

**CITY OF NORWALK
ZONING COMMISSION
July 17, 2019**

NOT APPROVED BY THE COMMISSION

PRESENT: Nathan Sumpter Chair; Richard Roina; Rod Johnson; Nicholas Kantor; Galen Wells

STAFF: Steve Kleppin

OTHERS: Atty. Adam Blank; Ray Sullivan; Mike Galante; Diane Lauricella; Jason Enters; Atty. Amy Souchuns; Stan Novak; Atty. Liz Suchy; Andy Soumelidis; George Dumitru

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 then proceeded to discuss the rules for the public hearings.

III. PUBLIC HEARINGS

a. #5-19R - 587 CTA LLC d/b/a EDG Properties – Proposed amendments to Section 118-522 Business #2 zone to permit storage facilities by special permit on parcels a minimum of 7 acres in size and located within 250 feet of the centerline of Westport Avenue, Connecticut Avenue, Main Avenue or Main Street

Mr. Sumpter opened the public hearing. Atty. Blank began the presentation by orienting the commissioners as to the location of the property on an aerial map. He introduced the developers as well as the project team. He explained the text amendment and that there was no site plan as of this hearing. He then showed them pictures of the current property. The site is accessed off of Willard Avenue. He showed them the site plan but noted that self-storage is not a permitted use. He explained the other uses that are allowed on the site which included a distribution center and warehouse, among others. He noted that the Planning Commission had voted in favor of the referral. He also showed them a zoning map which did allow self-storage in the city. He then explained the text change to the commissioners. He then noted that the Planning Commission had requested a change to the text amendment, which had been incorporated into it. He explained that the self-storage is complementary to the residential use that would be there as well. He did not think that there would be many other similar projects around the city because of this text amendment. He then showed them pictures of the other self-storage that the applicant had built in another part of the city. He also noted that much of the self-storage would be obstructed from Route 1. He then discussed how the project was compliant with the Plan of Conservation and Development (“POCD”) in both the current one and the draft POCD.

Ray Sullivan, the architect on the project, continued the presentation by showing them a draft site plan. He said that it was to show them the basic plan for the site. He noted that the site had challenges. The sketches only show the scale of the building, not the aesthetics of what the site would ultimately look like. There would be more design work done, guided by the Zoning Commissioners. There were no questions from them.

Mike Galante, the traffic engineer on the project, noted that self-storage are low traffic generators. He also noted that they had not done a full study as of yet. It would fit in the area. Other

uses that are permitted would generate more traffic. There was a discussion about the trips generated at the site.

Diane Lauricella, 49 Taylor Avenue, said that she thought it was a well-thought out project but was concerned about the use. She thought it could be clean manufacturing and hoped that this would not open the city up to many more self-storage facilities. She wanted to see the tax base expand. She then asked if they could add green features such as solar panels, etc. to the text.

Jason Enters, discussed taxes for multi-family buildings which were high. He then explained what the current owners pay. He also noted that in other residential uses that he had built around the city there were very few kids. Most were single people or couples without children.

Atty. Blank noted that the site has a forested area around it. They would put a conservation easement on the property, if necessary. He then suggested other language that would restrict the text amendment. He also noted that he would hope for other clean manufacturing as well. He said that his client would look into solar panels or whatever was economically feasible.

Mr. Enters discussed the four acres around the property. He said they would be reducing the impervious area that is currently on the site. He also explained that Frontier was not being forced out but rather, their lease expired and they were moving.

There no other questions from the commissioners or staff. Mr. Sumpter closed the public hearing.

b. #1-19CAM/#1-19SPR – GWL 4 Meadow LLC – 4 Meadow St – Proposed change of use from warehouse to indoor contractor parking facility

Mr. Sumpter opened the public hearing. Amy Souchuns, the attorney for the applicant, began the presentation by handing in the notice of mailing. She then oriented the commissioners to the site on a copy of the survey. She explained the site. The applicant was requesting a conversion from the current use to an indoor contractor parking facility. She explained it had been used by FedEx up until 2 years ago. It would be used by Frontier to store their vehicles. It was moving from Willard Rd. She explained the use by noting that employees would drive to the site, pick up their service vehicles and then return in the evening. She then showed them the indoor layout of the bucket trucks and other service type vans. Offices would remain as they were before. Only employees' cars would be outside. There would be no modifications to the building. An engineering statement had been provide and received all other sign-offs. They had worked with staff to answer some of the commissioners' questions from the previous meeting. She then showed them a planting plan which they had developed with Zoning Department staff which included more plantings that would be there year round. There was a discussion about how it would be maintained with the owner's landscaping company. She explained the exterior changes. There was a discussion about a condition to be added. There was also a discussion about the drainage. There was a discussion about what types of repairs would be done at the facility.

