

**CITY OF NORWALK  
ZONING COMMISSION  
November 15, 2017**

**PRESENT:** Nathan Sumpter, Chair; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero

**STAFF:** Steven Kleppin; Mike Wrinn

**OTHERS:** Atty. Liz Suchy; Frank Briel; Chuck Croce; Rick Canavan; John Block; Clay Fowler; Nicki Geller; Doug Adams; David Westmoreland; Diane Lauricella; Mark Wilson; Atty. Al Vasko; Mary Schibo; Paul Southern; Morris Gross; Atty. Joe Williams; Hakam Sedda; Tod Bryant; Harold Whitmore; Eloise Melendez; Chris Yerinides; James Cahn; Juan Beltran; Diane CeCe; Richard Bonenfant; Kerry \_\_\_\_\_; Colin Grothier; Charles Harris; Naomi \_\_\_\_\_; Ursula \_\_\_\_\_; Patrick O'Leary;

**I. CALL TO ORDER**

Mr. Sumpter called the meeting to order at 7:01 p.m.

**II. ROLL CALL**

Mr. Kleppin called the roll. Mr. Sumpter then explained the rules for the public hearings.

**III. PUBLIC HEARINGS**

**a. #8-17SPR/#25-17CAM – The Maritime Aquarium at Norwalk – 10 North Water Street – Removal and reconstruction of IMAX theater and other additions and site improvements**

Mr. Sumpter opened the public hearing. Atty Suchy began the presentation with an introduction of the project team, as well as giving Mr. Kleppin the certified return receipt cards evidencing notice of the public hearing to the abutting neighbors. She then oriented the commissioners as to the location of the property. She described the Maritime Aquarium with a brief history as well as how it operates today. She explained the Walk Bridge project and how it would affect the Maritime Aquarium. It decided to be pro-active and re-construct the property on the northside so as not to be affected by the Walk Bridge project. She explained that it did not need variances and had received its approvals from the Common Council and various city agencies.

Frank Briel, the architect on the project, explained the project and its components. He showed them the existing Maritime Aquarium and explained that the IMAX would be demolished. He showed them the parts of the Aquarium that would be re-located. He then showed them the 5 new components to the proposed Aquarium which included a new entrance across from the parking garage. He showed them the various views of the current Aquarium and the new components in greater detail.

Chuck Croce, civil engineer, continued the presentation, by discussing the electrical and drainage components of the project.

Rick Canavan, environmental scientist, continued the presentation by explaining the coastal site plan which was necessary since the structure was adjacent to the Norwalk River. He showed them coastal jurisdiction lines on an aerial map, as well as pictures of the current coastal resources that are at the site. John Block explained the effects of Hurricane Sandy and what was being done to prevent that from happening again. There was then a discussion about the demolition of the buildings which would be the Connecticut Department of Transportation. The applicant planned to elevate the buildings higher than was required.

John Block, of Tighe and Bond, also discussed the transportation study that was completed for this project as well as the proposed bus lines and revised traffic patterns. He said that there was no major change to the traffic patterns. There was a discussion about the crosswalks.

Atty. Suchy concluded the applicant's presentation.

Clay Fowler, as a member of the Maritime Aquarium's board, spoke in support of the project and asked the city to support it by moving it forward quickly. There was a discussion about the taking of the Aquarium's land for the Walk Bridge project. Mr. Fowler was not certain what would happen to it.

Nicki Geller, North Water Street, said that she had concerns about the crosswalks which were not lighted, as well as the speeding on North Water Street.

Doug Adams spoke in support of the project because his family has enjoyed it over the last decade. He also spoke as one of the developers of the SoNo Collection and reminded them that the Aquarium was an asset and what drew his company to build the mall in Norwalk.

David Westmoreland spoke in support of the Maritime Aquarium and thought it was an economic asset to the city because of the number of visitors to the city.

Diane Lauricella spoke in support of the Maritime Aquarium. She did have concerns that the taxpayers would pay for this project as well asking that the project team consider sustainable technologies for it.

