

**CITY OF NORWALK  
ZONING COMMISSION  
September 6, 2018**

**PRESENT:** Nathan Sumpter, Chair; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson (after the roll call)

**STAFF:** Mike Wrinn; Steve Kleppin (after the roll call)

**OTHERS:** Atty. Al Vasko; Pete Romano; Chris Hall; Steve Cipolla; Christine Palmer; Diane Lauricella; John Flynn; Martha Gomez; Theresa Peterson; Lynn Massey; Nora \_\_\_\_\_; Roger LaJoie; Atty. Bill Hennessy; Atty. David Waters; Scott Selby; Mark Goodwin; Bill Achilles; Alan Lo; Jim Hogan; Jim Rotonda

**I. CALL TO ORDER**

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

**II. ROLL CALL**

Mr. Wrinn called the roll. Mr. Sumpter explained the rules of the public hearings.

**III. PUBLIC HEARINGS**

**a. #6-18SP - MTS Enterprises, LLC – 73 Aiken St - 17 unit conservation development**

Mr. Sumpter opened the public hearing and Atty Al Vasko began the presentation. He explained the current property location as well as the proposed conservation development. They received approval from the Planning Commission. Atty. Vasko handed in the certified, return receipt cards, evidencing notice of the public hearing to the abutting neighbors. He also introduced the project team and gave a brief history of the property as well as the property owner. He also noted other Norwalk projects that the owners had completed around Norwalk over the years. He also briefly explained the drainage.

Mr. Romano continued the presentation with an explanation of the proposed drainage system on the property. He also noted the sizes of the homes as well as the roadway on the property which would be private. He noted that it would be a condominium association with people owning their homes but not the property around it but rather managed by the association. He explained the open space around the houses. The trees around the houses would remain. There would also be a playground for all the houses which would support community activity. He also explained that the type of owners would be those downsizing as well as starter homes for families. He then handed the commissioners packets of information which he also showed them in his PowerPoint presentation. He then explained that the owner had been before the Conservation Commission prior to this hearing and he only received their approvals from the Department of Public Works (“DPW”) that afternoon. On an aerial map, he showed them a watershed that neighbors were concerned about. He believed that there were beneficial impacts on the surrounding land since they had reduced the runoff. There was a discussion about the likelihood of a 25 year storm.

Chris Hall, the architect on the project, handed out diagrams of the houses for the proposed property. He said they were either starter homes or homes for those downsizing. He showed them 2 basic diagrams which would have various options. He briefly explained the plans which included an open floor plan and then the 2<sup>nd</sup> floor which had either an office or large open space as a playroom. There would be basements and attics as well. There was a request to see the landscape plans for each house. Mr. Romano said that it had not been developed yet. There was a discussion about the lighting for the homes which Mr. Wrinn said would not be necessary until later when permits were requested for the individual homes.

Steve Cipolla, the traffic engineer on the project, continued the presentation by noting the traffic study area. He explained when the traffic counts were done, especially in relation to the school in the area. He then oriented the commissioners as to where the various streets and intersections were and also showed them where the development comes out. He noted that they had also analyzed accident reports. They also conducted a speed study and had received approvals from the necessary departments including DPW. There was also a discussion about speed limits and sight lines.

Atty. Vasko then noted that the applicant believes that the project meets all of the statutory requirements. They looked forward to begin this project and asked the commissioners to vote in favor of the project.

Christine Palmer expressed concerns about the traffic in the area because of other condominiums and schools. She also noted that it was a cut-through. She did not agree with the traffic engineer who had stated that there would only be 17 cars per unit. She thought there would be more. She had questions about the conservation development and the open space which none of the neighbors could use because it is on private property. She thought that the developer would later develop some of the other land as well. She thought Aiken Street was overdeveloped already.

