

**CITY OF NORWALK  
ZONING COMMISSION  
MARCH 17, 2010**

**PRESENT:** Jackie Lightfield, Chair; Bob Keyes; James White; Andrea Light; Adam Blank; Michael Mushak

**STAFF:** Michael Greene

**OTHERS:** Atty. Frank Zullo; Patrick O’Leary; Steven O’Neill; Robert VanAken; Jason Mikrut; Terry Wilson; Jim Haynes; Al Raymond; Edward J. Musante, Jr.; Tad Diesel; Diane Allison; Bob Ready; Lisa Brady

**I. CALL TO ORDER**

Ms. Lightfield called the meeting to order at 7:30 pm.

**II. ROLL CALL**

Mr. Greene took the roll call.

**III. PUBLIC HEARINGS**

- a. #14-09SP – Norwalk Hospital Association – 34 Maple St/Stevens St - Replace existing 430 space parking garage with new 628 space parking garage**

Ms. Lightfield opened the public hearing.

Atty. Frank Zullo introduced his team and stated that all approvals were in. He said that the green cards had been turned in and that five were still missing. He submitted a letter from Dori Wilson and one from Louis Schulman of the Norwalk Transit District.

Atty. Zullo explained that the old parking garage needed a lot of repair and that the new garage was the best plan to improve parking. He discussed the plan for parking during the construction period, noting that the applicant would be able to provide 224 additional spaces on-site using valet parking during the construction period. He added that area merchants in Norwalk Center had been consulted regarding off-site parking during construction. Atty. Zullo said that the merchants were concerned about parking in the two small surface lots but not with parking in the upper levels of the Yankee Doodle Garage. He also stated that the applicant had met with a large group of neighborhood residents.

Mr. Patrick O’Leary showed a map of the Hospital area and described the present conditions, pointing out that there were 1,254 parking spaces on the site, where 1,072 spaces were required.

Mr. Jason Mikrut discussed drainage on the site, adding that there would be a minor increase in the impervious area, but that it remained well within the limitations set by the City. He said that a minor change would also be made concerning drainage, noting that a detaining area would be provided for storm water. He stated that an oil separator would be in place, as well. He reiterated that the goal was to improve storm water management.

Mr. Steven O’Neill discussed the service lots for the hospital, pointing out that parking was currently at near capacity. He said that the project would provide a net increase of 15%, with a 45% increase in available parking near the main entrance. He described the current tendency for cars to “re-circulate” and sometimes park on surrounding streets.

Ms. Light asked who was re-circulating in the parking area. Mr. O’Neill said that it was a combination of visitors and employees. He noted that 60% of the traffic into the hospital was coming from Route 1. He also addressed parking conditions during the construction period.

Mr. Mikrut showed the employee parking areas and how the valet service would operate, adding that

assigned parking would be in place for employees at the Yankee Doodle Garage or on-site.

Mr. White asked about the details of how the parking ticket booth would function. Atty. Zullo said that it had not been determined yet and clarified that a ticket booth currently existed on Stevens Street.

Mr. O'Leary showed the existing and proposed booth on the site map and said that discussions were ongoing regarding its details. He also addressed the issue of accessibility. He showed the landscaping plan, noting that the plan was to save as many of the mature trees on the site as possible. He said that the applicant had conceded six parking spaces to accommodate maintaining of the mature trees. He added that the trees in the planting plan were a mixture of fast-growth and slower-growth species. He emphasized that the landscaping plan was fully zoning-compliant.

Ms. Lightfield asked why the surface parking was being kept in front of the garage and to the left of the entrance. Mr. O'Leary explained that the applicant was working to maintain the quantity of parking and needed to consider the potential for growth. There was discussion of accommodating the Commission's request for more landscaping in that area.

Mr. Terry Wilson explained that the access point to the garage from Stevens Street was basically the same, but that traffic flow would be made more circular, increasing safety and navigability. He addressed safety concerns with the current parking arrangement. He also explained that the vertical expansion of the garage would go downward and that the elevator would now serve every level. He added that the retaining walls would help to increase safety in the steep areas. Mr. Wilson showed the proposed materials and presented several pairs of photos of the existing and proposed views of the site. He also said that no significant changes to signage were being made. He indicated on a map the adjacent neighborhood that was most susceptible to deck lighting and described how the proposed fixtures would lower the impact. Mr. Wilson also said that the new light levels would increase safety. He indicated several options for light screening, including architectural louvers and a green wall concept.