Mark Wilson, Washington St., spoke in support of the project. He asked about upgrading the lighting as well as having concerns about the taking of the land. Mr. Kleppin noted that this was still being discussed.

Atty. Suchy said that the applicant had no knowledge of problems with the crosswalks or speeding. She addressed the concerns about the lighting and then concluded her rebuttal. She asked that the commissioners vote on it this evening. There was a discussion about the crosswalks because some commissioners thought that the crosswalks should be reviewed. There was then a discussion about the funding of this project. The applicant indicated that the Board expected funding would be from the State of Connecticut but those negotiations were not concluded.

Mr. Sumpter closed the public hearing.

**b. #8-17SP – Norwalk Hospital/Western CT. Health Network– 34 Maple St – Proposed modifications to Exterior Signage Manual to revise Hospital logo, add new illuminated cornice sign at roofline of main building, update ground signs, add banners and related changes**

Mr. Sumpter opened the public hearing. Atty Vasko began the presentation by introducing the project team as well as giving Mr. Kleppin the certified return receipt cards evidencing notice of the public hearing to the abutting neighbors. He explained the modifications that the Norwalk Hospital was requesting including special banners to celebrate the hospital's 125<sup>th</sup> anniversary in 2018. He also explained that the hospital was asking for these new signs in order to re-brand after merger which would incorporate a new logo.

Mary Schibo continued the presentation by explaining that she had worked with the other hospitals that had merged with Western Connecticut Health networks. She said that the signs would be replaced because they were old. She showed them photos of before and after signs, as well as daytime and nighttime views. There was a discussion about the Emergency Room signs. There was a discussion about the front door not opening automatically for those in wheelchairs, although there are buttons to allow that. It was on the list to be fixed.

Atty. Vasko noted that since the hospital was in a residential area the applicant planned to change them to lessen the impact on the neighborhood.

Paul Southern, the lighting consultant, addressed the concerns about the illumination of the lights at night. He explained that the hospital picked colors for the signs that were more subdued and would help the brightness. He also explained a study that his company had performed.

Atty. Vasko also mentioned that the applicant was requesting that special banners for their anniversary be placed on light poles around the hospital for 1 year, rather than a shorter period of time. He showed them an example of the banner that they were requesting as well as noting they would like to place between 20-25 banners. There was a discussion about replacing signs if they were ripped or torn. They would be going up on January 1 and be removed December 31, 2018 or thereabouts.

Morris Gross thanked the commissioners for their review of the application as well as noting that there were satellite offices which had similar signs. It helped people to find them as well as having the celebratory signs for their 125<sup>th</sup> anniversary. There was a discussion about whether signage would go up for Memorial Sloan Kettering. The applicant indicated that there would not be. There was a discussion about whether the cornice sign would stay on all night. Mr. Gross hoped that it would be to help people in way finding and respectfully asked the commissioners to do so.

No one spoke in support or against the application. Atty. Vasko concluded his presentation and Mr. Sumpter closed the public hearing.

**c. #1-17M - Cumberland Farms, Inc. – 2 & 4 West Main Street/125, 127, 129, 131 Main St – Proposed change to Building Zone Map from D Residence in part & Business #2 in part to entirely Business #2 zone – Continue public hearing from Oct 18, 2017 AND**

**d. #7-17R - Cumberland Farms, Inc. – Proposed amendments to Section 118-1010 to remove text regarding a minimum distance of two thousand (2000) feet between gas stations - Continue public hrg from Oct 18, 2017 AND**

**e. #4-17SP - Cumberland Farms, Inc. – 2 & 4 West Main Street/125, 127, 129, 131 Main St – New gas station with 6 pump islands (12 fueling stations) and 4,794 sf retail store - Continue public hearing from Oct 18, 2017**

Mr. Sumpter opened the public hearing by noting that these 3 applications would be heard together and reminded everyone that this was a continuation of the public hearing.

