

**CITY OF NORWALK
ZONING COMMISSION
September 20, 2018**

PRESENT: Nathan Sumpter, Chair; Louis Schulman; Galen Wells; Kelly Straniti; Richard Roina; Michael Witherspoon; Frank Mancini (after the roll call)

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Jim Giuliano; James Oakley; John Stewart; Alan Lo; Chris Cardian; Luke Mauro; Rafael Soro; Eric Rains; Sarah Smith; Atty. Liz Suchy; Colin Grotheer; Mike Galante; Jennifer Connolly; Robert Grzywacz; Atty. Al Vasko; Ray Sullivan;

I. CALL TO ORDER

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

II. ROLL CALL

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

III. PUBLIC HEARINGS

a. #8-18SP - City of Norwalk Public Schools - 11 Ingalls Avenue - New 60,000 sf Columbus Magnet School

Mr. Sumpter opened the public hearing. Jim Giuliano, who was working on the project for the City of Norwalk, began the presentation by handing in the certified return receipt cards, evidencing notice of the public hearing to the abutting neighbors. He explained the origins of the project which was the shortage of student seats in the district. This site was chosen because of the land available and that it was in South Norwalk. He began explaining the project and then the architect continued.

James Oakley continued the presentation by giving an overview of the project which included the site improvements. He oriented the commissioners as to the location of the site on an aerial map. He said they would use as much of the recreation area on the site. The east and northern part of the site would be developed. The next item he discussed was the current bus loop and then the new bus loop for the Ely School. He then explained why the new building was being planned where it was. There was a discussion about the security of the building. He then explained where the older students would be located. He also discussed the materials for the building. The arts are important to the curriculum which was reflected in the materials used on the outside of the building.

John Stewart, the landscape architect on the project, continued the presentation with an overall discussion of the site. He explained how the existing area was incorporated into the site. He showed them the walkways and recreational areas, and parking lots. He said they tried to save many trees and added additional screening. There would also be tennis courts and a multi-purpose field. There was a discussion about having parking near the tennis courts. He then described how various areas were accessed, whether by vehicle or walkway. He discussed the planting and lighting plan. Mr. Lo explained the land swap with Norwalk Community College in order to maintain the city's park areas. It has taken almost a year to do it. The current Columbus School building would be renovated as new. It would be an International Baccalaurte school for elementary level. It is a recognized international program. Ponus would become a STEM school.

Mr. Oakley then continued the presentation by explaining, in a minimum way, about the wetlands in the area. There was a discussion about providing more parking spaces for near the tennis courts and allowing the public to use them during the day.

Chris Cardian, the engineer on the project, continued the presentation by discussing the drainage on the property. He discussed the current drainage as well as the proposed drainage system. He showed them the drainage plan and how it worked. There was a discussion of the size pipes as well as what type of storm they had designed the systems for.

Luke Mauro, the traffic engineer on the project, continued the presentation. He explained how they designed the study area after speaking with Alan Lo and the Board of Education. He then showed them

the study area on an aerial map and then discussed how the counts were done. He explained the growth rates and that there would not be any adverse effects on the traffic in the area. He then explained the trip generation chart which he showed them as well. Both schools would enter and exit at the same time. Mr. Lo explained the strategy of the same start and end times. There was a discussion about school enrollment. He also discussed the levels of service which did not indicate that any mitigation would be necessary. He then discussed the sight lines and turning radii. He then noted the recommendations that were submitted to the Department of Public Works ("DPW"). He described the bus routes coming to and from the schools for better sight lines.

Mr. Wrinn noted that the Zoning Commission could not vote on this until they received approval from the Conservation Commission.

Rafael Soro, a nearby neighbor, asked whether this application would affect his industrial property.

Mr. Lo said there would be no impact on the industrial property and that drainage would not affect that property either. There would not be a change. The property would be for local use only. They did not anticipate others to be using it.