Stan Novak, the engineer on the project, continued the presentation with a discussion of the oil/water separators in the building.

Diane Lauricella, 49 Taylor Avenue, representing the South Norwalk Citizens for Justice, stated that they were not opposed to the application. She gave a list of requests to the commissioners and hoped the commissioners would postpone the public hearing to incorporate them.

There were no other questions from the commissioners or staff.

Atty. Souchuns oriented the commissioners as to the location of the property on an aerial map. She noted that there was another property in between theirs and Village Creek. She noted that the lighting was compliant to the Zoning regulations and had been inspected by the Zoning Department staff. She said that no other modifications would be made to the site. They would obtain other permits from state departments, if necessary. She explained the business hours and that it was not a 24 hr. facility. There was a discussion about a device that could be added to vehicles to reduce the noise level in the facility, especially in the morning when all of them are leaving. There was a discussion about how the operations of the facility worked. The vehicles are not fueled on site. There was a further discussion about the oil separator. Mr. Novak has not seen the actual separator and was not aware of an alarm on it. There was a further discussion about how the system was now since it had not been used in several years. They also had checked maintenance records. The WPCA had been involved in those discussions as well.

Mr. Sumpter closed the public hearing.

IV. DISCUSSION/ACTION ON PENDING APPLICATIONS

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

i. #5-19R - 587 CTA LLC d/b/a EDG Properties – Proposed amendments to Section 118-522 Business #2 zone to permit storage facilities by special permit on parcels a minimum of 7 acres in size and located within 250 feet of the centerline of Westport Avenue, Connecticut Avenue, Main Avenue or Main Street

There was some discussion about adding language to the resolution. There was a discussion about the multi-family buildings and effects on the tax base as well as a discussion about the amount of children that are in multi-family buildings. Mr. Kleppin read the Planning Commission's referral into the record.

**** MR. ROINA MOVED: BE IT RESOLVED** that the proposed amendments to the Building Zone Regulations as shown on a certain document entitled "**#5-19R – 587 CTA LLC d/b/a EDG Properties – Proposed amendments to Section 118-522 Business #2 zone to permit storage facilities by special permit on parcels a minimum of 7 acres in size and located more than 250 feet from the centerline of Westport Avenue, Connecticut Avenue, Main Avenue or Main Street**" and dated Revised July 16, 2019, be **MODIFIED to require that a minimum of twenty percent (20%) of the site be placed in a conservation easement and APPROVED;**

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

- 1) To implement the Plan of Conservation and Development goal to "Examine and modify existing zoning where necessary to achieve the goals of this plan" (F.2.1, p. 42); and
- 2) To implement the Plan of Conservation and Development goal to "Encourage development that seeks to provide maximum returns to the City in the Grand List tax revenue consistent with public purpose" (A.1.1.9, p. 10); and

BE IT FURTHER RESOLVED that the effective date of this action be July 26, 2019.

Mr. Johnson seconded.

Nathan Sumpter; Richard Roina; Rod Johnson; Nicholas Kantor; Galen Wells voted in favor.

No one opposed.

No one abstained.

ii. #1-19CAM/#1-19SPR – GWL 4 Meadow LLC – 4 Meadow St – Proposed change of use from warehouse to indoor contractor parking facility

There was a discussion about adding an additional condition to mitigate the backup noises from the vehicles.

**** MR. JOHNSON MOVED: BE IT RESOLVED BY THE ZONING COMMISSION** that Coastal Area Management application, #1-19, GWL 4 Meadow LLC, for an indoor contractor parking facility at 4 Meadow LLC, for an indoor contractor parking facility at 4 Meadow Street, as shown on a survey by Dennis A. Deilus Land Surveyors, and on plans by Megson, Heagle & Friend Civil Engineers & Land Surveyors, entitled “Schematic Indoor Vehicle Parking Plan, #4 Meadow Street,” dated 5-23-19 be **APPROVED** with the following conditions:

1. That there be no exterior storage of commercial vehicles or equipment on the property.
2. That an evergreen hedge be installed along the front of the property per the landscaping proposal submitted
3. That the façade of the building be repainted per the proposal submitted.
4. That new inserts be installed and maintained in all the existing catch basins on the property by the applicant and/or tenant.
5. The applicant shall work with staff on alternate backup alarm systems to mitigate any noise from vehicle backup noise.

BE IT FURTHER RESOLVED that the effective date of this action be July 26, 2019.

Mr. Roina seconded.

Nathan Sumpter; Richard Roina; Rod Johnson; Nicholas Kantor; Galen Wells voted in favor.

No one opposed.