Atty. Joe Williams thanked the commissioners for their diligence and said that they would not re-iterate what they had discussed at the last meeting. They would discuss the truck patterns which were revised. He noted that the houses that were on the property could be preserved but that the city should work collaboratively with the property owner. He said that a letter had been submitted to the commissioners from the Gennaro family about the history of the buildings. Some of the properties would have to be sold because the upkeep was too costly. He discussed their discussions with the Department of Public Works (“DPW”) and that they had received their sign-off from them.

James Galella, the traffic engineer on the project, continued the presentation with a discussion of the revised plans to change the truck route. He noted that the location of the tanks had been changed which included parking spaces. The mountable pork chops would allow the trucks to run over them. He also noted that there will be a sign reading “Local Traffic Only” to discourage traffic from driving through the neighborhood.

There was then a discussion of the times that the trucks would be allowed on the property. Atty Williams noted that there are black out times including times when school buses would be traveling through. The hours of the convenience station and gas station would be 24/7. There was a discussion about the current Cumberland Farms and whether the food delivery trucks would come onto the property similar to the gas tankers.

David Westmoreland said that he would allow those with young children to speak before him.

Hakam Sedda, 1 West Main Street, explained that his family, including his brother deserved to live in a quiet neighborhood. They had recently moved in 2015 to Norwalk.

David Westmoreland, the Chair of the Historical Commission, thanked the commissioners for keeping the public hearing open and turning in the Historical Society’s minutes and resolutions in connection with this project. The resolution noted that the Historical Commission agreed with the Planning

Commission's denial. It also noted that there were structures on the properties on the state's Historical Register and that they would work with the owners of these structures. He made a lengthy statement that the application violated many of the Special Permit regulations.

Tod Bryant, President of the Norwalk Preservation Trust, said that his board had asked him to speak against the application. He noted that this was a large project. He asked that the commissioners listen to the neighbors and reject the application.

Harold Whitmore, 28 West Main Street, explained that his family has been on West Main Street for over 50 years. He was not looking forward to this project. He had concerns about the traffic.

Eloise Melendez, who represents her constituents in this area, asked that the Zoning Commissioners do as the Planning Commission had done and vote no. She could not find any reason to support it.

Chris Tsiranides, who represents his constituents on the Common Council in this area, also asked that the commissioners vote no on the project.

James Cahn, 12 Union Ave., spoke against the project by noting that his neighborhood did not need another gas station when there was one 700 ft. away.

Juan Beltran, 133 Main Street, spoke against the project. He said he was proud to live in Norwalk for 17 years. He did not think another gas station was enough.

Diane Lauricella spoke in opposition to the project. She explained many reasons why she did not agree with it and also questioned why the applicant was allowed to rebut in the middle of a public hearing.

Diane CeCe spoke in opposition to the project. She questioned whether the public would have an opportunity to review the revised traffic plan that the commissioners had received. She asked them to deny the application as the Planning Commission had.

Richard Bonenfant spoke as a Common Councilman, who at one point had represented this district, and said that he agreed with the other speakers that this application should be denied.

Kerry \_\_\_\_\_, spoke in opposition to the application. She noted that this was not a commercial neighborhood but rather, a residential one.

Colin Grothier (sp), 16 West Rocks Road, said that he agreed with previous speakers but also noted that this was double the size of any other gas station. It would be the largest which would look like a highway rest stop in a residential neighborhood.

Charles Harris, member of the Norwalk Preservation Commission, spoke against the application. He did not want to see it happen because he grew up in this neighborhood.

Naomi \_\_\_\_\_ spoke in opposition to the application. Her family had been in this area for over 50 years.

Ursula \_\_\_\_\_ asked that the application be denied.

Atty. Williams began his rebuttal by asking Jim Galella to address certain issues raised by the public.

Mr. Galella explained the lighting plan further including the canopy lighting. He also addressed the odors from the gas tanks which he said were minimal and were caused when they were being filled. He also addressed the landscaping plan which included a retaining wall. He also explained the rainwater and drainage system.

