**Nathan Sumpter, Doug Stern, Rod Johnson, Michael Witherspoon and Michael O’Reilly voted in favor.**

**No one opposed.**

**No one abstained.**

**VI. APPROVAL OF MINUTES: June 1, June 7 and June 15, 2016**

**Doug Stern moved to approve the June 1, June 7 and June 15, 2016 minutes.**

**Rod Johnson seconded.**

**Nathan Sumpter, Doug Stern, Rod Johnson, Michael Witherspoon and Michael O’Reilly voted in favor.**

**No one opposed.**

**No one abstained.**

**VII. COMMENTS OF ACTING DIRECTOR**

**Mr. Wrinn thanked the commissioners for their attendance.**

**VIII. COMMENTS**

**OF**

**COMMISSIONERS**

There were no comments from the commissioners.

**IX. ADJOURNMENT**

**Doug Stern made a Motion to Adjourn.**

**Rod Johnson seconded.**

**Nathan Sumpter, Doug Stern, Rod Johnson, Michael Witherspoon and Michael O'Reilly voted in favor.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Diana Palmentiero