

**CITY OF NORWALK
PLANNING COMMISSION
FEBRUARY 10, 2009**

PRESENT: Torgny Astrom, Chair; Frances DiMeglio; Walter Briggs; Walter McLaughlin; Victor Cavallo; Donald Nelson; Joel Zaremby

STAFF: Mike Wrinn, Frank Strauch; Brenda Hrtanek

OTHERS: Mike Moccia; Tom Hamilton; Tim Sheehan

I. CALL TO ORDER

Mr. Astrom called the meeting to order at 7:50 pm.

II. ROLL CALL

Mr. Wrinn took the roll call.

III. REPORT OF SUBDIVISION COMMITTEE—Walter Briggs, Chair

a) Subdivision #3598—Kerschner Dev. Co.—295 Highland Avenue—2 Lots—Request for release of surety

**** MR. BRIGGS MOVED: RESOLVED** by the Norwalk Planning Commission that the request to release the surety held on Subdivision #3598 – Kerschner Development Co., LLC, 2 lots, 295 Highland Avenue be **approved**; and

BE IT FURTHER RESOLVED that a two (2) year, 25% maintenance surety or \$1000.00, whichever amount is greater, be submitted to guarantee satisfactory performance of the required improvements; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be February 20, 2009.

**** MR. NELSON SECONDED.
** MOTION PASSED UNANIMOUSLY.**

b) Subdivision #3571—Kerschner Dev. Co.—24 Wilson Avenue—2 Lots—Request for release of maintenance surety

**** MR. BRIGGS MOVED: RESOLVED** by the Norwalk Planning Commission that the request to release the surety held on Subdivision #3571 – Kerschner Development Co., 24 Wilson Avenue – 2 lots, be **approved**; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be February 20, 2009.

**** MR. NELSON SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

- c) Subdivision #3481—Lawrence Gaynor (formerly Paragon Builders)—61 & 63 Riverside Avenue—2 Lots—Request for release of surety

**** MR. BRIGGS MOVED: RESOLVED** by the Norwalk Planning Commission that the request to release the surety held on Subdivision #3481 – Lawrence Gaynor (formerly Paragon Builders) – 61 & 63 Riverside Avenue– 2 Lots, be **approved**; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be February 20, 2009.

**** MR. MCLAUGHLIN SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

IV. REPORT OF LAND USE COMMITTEE—Fran DiMeglio, Chair

REFERRALS—Review and recommendation

a) **Action on Capital Budget**

**** MS. DIMEGLIO MOVED: RESOLVED** by the Planning Commission that the Capital Budget be approved as modified with an amount of **\$13,984,000.00** for fiscal year 2009-10.

BE IT FURTHER RESOLVED that the budget as recommended by the Commission be forwarded to the Mayor for appropriate action.

**** MR. BRIGGS SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

- b) Mayor’s Office—Capital Project Close-out of the Veteran’s Park Pedestrian lighting project Mayor’s Office

**** MS. DIMEGLIO MOVED: RESOLVED** by the Planning Commission that the Capital Project Close-out of the Veteran’s Park Pedestrian lighting project be **approved**; and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council and other appropriate agencies.

**** MR. MCLAUGHLIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

- c) Special Capital Appropriation in the amount of \$100,000 for Calf Pasture Athletic Lighting project

**** MS. DIMEGLIO MOVED: RESOLVED** by the Planning Commission that the Special Appropriation in the amount of \$100,000 for Calf Pasture Athletic Lighting project be **approved**; and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council and other appropriate agencies.

**** MR. CAVALLO SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

- d) Mayor's Office—Special Capital Appropriation in the amount of \$275,000 to pay a judgment related to property acquired by the City in 2002 by eminent domain for the construction of the new Police Headquarters

**** MS. DIMEGLIO MOVED: RESOLVED** by the Planning Commission that the Special Appropriation in the amount of \$275,000 to pay a judgment related to property acquired by the City in 2002 by eminent domain for the construction of the new Police Headquarters be **approved**; and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council and other appropriate agencies.

**** MR. CAVALLO SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

- e) 8-24 Review—Redevelopment Agency—Property Transfer of 16 & 18 Merwin Street to 16-18 Merwin Street, LLC (the redeveloper) & incorporation of said property into the West Avenue Corridor Plan area

**** MS. DIMEGLIO MOVED: RESOLVED** by the Norwalk Planning Commission that, in accordance with Section 8-24 of the Connecticut General Statutes, the referral made by the Redevelopment Agency in regards to the property transfer of City property known as 16 & 18 Merwin Street to the redeveloper, 16-18 Merwin Street, LLC and incorporation of said property into the West Avenue Corridor Plan area be approved; and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council and other appropriate agencies.

**** MR. BRIGGS SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

- f) Zoning Commission referral--#11-08R—Broadreach Capital Partners CT Properties LLC (Dolce Norwalk Ctr)—Proposed amendments to Section 118-600 Research & Development Zone to permit “special events” as part of an executive and management educational facility

Ms. DiMeglio requested that the language of the resolution indicate the strong support of the Committee.

**** MS. DIMEGLIO MOVED: RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#11-08R - Broadreach Capital Partners CT Properties, LLC (formerly Dolce) - Proposed amendments to Section 118-600 Research & Development Zone to permit "special events" as part of an executive and management educational facility" and dated December 11, 2008, be approved.

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

- 1) To allow the reasonable use of an existing executive and management educational facility; and
- 2) That the proposed amendment is compatible with the Plan of Conservation and Development for Norwalk; and
- 3) To implement the Plan of Conservation and Development policy to "preserve open space for natural resource management and to preserve neighborhood character" (C.2.1, p. 25); and
- 4) To implement the Plan of Conservation and Development policy to "encourage private landowners to establish conservation easements for protecting wetlands and open space (e.g., Dolce Norwalk Center)" (C.2.1.8, p. 25); and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Norwalk Zoning Commission.

**** MR. MCLAUGHLIN SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

Mr. Astrom closed the meeting at 7:50 pm.

Mr. Astrom re-opened the meeting at 10:05 pm.

V. **APPROVAL OF MINUTES:** December 9, 2009

**** MR. BRIGGS MADE A MOTION TO APPROVE THE MINUTES.**

- ** MR. NELSON SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

Vi. COMMENTS OF THE ASSISTANT DIRECTOR

Mr. Wrinn thanked the Commission for its work on the capital budget. He added that the annual report was in the packets.

VII. COMMENTS OF COMMISSIONERS

Ms. DiMeglio indicated that a discussion of by-laws should take place at the March meeting.

VIII. COMMENTS FROM SWRPA

There were one tonight.

IX. ADJOURNMENT

- ** MR. MCLAUGHLIN MADE A MOTION TO ADJOURN.
- ** MR. ZAREMBY SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 10:10 pm.

Respectfully submitted by Charlene Smith.