Diane Lauricella, 4 Nolan Court, made some suggestions to the commissioners which included cutting the number of homes. She also noted that this application was not following the rules of the statute requirements for the conservation development which included a meadow. This meadow would be a habitat for wildlife. There was none in this application. She was concerned about the backyards backing up into the conservation area. She asked them to consider 10-12 homes and hoped that greener infrastructure

John Flynn, 27 Quintard Avenue, noted that there are a lot of homes on this driveway but agreed that the city would now receive taxes from all of these homes.

Atty. Vasko noted that the applicant had gone to the Conservation Commission because of the wetlands before the subdivision application. He also noted that the level of service would remain the same, according to the traffic report. Mr. Cipolla addressed the concerns about the traffic study which said there would only be 17 vehicles leaving the property. He noted that the study was only done for 1 hr. and noted that they also reviewed industry data samples of similar projects around the country. There was a discussion about the playground areas which was addressed by Atty. Vasko and Mr. Romano. There was also a discussion about the open space and the benefits to the environment. Mr. Romano noted that it was an "as of right" project. He also noted that the houses would be oriented to take advantage of solar panels but that home owners don't have to place them on their hoes if they don't want to.

Mr. Sumpter closed the public hearing.

**b. #4-16SPR/#17-16CAM – Owner: LaJoie Auto Wrecking Co. Inc & La Joie's Auto Parts, Inc.; Applicant: F&G Construction, Inc. – 46 Meadow St – Contractor's storage yard – Public hearing for permit revocation due to noncompliance**

Mr. Sumpter opened the public hearing. Mr. Wrinn gave a short report about F&G because of a complaint filed by a neighbor. He noted that this was a large violation. He also oriented them on an aerial map of where the property was located. He noted what F&G was allowed to do on the property. He then showed them pictures of the violations. He said that the back of the property had a lot of material on it which was not allowed. Mr. Wrinn explained they were limited to 2 small areas but the pile had expanded beyond those areas. There are a number of issues on the property. He then explained about the violation history which began at the end of June. This was several months after the approval. The violations have not been resolved and pictures had been taken earlier in the afternoon with F&G's attorney, Atty. Suchy. He showed them areas which were still in violation but some areas were compliant. The height of the material piles are under 20 ft but still larger than what was approved. There is no sedimentation controls on the property.

Atty. Suchy noted that F&G was not an applicant. She also asked if the commissioners would like to hear from the public first but they decided that she would speak first. She then showed them the site plan and agreed that the pictures that Mr. Wrinn had shown them were correct. She said that the piles would be removed within a month. She said that she had been hired in July, after the violations were cited and had not been the attorney during the approval process. She discussed some photos that had been taken at 4:30 p.m. the prior day which showed what had been done. She showed them a before picture of what had

been there in June. She also noted that sprinklers had been installed, as required. There were no longer piles in some areas. She also showed them the parking spaces which had been required and provided. At one point those were covered with materials but no longer.

There was a discussion as to why all of the work had not been completed. She explained that much of the materials are being used on City projects which are backlogged. She noted that she had explained at the last meeting that this meeting would be necessary if F&G had not removed the piles. She also noted that the Commission did not have the right to revoke the permit. There was a discussion about how this violation was on the property owner and not the tenant. There was also a concern about how quickly the property was out of compliance after receiving approvals. She also explained that this was the only property that was under violation that had to come before the Zoning Commission. Mr. Sumpter noted that this was a serious matter, which Atty. Suchy understood. Mr. Witherspoon asked whether a 20' pole could be installed so that they knew how large the piles were.

Martha Gomez, 162 South Main Street, said that she had done a survey of residents of Meadow Street Gardens several years ago. She asked the commissioners to hold the owners of contractor's yards accountable for violating the public trust.

Mr. Wrinn noted that there were letters from the neighbors in the commissioners' files.

Theresa Peterson, 32 Dock Road, noted that she had also sent a letter. She said F&G had been in violation before they were awarded their certificate of zoning compliance ("CZC"). There had been junk cars on the piles, for example. She also noted that the public did not come to many of these meetings because these violations were constant. She asked them to revoke the permit, not just against this owner but all the others that were not in compliance.

