

**CITY OF NORWALK  
ZONING COMMISSION  
January 3, 2019**

**PRESENT:** Nathan Sumpter, Chair; Louis Schulman; Richard Roina; Mike Witherspoon; Rod Johnson; Kelly Straniti and Galen Wells  
**STAFF:** Steve Kleppin; Mike Wrinn  
**OTHERS:** Paul Sotnik; David Genovese; Mark Kingsley; Pat Libertino; Jeff Metrollo; Henry Thomas; Craig Flaherty; Atty. Adam Blank; Mike \_\_\_\_\_; Colin Grotheer; Tami Strauss; Tim Sheehan

**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 noted that IV.d. had been postponed.

**III. RECEIPT/REVIEW AND ACTION ON PENDING APPLICATIONS**

**a. Referral – Department of Public Works – Stevens St abandonment – 340 & 350 West Ave – Report and recommended action**

Mr. Wrinn introduced Paul Sotnik from the Department of Public Works (“DPW”). Mr. Sotnik continued the presentation to explain that the abandonment had not been filed in the past so it had to be completed. He oriented the commissioners as to the property on an aerial map. Since it had not been done properly, the City’s Corporation Counsel asked the DPW to clean up the title. Mr. Schulman clarified that this property did not include the bikeway which would remain in place and easements would be granted. He also had a question about the drafted resolution but Mr. Wrinn said that the condition could be deleted. Mr. Sotnik said there was no monetary exchange.

**\*\* MR. SCHULMAN MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission in accordance with Section 95-35 of the City Code under an 8-24 Review regarding the street abandonment of a portion of the Stevens Street be **APPROVED**; and

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

- 1) To implement the Plan of Conservation and Development goal to “Seek private investment within the community.” (A.1.1.1., p. 10); and
- 2) To implement the Plan of Conservation and Development goal to “To protect property values.” (A.1.1.5., p.10); and
- 3) To implement the Plan of Conservation and Development goal to “Provide creation and continuance of diverse housing opportunities.” (A.2.1., p.11) and

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

**Mr. Witherspoon seconded.**

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

**No one opposed.**

**No one abstained.**

**IV. DISCUSSION/ACTION ON NEW APPLICATIONS**

**a. #11-18SPR/#20-18CAM – 203 Trading Co. – 155 Woodward Ave – Convert 12,000 sf second floor to light manufacturing – Report & recommended action**

Mr. Wrinn began the presentation by explaining that the current tenant wanted to expand their business to the 2<sup>nd</sup> floor.

David Genovese, the owner of the property and the leaseholder, continued the presentation. He explained that it was a single tenant property for many years but that when he purchased it they created more tenant spaces. He explained what the current tenant's business was and that the tenant would be expanding to the whole 2<sup>nd</sup> floor. There was concern about possible toxic materials from the remanufacturing.

Mark Kingsley and Pat Libertino, the current tenants, explained their computer redistributing business which they sold to larger companies. Mr. Kingsley explained how their business cleaned up computers and sold them to companies like Walmart. He also noted that if the computer could not be refurbished it went to a recycler. They clean them and sanitize them for a new purchaser. Nothing is sold as new products. They would have 5 more employees. Mr. Genevose showed pictures of the current location and the warehouse on the 1<sup>st</sup> floor, and the space on the second floor which is unoccupied. There was a discussion about where this building was located. Mr. Genovese said that it would make the building 100% occupied now which it had not been since 2000.

**\*\* MS. STRANITI MOVED: BE IT RESOLVED** that application #X-18SPR/X-18CAM - 203 Trading at 155 Woodward Avenue to convert 12,000 SF of 2<sup>nd</sup> floor office space to light manufacturing be **APPROVED** with the following conditions:

- 1) That all required CEAC signoffs and Harbor Management signoffs are submitted; and
- 2) That any change to the plan will require Zoning Commission approval; and
- 3) That all tenants occupying the building have proper zoning approvals; and
- 4) That any graffiti on the site, now or in the future, be removed immediately; and
- 5) That all lighting on the site be properly shielded to prevent any light from coming off the property; and
- 6) That any signage meet the building zone regulations; and

**BE IT FURTHER RESOLVED** that the project complies with the applicable coastal resource and use policies; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be January 11, 2019.

