

**CITY OF NORWALK
ZONING COMMISSION
December 11, 2013**

PRESENT: Joseph Santo, Chair; Emily Wilson; Jill Jacobson; Mike Mushak; Nate Sumpster; Nora King; Michael O'Reilly; Linda Kruk (arrived after the roll call)

STAFF: Dori Wilson; Frank Strauch

OTHERS: Atty Mark Grenier; Ray Sullivan; Jim Rotondo, Mike Galante; Atty Tom Welch; Atty Chris Smith; Eva Ehrlich; Kendra Halliwell; Eric Raines; Erik Lindquist; John Block; Joe Balskus; Raymond Dunlap; Ganga Duleep; Diane CeCe; Mary Theresa "Missy" Conrad

I. CALL TO ORDER

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

II. ROLL CALL

Mr. Strauch took the roll call.

Before the public hearings began, Mr. Santo welcomed a new Zoning Commissioner, Nora King. He then went over the rules of the public hearings.

III. PUBLIC HEARINGS

a. #8-13SPR – FM Investments LLC – 587 Connecticut Ave - Proposed mixed use development with 34,700 sq ft office and 80 multifamily dwelling units

Mr. Santo opened the public hearing. Atty Grenier began the presentation by handing in the certified, return receipt cards evidencing that legal notices of the public hearing were sent to the abutting neighbors. He gave a brief background of the application.

The applicant is planning to build a mixed use building. He described the commercial building that is currently on the property and would remain. The residential building would include workforce housing which would be reasonably disbursed throughout the building. The applicant was not requesting any waivers and received all of its approvals. He then introduced the team.

Ray Sullivan, the architect on the project, continued the presentation by orienting the commissioners as to the location of the property. He showed pictures of the existing commercial property. He then showed the plans for the exterior and interior of the proposed residential building. He discussed the recreation areas and amenities. The building would be built into the embankment. He described the workforce housing plan which included being handicapped accessible. Units could be adapted to being handicapped accessible.

Jim Rotondo, the project's civil engineer, continued the presentation. He described the parking and vehicle circulation. The applicant would be constructing sidewalks out to Connecticut Avenue. Utilities would be upgraded or new services would be set up for the proposed building. He continued by discussing the storm water management plan.

Mr. Mushak commended the architect for including handicapped accessible units since many projects do not. He then questioned the width of the sidewalks which at some points may not be wide enough for wheelchairs. Mr. Rotondo said that they would take a look at the sidewalks to see if they could make them wider at those points. Mr. Mushak also had questions about the drainage systems. Mr. Santo also asked the staff if they could work with the applicant to widen the sidewalk for wheelchair accessibility.

Mr. Galante, the traffic consultant for the project, continued the presentation with a description of his traffic analysis. He noted that there was an alternate way and easement for the residents to leave the property. Mr. Santo asked about making a left turn out of the property onto Connecticut Avenue. Mr. Galante discussed the level of service for the intersection. Mr. O'Reilly asked if there would be a shuttle to the train station. Mr. Galante said that a shuttle would lower the amount of cars coming from the site. He then discussed the remaining part of the process that the applicant must complete with the State of Connecticut Department of Transportation. Mr. Mushak had a question about the easement. Mr. Grenier explained the history of the easement. Mr. Mushak also asked if there would be a bike rack at the property as well as sidewalk improvements by the state.

Mr. Sumpter asked when the leasing office would open. He also wanted to know where they would be advertising for the lease of the workforce housing units.

Atty Welch, who represents the property owner adjacent to the proposed site, spoke in opposition to the project. He set forth a few reasons for his client's objections. After Atty Welch, there were no other speakers either for or against the application.