Lynn Massey, Meeker Court, noted that she was near another F&G site that looked as bad as this one. She noted that Freddy Gannestro was the owner of F&G. Among other things, she explained that a sifter grinder had been running for weeks from 7 am – 7 pm in a residential neighborhood. She asked them to shut him down.

Diane Lauricella, 4 Nolan Court, spoke about LaJoie as well as F&G. She noted that the materials may end up somewhere else in South Norwalk. She asked that all the piles be covered until they are moved and not shred like at other sites. She was happy to see that something was being done about it and should be done on a regular basis.

John Flynn, 27 Quintard, discussed the piles that he was seeing in the area. He handed out his campaign materials but Mr. Sumpter asked him not to. He noted the many medical issues that are appearing in the area which includes many cases of asthma and cancer. He then noted that he had sued Mr. Kleppin in March. He also noted that he had spoken to LaJoie but they said they were not responsible for the violations. He also noted that there are many more people getting sick.

Nora \_\_\_\_\_, 4 Split Rock Road, said that she was grateful for the commissioners looking at this property and there should be most severe repercussions to LaJoie and F&G. She was also grateful for the Planning and Zoning Department for their efforts. She noted that there are children that live in these houses and that LaJoie and F&G should know what the law is and not violate the rules.

Roger LaJoie explained that he did not know how to run his tenant's business. Mr. Wrinn said that they had spoken with Mr. LaJoie before as well. He had not a tenant on the property before. He said he would get an attorney to help him. He said he would look into it and had tried to get Mr. Gannestro to comply. There was a discussion about how the tenant was on his property. It seemed that there was no lease and the tenant was on a month to month. Mr. Roina suggested that he discuss this matter with his attorney.

Mr. Schulman asked the staff to research what other cities like Stamford, New Haven and West Hartford do with these violations. There was also a discussion about a letter received from Atty. Suchy's firm earlier that day. Mr. Sumpter noted that they should continue this meeting so that Corporation Counsel could render an opinion on the letter. Mr. Wrinn asked that Atty. Suchy's client cover the piles and remove them as well. She said that she hoped the work could be done quickly.

#### **IV. DISCUSSION/ACTION ON PENDING APPLICATIONS**

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

##### **i. #6-18SP - MTS Enterprises, LLC – 73 Aiken St - 17 unit conservation development**

Mr. Sumpter asked if there was any discussion from the commissioners on this item. Mr. Roina said that this development did meet the requirements and it would help preserve the land and was in favor of the project. Ms. Wells was also in favor of it. Mr. Schulman noted that many other conservation developments had more open space but would vote in favor. Mr. Sumpter thought it was a good development with single family residences.

**\*\*\* MS. STRANITI MOVED: BE IT RESOLVED** that application #6-18 submitted by MTS Enterprises, LLC for a 17 unit conservation development on as shown on various plans by LandTech, Westport, CT dated 6/25/18 as amended by CAH and Design, LLC, Cos Cob, CT dated 7/13/18 be **APPROVED** with the following conditions:

1. That all required CEAC signoffs are submitted; and
2. That all required soil and sedimentation controls be installed prior to the start of construction;
3. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
4. That any change to the plan will require Zoning Commission approval; and
5. That any graffiti on the site, now or in the future be removed immediately, and
6. That a storm water facility maintenance plan be submitted;
7. That the conservation area be clearly marked along all edges, both where it meets the interior of the project itself and the adjacent neighbors; suggested markings are 1' tall pressure treated 4" x 4" posts at regular intervals
8. That a permanent land conservation agreement approved by Corporation Counsel be filed in the land records, preserving the conservation area, and

**BE IT FURTHER RESOLVED THAT** the reason for this approval is that the proposed project complies with the Norwalk Building Zone Regulations, 118-410 Conservation developments and section 118-1450, Special Permits; and

**BE IT FURTHER RESOLVED THAT** the effective date of this approval shall be September 14, 2018.

**Mr. Witherspoon seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

##### **ii. #4-16SPR/#17-16CAM – Owner: LaJoie Auto Wrecking Co. Inc & La Joie's Auto Parts, Inc.; Applicant: F&G Construction, Inc. – 46 Meadow St – Contractor's storage yard – Public hearing for permit revocation due to noncompliance**

There had been a discussion about continuing the public hearing until such time as Corporation Counsel could render an opinion on the letter from Atty Suchy dated September 6, 2018. The commissioners expressed concerns and expected an opinion from Corporation Counsel.

