

**CITY OF NORWALK
ZONING COMMISSION
November 20, 2013**

PRESENT: Joseph Santo, Chair; Emily Wilson; Jill Jacobson; Michael Mushak; Nate Sumpter; Jim White; Michael O'Reilly; Linda Kruk (after the roll call)

STAFF: Mike Wrinn; Frank Strauch; Adam Carsen

OTHERS: Andrew Glazer; Robert Fraser

I. CALL TO ORDER

Mr. Santo called the meeting to order at 7:30 p.m.

I. ROLL CALL

Mr. Wrinn took the roll call.

III. PUBLIC HEARINGS

Before the public hearing began, Mr. Santo announced the rules.

a. #17-13CAM – Glazer – 79 Rowayton Ave – New single family residence

Before the public hearing began, Mr. Mushak recused himself and left the room. Mr. Santo opened the public hearing. Mr. Glazer, representing the owner, began the presentation by showing the commissioners the plans for the single family residence. It was designed under the new Federal Emergency Management Agency's ("FEMA") regulations as well as the new elevations. They tried to maximize the water views. He then showed various elevations of the house. Underneath the house are lattice breakaway panels. The house is on piers. He gave a brief history of the lot. Mr. Glazer then passed out photos of the property as it looks currently. He discussed a letter sent by Marcy Balint, who was concerned about the loss of a water dependent site. He said that he had discussed many of her issues with her. Some of them were the fact that this site has never been a water dependent one nor has it had public access. He felt he knew about some of these issues since he had done many projects in Rowayton. Mr. Glazer then discussed a meeting that he had with many of the neighbors as well as the owner. There were several options that were discussed. The owner said that he was okay with having public access on one side of the property, but not in the front. He said that he had a family and did not want people walking across his lawn. After the meeting, the group agreed that they would become a planning group for Rowayton which would meet with the Zoning Department staff. They were hoping to become pro-active, rather than being reactive.

Mr. Santo asked when single family residences were exempted from having marinas. Mr. Wrinn said that it was many years ago.

Robert Fraser, Highland Avenue, said that he walked past the site almost every day. He supported Mr. Glazer's idea of a planning committee and said he would be a part of it. He thanked the commissioners for allowing the public hearing. He said that they wanted to keep the character of the nautical community of Rowayton. He hoped the Zoning regulations for waterfront properties would be reviewed. He thought there should be neighborhood groups for each of the unique neighborhoods of Norwalk.

Mr. Glazer asked the commissioners to vote for an approval of the application. He thanked the commissioners for having the public hearing. Mr. Santo closed the public hearing.

IV. REPORT OF PLAN REVIEW COMMITTEE, JILL JACOBSON, CHAIR

a. Action on Item III a.

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #17-13CAM, construction of a single-family residence for the property 79 Rowayton Avenue as shown on the A-2 Survey titled: "Topographic and Zoning Location Survey, 79 Rowayton Avenue, Prepared For Anthony Dechellis, Norwalk, Connecticut, Scale: 1"=20', Date: June 20, 2013" by William W. Seymour and Associates Land Surveyors, LLC, Jeffrey W. McDougal, Land Surveyor Connecticut Registration No. 70090 and on the engineering drawings by LandTech Consultants, Westport, CT, dated October 12, 2013 and the architectural drawings dated August 12, 2013 and Revised to August 20, 2013 by Glazer Construction, Norwalk, CT, be **APPROVED** subject to the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
2. That any additional needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-530, "Rowayton Avenue Village District"; and

BE IT FURTHER RESOLVED that there are no unacceptable adverse impacts to any coastal resources or use policies; and

BE IT FURTHER RESOLVED that this proposal complies with all applicable coastal resource and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be November 29, 2013.

**** MS. WILSON SECONDED.
** MOTION PASSED (6-0).**

b. #23-13 CAM – Twenty North Main St, LLC - 20 N. Main St – Tenant fit-up for new restaurant (Pasta Nostra) – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Coastal Area Management #23-13 CAM – Twenty North Main St, LLC - 20 N. Main St – Tenant fit-up for new restaurant (Pasta Nostra) and as shown on the architectural drawings by Roger Ferris and Partners, Westport, CT, dated 11/04/13 be **APPROVED** subject to the following conditions:

1. All CEAC sign-offs be submitted; and
2. That all signage, existing and proposed, comply with the zoning regulations; and
3. That any graffiti on the site, now or in the future, be removed immediately; and
4. That all needed permits from the applicable City agencies be obtained; and

BE IT FURTHER RESOLVED that under Section 118-1220 (M), municipal parking in South Norwalk, the additional 11 spaces generated by the increased use (8 parking spaces total), will not be required to be provided, as the property is located in the "Exempt From Municipal Parking Permit Fees" area of South Norwalk; and

BE IT FURTHER RESOLVED that the proposal complies with all applicable coastal resource and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be November 29, 2013.

**** MS. WILSON SECONDED.
** MOTION PASSED (6-0).**

c. #16-13CAM – Norwalk Sailing School – Calf Pasture Beach – Replace and move storage structures due to Hurricane Sandy – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Coastal Area Management #16-13CAM – Norwalk Sailing School – Calf Pasture Beach – Replace and move storage structures due to Hurricane Sandy and as shown on the hatched engineering drawing by Pereira Engineering, 10/17/2013 and revised to 10/29/2013 and the architectural drawings received 8/15/2013 via email by the Planning & Zoning Department be **APPROVED** subject to the following conditions:

1. That all required City permits and that a final certificate of occupancy be obtained; and

BE IT FURTHER RESOLVED that the proposal complies with all applicable coastal resource and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be November 29, 2013.