Atty Grenier spoke in rebuttal to Atty Welch. He then thanked the Zoning Department staff for their help throughout the process. Mr. Mushak asked about a landscape buffer and if there was a fence between the properties. Mr. Sullivan answered the question.

b. #3-13R – Trinity Washington Village Limited Partnership – Proposed amendments to Industrial Zone #1 regarding the location of parking for TOD properties in flood zones, c. #13-13SP/#19-13CAM – Trinity Washington Village Limited Partnership / City of Norwalk and Redevelopment Agency of the City of Norwalk – 13 Day St - Proposed 10 unit multifamily development in a Transit Oriented Development (TOD) area, d. #14-13SP/#20-13CAM – Trinity Washington Village Limited Partnership / City of Norwalk and Redevelopment Agency of the City of Norwalk - 20 Day St - Proposed 70 unit multifamily development in a Transit Oriented Development (TOD) area, e. #15-13SP/#21-13CAM – Trinity Washington Village Limited Partnership / The Housing Authority of the City of Norwalk, Housing Authority – Washington Village – Raymond, Water & Day Sts - Proposed 193 unit multifamily development in a Transit Oriented Development (TOD) area

After Mr. Santo opened the public hearing, he said that all of these items from the agenda would be handled as one public hearing. Ms. Jacobson read comments from the Planning Commission and Coastal Area Management into the record.

Atty Smith began the presentation by handing in the certified, return receipt cards evidencing that legal notices of the public hearing were sent to the abutting neighbors. He described all the applications and reiterated that the applications would be handled under one public hearing this evening. He then introduced the team that was handling the project.

Ms. Ehrlich continued the presentation by discussing Trinity Financial and describing the application process up until this point. She mentioned many housing projects that Trinity Financial has recently developed and showed the commissioners pictures of them. She then described the current Washington Village and then went over the proposed Washington Village project. She said that Trinity had been working with the Norwalk Housing Authority since 2012. It would be a mixed use property. At this point, Ms. King asked a question about the drainage on one of Trinity Financial's other housing sites. Ms. Ehrlich described how the three sites would be constructed. They would begin on the vacant sites. The residents would then move to the newly constructed sites when they were completed.

Atty Smith continued the presentation by discussing the workforce housing plan as well as the zone text amendment. He discussed how the application is supporting the Plan of

Conservation and Development ("POCD"). He then discussed the city's regulations as they pertain to flood hazard zones. Mr. Sumpter had a question about flooding in the area but Atty Smith that it might be best if it waited until presentation by the civil engineer. Atty Smith said that the text amendment is affecting a small area; therefore, he does not think that it would have an adverse effect on the public's health, welfare and safety. He said that the Planning Commission voted favorably to recommend the text amendment.

Atty Smith then discussed off-site improvements which included opening up Day Street which would go one way. He reminded the commissioners that once the application was approved, they would help the Redevelopment Agency to seek funding. The city would complete these off-site improvements. He briefly discussed raising the elevation of Day Street.

Mr. Mushak asked about conditions for the resolutions. Dori Wilson said that since new information had been received by the staff, no resolutions had been prepared for the meeting. These applications would be sent back to committee for review.

Kendra Halliwell, the architect for the project, continued the presentation by orienting the commissioners as to the location of the proposed buildings on a map. She described the exterior and interior of the buildings on each of the parcels. She then described the parking for the residents of the different parcels. Parking will be underneath the building which is being elevated. Some first floor levels will be at a lower level than residential uses. All the buildings have elevators except for the townhouses. Some buildings will have stoops to help activate the neighborhood. There will also be porches. She then described the interior amenities which included a community room, and a roof deck. She noted the existing square footage of the units and compared it to the proposed square footage of the units. The units would all be the same whether affordable housing or market rate. Appliances would be energy efficient and the units would be LEED certifiable.

Mr. Sumpter asked about the amenities for inside the units. Ms. Halliwell said that the size of the units is generous. The layout would allow for larger pieces of furniture to be brought into the units. There would be washers and dryers in each unit.

There was then a further discussion as to why the commissioners would not be voting on this application at this meeting.

Ms. Halliwell continued the presentation by showing the commissioners the materials board. Since there would be a security plan, she discussed how security would work on the sites, which included cameras, and at night, there would be roving security.

Atty Smith said that he understood that the application would not be voted on until the next Zoning Commission meeting. He also commended the Zoning Department staff for all their hard work and appreciated what the Zoning Commission had been doing to move the process along.