Mr. Roina moved to continue the public hearing until such time as the Corporation Counsel could render an opinion on the letter from Atty Suchy dated September 6, 2018.

**Ms. Wells seconded the motion.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

Mr. Flynn had attempted to ask questions but Mr. Sumpter noted that no other discussion was allowed by the public.

**b. #6-16SPR/#20-16CAM - Norwalk Land Development LLC - 1 Putnam Av (North parcel) – Request for extension of approval time for SoNo Collection Comprehensive Exterior Signage Manual dated Oct 4, 2016 and graphic examples dated October 7, 2016 for The SoNo Collection properties - Report & recommended action c. #7-16SPR/#21-16CAM - Norwalk Land Development LLC - 63 West Avenue (South parcel) - Request for extension of approval time for SoNo Collection Comprehensive Exterior Signage Manual dated Oct 4, 2016 and graphic examples dated October 7, 2016 for The SoNo Collection properties - Report & recommended action**

It was decided that it could be discussed together. Atty Hennessy noted that these requests were for the signage. However, this permit was based upon receiving a building permit first. This is a formality but they were requesting an extension. He noted that the project was on track to be completed in late fall of 2019.

**#6-16SPR/#20-16CAM - Norwalk Land Development LLC - 1 Putnam Av (North parcel) – Request for extension of approval time for SoNo Collection Comprehensive Exterior Signage Manual dated Oct 4, 2016 and graphic examples dated October 7, 2016 for The SoNo Collection properties**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the request for a second one year 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, 2019**; and

**BE IT FURTHER RESOLVED** that the effective date of this action be September 14, 2018.

**Mr. Roina seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; and Kelly Straniti voted in favor.**

**Rod Johnson opposed.**

**No one abstained.**

**#7-16SPR/#21-16CAM - Norwalk Land Development LLC - 63 West Avenue (South parcel) - Request for extension of approval time for SoNo Collection Comprehensive Exterior Signage Manual dated Oct 4, 2016 and graphic examples dated October 7, 2016 for The SoNo Collection properties –**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the request for a second one year 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, 2019**; and

**BE IT FURTHER RESOLVED** that the effective date of this action be September 14, 2018.

**Mr. Roina seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; and Kelly Straniti voted in favor.**

**Rod Johnson opposed.**

**No one abstained.**

**d. #14-15SP –150 Glover Av LLC – 150 Glover Av – Grist Mill Village Bldg A - 235 unit Commercial PRD – Request to modify approved plans/conditions of approval regarding road improvements - Rpt & recommended action and e. #15-15SP –166 Glover Av LLC – 166 Glover Av – Grist Mill Village Bldg B - 232 unit Commercial PRD – Request to modify approved plans and conditions of approval regarding road improvements - Report & recommended action**

Mr. Sumpter said that these would be discussed together. David Waters, the General Counsel of Building and Land Technology, continued the presentation, by giving a brief history of the approvals several years ago. He oriented them on a site plan and noted that Building A was almost complete. Building B had a foundation but Building C is not under construction yet. There would be modifications to Building C later. He explained what had been planned and what was being changed with respect to the timing of these projects. He then showed them an aerial of the current project and oriented them on it. He also noted that the state had decided to move forward on improving the Merritt 7 railroad station. It would be north of the current station with a raised platform to allow people to cross from the Merritt 7 buildings to the train station. It would start in Spring of 2019. This would allow his clients to make infrastructure improvements for future development, not just for this project. He also noted that they were working with the state to fix the end of Route 7, which had never meant to be that way. There are multiple stop lights. It would become a 4 way intersection. He explained about the tables that would be completed. They had received approvals from DPW about these changes. There was a discussion about the railroad and intersection changes. Atty Waters noted that their company would be doing the work and that it had been funded by the state

