

**DRAFT  
CITY OF NORWALK  
PLANNING COMMISSION  
March 20, 2018**

**PRESENT:** Fran DiMeglio, Chair; David Davidson; Brian Baxendale; Steven Ferguson; Nora King; Tammy Langalis; Mike Mushak

**STAFF:** Steven Kleppin; Mike Wrinn

**I. CALL TO ORDER**

Ms. DiMeglio called the meeting to order at 7:09 p.m.

**II. ROLL CALL**

Mr. Kleppin called the roll.

**III. EXECUTIVE SESSION**

**a) Discussion – 8-24 Review - Land Use & Building Management Committee of the Common Council – New Columbus School at Ely Site – Proposed land acquisition**

**At 7:11 p.m. Ms. DiMeglio made a Motion to go into Executive Session.**

**Ms. Langalis seconded.**

**Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson; Nora King; Tammy Langalis; Mike Mushak voted in favor.**

**No one opposed.**

**No one abstained.**

**IV. RETURN FROM EXECUTIVE SESSION**

The commissioners returned from Executive Session at 8:25 p.m.

**V. DISCUSSION AND/OR DECISION**

**a) Action item on 8-24 Review - Land Use & Building Management Committee of the Common Council – New Columbus School at Ely Site – Proposed land acquisition**

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission in accordance with Section 8-24 of the Connecticut General Statutes, the referral made by the City's Buildings and Facilities Manager, on behalf of Land Use & Building Management Committee of the Common Council for an 8-24 Review by the Planning Commission the recommendation of a direct purchase and/or through eminent domain process to acquire properties located at 4 Tito Court and 10 Tito Court as well as a right-of-way acquisition of a property located at 133 Lexington Avenue be **APPROVED** with the following comments:

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

1. To implement the Plan of Conservation and Development goal to "Protect property values." (A.1.1.5. p.10); and
2. To implement the Plan of Conservation and Development goal to "Provide and maintain an attractive open space system for the enjoyment of all residents. (C.1.3. p. 24); and
3. To implement the Plan of Conservation and Development goal to "Allow for the future needs of Norwalk to be met as identified in this plan (i.e. housing, economic growth, community facilities, etc.)." (F.1.1.6. p. 42); and

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

**Mr. Mushak seconded.**

**Fran DiMeglio; David Davidson; Brian Baxendale; Nora King; Tammy Langalis; Mike Mushak voted in favor.**

**Steven Ferguson opposed.**

**No one abstained.**

**b) Redevelopment Plan Updates – Wall Street, West Avenue, and Washington Street – Report and recommended action**

Mr. Kleppin said he had nothing to report or recommend. He said it was "in flux." There was a discussion as to discussing this at another time and that they would look to Steve and Nora, as representatives for this item, for further information.

There was then a discussion of an item in the newspaper as to a "new zone." Mr. Kleppin said it was a misnomer. Ms. DiMeglio wanted a presentation about it. Mr. Kleppin said he would ask Tim Sheehan and the Redevelopment Agency to do it. There was also a discussion about the Music Theater which declared bankruptcy, as well as the connection to POKO. There was a discussion about having a roundabout on Wall Street. Mr. Mushak thought that the Planning Commission should work on

transportation planning in the future for the city. He thought that good planning should start with good transportation planning.

**c) Zoning Commission referral - #1-18R - Zoning Commission – Proposed amendments to Section 118-506 SoNo Station Design District & related technical amendments to increase the permitted density from 43 units/acre to 87 units/acre; to increase the permitted height of buildings from 4 stories/45 ft to 6 stories/72 ft provided that all stories above 4th floor be setback at least 10 ft from 4th floor facade; to reduce required open space from 30% to 15%; to encourage the preservation of historic buildings; to require that all multifamily developments of 12 units or more provide a minimum of ten percent (10%) as workforce housing units with maximum monthly rents not to exceed sixty percent (60%) of the State Median Income and related – Report and recommended action (Public hearing March 21, 2018) and d) Zoning Commission referral - #2-18M – Zoning Commission – Monroe Street/South Main Street/Day Street/Hanford Place & vicinity - Proposed change to the Building Zone Map from D Residence, Neighborhood Business, Industrial #1 and SoNo Station Design District (in part) to entirely SoNo Station Design District (SSDD) – Report and recommended action (Public hearing March 21, 2018)**

Mr. Kleppin recommended that these items be discussed together. There was a discussion about the packets that were handed out to the Planning Commissioners. Ms. DiMeglio believed that there were big changes from the joint meeting that was held with the Planning Commission and the Zoning Commission in December 2017. She understood that it needs to move forward but she felt that there were discrepancies. She also asked for clarification of a Fee Fund which she felt the Zoning Commission would have ownership of. The affordability requirements are changing. She also believed that Mr. Kleppin's memo about the proposed regulations was inconsistent with them. There were questions about the changes, which Mr. Kleppin said they should go over. There was also a discussion about what the Planning Commission had voted on in August of 2016. There was then a discussion about both options which have been proposed for the regulations. There was then a discussion about large employers asking for more affordable housing so that their employees can live in Norwalk. There was also a discussion about the 3 bedroom units which would increase the number of children attending Norwalk's school system. There was then a discussion about the resolution which Ms. DiMeglio said that she had never read before and would have to be voted on at this meeting. She then said that she would like to take 10 min. to read it.