Eric Raines, the landscape architect, continued the presentation by mentioning that, as a long-time resident of South Norwalk, he was pleased to be part of the applicant's team. He described the curbs, lighting and street trees. The landscape would provide seasonal interest suited for this coastal environment. It would be easy to maintain. He showed pictures of the trees and bushes that would be used on all three parcels. He continued by discussing the various play areas that would be geared for certain age groups. Mr. Sumpter had questions about the park on Day Street and the play areas. Ms. Halliwell mentioned that more play areas have been added based on comments of the commissioners in committee meetings. Mr. Raines said that they would be enclosed.

Erik Lindquist, the civil engineer on the project, continued the presentation. He discussed the opening of Day Street, the elevation of Day Street and the removal of parking

from Water Street at the request of the Department of Public Works (“DPW”). They have received all sign-offs. There was a discussion about the parking spaces that would be lost because of the DPW’s request. Mr. Sumpter asked about drainage. One thing that Mr. Lindquist said was that flood gates would be evaluated later with the DPW which is not in the plans at this time. Mr. Mushak asked a few more questions about infrastructure improvements as well as whether it could be made a condition of the application’s approval. Ms. Kruk asked about the allotment of parking for residents. Ms. Ehrlich said that the residents would have a space but that guests would have to find their own parking. Mr. Lindquist showed the drainage and water infiltration systems for each parcel. He then discussed where the utilities would be set up on each of the parcels. Mr. Mushak had questions about the generators.

John Block, an engineer with Tighe & Bond, discussed the flood plain issues. He said that they are not excavating or lowering the parking. The buildings will meet FEMA requirements. He suggested that the City should conduct a study to decide what should be done about flooding in the area. Mr. Sumpter asked whether this would be an appropriate time for the developer, the DPW and the city to collaborate to alleviate the flooding problem in the area. Mr. Block said they would work with DPW to help with immediate drainage areas but that some of this may be out of their scope.

Joe Balskus, the traffic consultant on the project, continued the presentation. He discussed how the traffic study was developed and how it was conducted. From their analysis, they don’t see any major improvements needed from this project. He showed them various tables which showed that the level of service had not significantly changed. Mr. Mushak asked if they had taken an ITE discount because the project was in a Transit Oriented Development (“TOD”) zone. Since they wanted to be conservative, Mr. Balskus said they had not taken the discount. Mr. Santo asked if Raymond Street and/or Day Street could be two way streets. The applicant had not studied whether to do either because they had not been asked by the city. There was also a discussion about the speed humps on the streets and whether they would slow the public down. Mr. Santo also suggested a bus pullout area rather than the buses sitting on Water Street so that traffic would not be blocked.

Mr. Santo opened the hearing to anyone from the public wishing to speak.

Raymond Dunlap, president of the Tenant’s Council at Washington Village residents, spoke in support of the applications. Some of the residents, who had sat through the presentation, stood up to show their support. He provided tenants’ signatures, who also supported the applications, on a petition.

Ganga Duleep spoke on behalf of Chris Potts, as well as herself. They were concerned about raising the intersection which would cause the flooding to flow into the surrounding neighborhood. She was concerned about the cost of the off-site improvements to the city. She raised questions about the Choice Neighborhoods program and whether the city was an applicant or not. She asked the commissioners not to rush this application through.

Diane CeCe spoke in opposition to the application. She asked questions about using taxpayer funds to build a project in a flood zone, as well as eliminating parking on Water Street. She also wondered what would happen if Trinity Financial did not receive public funding. If the project was funded privately, would they then not include the public housing in the project? If so, where would the current Washington Village residents go? She also asked about who would manage the property if Trinity Financial were to sell that piece of the project to another company? Ms. King asked Ms. CeCe where she found her research about turning the management over to someone else after the project is completed.

Mary Theresa “Missy” Conrad spoke in opposition to the project. She was concerned about the project being constructed in a flood plain and didn’t think the federal government would fund it.

Atty Chris Smith began the rebuttal by stating that the financing of the project is not something that is under the purview of the Zoning Commission. Ms. Ehrlich continued by explaining how Trinity would continue to try finding funding from sources that require public housing units. She also said that the Housing Authority was interested in managing the property after the buildings were open. Atty Smith said that most of the coast is in a flood zone and there were buildings along the coast. He also noted that the POCD stated that public housing should be constructed just where the applicant is proposing to construct it. He then thanked the Zoning Commission as well as the Zoning Department for their help.