Patrick O'Leary, the traffic engineer, and summarized the traffic impact study that his firm had

provided.

Atty Williams continued the rebuttal by explaining what the state Historical Register does and does not do. He also noted that the structures on the property could be demolished and a more intense use could be constructed such as Dunkin Donuts. He explained the benefits of the application. Cumberland Farms would maintain the same hours as the current one, instead of 24/7, if the commissioners requested. He noted that the application did comply with regulations and the Plan of Conservation and Development ("POCD").

Before Mr. Sumpter closed the public hearing, he noted that it would be sent back to committee and not voting on it at this meeting.

At this time, the commissioners took a 5 minute break at 10:15 p.m.

**f. #9-17R – Zoning Commission - Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center and South Norwalk due to expire December 31, 2017**

Mr. Sumpter opened the public hearing. Mr. Wrinn spoke about this amendment which is renewed every 2 years. If there is a parking problem then it would go away. No one spoke for or against it. Mr. Witherspoon read the Planning commission referral into the record. Coastal Area Management approved this amendment and WestCOG had no comment.

Mr. Sumpter closed the public hearing.

**g. #10-17R – Zoning Commission - Proposed amendments to “opt out” of temporary health care structures required by Public Act #17-155**

Mr. Sumpter opened the public hearing. Mr. Kleppin explained the state legislation and explained the structures. The Planning and Zoning Department staff recommended that they opt out of it. He explained what the procedure was for this regulation amendment.

Diane Lauricella asked that the commissioners send this item back to committee for further review. She thought that this might be helpful for seniors and that they could be regulated. She gave examples of regulations from other states.

Diane CeCe said that she was concerned that this had not been properly vetted. She explained that it could be discussed through the Plan of Conservation and Development process.

Mr. Kleppin said that this was an unfunded mandate from the state. It had not received any input from the municipalities. He noted that the city had already had regulations for accessory apartments and that a regulation could be crafted after the POCD process was completed, if necessary.

Mr. Passero said that the public had good points but would defer to the staff. The commissioners seemed to think that it would be a better idea to opt out and then craft their own regulation at a later time, if there seemed to be a need for it. There was a discussion about how to monitor these structures which was an additional cost to the city.

Mr. Witherspoon read the Planning Commission referral into the record. He also read the referrals from Coastal Area Management and WestConn.

Mr. Sumpter closed the public hearing.

**IV. REPORT OF PLAN REVIEW COMMITTEE**

**a. Action on Items III. a. and b.**

**i. #8-17SPR/#25-17CAM – The Maritime Aquarium at Norwalk – 10 North Water Street – Removal and reconstruction of IMAX theater and other additions and site improvements**

**\*\*\* MR. PASSERO MOVED: Resolved by the Norwalk Zoning Commission** that the application #8-17SPR/#25-17CAM, submitted by The Maritime Aquarium at Norwalk, 10 North Water Street for the removal and reconstruction of the IMAX theater and other additions and site improvements, as shown on plans by Tighe and Bond Engineers, Shelton, CT dated September 20, 2017 and plans by Beyer Blinder Belle, New York, NY, dated September 20, 2017 be **APPROVED** with the following conditions:

1. That any change to the plan will require Zoning Commission review; and
2. That any graffiti on the site, now or in the future, be removed immediately; and
3. That all required CEAC signoffs are submitted; and
4. That all required soil and sedimentation controls be installed prior to the start of construction and maintained until the project is completed and stabilized; and
5. That all landscaping and site improvements are required to be maintained in good condition, as approved, for the life of the project; and
6. 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
7. That final flood certifications be provided as required, (including verification of substantial improvement) on the buildings prior to any occupancy or use of the property; and
8. That the project be in compliance with the city's stormwater management requirements and a signoff from DPW be submitted, verifying this compliance with the city's storm water management requirements; and