Mr. Sumpter noted that the public hearing would remain open until they had received their report from the Conservation Commission.

b. #9-18SP/#12-18CAM - Board & Brush Creative Studio - 68 Water Street – Retail Do it yourself Sign Workshop

Mr. Sumpter opened the public hearing. Scott Selby opened the presentation by showing the commissioners the property on an aerial map. He explained which part of the property he would be using and why he was interested in it. He explained his business. He liked the fact that the spot had parking which was not used at night when his business was active. He showed them a diagram of the interior. Customers can bring in food and drink. The bathroom and door will be made ADA compliant. He showed them the current parking lot. During the day, about 15 spaces were used. He anticipated using the same at night. He showed them a picture of the current space and what his sign would look like. He handed out a brochure to the Commissioners so they understood his business which was a franchise. He owns another in Monroe. There was a discussion about the operating hours and when he would be opening the business. He anticipated in October.

No members of the public spoke against the application.

Eric Rains said that he was in support of the application especially since he lived and worked in the neighborhood.

Mr. Sumpter closed the public hearing.

IV. DISCUSSION/ACTION ON PENDING APPLICATIONS

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

i. **#8-18SP - City of Norwalk Public Schools - 11 Ingalls Avenue - New 60,000 sf Columbus Magnet School**

This item was not voted on since the Conservation Commission had not sent their findings to the Zoning Commission.

ii. **#9-18SP/#12-18CAM - Board & Brush Creative Studio - 68 Water Street – Retail Do it yourself Sign Workshop**

***** MR. SCHULMAN MOVED: BE IT RESOLVED** that application #9-18SP / 12-18 CAM submitted by Board and Brush for a 1,300 SFR retail do-it-yourself workshop at 68 Water Street, be **APPROVED** with the following conditions:

1. That all required CEAC signoffs are submitted; and
2. That any changes to the plan will require Zoning Commission approval; and

3. That any graffiti on the site, now or in the future, be removed immediately; and
4. That the southern unpaved area be properly landscaped to stabilize the area; and
5. That all signs require separate permits; and

BE IT FURTHER RESOLVED THAT the reason for this approval is that the proposed project complies with the Norwalk Building Zone Regulations, 118-505 Marine Commercial and Section 118-1450, Special Permit; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 28, 2018.

Mr. Witherspoon seconded.

Nathan Sumpter, Chair; Louis Schulman; Galen Wells; Kelly Straniti; Richard Roina; Michael Witherspoon; Frank Mancini voted in favor.

No one opposed.

No one abstained.

b. #X-18SP – Walmart – 680 Connecticut Ave – Retail store – Request for modifications to exterior paint color scheme - Determination if minor change – Report & recommendation

Sarah Smith was representing Walmart for their rebranding initiative and showed them a new color scheme. There would be more grey used which was news. This request was only for Connecticut Avenue store.

The commissioners decided that this was a minor change. There was a discussion about why this was brought before the commission.

****MR. SCHULMAN MOVED: BE IT RESOLVED** that the minor change request for application #X-18SPR – Walmart – 680 Connecticut Ave – Retail store – Request for modifications to exterior paint color scheme - Determination if minor change be **APPROVED** subject to the following conditions:

1. That any graffiti on the site, now or in the future, be removed immediately; and
2. That a zoning permit be obtained prior to any work being done on the premises; and
3. That any future changes to the façade be brought back to the zoning commission for its approval; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 28, 2018.

Ms. Straniti seconded.

Nathan Sumpter; Louis Schulman; Galen Wells; Kelly Straniti; Richard Roina; Michael Witherspoon; Frank Mancini voted in favor.

No one opposed.

No one abstained.

c. #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 - Request for one year extension of approval time - Report and recommended action

Atty. Suchy explained why the applicant was requesting an extension. She said that they did not want the permit to expire so they wanted to request the extension. There were plans to be completed by 2020. The IMAX would be closing soon to be demolished. There was a discussion about the parking lot next to it which was one owned by the city. She noted that it might be used as a staging area.

****MR. MANCINI MOVED: BE IT RESOLVED** that the request for a one year extension of time for #8-17 SPR/ 25-17 CAM, the Maritime Aquarium at Norwalk, 10 North Water Street, be **APPROVED**; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 28, 2018.

Mr. Witherspoon seconded.

Nathan Sumpter; Louis Schulman; Galen Wells; Kelly Straniti; Richard Roina; Michael Witherspoon; Frank Mancini voted in favor.

No one opposed.

No one abstained.