Mr. Mushak had questions about Stamford’s obsolete public housing, which has been replaced with mixed income housing, similar to this project as well as other urban cities in Connecticut. Ms. Ehrlich discussed similar projects that they had completed in other cities seemed to be doing well.

Mr. Santo closed the public hearing.

f. #4-13R - Zoning Commission – Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center and g. #5-13R - Zoning Commission – Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in South Norwalk

Mr. Santo opened the public hearing, he indicated that both of the parking amendment items from the agenda would be handled as one public hearing. Dori Wilson began the presentation by orienting the commissioners as to the location of both of the areas. Since the regulations have a “sunset” provision, they have to be re-adopted every two years. The hope is that in the future, the regulations will not be needed. However, at this point, restaurant owners do not have to provide parking in these areas so therefore, the owner does not have to pay a fee. It encourages the landlords to fill these vacant spaces. Ms. Jacobson read comments from the Planning Commission and Coastal Area Management into the record.

Mr. Mushak asked how the lines were drawn up. Dori Wilson said it had been based upon practicality and proximity to the municipal parking lots. They had been in place for a few years in both areas.

No member of the public spoke in either support or opposition to the applications. Mr. Santo closed the public hearing.

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

a. Action on Item III a.

i. #8-13SPR – FM Investments LLC – 587 Connecticut Ave - Proposed mixed use development with 34,700 sq ft office and 80 multifamily dwelling units

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #8-13SPR - FM Investments LLC – 587 Connecticut Ave - Mixed use development with 34,700 sq ft existing industrial use and proposed 80 multifamily dwelling units, and as shown on various site and engineering and landscape plans Godfrey Hoffman Associates (North Haven, CT), dated 9/19/2013 and revised to 10/29/2013 and on the Architectural Plans by The Sullivan Architectural Group (Fairfield , CT) dated 9/19/2013 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 erosion and sediment controls; and

2. That a surety, in an amount to be determined by staff, be submitted to guarantee the installation of the required improvements; and
3. That all soil and erosion controls be in place and verified by an inspection by Staff prior to the start of any work on the site; and
4. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
5. That the proposed dumpster be locked and properly screened; and
6. That the hours of garbage pick-up and any deliveries be no earlier than 7 a.m. and no later than 7 p.m.; and
7. That all signage, existing and proposed, comply with the zoning regulations; and
8. That any graffiti on the site, now or in the future, be removed immediately; and
9. That all HVAC units shall be located in conformance with the applicable zoning setbacks; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-521, "Business # 1 Zone" and 118-1451 "Site Plan Review"; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be December 20, 2013.

**** MS. WILSON SECONDED.
** MOTION PASSED UNANIMOUSLY.**

b. #9-13SPR/#25-13CAM – CP IV Waypointe BP, LLC – 515 West Av/29 Orchard St – Waypointe Midblock – Modify approved plan to add parcel at 29 Orchard St, increase to 362 multifamily units (21 new units) and reduce retail space to 38, 431 sf (reduce by 1,000 sf) and related site plan modifications - Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that site plan application **#9-13SPR** and coastal site plan application **#25-13CAM** - CP IV Waypointe BP, LLC/Belray Development, LLC – 467 & 515 West Avenue/4 & 11 Merwin Street/33 Orchard Street/17 Butler Street entitled Waypointe Phase 1: **494,578** sq. ft. mixed use development with buildings ranging in height from 4-5 stories with **362** multifamily housing units, **38,431** sq ft of retail, 11,550 sq. ft. restaurant and a **850** space parking garage within a Design District Development Park as shown on a set of plans entitled "Zoning Site Plan prepared for CP IV Waypointe BP, LLC Waypointe Mixed Use development at 515 West Avenue Norwalk, CT" by Gooding Architecture, LLP; Redniss and Mead Engineers & Didona Landscape, dated November 7, 2013, be approved, subject to the following conditions:

1. That the **revised** deed restriction documents referenced in the "CP IV Waypointe BP LLC Draft Affordability Plan" dated January 2013 (**Revised November 2013**) for a **total of 37 deed restricted workforce housing units**, including 32 onsite units and 5 offsite units at 33 Orchard Street, be submitted for Corporation Counsel review and then filed on the Norwalk Land Records and that all such workforce housing units be deed restricted in perpetuity and meet all requirements of Section 118-1050 Workforce Housing regulations; and