There was a discussion of the difference about the state and area median incomes. Mr. Kleppin then explained the differences as well as for different numbers of households. There seemed to be some confusion as to which draft should be reviewed. There was a discussion about the East Norwalk TOD amendment and the South Norwalk TOD regulations because the documents have to match. There was a discussion about drafting a regulation that could be considered spot zoning. There was also a discussion about the number of marketable units vs. the number of affordable

housing units. There was a discussion about how affordable units were tracked. The commissioners then made their comments on the regulations. Ms. King said that she would not support the 1% fee if it was not going to the Board of Education since there would be more children in the schools. Ms. DiMeglio said that they should make recommendations before moving it forward to the Zoning Commission. There was a discussion about incentives to the developers and who would administer. There was a discussion of how the 1% fee would be used and what the process would be to get the money out. There was a discussion about the Fair Housing Act and whether these regulations would be concentrating the affordable housing in one area. There was a discussion of having 10% affordable housing throughout the city as well as 60% of median income in this area. There was a discussion about following the state mandates. Ms. DiMeglio asked if any of the commissioners has property in these TOD districts. Mr. Ferguson said he had an interest in property but that he could be impartial. There was a discussion about fees in lieu of. There was a discussion of some changes that the commissioners would like to make to the regulations. Ms. DiMeglio suggested that they approve with recommendations to the Zoning Commission. All property owners have been notified.

Ms. DiMeglio made a suggestion from the Planning Commission which included a stipulation that there should be 10% affordable units at 60% of state median income. Some commissioners liked the proposed regulations with 3 options while some liked Ms. DiMeglio's recommendation. There was a discussion about how each commissioner would vote and how it would affect the Zoning Commission's vote. There was also a discussion about developers who build more than 12 units. There was a lengthy discussion about the fee issue. Mr. Ferguson said that he liked the 3 bedroom units. There was a discussion about having another joint public hearing with the Zoning Commission and the Planning Commission. Ms. DiMeglio once again polled the commissioners about how they would vote on the proposed regulations. She also added an amendment to the resolution which stated that in "c" instead of stating "lower income levels" it would read "up to 60% of state median levels" which Mr. Kleppin said that he would revise and show it to Ms. DiMeglio and the commissioners. She wanted to see the final version before it went to the Planning Commission.

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that the proposed amendments to the Building Zone Regulations as shown on a certain document entitled "**#1-18R – Norwalk Zoning Commission – Proposed amendments to Section 118-506 SoNo Station Design District, and related provisions, to encourage higher density Transit Oriented Development (TOD) in proximity to South Norwalk Railroad Station and related technical amendments**" dated DRAFT dated November 30, 2017 revised to February 13, 2018 be **APPROVED**.

**Mr. Kleppin seconded.**

**Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson; Nora King; Tammy Langalis; Mike Mushak voted in favor.**

**No one opposed.**

**No one abstained.**

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** that the reasons for this action are:

- 1) To implement the Plan of Conservation and Development to "Consider designating a redevelopment area at the South Norwalk Station to help achieve goals for transit enhancements and transit-oriented development here"(E.2.2.5, p. 37); and
- 2) To implement the Plan of Conservation and Development to "Encourage new development around transit access and allow new development which does not exceed the capacity of infrastructure systems (roads, sewers, water, etc)" (B.1.1.2, p. 16); and
- 3) To implement the Plan of Conservation and Development to "Allow a wide range of housing opportunities to ensure that the housing needs of all segments of the labor force are met" (A.1.2.3, p.10) and to "Encourage the expansion of the number of affordable housing units through innovative methods such as incentive programs" (A.2.2.6, p.12); and
- 4) To implement the Plan of Conservation and Development to "Enhance pedestrian experience to support related economic revitalization and encourage transit use" (F.4.2.1. p.42); and
- 5) To implement the Plan of Conservation and Development to "Allow for the future needs of Norwalk to be met as identified in this Plan (i.e. housing, economic growth, community facilities, etc.)" (F.1.1.6, p. 40); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Norwalk Zoning Commission.

**Mr. Davidson seconded.**

**Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson; Nora King; Tammy Langalis; Mike Mushak voted in favor.**

**No one opposed.**

**No one abstained.**

Mr. Kleppin noted that all property owners that were affected by this change received notification by certified mail.