**Mr. Johnson seconded.**

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

**No one opposed.**

**No one abstained.**

**b. #14-18SP – Home Depot – 600 Connecticut Ave – Modification of seasonal outdoor storage and sales – Report & recommended action**

Jeff Metrollo, the attorney for Home Depot, began the presentation and explained the modifications as well as introducing the team.

Henry Thomas, landscape architect with LRC Group, Cromwell, CT, continued the presentation with a landscape plan which highlighted the areas that are part of the modifications. Some parts of the outside area have already been approved. He noted that the parking requirements had gone down so that some of the spaces could be used for storage. He described the 3 colors on the plans, which included how the area was currently used and what the proposed area would be used for. He noted the product display areas and live goods. He also noted that a traffic study had been done but did not share the results since this application would go to a public hearing. There was a discussion about the parking requirements. There were concerns about the safety of pedestrians. There was also further clarification about where some of these locations were. The store manager, James Elkins, explained the rationale for one of the areas was set up. There was a discussion about a leak with Mr. Elkins. Ms. Straniti asked if they could bring pictures of these areas. There was also a discussion about signage which would make one of the areas a one way. The commissioners agreed that this item would be on their Zoning Commission agenda for February 7.

**c. #6-18R/#12-18SP – 3 Elmcrest, LLC – 3 Elmcrest Terrace - Proposed amendment to Section 118-360 D Residence zone to allow historic preservation incentive developments by Special Permit in D Residence zones and special permit for a new 4 story, 15 unit addition to rear of 4 unit historic structure (19 units total) - Report & recommended action (Public hearing February 7, 2019)**

Mr. Wrinn gave a quick update which noted that the public hearing would be on February 7 and that there were still some outstanding approvals especially from the city's architectural consultants. Craig Flaherty said that the public hearing could be opened and then continued to the next hearing, if they had not received all the approvals.

**d. #13-18SP - HP Newtown LLC/GHP Office Realty – 537 Newtown Ave/19 Newtown Turnpike – Reuse of a portion of the existing building for proposed Westport Arts Center museum - Report & recommended action (public hearing February 7, 2019) - POSTPONED**

**e. #10-18SPR #19-18CAM - Clarke Capital LLC et al - 64 South Main St & 8, 10, 12 & 14 Elizabeth St - New mixed use development with 19,400 sf retail & 40 units in five bldgs - Report & recommended action (Public hearing February 20, 2019)**

Atty. Adam Blank began the presentation by handing out packages to the commissioners. Some items had previously been received by the commissioners. Atty. Blank then handed over the certified, return receipt cards, evidencing notification of the meeting. He also introduced the project team and then continued by orientating the commissioners as to the location of the property on an aerial map. He then explained the application.

The parcels would be merged into one for a single development. Mike \_\_\_\_\_, a family member of Clarks and one of the principals, explained the type of business that it would be. The project would be named "The James" after his wife's grandfather who began in business in CT in the 1960s. It is a showroom for high end kitchen products. They do not sell directly to consumers but distribute throughout the state. Atty. Blank showed them plans of the existing site and then the proposed site. The proposed site would have apartments above the retail. The two buildings at the end of the street would remain with some exterior work done. The buildings, 8 and 10, would be removed and have new buildings built. Atty. Blank also showed them the renderings. The Clarks hoped to have similar tenants in their buildings to the kitchen products that they currently have.

Atty. Blank then continued by explaining the units in the houses on Elizabeth St. There was a discussion about the current renderings and that the commissioners would like to see more detail as to the inside of the units as well as where affordable housing would be. He then showed them pictures of the current buildings on Elizabeth. Sidewalks and historical lampposts were included in the project. There was a discussion of the density. Mr. \_\_\_\_\_ explained that it was because of the cost as well as the fact that the parking requirements would be increased. Atty. Blank briefly discussed the traffic impacts and the impacts on coastal resources. He also noted that this project would be driven by the first floor retail which was already in place. There was also a discussion of the affordable housing units.

Colin Grotheer, the architect on the project, continued the presentation by explaining that the major street building was a dense building. He noted that it would improve the neighborhood. He then discussed the workforce housing further. There was a discussion about the tenants that are currently in the houses that are being demolished. They will have to find housing while the buildings are being built and they do have a priority to be in the new buildings if they qualify. There was a question about how to help the tenants relocate as well as a staging plan for the construction. Mr. Grotheer spoke about this further as well as the sidewalks and streetscapes and the integration of the many projects that are happening in the area.