2. That **revised development park agreements** between the midblock parcel and the southern and northern parcels in the Waypointe Design District Development Park allowing the transfer of development rights to permit an increase in residential density and an increase in permitted FAR for the midblock parcel be submitted for Corporation Counsel review and then filed on the Norwalk Land Records prior to the issuance of a final certificate of zoning compliance (CZC); and

3. That the stormwater maintenance plan and green roof maintenance plan, including the annual maintenance schedule, be made a part of this approval to verify that the proposed subsurface infiltration system is maintained; and

4. That all soil and erosion controls be installed 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
5. That any graffiti on the site, now or in the future, be immediately removed; and
6. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required improvements and that a Connecticut licensed engineer certify that the required improvements were installed to City standards; and
7. That all traffic improvements be complete prior to the issuance of a final certificate of zoning compliance (CZC) and that within six months of the issuance of the CZC, a follow-up traffic study be submitted; and
8. That a **revised** permit from the State Traffic Commission and all CEAC signoffs be submitted prior to the start of construction; and
9. That a shuttle bus service to the train station during peak hours be provided; and
10. That a motion detector be added to the top level of the parking garage so that any lights not required to meet minimum code requirements will be turned off during the evening hours except when needed for use by residents; and
11. That all site improvements shown on the above-referenced plans are the applicant's responsibility including flush paver crosswalks, granite curbs, moveable furniture and any street improvement upgrades; and
12. That the landscape plan as revised to show a board fence along the eastern and southern property line of the midblock parcels, be made a part of this approval; and

BE IT FURTHER RESOLVED that the reason for this action is that this application complies with applicable coastal resource and use policies; and

BE IT FURTHER RESOLVED that this application complies with Section 118-504 Central Business Design District, for a Design District Development Park in Subarea B and with applicable sections of the Building Zone Regulations for the City of Norwalk.

BE IT FURTHER RESOLVED that the effective date of this action be December 20, 2013.

**** MS. WILSON SECONDED.
** MOTION PASSED UNANIMOUSLY.**

c. #11-13SPR – Even Hotel – 426 Main Ave – Add 7 hotel rooms and request for waiver of 18 off-street parking spaces – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #11-13SPR – Even Hotel – 426 Main Ave – Add 7 hotel rooms and request for waiver of 18 off-street parking spaces, and as shown on various site and engineering plans by JNA Associates (Rockville, MD), dated 8/22/2013 and revised to 10/15/2013 and from the Parking Study done by Frederick P. Clark Associates, Inc. (Rye, NY) dated 10/26/2013 be **APPROVED** with the following conditions:

1. That a surety, in an amount to be determined by staff, be submitted to effectuate the construction of 18 parking spaces should the Zoning Commission require those spaces 2 years after the certificate of occupancy is issued; and
2. That the applicant shall monitor and do parking counts for the site at the direction of the Planning & Zoning Staff and accumulate enough data to show that there is no need to build the 18 extra spaces 2 years after the certificate of occupancy is issued; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-522, "Business # 2 Zone" and 118-1451 "Site Plan Review"; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-1221 “Waiver of Off-Street Parking Requirement”; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be December 20, 2013.

**** MR. SUMPTER SECONDED.
** MOTION PASSED UNANIMOUSLY.**

3. #10-13SPR – Music Theater of CT – 509 Westport Av – Proposed tenant fit-up for theater use – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #10-13SPR – Music Theater of CT – 509 Westport Av – Proposed tenant fit-up for theater use and as shown on location survey by Ryan and Faulds (Wilton, CT) 10/15/2013 and on the Architectural Plans by MAF Architects (Stamford, CT) dated 8/5/2013 and revised to 10/29/2013 be **APPROVED** with the following conditions:

1. That all of the recommendations from the report be followed by the applicant; and
2. That no sets or other theatre paraphernalia be stored inside the building; and
3. That the proposed dumpster be locked and properly screened; and
4. That the hours of garbage pick-up and any deliveries be no earlier than 7 a.m. and no later than 7 p.m.; and
5. That all signage, existing and proposed, comply with the zoning regulations; and
6. That any graffiti on the site, now or in the future, be removed immediately; and
7. That all HVAC units shall be located in conformance with the applicable zoning setbacks; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-522, “Business # 2 Zone” and 118-1451 “Site Plan Review”; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be December 20, 2013.