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the request to modify the approved plans for special permit application #14-15SP - 150/166/170 Glover, LLC – **150 Glover Avenue Building A** – 235 unit Commercial Planned Residential Development and related site improvements as shown on a certain set of plans entitled “Grist Mill Village Building A: Special Permit Approval” by Svigals + Partners Architects, Environmental Land Solutions, LLC and Tighe and Bond Engineers, dated October 27, 2016 as revised to June 29, 2018 and related site plans and drawings AND to modify the resolution to delete the first part of condition #3 as noted below be **APPROVED**, subject to the following conditions:

1. Delete a portion of condition #3 “~~That all traffic improvements, including improvements required by the OSTA, be complete prior to the issuance of a certificate of zoning compliance (CZC)~~” and
2. That a Zoning Location Survey of the adopted modifications to approved plan and a certificate of special permit as revised by this action be filed on the Norwalk Land Records; and
3. That a bond be submitted to the Department of Public Works (in an amount to be determined by DPW staff) before a Zoning Foundation Permit is issued for Building C (300 Glover Ave) to

guarantee the construction of the road improvements and that all such road improvements shall be complete or actively under construction prior to the issuance of a final Certificate of Zoning Compliance (CZC) for Building C; and

4. That CEAC signoffs on the modified plan shall be submitted prior to the issuance of the conditional Certificate of Zoning Compliance (CZC); and
5. That all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be September 14, 2018.

**Mr. Witherspoon seconded the motion.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

**e. #15-15SP –166 Glover Av LLC – 166 Glover Av – Grist Mill Village Bldg B - 232 unit Commercial PRD – Request to modify approved plans and conditions of approval regarding road improvements - Report & recommended action**

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the request to modify the approved plans for special permit application #15-15SP - 150/166/170 Glover, LLC – **166 Glover Avenue Building B** – 230 unit Commercial Planned Residential Development and related site improvements as shown on a certain set of plans entitled “Grist Mill Village **Building B**: Special Permit Approval” by Svigals + Partners Architects, Environmental Land Solutions, LLC and Tighe and Bond Engineers dated October 27, 2016 as revised to June 29, 2018 and related site plans and drawings AND to modify the resolution to modify the first part of condition #3 as noted below be **APPROVED**, subject to the following conditions:

1. Modify the first line of condition #3 to read “That ALL GLOVER AVENUE ROADWORK traffic improvements DEPICTED ON THE APPROVED PLANS FROM THE SOUTHERNMOST LIMIT OF THE PROJECT AREA UP TO AND INCLUDING THE RAISED INTERSECTION TABLE AT THE ENTRANCE DRIVE BETWEEN BUILDINGS B AND C, SHALL including improvements required by the OSTA, be completed prior to the issuance of a certificate of zoning compliance (CZC)” and
2. That a Zoning Location Survey of the adopted modifications to approved plan and a certificate of special permit as revised by this action be filed on the Norwalk Land Records; and
3. That a bond be submitted to the Department of Public Works (in an amount to be determined by DPW staff) before a Zoning Foundation Permit is issued for Building C (300 Glover Ave) to guarantee the construction of the road improvements and that all such road improvements shall be complete or actively under construction prior to the issuance of a final Certificate of Zoning Compliance (CZC) for Building C; and
4. That CEAC signoffs on the modified plan shall be submitted prior to the issuance of the conditional Certificate of Zoning Compliance (CZC); and
5. That all other conditions of the original approval remain in effect; and

**BE IT FURTHER RESOLVED** that the effective date of this action be September 14, 2018.

**Mr. Witherspoon seconded the motion.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

**f. #8-13CAM –Harborside Properties LLC - 18 Harbor Av – Request for release of surety - Rpt & recommended action**

Mr. Wrinn noted that staff had inspected the landscaping and it was fine. They recommended release of surety.