**BE IT FURTHER RESOLVED** that this application complies with the RPDD and the WSDD sections of the Building Zone Regulations for the City of Norwalk; and

**BE IT FURTHER RESOLVED** that the application complies with all applicable Coastal Resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this action be November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**ii. #8-17SP – Norwalk Hospital/Western CT. Health Network– 34 Maple St – Proposed modifications to Exterior Signage Manual to revise Hospital logo, add new illuminated cornice sign at roofline of main building, update ground signs, add banners and related changes**

**\*\*\* MR. PASSERO MOVED: BE IT RESOLVED** that the request to revise the sign manual for Norwalk Hospital entitled "Exterior Signage and Graphics Manual" dated August 21, 1996 and "Exterior Signage Location Map" dated revised to October 1, 1996 prepared by HLM as revised to April 2014 to add the following signs as shown on a various plans prepared by Priority Signs dated revised to October 19, 2017 to update the main entry sign at the base of the hill and add a new ground sign, to revise the ground signs along Maple Street, to add 2' X 5' banners to the light poles for the Hospital's 125<sup>th</sup> anniversary; and to add a new cornice sign at the top of the 9 story main building to read "Norwalk Hospital" and related modifications to existing signs be **APPROVED**, subject to the following conditions:

1. That the proposed new cornice sign with letter heights of **10 feet** be approved; and
2. That any further changes to the sign manual be submitted for review and approval by the Commission; and
3. That the banners be replaced soon as any sign of deterioration occurs and maintained for a year; and

**BE IT FURTHER RESOLVED** that the effective date of this action be November 24, 2017.

There was some discussion about the conditions of this resolution before it was voted on.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**b. #6-16SPR/#20-16CAM – Norwalk Land Development LLC - 1 Putnam Ave (North parcel) - The SoNo Collection Comprehensive Exterior Signage Manual dated revised October 4, 2016 - Request for 1 yr ext of approval time - Report & recommended action**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the request for an extension of approval time for site plan review application **#6-16SPR** and coastal site plan application **#20-16CAM**; Norwalk Land Development, LLC (The SoNo Collection) – 1 Putnam Av/North Water St/Crescent St: **North Parcel** to add new signs including new Electronic Video Screen (EVS) signs along with various wall, projecting and ground signs as shown in the “Comprehensive Exterior Signage Manual for Norwalk Land Development, LLC” dated July 21, 2016 and revised to October 4, 2016 along with a booklet of “Exterior Signage Presentation Graphics” dated August 30, 2016 and revised October 7, 2016” and related exhibits for proposed signs associated with special permit application **#21-15SP** and coastal site plan application **#26-15CAM – Norwalk Land Development, LLC (The SoNo Collection) – 1 Putnam Avenue/North Water St/Crescent St – North Parcel: 8 story, ±759,800 square foot mixed use retail shopping center development, be APPROVED**, subject to the following conditions:

1. That the original conditions of approval remain in effect; and
2. That the new approval deadline for obtaining permits will be **November 25, 2018**; and

**BE IT FURTHER RESOLVED** that the effective date of this action be November 24, 2017.

**Mr. Passero seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**c. #7-16SPR/#21-16CAM – Norwalk Land Development LLC - 63 West Ave (South parcel) - The SoNo Collection Comprehensive Exterior Signage Manual dated revised October 4, 2016 – Request for 1 year extension of approval time - Report & recommended action**

**\*\*\* MR. PASSERO MOVED: BE IT RESOLVED** that the request for an extension of approval time for site plan review application **#7-16SPR** and coastal site plan application **#21-16CAM**; Norwalk Land Development, LLC (The SoNo Collection) – 63 West Ave/North Water St/Pine St Extension – **South Parcel** to add new wall, projecting and ground signs as shown in the “Comprehensive Exterior Signage Manual for Norwalk Land Development, LLC” dated July 21, 2016 and revised to October 4, 2016 along with several documents and a booklet of “Exterior Signage Presentation Graphics” dated August 30, 2016 and revised October 7, 2016” and related exhibits for proposed signs associated with special permit application **#22-15SP** and coastal site plan application **#27-15CAM**; Norwalk Land Development, LLC (The SoNo Collection) – 63 West Ave/North Water St/Pine St Extension – South Parcel: 8 story, ±310,546 square foot mixed use retail shopping center development, be **APPROVED**, subject to the following conditions:

1. That the original conditions of approval remain in effect; and
2. That the new approval deadline for obtaining permits will be **November 25, 2018**; and

**BE IT FURTHER RESOLVED** that the effective date of this action be November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**d. #9-16SPR/#33-16CAM – King Industries, Inc & Water Sports Center, Inc (Maritime Rowing Club) – 1 Jennings Place – Request for 1 yr ext of approval time for row club buildings - Report & recommended action**

**\*\*\* MS. WELLS MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that application #9-16SPR - #33-16CAM – King Industries for a 15,000± SF building for a Maritime Rowing Club and related site improvements at 1 Jennings Place be granted a ONE YEAR extension of the approval time, extending the deadline to January 27, 2019.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**e. #24-17CAM – J. & E. Couillard – 11 Tonetta Circle - Addition to existing residence – Rpt & recom. Action**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that application #24-17CAM , construct additions to an existing single-family residence for the property 11 Tonetta Circle and as shown on the zoning location survey dated 7/24/17 by Dennis A. Delius, Surveyors, Norwalk, CT and on the site development plan dated 10/18/17 and revised to 10/30/17 by John Mallozzi, PE, Stamford, CT and on the architectural drawings dated 10/10/17 by Architectural Drafting and Design, LLC and stamped and signed by John Mallozzi, PE, Stamford, CT be **APPROVED** subject to the following conditions:

1. That all CEAC sign-offs be submitted; and
2. That all City storm-water management requirements are met; and
3. That a permit is obtained from the Department of Public Works in regards to City storm-water management requirements; and
4. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
5. 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 November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**f. #3-17MV – Lobalbo Autobody – 259 Main Ave – Replacement repairer’s autobody – Rpt & recom. Action**

**\*\*\* MR. PASSERO MOVED: BE IT RESOLVED** that application #3-17MV – Lobalbo Auto Body, LLC, - 259 Main Avenue – Replacement auto body and repairer facility, and as shown on the site plan by Grumman Engineering dated 10/26/17 and on the architectural plan accepted by the Planning and Zoning Department, dated 10/30/17 be **APPROVED** with the following conditions:

1. That there be no commercial towing/storage operation conducted on the site; and that all repairs be conducted within the building; and
2. That the applicant maintains the landscaping and striping in accordance with the original variance; and

3. That all requirements in respect to any aquifer issues be met; and
4. That there be no outdoor storage of parts or auto carcasses; and
5. That there be no on-street parking of vehicles; and
6. That there be no on-street parking for patrons or employees; and
7. That there shall be parking only in designated spaces as shown on the approved site plan;

and

8. That there be no temporary signs erected at the site; and
9. That no off-premise signs are permitted; and
10. That no pennants be displayed; and
11. That any graffiti on the site, now or in the future, is to be removed immediately; and
12. That all signage, existing and proposed, be in compliance with the Zoning Regulations; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**g. #4-17MV – Scott Holgerson – 20 School St – Replacement repairer’s – Rpt & recommended action**

**\*\*\* MR. PASSERO MOVED: BE IT RESOLVED** that application #4-17MV – Lobalbo Auto Body, LLC, - 20 School Street – Replacement auto body and repairer facility, and as shown on the site plan accepted by the Planning and Zoning Department, dated 10/18/17 be **APPROVED** with the following conditions:

1. That there be no commercial towing/storage operation conducted on the site; and that all repairs be conducted within the building; and
2. That the applicant maintains the landscaping and striping in accordance with the original variance; and
3. That the applicant is limited to two (2) automobile lifts presently in the building; and
4. That there be no outdoor storage of parts or auto carcasses; and
5. That there be no on-street parking of vehicles; and
6. That there be no on-street parking for patrons or employees; and
7. That there shall be parking only in designated spaces as shown on the approved site plan; and
8. That there be no temporary signs erected at the site; and
9. That no off-premise signs are permitted; and
10. That any graffiti on the site, now or in the future, is to be removed immediately; and
12. That all signage, existing and proposed, be in compliance with the Zoning Regulations; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

## **V. REPORT OF ZONING COMMITTEE**

**a. Action on Items III. c., d., e., f. and g.**

**i. #1-17M - Cumberland Farms, Inc. – 2 & 4 West Main Street/125, 127, 129, 131 Main St – Proposed change to Building Zone Map from D Residence in part & Business #2 in part to entirely Business #2 zone – Continue public hearing from Oct 18, 2017 AND #7-17R - Cumberland Farms, Inc. – Proposed amendments to Section 118-1010 to remove text regarding a**

**minimum distance of two thousand (2000) feet between gas stations - Continue public hrg from Oct 18, 2017 AND #4-17SP - Cumberland Farms, Inc. – 2 & 4 West Main Street/125, 127, 129, 131 Main St – New gas station with 6 pump islands (12 fueling stations) and 4,794 sf retail store - Continue public hearing from Oct 18, 2017**

The commissioners decided since they had received new materials and heard from so many neighbors that these applications would be sent back to committee.

**#9-17R – Zoning Commission - Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center and South Norwalk due to expire December 31, 2017**

**\*\*\* MR. PASSERO MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “**#9-17R – Zoning Commission – Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center and South Norwalk**” and dated **September 1, 2017**, be **APPROVED**.

**BE IT FURTHER RESOLVED** that the reason for this action is:

- 1) To implement the Plan of Conservation & Development to "Encourage centralized parking in the Norwalk and South Norwalk downtowns which allows shared parking by uses with complementary demands in both daytime and evenings" (E.5.1.3 p.39)
- 2) To implement the Plan of Conservation & Development to "Support economic growth in the city with appropriate parking strategies" (E.5.1, p.39)
- 3) To promote new businesses to locate in existing vacant space in Norwalk Center and South Norwalk; and

**BE IT FURTHER RESOLVED** that the effective date of this action be November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**g. #10-17R – Zoning Commission - Proposed amendments to “opt out” of temporary health care structures required by Public Act #17-155**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “**#10-17R - Zoning Commission – Proposed amendments to “opt out” of temporary health care structures required by Public Act #17-155**” and dated September 27, 2017, be **APPROVED**.

**BE IT FURTHER RESOLVED** that the reason for this action is:

- 1) To implement the Plan of Conservation & Development to "Protect residential neighborhoods from incompatible development" (A.1.1.6, p. 10); and
- 2) To implement the Plan of Conservation & Development to “Preserve and enhance the character of residential neighborhoods” (F.2.2, p. 42); and

**BE IT FURTHER RESOLVED** that the effective date of this action be November 24, 2017.

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**VI. APPROVAL OF MINUTES: October 18, 2017**

**\*\* MR. WITHERSPOON MOVED** to approve the Zoning Commission minutes of October 18, 2017.

**Mr. Schulman seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

**VII. COMMENTS OF DIRECTOR:**

**Update on SoNo TOD zoning amendments & Joint public Hearing with Planning**

Mr. Kleppin said that the meeting was scheduled on November 18, 2017 at 9 a.m. at Brien McMahon High School, in the Global Studies room. He asked everyone to come participate. He also mentioned that there was a joint public hearing with the Planning Commission on December 18, 2017.

**VIII. COMMENTS OF COMMISSIONERS**

There were no comments from the commissioners.

**IX. ADJOURNMENT**

**Mr. Passero made a motion to adjourn.**

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Mike Witherspoon; Louis Schulman; Galen Wells; Joseph Passero voted in favor.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 10:53 p.m.

Respectfully submitted,

Diana Palmentiero