**** MR. SUMPTER SECONDED.
** MOTION PASSED UNANIMOUSLY.**

4. #2-13MV – Main Ave Auto Repair, LLC – 527 Main Ave – Motor vehicle use – Replacement repair garage – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application : #2-13MV – Main Ave Auto Repair, LLC – 527 Main Ave – Motor vehicle use –for a replacement auto repair facility at 527 Main Avenue, and as shown on the site plan accepted by the Planning and Zoning Department, dated 11/13/2013 be **APPROVED** with the following conditions:

1. That there be no commercial towing / storage operation conducted on the site; and That all repairs be conducted within the building; and
2. That there be no outdoor storage of parts or auto carcasses; and
3. That there be no on-street parking of vehicles; and
4. That there be no on-street parking for patrons or employees; and
5. That there shall be parking only in designated spaces as shown on the approved site plan; and
6. That there be no temporary signs erected at the site; and
7. That no off-premise signs are permitted; and
8. That any graffiti on the site, now or in the future, is to be removed immediately; and

9. That all signage, existing and proposed, be in compliance with the Zoning Regulations; 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 December 20, 2013.

**** MR. SUMPTER SECONDED.
** MOTION PASSED UNANIMOUSLY.**

5. #27-13CAM – Kershner Development Co. – 10 Pine Point Road – Alter and raise portion of existing single family residence, add 1,600 sq ft of new, replacement - Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Coastal Area Management application #27-13, submitted by Kerschner Development Co, for the construction of a replacement new single family dwelling with retention of a portion of the existing at 10 Pine Point Road, as shown on a survey by Arcamone Surveyors, Norwalk, CT, entitled “Zoning Location Survey of Property Prepared for Andy Karr” 10 Pine Point Road, dated July 9, 2013, and on architectural plans by Beinfield Architecture PC, Norwalk, CT, labeled as 10 Pine Point Road, revised to 11/27/13 be approved, with the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction or destruction of the existing dwelling; and
2. That any additional soil sedimentation and erosion controls required by staff during construction be placed immediately; and
3. That all soil and sedimentation controls be placed above the top of bank line as shown on the submitted site plans; and
4. That all required Flood Certifications be provided; and
5. That all construction of rear patios be restricted to the landward side of the top of the slope in order to prevent any adverse impacts to the coastal environment; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable Coastal Resource and Use Policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be December 20, 2013.

**** MS. KRUK SECONDED.
** MOTION PASSED UNANIMOUSLY.**

6. #6-08SPR/#16-08CAM - POKO IWSR Developers, LLC – Wall St/Isaacs St - Wall St Place mixed use development – Request for six month extension of approval time - Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a **six month extension of approval time** for Site Plan #6-08SPR and Coastal Site Plan #16-08CAM – POKO-IWSR Developers, LLC – 61 – 65 Wall Street/2, 21 & 23 Isaacs Street – 182,112 sq ft mixed use development (Phase 1) with 101 units, 14,759 square feet retail and a 2,424 square foot restaurant with on site below grade automated parking garage as on a set of plans entitled "Wall Street Place Site Plan Phase 1" by Crosskey Architects, LLC, Wesley Stout Associates and Redniss & Mead Inc., dated May 16, 2008 as revised to May 30, 2008 be approved, subject to the following conditions:

1. That the property be maintained in good condition for the duration of the extension period; and
2. That property taxes be kept current for the duration of the extension period; and

3. That the required status updates be provided to the Commission on or before the submittal deadlines shown on the attached document entitled "Schedule for submission/status updates during 6 month extension period"; and
4. That the applicant appear before the Plan Review Committee on the designated dates to discuss its progress and its schedule for the commencement of construction; and
5. That the original conditions of approval remain in effect; and
6. That the new approval deadline for obtaining permits will be **June 20, 2014**; and

BE IT FURTHER RESOLVED that the effective date of this action be December 20, 2013.