No one abstained.

b. #8-17SPR/#25-17CAM – The Maritime Aquarium at Norwalk – 10 North Water St – Request to modify approved plans – Determine if minor change – Report and recommended action

Alan Lo, Building Facility Manager for the city, began the presentation with a brief history of the project. He noted that the IMAX Theater would be demolished for the Walk Bridge project. He also noted that bid numbers came in higher than expected so they came up with a revised plan to fit the budget. He then explained to the commissioners the revised plans on a site plan. Mr. Lo explained that the project was on a tight budget because of the Walk Bridge project. It was also difficult to get bids. It has now been pushed back which gives them time to re-focus. The current schedule would end the project on December 31, 2020. Although they took out pieces of the project, they may be able to get them back later. Mr. Lo also explained that the 4D Theater is a big upgrade for the Aquarium and the city.

Chrissy Ramsey, from the Aquarium, explained that the goldfish project was currently at the tent area of the Aquarium but could be lost because they had to reduce the size of the project. There was then a discussion about the entrances to the building which may also be gone from the project because of the cost. The commissioners decided it was a minor change.

**** MR. ROINA MOVED: BE IT RESOLVED BY THE ZONING COMMISSION** that #8-17SPR/#25-17CAM – The Maritime Aquarium at Norwalk – 10 North Water St the request to modify approved plans was a minor change.

Mr. Johnson seconded.

Nathan Sumpter; Richard Roina; Rod Johnson; Nicholas Kantor; Galen Wells voted in favor.

No one opposed.

No one abstained.

c. #2-17SPR/#14-17CAM – NW MFP Norwalk Town Center II, LLC & 3Q Property LLC – 467 West Av/17 Butler/3 Quincy St – Waypointe South Block – Demolish existing bldgs, relocate historic bldg. from 3 Quincy St to 6 Butler St; construct new 7 story, 519,820 sf mixed use development with 330 dwelling units, 496 seat iPic movie theater (41,604 sf), 22,209 square feet restaurant, 0 sf retail, 23,979sf fitness center & 942 space pkg garage in a Design District Development Park (DDDP) – Request for extension of time – Report and recommended action

This item was postponed.

d. #3-17SPR/#15-17CAM – 6 Butler Properties, LLC – 6 Butler St – Demolish existing bldg @ 6 Butler, dismantle existing historic building at 3 Quincy St for use as 1,395 sf restaurant & 3,840 sf office – Request for extension of time - Report and recommended action

This item was postponed.

V. REVIEW AND ACTION ON NEW APPLICATIONS

a. #7-19R/#3-19SPR/#3-19SP/#6-19CAM – Marco Perry – 3 & 5 Raymond St – Proposed amendments to SSDD zone to allow artist’s live/workspace as a new use and site plan/special permit/CAM for ±3,648 sf building with two residential units and one artist live/workspace – Report and recommended action

Atty. Liz Suchy began the presentation by showing the commissioners a picture of the current property as well as a brief history of the property. She said it had been constructed in 1925 and is the size of the lot. The building had been used to fix sail winches and may have been used as a fire house at some time. That had not been confirmed. The owners wanted to restore the building. She explained why there were so many applications. There would be a text amendment to allow for an artist live-in space. There were several other commissions that they would have to go before. The building was now on the Norwalk Historical Commission’s register. She then showed the commissioners a site plan with the parking areas, a pergola, and a small addition. She also explained the plantings that would be added to the property. She then discussed the former owner, Charles Perry, who had been an architect and sculptor. This was his studio. There would be a public hearing which she asked to be scheduled for their August 1 Zoning Commission agenda.

Andy Soumelidis, the engineer on the project, continued the presentation with a discussion of the sidewalks, curb cuts, driveways. He explained the drainage as well. He noted that it was in a flood zone and livable space would be at elevation 13.

George Dumitru, the architect on the project, continued the presentation by noting that it had started as a landscaping project. Mr. Perry’s son, who now owned the property, would use one floor for himself and have an artist use the second floor as a work space as his father had.

VI. APPROVAL OF MINUTES: June 19, 2019

**** MR. JOHNSON MOVED to approve the June 19, 2019 Zoning Commission minutes.**

Ms. Wells seconded.
Nathan Sumpter; Rod Johnson; Galen Wells voted in favor.
No one opposed.
Richard Roina and Nicholas Kantor abstained.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin said that Mr. Wrinn had noticed at Home Depot that some of the conditions of approval were not met. He suggested that the applicant should return on August 1 so they can ask why things had not been completed.

VIII. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

IX. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.
Mr. Johnson seconded.
Nathan Sumpter; Richard Roina; Rod Johnson; Nicholas Kantor; Galen Wells voted in favor.
No one opposed.
No one abstained.

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Diana Palmentiero