**\*\*\* MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Norwalk Planning Commission that the proposed change to the Building Zone Map **#2-18M** from D Residence, Neighborhood Business, Industrial #1 and SoNo Station Design District (in part) to entirely SoNo Station Design District as shown upon a certain document entitled "Comparison of Existing Zoning Districts within Expanded SSDD" and dated December 2017 affecting property located in the Second Taxing District, including all tax lots located within Blocks 44, 53, 55, 57, 58, 59, 60, 61, 62 and 63, including portions of the Monroe Street, Henry Street, Dr. Martin Luther King Jr. Boulevard, Bates Court, South Main Street, Chestnut Street, Hanford Place, Elizabeth Street, Haviland Street, Day Street, Raymond Street, Water Street and Concord Street right-of

way, totaling 54.13 acres all of which is now zoned D Residence, Neighborhood Business, Industrial No. 1 zone and SoNo Station Design District in part and proposed for change to SoNo Station Design District in their entirety be **APPROVED**.

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

- 1) To implement the Plan of Conservation and Development to "Consider designating a redevelopment area at the South Norwalk Station to help achieve goals for transit enhancements and transit-oriented development here"(E.2.2.5, p. 37); and
- 2) To implement the Plan of Conservation and Development to "Encourage new development around transit access and allow new development which does not exceed the capacity of infrastructure systems (roads, sewers, water, etc)" (B.1.1.2, p. 16); and
- 3) To implement the Plan of Conservation and Development to "Allow a wide range of housing opportunities to ensure that the housing needs of all segments of the labor force are met" (A.1.2.3, p.10) and to "Encourage the expansion of the number of affordable housing units through innovative methods such as incentive programs" (A.2.2.6, p.12); and
- 4) To implement the Plan of Conservation and Development to "Enhance pedestrian experience to support related economic revitalization and encourage transit use" (F.4.2.1. p.42); and
- 5) To implement the Plan of Conservation and Development to "Allow for the future needs of Norwalk to be met as identified in this Plan (i.e. housing, economic growth, community facilities, etc.)" (F.1.1.6, p. 40); and

**BE IT FURTHER RESOLVED** that notice of this action be forwarded to the Norwalk Zoning Commission.

**Mr. Davidson seconded.**

**Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson; Nora King; Tammy Langalis; Mike Mushak voted in favor.**

**No one opposed.**

**No one abstained.**

**VI. APPROVAL OF MINUTES: January 16, 24 and 25, and February 7, 2018 - The commissioners decided to discuss the February 20, 2018 minutes at the next Planning Commission meeting.**

**\*\* MS. DIMEGLIO MOVED** to approve the Planning Commission minutes of January 16, 2018, as amended.

**Ms. King seconded.**

**Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson; Nora King; Tammy Langalis; Mike Mushak**

**No one opposed.  
No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to approve the Planning Commission minutes of January 24, 2018, as amended.

**Ms. Langalis seconded.  
Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson;  
Nora King; Tammy Langalis; Mike Mushak  
No one opposed.  
No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to approve the Planning Commission minutes of January 25, 2018, as amended.

**Ms. Langalis seconded.  
Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson;  
Nora King; Tammy Langalis; Mike Mushak  
No one opposed.  
No one abstained.**

**\*\* MS. DIMEGLIO MOVED** to approve the Planning Commission minutes of February 7, 2018, as amended.

**Mr. Ferguson seconded.  
Fran DiMeglio; David Davidson; Brian Baxendale; Steven Ferguson;  
Nora King; Tammy Langalis; Mike Mushak  
No one opposed.  
No one abstained.**

There was a discussion about what in the book vs. what is sent home in a packet.

## **VII. COMMENTS OF THE DIRECTOR**

**a. Citywide Plan (POCD)** – Mr. Kleppin discussed the neighborhood meetings that had been held already and what had not. He had some positive feedback and some that was not. Ms. King noted that the Rowayton meeting was very limited and some areas had not been included.

**b. East Avenue Transit Oriented Development (TOD) Grant** – Mr. Kleppin said that he would be working on this soon.

## **VIII. COMMENTS OF COMMISSIONERS**

Ms. DiMeglio asked the commissioners to support the Operating Budget by contacting the Board of Estimates. She also noted that she had spoken with Mr. Moccaie who said that bathrooms were never incorporated into the ball fields because they were near schools.

## **IX. ADJOURNMENT**

**Mr. Mushak made a Motion to Adjourn**

**Mr. Ferguson seconded.**

**Fran DiMeglio; Steve Ferguson; Nora King; Mike Mushak; Tammy Langalis; David Davidson voted to approve.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 10:59 p.m.

Respectfully submitted,

Diana Palmentiero