**** MR. SUMPTER SECONDED.**

Mr. Santo began a discussion about this resolution and how it came about. He said that Corporation Counsel had first come up with the idea and the Zoning Department wrote it. Mr. Mushak did not think that the commissioners had much recourse because if the extension lapsed, the applicant would still own the property. He did not want to see it become another hole in the ground.

**** MOTION PASSED (6-1).**

V. REPORT OF ZONING COMMITTEE, EMILY WILSON, CHAIR

a. Action on Items III b. – g. Note: Action on zoning amendment must precede action on related special permit/coastal site plan review applications

i. #3-13R – Trinity Washington Village Limited Partnership – Proposed amendments to Industrial Zone #1 regarding the location of parking for TOD properties in flood zones, c. #13-13SP/#19-13CAM – Trinity Washington Village Limited Partnership / City of Norwalk and Redevelopment Agency of the City of Norwalk – 13 Day St - Proposed 10 unit multifamily development in a Transit Oriented Development (TOD) area, d. #14-13SP/#20-13CAM – Trinity Washington Village Limited Partnership / City of Norwalk and Redevelopment Agency of the City of Norwalk - 20 Day St - Proposed 70 unit multifamily development in a Transit Oriented Development (TOD) area, e. #15-13SP/#21-13CAM – Trinity Washington Village Limited Partnership / The Housing Authority of the City of Norwalk, Housing Authority – Washington Village – Raymond, Water & Day Sts - Proposed 193 unit multifamily development in a Transit Oriented Development (TOD) area

**** EMILY WILSON MOVED:** that these items be sent back to committee.

**** MS. KRUK SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

ii. #4-13R - Zoning Commission – Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#4-13R - Zoning Commission – Proposed amendment to Section 118-1220 regarding the use of municipal parking lots in Norwalk Center" and dated October 30, 2013, be **APPROVED**.

BE IT FURTHER RESOLVED that the reason for this action is:

- 1) To implement the Plan of Conservation & Development goal to "Encourage centralized parking in the Norwalk and South Norwalk downtowns which allows shared parking by uses with complementary demands in both daytime and evenings" (E.5.1.3 p.39)
- 2) To implement the Plan of Conservation & Development goal to "Support economic growth in the city with appropriate parking strategies" (E.5.1, p.39)

3) To promote new businesses to locate in existing vacant space in Norwalk Center; and

BE IT FURTHER RESOLVED that the effective date of this action be December 20, 2013.

**** MS. JACOBSON SECONDED.
** MOTION PASSED UNANIMOUSLY.**

iii. #5-13R - Zoning Commission – Proposed amendments to Section 118-1220 regarding the use of municipal parking lots in South Norwalk

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled #5-13R - Zoning Commission - Proposed amendments to Section 118-1220 regarding Municipal parking in South Norwalk" and dated October 30, 2013, be approved.

BE IT FURTHER RESOLVED that the reason for this action is:

- 1) To implement the Plan of Conservation & Development goal to "Encourage centralized parking in the Norwalk and **South Norwalk** downtowns which allows shared parking by uses with complementary demands in both daytime and evenings" (E.5.1.3 p.39); and
- 2) To implement the Plan of Conservation & Development goal to "Support economic growth in the city with appropriate parking strategies" (E.5.1, p.39); and
- 3) To promote new businesses to locate in existing vacant space in South Norwalk; and

BE IT FURTHER RESOLVED that the effective date of this action be December 20, 2013.

**** MS. KRUK SECONDED.
** MOTION PASSED UNANIMOUSLY.**

VI. APPROVAL OF MINUTES: November 20, 2013

Mr. Mushak asked for a clarification on a paragraph on page 4 which had not been completed. However, the commissioners decided to approve the minutes after the change had been made. It was tabled until the next meeting.

VII. COMMENTS OF "ACTING" ASSISTANT DIRECTOR

Dori Wilson apologized for any confusion about the resolutions for the Washington Village project. Mr. Mushak also apologized but thought that there the approval had to be done quickly. She also told the commissioners that their next meeting was on January 9, 2014.

VIII. COMMENTS OF COMMISSIONERS

Mr. Sumpter said that the room was too cold.

IX. ADJOURNMENT

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

The meeting was adjourned at 10:52 p.m.

Respectfully submitted,

Diana Palmentiero