V. RECEIPT/REVIEW AND ACTION ON NEW APPLICATIONS

- a. #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**

Mr. Roina recused himself on this matter before Mr. Sumpter opened the discussion. Atty Suchy began the presentation by giving a brief overview of the current property and the plans to change the site. She also noted that there was a peer review of the design and traffic. Reports were provided to the Zoning Department staff. She noted that the CEAC meeting had been held in August and they were still waiting for some approvals.

Colin Grotheer, the architect on the project, handed out responses to the peer review. He noted that Beinfeld Architecture would be neighbors with this project which was where they had started many years ago. He showed them an image of the proposed project. There would be co work spaces in the project which would, hopefully take traffic off the highways. He showed them various views of the buildings from different corners. He then explained the parking locations which included garages. There was a discussion about the parking spaces. He also showed them renderings from the South Norwalk Transit Oriented Development Master Plan which showed them these buildings as well. The commissioners were shown elevations of the buildings. There was a discussion about the co work space which could be converted to retail, if necessary. Mr. Grotheer noted that there had not been many more changes to the plans after the last Zoning Commission meeting but he did explain what had been changed. There was a discussion about the affordable housing which was disbursed equitably around the buildings.

Eric Rains, the landscape architect on the project, continued the presentation by handing out the landscape plan to the commissioners. He then explained how they followed the city's standards on the curbs, sidewalks, street trees and lighting. He also explained how they were re-using blocks from the Rowayton train station and being stored on city property. They would be used as "benches" on parts of the property. He then showed them where the swimming pool would be located on the property. It would be used by residents and their guests. He showed them an outdoor area which would have views to the south and the west of the Long Island Sound.

Mike Galante, the traffic engineer, continued the presentation by handing out the response to the peer review. He said that this was a great location because of its location near the train station. He discussed the graphics in the report. He noted that Chestnut Street was currently a one way street which would go back to a 2 way street. There was a concern about the width of the street especially since a school was located on it. Mr. Galanty said that they would do further study to see if the street was too narrow. He then discussed how the traffic study was developed and what the analysis showed. There was a discussion about looking at the traffic counts at the time that the school was dismissed. He then reviewed the trip generation chart with the commissioners. There was a discussion about the growth rates used from Conn DOT. He then showed them a chart for the estimated residential use as well as generation patterns on the roadways in the area. He noted that it was a good thing that the roads were busy and that they could accommodate this.

Jennifer Connolly, the traffic consultant for the City, who said that there were still concerns

about the fact that the city had less reported accidents than the state. She also had questions about the parking garage levels and the circulation of the traffic in it. She said that there was little else that was concerning but was still waiting for some information from the applicant.

Robert Grzywacz, the architect who wrote the peer review for the City, began his presentation with a discussion about this project in connection with the urban renewal plan in this area. He discussed converting some of the co work space to retail. He noted that mechanicals may have to be brought in or upgraded. He discussed the width of Chestnut St. He also noted that many responses were just being submitted so he had not been able to review them.

Mr. Kleppin noted that he had prepared and sent out a memorandum to the commissioners about SSDD Site Plan approvals. He explained his memo in further detail. One thing he noted that many developers said that the public hearing process was lengthy and costly. He also noted that the Zoning Department had put into process the peer review since they did not have that kind of expertise on staff. Mr. Schulman believed that there should be more time to complete the peer review and have all the appropriate responses. They would not be able to make a decision on this evening. There was a discussion about how many times that the commissioners would be able to listen to the applicant's presentation and the importance of that.

Mr. Roina returned to the meeting.

b. #6-18SPR – EDG Properties – 71 - 75 Connecticut Ave – New mixed use development with 33 units and 14,800 sf medical office – Report and recommended action

Atty. Vasko began the presentation by noting that there had previously been an approval on this property in 2015 which was never built. This new application was a mixed use development. He also noted that there was a variance for the setback on the property.

