

**CITY OF NORWALK
ZONING COMMISSION
January 15, 2014**

PRESENT: Joseph Santo, Chair; Emily Wilson; Nate Sumpter; Michael Mushak; Nora King; Mike O'Reilly

STAFF: Mike Wrinn

I. CALL TO ORDER

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

II. ROLL CALL

Mr. Wrinn called the roll.

Prior to the beginning of the report of the Plan Review Committee, Mr. Santo appointed Ms. King as the acting Chair.

III. REPORT OF PLAN REVIEW COMMITTEE, NORA KING, ACTING CHAIR

a. #X-13CAM – Harbor Beach Company – 26 Harborview Ave - Harbor Beach Clubhouse - Determine if raising and modifications to structure constitutes a minor change - Report & recommended action

**** MS. KING MOVED: BE IT RESOLVED** that the application submitted by M. McClung, Architect, for the repair and elevation of the Harborview Clubhouse at 26 Harborview Avenue as shown on plans by Michael O. McClung, Architect, 18 Marshall Street, Norwalk, dated 12-16-2013, entitled Harbor View Clubhouse, 26 Harborview Avenue have been determined to be substantially as it previously existed and properly modified to conform to the Flood Hazard Regulations and therefore approved, with 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 soil sedimentation and erosion controls required by staff during construction be placed immediately; and
3. That all required Flood Certifications be provided; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 24, 2014.

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

b. #13-08SP/#26-08CAM – Shorehaven Golf Course – 14 Canfield Ave – Maintenance facility renovation & expansion – Return of maintenance bond - Report & recommended action

**** MS. KING MOVED: BE IT RESOLVED** that the request to release the maintenance surety held on #13-08SP/#26-08CAM – Shorehaven Golf Course – 14 Canfield Avenue – Maintenance facility renovation & expansion be **APPROVED** as the required improvements have been properly installed and maintained; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 24, 2014.

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

c. #9-11SPR/#22-11CAM – North Water, LLC - 20 North Water St – 5 story, 133,035 sf mixed use development with 108 multifamily dwelling units, 7,768 sf retail, 7,136 sf restaurant, 6,000 sf office & related site amenities – Request to modify workforce housing plan to add 2 on-site units for a total of 6 on-site units (1 studio, 3 one bedroom, 2 two bedroom units) and to locate a twelfth unit at 137 Washington St (1 studio unit) & related changes - Report & recommended action

**** MS. KING MOVED: BE IT RESOLVED** that the request to modify the “Workforce Housing Affordability Plan North Water, LLC” dated December 19, 2013 for site plan application #9-11SPR and coastal site plan application #22-11CAM; North Water, LLC – 20 North Water Street to six (6) workforce units to be located onsite at 20 North Water Street, five (5) workforce units to be located offsite at 1 Elmcrest Terrace and one (1) additional workforce unit be located offsite at 137 Washington Street Unit 302, for a total of 12 workforce housing units, be **APPROVED**, subject to the following conditions:

1. That the draft deed restrictions and unit location floor plans for each of the three (3) sites be revised to show one (1) studio, three (3) one-bedroom units and two (2) two-bedroom units to be located at 20 North Water Street; one (1) studio and four (4) one-bedroom units to be located at 1 Elmcrest Terrace and one (1) studio unit to be located at 137 Washington Street Unit 302, for a total of 12 workforce housing units, and that such restrictions shall run with the land in perpetuity and shall be filed on the Norwalk Land Records prior to the issuance of a Certificate of Zoning Compliance (CZC); and
2. That the deed restrictions for all three (3) locations shall be submitted to Corporation Counsel for review and approval prior to filing on the Norwalk Land Records; and
3. That all other conditions of the original approval remain in effect; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be January 24, 2014.

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

IV. APPROVAL OF MINUTES: November 20 and December 11, 2013

MS. WILSON MOVED to approve both sets of minutes.

**** MR. SUMPTER SECONDED.**

**** MOTION PASSED. MS. KING ABSTAINED.**

V. COMMENTS OF ASSISTANT DIRECTOR

Mr. Wrinn told the commissioners that the department was working on getting information on the Day Street project to them by their next committee meeting. The commissioners then should be ready to vote on the public hearing at the Zoning Commission meeting to be held in February.

VI. COMMENTS OF COMMISSIONERS

Mr. Mushak asked why the Zoning Commission By-Laws were not at the back of his binder. He said that he had concerns about the by-laws not being followed as they pertain to the Zoning Department staff's duties especially during the hearing process and financial procedures. He reminded the commissioners several times that since there was a new administration; the by-laws should be followed. He also said that questions asked by Zoning commissioners should be answered by staff in writing. He said that he felt that he had not received answers to some questions about traffic studies and would ask them again in the next application.

He then said that he would be asking for performance reviews of the top Zoning Department staff members, Mr. Greene and Mr. Wrinn. He asked whether a new BJ's Wholesale Club application was being applied for. Mr. Wrinn said that he had not heard about one. Mr. Santo said that he had presented Mr. Mushak with financials but Mr. Mushak was not satisfied. Ms. King said that she was supporting Mr. Mushak's statements. She wondered if the new corporation counsel could speak with the commissioners. There was some discussion about who handles the performance reviews for the top Zoning Department staff members. Ms. Wilson said that the Zoning Commission could not prepare performance reviews because there are many functions of the Zoning Department that the commissioners are not privy to. There was then a discussion about hiring practices of the Zoning Department. According to Mr. Mushak, the by-laws also said that the commissioners had the responsibility for hiring staff. Ms. Wilson said that if there was a conflict between the by-laws and the city charter, the charter controls.

As the discussion continued, Mr. Mushak said that he felt that he had not received all the information necessary to make an informed decision on public hearings. There was also a discussion about why the commissioners could not receive further information after a public hearing to help them make a decision. Mr. Santo explained the process.

Mr. Mushak said that he had requested the credentials of the top staff members of the Zoning Department but was told that he could not have them. He also said that

there had been traffic meetings with applicants that the commissioners were not aware of. Mr. Sumpter asked if the commissioners could meet with Corporation Counsel to find out what their responsibilities are. Mr. Mushak said that in some instances, information, such as the parameters for the traffic study of the BJ's application, had already been determined, before the commissioners began their review.

Mr. Santo said that he would contact the Corporation Counsel to meet with the commissioners. He also explained that the Zoning Commission had hired staff a long time ago but that it was no longer the case. Ms. King wanted to find out who handled the reviews and whether the commissioners' input went into them. Mr. Mushak said that there was no transparency or accountability but it would end with a new mayor and a new corporation counsel.

VI. ADJOURNMENT

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

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Diana Palmentiero