**** MR. SUMPTER SECONDED.
** MOTION PASSED (6-0).**

d. #9-11SPR – North Water LLC – 20 N. Water St – Request to modify sidewalk, add 7 on street parking spaces and reduce # of street trees – Report & recommended action

Before the vote, the commissioners made some remarks. Mr. Mushak noted that Jeff Speck, the author of Walkable City, who had been a consultant in Norwalk, had made similar recommendations. Mr. Mushak supported the resolution and believed that the commissioners were not approving the plan as to how big the lanes would be. He wanted the applicant to be able to rent the retail space. Mr. Sumpter also supported the new plan. Mr. White disagreed with the parallel parking aspect of the plan and that it would create traffic problems. However, he would support the will of the commission. Mr. Mushak agreed that there would be problems with the parking but that the benefits outweighed the risks. There was some discussion about a condition to be added to the resolution found in the commissioners' packets.

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request to modify the sidewalk width and streetscape for site plan #9-11SPR and coastal site plan #22-11CAM; North Water, LLC – 20 N. Water/Washington St – New 133,035 sq. ft. mixed use development with 108 dwelling units, 17,500 sf retail, 3,200 sf restaurant and 3 amenities including 10 public pkg sp, a pedestrian plaza & a water feature as shown on a set of plans entitled "The Norwalk Company, North Water Street, Norwalk, CT." by Beinfield Architecture, PC; Rotondo Engineering, LLC; Eric Rains Landscape Architecture, LLC and related plans dated Nov 17, 2011 as revised to April 8, 2013 and as proposed to be amended as shown on a set of plans entitled "North Water Street Improvements: Norwalk Redevelopment" by Tighe & Bond dated November 7, 2013, be **APPROVED** subject to the following condition:

- 1) That the actual lane width be set by the Traffic Authority; and

BE IT FURTHER RESOLVED that the effective date of this action be November 29, 2013.

**** MS. WILSON SECONDED.
** MOTION PASSED (6-0).**

e. #3-10SP – Maplewood – 73 Strawberry Hill Av – Congregate housing facility - Unauthorized modification to approved plan without prior authorization to add multi-purpose room – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Coastal Area Management #3-10SP – Maplewood – 73 Strawberry Hill Av – Congregate housing facility - Unauthorized modification to approved plan without prior authorization to add multi-purpose and additional electrical room be **APPROVED** subject to the following conditions:

1. That a final certificate of occupancy be obtained; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be November 29, 2013.

**** MR. SUMPTER SECONDED.
** MOTION PASSED (6-0).**

f. #1-13MV/#24-13CAM – 33 Merwin St., LLC – 33 Merwin St – Motor vehicle use – Replace repair garage – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #1-13 MV / #24-13CAM, submitted by 33 Merwin St., LLC –for a replacement auto repair facility at 33 Merwin Street, and as shown on the site plan by William W. Seymour & Associates, PC, Darien, CT, dated 11/25/2012 and revised to 10/29/2013 be **APPROVED** with the following conditions:

1. That a surety, in an amount to be determined by staff, be submitted to guarantee the installation of the required improvements; and
2. That there be no commercial towing / storage operation conducted on the site; and That all repairs be conducted within the building; and
3. That there be no outdoor storage of parts or auto carcasses; and
4. That there be no on-street parking of vehicles; and
5. That there be no on-street parking for patrons or employees; and
6. That there shall be parking only in designated spaces as shown on the approved site plan; and
7. That there be no temporary signs erected at the site; and
8. That no off-premise signs are permitted; and
9. That any graffiti on the site, now or in the future, is to be removed immediately; and
10. That all signage, existing and proposed, be in compliance with the Zoning Regulations; and
11. Sidewalks are to be kept clear and free of debris; and
12. That all conditions from Variance No. 13-1003-02 still apply; that
13. All landscaping (buffers) be planted and maintained as shown on the site plans; and

BE IT FURTHER RESOLVED that the proposal complies with all applicable coastal resource and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be November 29, 2013.

**** MR. SUMPTER SECONDED.
** MOTION PASSED (6-0).**

V. ANNUAL MEETING SCHEDULE: Adopt 2014 Meeting schedule

**** MR. SANTO MOVED to adopt the 2014 Meeting schedule.**

**** MS. WILSON SECONDED.
** MOTION PASSED (6-0).**

**VI. APPROVAL OF MINUTES: October 16, 2013
MS. KRUK MOVED to approve the minutes.**

**** MS. WILSON SECONDED.
** MOTION PASSED (6-0).**

VII. COMMENTS OF ASSISTANT DIRECTOR

Mr. Wrinn said that the Zoning Department had received several phone calls, thanking them for holding a public hearing on #17-13CAM – Glazer – 79 Rowayton Ave.

VIII. COMMENTS OF COMMISSIONERS

Mr. Mushak had a question about the election of commissioners as committee chairpersons. Mr. Wrinn pointed to the relevant section in the By-laws for his review.

IX. ADJOURNMENT

**** MR. SANTO MADE A MOTION TO ADJOURN.
** MS. WILSON SECONDED.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:57 p.m.

Respectfully submitted,

Diana Palmentiero