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the surety be **APPROVED** to be released on application #8-13CAM submitted by Harborside Properties, LLC for the contractors yard at 18 Harbor Avenue as all improvements have been completed and properly maintained; and

**BE IT RESOLVED** that the effective date of this approval shall be September 21, 2018.

**Mr. Witherspoon seconded the motion.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

## **V. RECEIPT/REVIEW AND ACTION ON NEW APPLICATIONS**

### **a. #9-18SP/#12-18CAM - Board & Brush Creative Studio - 68 Water St – Do it yourself Sign Workshop - Rpt & recommended action**

Scott Selby began the presentation by describing two other Board and Brush Creative Studios that he operated in Monroe and Southington. The site was zoned for marine use but his business was considered retail. The building had not been used for years. There was a lot of parking. Mr. Wrinn said that it required a public hearing so they were trying to put it on the Zoning Commission agenda. It was scheduled for September 20. There was a discussion about the fumes but Mr. Selby said they used low and no fume paints but would also put it in fans, if necessary.

### **b. #10-18CAM – R. Krediet – 2 Woodland Rd - New single family residence - Rpt & recommended action**

Mark Goodwin, the architect on the project, began the presentation. He explained that the property had flood zones and explained that it currently was an empty lot. He said that they should have the reports from the surveyors. The structure was in compliance with Norwalk's regulations and they had all sign-offs.

**\*\*\* MR. JOHNSON MOVED: BE IT RESOLVED** that the application #10-18CAM, construct a new single-family residence for the property 2 Woodland Road, and as shown on the zoning location survey dated 6/1/18 by D'Andrea Surveying and Engineering, Riverside, CT; on the engineering plans dated 7/23/18 by D'Andrea Surveying and Engineering, Riverside, CT, and on the architectural drawings dated 6/29/18 and revised to 8/7/18 by Beinfeld Architecture, Norwalk, CT be **APPROVED** subject to the following conditions:

1. That all City storm-water management requirements are met; and
2. That a permit is obtained from the Department of Public Works in regards to City storm-water management requirements; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
4. 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 September 14, 2018.

**Mr. Schulman seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

**c. #11-18CAM - Daniel & Maxine Vigneault - 26 Shorefront Park - New single family residence - Rpt & recommended action**

Atty. Suchy introduced the project team. She noted that the property had a dwelling on it but it had been demolished so it is an empty lot. She noted that there was a jetty and a dock but nothing was being proposed for it. They had received all signoffs except for DPW. It met all of Norwalk's requirements.

**\*\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** that the application #11-18CAM, construct a new single-family residence for the property 26 Shorefront Park and as shown on the location survey dated 12/27/2017 and revised to 7/11/2018 by William Seymour & Associates, Surveyors, Darien, CT; on the engineering plans dated 7/24/18 by McChord Engineering Associates, Wilton, CT, and on the architectural drawings dated 8/1/18 by Pagliaro Bartels Sajda Architects, Norwalk, CT be **APPROVED** subject to the following conditions:

1. That all City storm-water management requirements are met; and
2. That a permit is obtained from the Department of Public Works in regard to City storm-water management requirements; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
4. 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 September 14, 2018.

**Mr. Johnson seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

**c. #12-18CAM – D. Mangini – 41 Naromake Ave - New single family residence - Rpt & recommended action**

Bill Achilles, the architect on the property, began the presentation. He noted that the existing property was in a C zone and that a portion of the property was in a VE zone. No work would be done in that zone. The structure would be demolished and a new structure would be FEMA compliant. He discussed the impervious areas. Mr. Wrinn said that it was fully compliant and would not be brought before the commissioners without being ready for a vote.

**\*\*\* MR. JOHNSON MOVED: BE IT RESOLVED** that the application #10-18CAM, construct a new single-family residence for the property 41 Naromake Avenue and as shown on the zoning location survey dated 12/2/14 and revised to 7/10/18 by Arcamone Land Surveyors, Norwalk, CT, and on the architectural drawings dated (no date) by Achilles Architects, Bridgeport, CT be **APPROVED** subject to the following conditions:

1. That all City storm-water management requirements are met; and
2. That a permit is obtained from the Department of Public Works in regards to City storm-water management requirements; and
3. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
4. 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 September 14, 2018.