Mr. Rob Van Aken addressed concerns from neighbors about the construction period. He explained that the work would be fully contained on the site, where two full-time employees would be on-site monitoring the contracting work. He also said that there would be no staging areas around Norwalk during construction.

Mr. Blank asked about noise levels during construction. Mr. VanAken said that the demolition period would last about three or four months and the actual building of the new structure would take about eight to ten months, representing about half of the total construction time. He reiterated that the construction would take place from 7:00 am to 3:30 pm, five days a week.

Ms. Light asked where construction workers would park. Mr. Van Aken indicated the area on a map.

Mr. Mushak complimented the applicant's detailed light analysis, pointing out that it was far superior to what was usually presented to the Commission. He also asked about the largest façade of the parking structure, noting that it faces east and would be in the shade all afternoon. He suggested landscaping adjustments that would be better suited to a shaded area. He also asked about specific information about the size of the intended plantings. Mr. Mushak suggested Norway Spruces, instead of White Spruces, and also White Pines, instead of Austrian Pines. Mr. O'Leary said that the applicant would happily agree to the substitutions.

Ms. Lightfield opened the hearing to public comment.

Mr. Al Raymond, 79 Truman Street, stated his concerns about traffic. He pointed out that the applicant had worked hard to address neighbors' concerns, but that it would still be a good idea to direct cars onto Van Buren Avenue to avoid congestion on Stevens Street. He also said that he would like to see more screening and an adjustment to the stone retaining wall.

Mr. Edward J. Musante, Jr. of the Greater Norwalk Chamber of Commerce emphasized the importance

of supporting improvements to infrastructure for the services that the hospital would ultimately provide. He complimented the applicant's detailed presentation, particularly concerning the impact of lighting.

Mr. Tad Diesel stated that the City's short-term and long-term benefits were being served by the proposed improvements. He said that this application was the beginning of the hospital's benefits to the community.

Ms. Diane Allison said that this was not the first time the Zoning Commission had seen the plans, pointing out that the applicant had put in due diligence about how the project served the community.

Mr. Bob Ready addressed the additional demands on the hospital due to an aging population. He said that this proposal was the best solution for replacing the existing parking garage.

Ms. Lisa Brady said that the new structure would provide many benefits, including elevator access on every level and increased protection from the elements. She also said that the applicant had been mindful of neighbors' concerns.

Atty. Zullo explained that a neighborhood meeting had gone well. He reiterated that the hospital was not adding any activity at this time and that some neighbors' concerns involved the future expansion, rather than this application.

Ms. Lightfield closed the public hearing.

#### **IV. REPORT OF PLAN REVIEW COMMITTEE, JAMES WHITE, CHAIR**

##### **a. Action on Item III a.**

**\*\* MR. WHITE MOVED: RESOLVED that Special Permit application #14-09SP; Norwalk Hospital Association, 34 Maple Street; to replace the existing 430 space parking garage with a new 628 space parking garage and related site improvements as shown on a certain set of plans and related drawings entitled "Norwalk Hospital New Parking Deck Norwalk, Connecticut" by Freeman White, Inc.; Vanasse Hangen Brustlin, Inc. and others dated March 3, 2010, be approved, subject to the following conditions:**

- 1. That the revised landscape plan which provides additional landscaping between the street and the parking lot to enhance the buffer for Maple Street residences be made a part of this approval; and**
- 2. That the applicant will purchase 200 parking permits for the Yankee Doodle Municipal Garage from the Norwalk Parking Authority for the duration of the construction period and provide a shuttle service to shuttle employees from this location to the Hospital; and**
- 3. That all CEAC signoffs be submitted prior to the start of construction; and**
- 4. That a surety in an amount to be determined by staff be provided to guarantee the installation of required site improvements; and**
- 5. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and**
- 6. That any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and**
- 7. That a certificate of special permit and mylar of the approved site plan be filed on the Norwalk Land Records; and**
- 8. That a Connecticut licensed engineer certify that all of the required improvements were installed to City standards and a final as-built survey be submitted to certify that the completed**

building complies with zoning; and

9. That all traffic improvements, including any improvements required by the STC, be complete prior to the issuance of a certificate of zoning compliance (CZC) and that within six months of the issuance of the CZC, a follow-up traffic study be submitted; and

10. That a maintenance schedule be submitted to ensure maintenance of onsite drainage systems; and

**BE IT FURTHER RESOLVED** that the application complies with Section 118-440 Hospital Zone and Section 118-1450 Special Permits and the applicable sections of the Building Zone Regulations for the City of Norwalk.