Mr. Sumpter asked the applicant how they would handle the relocation of the two tenants that were in one of the houses on Elizabeth St. Atty. Blank said they would reach out to agencies that could help. Mr. Kleppin noted that there would not be a public hearing under the regulations.

**f. #7-18R Zoning Commission - Proposed amendments to Section 118-1100 Flood Hazard Zone to make regulations consistent with the Connecticut State Building code - Report & recommended action (Public hearing January 16, 2019)**

Mr. Wrinn said that this item would be on the Zoning Commission agenda for a public hearing at the next meeting.

**g. Norwalk Redevelopment Agency – Wall Street/West Avenue Redevelopment Plan and h. Zoning Commission – Proposed amendment to Section 504, Central Business District, Report & next steps**

Mr. Kleppin handed out a memo to the commissioners which he had emailed to the commissioners. Tami Strauss, of the Redevelopment Agency, began the presentation by explaining the current process and which department still had to vote on it.

Along with that the Zoning Commission also had to provide regulations for this. She discussed existing conditions, and then discussed the market and financial analysis. She discussed the vision for the area as well as the goals. There was an implementation section in the plan and the opportunity zones.

Ms. Straniti had concerns about one of the opportunity zones. Tim Sheehan addressed her concerns by noting that there were areas that had to be redeveloped. The owners of the property would decide whether to stay or sell. If they sold, the plan would guide the new owners as to what the city would like to see on that property. Ms. Strauss continued discussing the opportunity zones. Then she described micro units which were smaller units with lower rents and require community amenities, and retail. She described the target markets for these units which included people in their twenties as well as older singles that are downsizing. They would be allowed in historic properties. She also discussed the parks, open spaces and waterfront improvements. She then discussed the plan approval timeline.

There was a discussion about making Burnell Boulevard two way which had already been studied. There was a discussion about the micro units. Mr. Schulman noted that there should be some common areas and other amenities since these units were tiny.

Mr. Kleppin then continued the presentation by showing the proposed map of the zoning as compared to the current zoning. He also addressed where the urban center was located. He also noted that the plan was not trying to remove business owners but that it was trying to encourage development. He discussed the proposed zoning map. He said they are still working through parking issues. The area seems to be encouraging an artist community as well as getting an energy on the street. He discussed the Wall St. area as opposed to the West Avenue area.

He then asked the commissioners for questions. He also noted that there was some research being done about infrastructure, public schools and the effects of additional housing on that area.

**i. #5-18R – Zoning Commission – Proposed amendment to Section 118-1460 Violations and Penalties to allow the Commission to revoke any permit for noncompliance - Report & recommended action**

Mr. Kleppin began the presentation with a recap of what had already transpired, especially questions after a public hearing. There was a discussion about the definition of “gross.” He understood that there are other processes to help the Zoning Commission in order for properties to be in compliance. He said that it would be a good idea to restart this process and hold another public hearing.

**V. APPROVAL OF MINUTES: December 12, 2018**

**\*\* MR. SCHULMAN MOVED to approve the December 12, 2018 Zoning Commission minutes.**

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Louis Schulman; Richard Roina; Mike Witherspoon; Rod Johnson; and Galen Wells voted in favor.**

**No one opposed.**

**Kelly Straniti abstained.**

**VI. COMMENTS OF DIRECTOR**

Mr. Kleppin noted that he had sent out a link to the POCD but would send it out again to the commissioners. He explained the process for approval. He would also print out a hard copy for any commissioner that would like one.

**VII. COMMENTS OF COMMISSIONERS**

Ms. Straniti asked if the Wall Street Plan was available for review.

Mr. Kleppin said he would get it to her.

Mr. Sumpter wished everyone a happy and healthy New Year.

**VIII. ADJOURNMENT**

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

**Mr. Witherspoon seconded.**

**Nathan Sumpter; Louis Schulman; Richard Roina; Mike Witherspoon; Rod Johnson and Galen Wells voted in favor.**

**No one opposed.**

**No one abstained.**

The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Diana Palmentiero