**Mr. Johnson seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

**e. #8-18SP City of Norwalk Public Schools - 11 Ingalls Av - New 60,000 sf Columbus Magnet School - Rpt & recommended action**

Alan Lo began the presentation by explaining the facilities study from 2 years prior. He noted that 2 new schools had to be built because of the shortfall in seats. They are over capacity. The new Columbus Magnet school would be K-8, not K-6 as it is now. He discussed the construction costs. They are in the design stage now.

Jim Hogan, the architect on the project, continued the presentation by introducing the project members. He oriented the commissioners as to the location of the new school on the Ely school site which included fields, playgrounds, etc. It would be constructed as far from the Ely school as possible. Parking would be shared between the 2 schools. He also showed them the circulation loops and the bus loops. There was a discussion about the city losing some park lands. Mr. Lo explained that they had gained lands in other areas of the city. He also noted that there would be new tennis courts on the property that would be constructed in the next month or so. There was a discussion about the condition of the tennis courts. Mr. Hogan continued the presentation by explaining what the building would look like and how it would use the topography of the area. He also noted which levels each of the grades would be on.

The public hearing would be scheduled for September 20, as long as they had all of their signoffs.

**f. #5-18SPR - SoNo Metro LLC & 24 Monroe St LLC – 20 & 24 Monroe St/5 & 11 Chestnut St - New 5-6 story, ±122,000 sf Transit oriented development w/5,800 GSF ground floor retail, 11,000 sf office and 122 multifamily dwelling units (16 units in existing historic bldg and 106 units in new bldg) – Report and recommended action**

Before Atty. Suchy began the presentation, Mr. Roina recused himself on this matter. She oriented the commissioners as to the location of the property and showed them the renderings of the project. There was a discussion of the architectural peer review. Mr. Kleppin explained to the commissioners about the TOD area and the revised zoning regulations in this area which included the peer review process.

Jim Rotonda continued the presentation and discussed the buildings which included retail and residential. One building is being renovated and would be used for retail and office. He described the parking on the site which included the amount of parking spaces. He noted where the refuse and recycling areas would be. He described the new streetscape which included landscaping and lighting. He also described the storm water drainage system. There was a discussion about whether they were ready to go to a public hearing but Atty. Suchy said that under the new regulations that a public hearing was at their discretion. There was a discussion about the parking and why more parking was being provided, if it is not necessary. There was also a discussion about the workforce housing being located throughout the building on each floor.

There was a discussion about how the regulations allowed a public hearing at the discretion of the Zoning Commission. Mr. Kleppin explained that the regulations had been written to help expedite the

development of the area. There was a discussion about what night that they should vote on this project, either on September 20 or October 4. There was a discussion about the public knowing what was happening at this project. At this point, the commissioners said that they did not need to see anything further.

Mr. Roina returned to the meeting.

#### **VI. APPROVAL OF MINUTES: August 2, 2018 -**

**\*\* MR. WITHERSPOON MOVED** to approve the August 2, 2018 Zoning Commission minutes.

**Mr. Schulman seconded.**

**Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson in favor.**

**No one opposed.**

**Mr. Sumpter abstained.**

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

Mr. Kleppin handed out the drainage reports for the SoNo metro project that had been presented.

#### **VIII. COMMENTS OF COMMISSIONERS**

Mr. Sumpter welcomed Ms. Straniti to the Zoning Commission.

#### **IX. ADJOURNMENT**

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

**Mr. Witherspoon seconded.**

**Nate Sumpter; Louis Schulman; Richard Roina; Michael Witherspoon; Galen Wells; Kelly Straniti and Rod Johnson voted in favor.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 10:29 p.m.

Respectfully submitted,

Diana Palmentiero