**BE IT FURTHER RESOLVED** that the effective date of this action be March 26, 2010.

\*\* MR. BLANK SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.

\*\* MS. LIGHT MADE A MOTION TO AMEND THE PREVIOUS MOTION WITH THE CONDITIONS PREVIOUSLY DISCUSSED, CONCERNING PERVIOUS PAVING, PARKING SPACES, TREE ADJUSTMENTS, CONSTRUCTION PARKING, AND DEMOLITION AND LOADING TIMES.

\*\* MS. LIGHTFIELD SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.

\*\* MS. LIGHT MADE A MOTION TO ADD A CONDITION TO ADD ARCHITECTURAL SCREENING ON THE FRONT FAÇADE OF THE STRUCTURE, SUBJECT TO THE COMMISSION'S DETAILED APPROVAL.

\*\* MS. LIGHTFIELD SECONDED.  
\*\* MOTION CARRIED, 4-1-1 (WHITE OPPOSING, BLANK ABSTAINING).

**b. #2-03SP/#6-03CAM - City of Norwalk - Calf Pasture Beach Road – Restaurant at Calf Pasture Beach – Request for one year extension of approval time - Report & recommendation**

\*\* MR. WHITE MOVED: RESOLVED that the request for a one year extension of approval time for special permit #2-03SP / #6-03CAM - City of Norwalk - Calf Pasture Beach Concession as shown on various plans by Robert Storm Architects dated revised to February 11, 2003, 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 March 31, 2011; and

**BE IT FURTHER RESOLVED** that the effective date of this action be March 26, 2010.

\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.

**c. #6-04SP – Stone Realty – 15-29 Oakwood Ave – 9,000 sf warehouse – Request for release of surety – Report & recommendation**

\*\* MR. WHITE MOVED: RESOLVED that the request to release the maintenance surety held for Stone Realty Associates LLC, ±9,000 square foot warehouse and office building; said property is located in the Fifth Taxing District, Block 38A, Lots 11 &12, as shown on a set of plans dated March 2004, be approved

**BE IT FURTHER RESOLVED** that the effective date of this action be March 26, 2010.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**d. #2-08SPR/#2-08CAM - 95/7 Ventures LLC - 105-141 West Av/3-11 Reed St/1-41/62-64 Putnam Av – North of Reed St – ±605,000 square foot mixed use development (Phase 1) – Request for 1 yr extension of approval time - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that the request for a one year extension of approval time for site plan application #2-08SPR and coastal site plan application #2-08CAM; 95/7 Ventures, LLC – 105-141 West Avenue/3-11 Reed Street/1-41 & 62-64 Putnam Avenue - ±605,000 square foot mixed use development (Phase 1) with 507,596 sq ft office, 88,094 sq ft of retail (including 15,000 GSF of restaurant space) in 4 new buildings within a design district development park as shown on a set of plans entitled "District 95/7 South Norwalk, Site Plan Review Submission" by Beyer Blinder Belle Architects & Planners, LLP; MPFP; and Stantec Consulting, dated January 17, 2008 as revised to March 13, 2008, be approved, subject to the following conditions:, 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 April 4, 2011; and

**BE IT FURTHER RESOLVED** that the effective date of this action be March 26, 2010.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**e. #3-08SPR/#3-08CAM - 95/7 Ventures LLC – 51-63 West Av/15-25 Putnam Av – South of Reed St – District 95/7 ±106,500 square foot mixed use development (Phase 1) - Request for 1 yr extension of approval time - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that the request for a one year extension of approval time for site plan application #3-08SPR and coastal site plan application #3-08CAM; 95/7 Ventures, LLC – 51-63 West Avenue/15-25 Putnam Avenue - ±106,500 square foot mixed use development (Phase 1) with 98,230 sq ft office, 8,000 sq ft restaurant (with 4,000 sq ft active area) within a design district development park as shown on a set of plans entitled "District 95/7 South Norwalk, Site Plan Review Submission" by Beyer Blinder Belle Architects & Planners, LLP; MPFP; Studio ABK; and Stantec Consulting, dated January 17, 2008 as revised to March 13, 2008, be approved, subject to the following conditions:, be approved, subject to the following conditions:

3. That the original conditions of approval remain in effect; and
4. That the new approval deadline for obtaining permits will be April 4, 2011; and

**BE IT FURTHER RESOLVED** that the effective date of this action be March 26, 2010.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**f. #2-09SPR – Tilly – 25-29 Bouton Street – 12 units – Request for 1 year extension of approval time – Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** by the Norwalk Zoning Commission that the approval time on #2-09SP—Tilly—25-29 Bouton Street—12 units of multifamily BE APPROVED for an extension of a period of 365 days; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be March 26, 2010.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**g. DEP/Army Corps referral - 5 Cudlipp Street – Removal of derelict structure and install new dock - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200701727—TS—5 Cudlipp Street—Removal of derelict structure and install new dock; and

**That the Commission supports water-dependent uses, such as the construction of docks, in tidal, coastal, or navigable waters of the state; and**

**BE IT FURTHER RESOLVED** that this proposal is consistent with coastal resource and use policies.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**h. DEP/Army Corps referral - 132 Water Street – Install floats for marine commercial use - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200203648—SJ—132 Water Street—Install floats for marine commercial use; and

**BE IT FURTHER RESOLVED** that a zoning permit with the City of Norwalk will be needed for this work and that additional parking will need to be provided by the applicant; and

**BE IT FURTHER RESOLVED** that the Commission supports water-dependent uses, such as the construction of docks, in tidal, coastal, or navigable waters of the state; and

**BE IT FURTHER RESOLVED** that this proposal is consistent with coastal resource and use policies.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**i. DEP/Army Corps referral - 30 Shorehaven Road – Existing dock – Modify to increase size of floating dock - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200700249—SB—30 Shorehaven Road—Existing dock—Modify to increase size of floating dock; and

**BE IT FURTHER RESOLVED** that the Commission supports water-dependent uses, such as the construction of docks, in tidal, coastal, or navigable waters of the state; and

**BE IT FURTHER RESOLVED** that this proposal is consistent with coastal resource and use policies.

**\*\* MS. LIGHT SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

**j. DEP/Army Corps referral - 100 Water Street – Retain & modify existing floats for marine commercial use - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #200300134—SJ—100 Water Street—Retain and modify existing floats for marine commercial use; and

That the Commission supports water-dependent uses, such as the construction of docks, in tidal, coastal, or navigable waters of the state; and

**BE IT FURTHER RESOLVED** that this proposal is consistent with coastal resource and use policies.

**\*\* MS. LIGHT SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

**k. #1-10MV – J. Maitan – 131 New Canaan Av – Replacement auto repair tenant - Report & recommendation**

**\*\* MR. WHITE MOVED: RESOLVED** that application #1-10MV, submitted by J. Maitan & J. Fuzeto, Jr., (Interlagos Auto Repair) for a replacement auto service center at 131 New Canaan Avenue be approved with the following conditions:

1. That an additional street tree of 3” caliper be placed in the northern planting island along New Canaan Avenue; and
2. That any loading or unloading of vehicles from wreckers or flatbed carriers shall strictly be conducted on the subject premises, and not on either street; and
3. That no vehicles shall be stored in front of the building and all repairs shall be performed strictly within the building; and
4. That the storage of tow trucks, wreckers, and junk vehicles is prohibited; and
5. That motor vehicle sales from this site is prohibited; and
6. That the hours of operation are Monday through Friday from 8:00 am to 5:00 pm and closed on Sundays; and
7. That all signage shall comply with the sign regulations; and

**BE IT FURTHER RESOLVED** that the effective date of this approval shall be March 26, 2010.

**\*\* MS. LIGHT SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

#### **V. APPROVAL OF MINUTES: February 17, 2010**

**\*\* MR. BLANK MADE A MOTION TO APPROVE THE MINUTES.**  
**\*\* MR. WHITE SECONDED.**  
**\*\* MOTION CARRIED, 5-0-1 (LIGHT ABSTAINING).**

#### **VI. COMMENTS OF DIRECTOR**

Mr. Greene pointed out that the packets contained the mosque application.

#### **VII. COMMENTS OF COMMISSIONERS**

There were none tonight.

#### **VIII. ADJOURNMENT**

**\*\* MS. LIGHT MADE A MOTION TO ADJOURN.**  
**\*\* MS. LIGHTFIELD SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:20 pm.

Respectfully submitted by Charlene Smith.