Ray Sullivan, the architect on the project, continued the presentation with a description of the property. He also introduced the principals of the applicant who have worked on recent projects in Norwalk. He then described the proposed application. He showed them renderings of the proposed project. There would be 2 buildings, one of which would be medical building and the other a residential building. He explained the curb cuts and parking garage. He showed them the cross sections of the residential building which included recreation areas. There is a corridor along the I-95 with no exposure to it. Windows face Connecticut Avenue or the side of the building. He also described the workforce housing locations. He said that the buildings had a contemporary look and each unit had a terrace. He then described the medical office building which was smaller than the residential building. He also described the materials to be used including the terraces. Composite siding would be used. He then continued describing the site plan but that a variance had recently been granted. He showed them a picture of a wall to be used in the proposed parking lot. There was a discussion about breaking up the mass of the wall. Mr. Sullivan noted that the site was narrow so it might be difficult to break it up but they could study how to soften it up. He also said that the state was also doing plantings on their side of the property closer to I-95. There was a discussion about noise attenuation. He noted that there were more regulations about noise so that it was harder to hear noise from outside. Mr. Sullivan also discussed the drainage report which DPW had received. There was a further discussion about the windows as well as the parking for both buildings.

Mike Galante continued the presentation by discussing turns out of the property especially in connection with the Lowe's across the street from it. He said that he had suggested that there be no restrictions on turns out the property. He thought that the sight lines were excellent. He also noted that vehicles made left turns out of the Lowe's property even though it was restricted.

There was a discussion about adding some vertical elements to the wall in the parking lot to help reduce the massing.

Atty. Vasko explained that there was a CEAC meeting that afternoon and that the applicant would address the points made during that meeting.

c. #4-18R – C & A Portables LLC – 8 Merritt Place – Proposed amendment to Industrial #1 zone to allow storage of clean portable toilets as a new principal use - Report & recommended action

Atty Vasko began the presentation by explaining the applicant's request for a text amendment. He explained what the previous use was and what the applicant was proposing which was to allow for storage of portable toilets used at construction sites, festivals, etc. The applicant had other storage areas including Stamford. The building on the property would store the toilets inside and outside, which would be 50 inside and about 100 outside. Trucks would also be parked on the site and a forklift. He

discussed the hours of operation. The toilets are cleaned before and after they arrive at the site.

David DiLeo, the owner, explained how they would like to close other storage facilities as well as noting that the other areas have residential areas near them. He also noted how many employees are on the site.

Atty. Vasko completed the presentation. Mr. Kleppin noted that a text amendment would have to go before a public hearing. It would be referred to the Planning Commission and WestCOG. There was a discussion about changing the proposed language for the text amendment.

Ms. Straniti voiced concerns about placing this type of business in South Norwalk. She thought the neighbors would not be happy with it. She had no concerns about the amount of traffic in the area. Mr. Wrinn noted that he thought there would be neighbors who would have concerns.

Mr. Kleppin said that they would work on adding it to the Zoning Commission agenda for a public hearing.

VI. APPROVAL OF MINUTES: September 6, 2018

**** MR. SCHULMAN MOVED to approve the September 6, 2018 Zoning Commission minutes.**

Mr. Witherspoon seconded.

Nathan Sumpter; Louis Schulman; Galen Wells; Kelly Straniti; Richard Roina; Michael Witherspoon; in favor.

No one opposed.

Frank Mancini abstained.

VII. APPOINTMENT OF NOMINATING COMMITTEE

Mr. Sumpter appointed Louis Schulman, Rich Roina and Mike Witherspoon to the nominating committee. They had to nominate before November.

VIII. COMMENTS OF DIRECTOR

Mr. Kleppin reminded everyone that the Land Use Academy Basic Training was the following Wednesday and noted that they should RSVP if they had not.

He then discussed a proposed amendment which had been drafted by Corporation Counsel which addressed whether permits could be revoked. Atty. Suchy had mentioned at the prior meeting that she believed that they could not. There was a discussion about whether the applicant would have to go through the permit process again if it was revoked. This would be a text amendment which would include a public hearing and a vote.

IX. COMMENTS OF COMMISSIONERS

Mr. Roina thought it was nice that Walmart sent a representative from Arkansas in order to change the color of the paint.

X. ADJOURNMENT

Mr. Schulman made a Motion to Adjourn.

Mr. Witherspoon seconded.

Nathan Sumpter; Louis Schulman; Galen Wells; Kelly Straniti; Richard Roina; Michael Witherspoon; Frank Mancini voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 10:18 p.m.

Respectfully submitted,

Diana Palmentiero