

**CITY OF NORWALK
ZONING COMMISSION
February 19, 2014**

PRESENT: Emily Wilson, acting as Chair; Jill Jacobson; Michael Mushak; Nathan Sumpter; Jim White; Nora King

STAFF: Michael Wrinn; Dori Wilson

OTHERS: Andy Glazer; Lee Grant; Christine Names; Mary Howetzein; Leslie Ash; Frank Whitman; Peter Viterreto; Pete Romano; Atty David Waters; Victor Marenschuck; Michael Galante; Atty Frank Murphy

I. CALL TO ORDER

Emily Wilson called the meeting to order at 7:33 p.m.

II. ROLL CALL

Mr. Wrinn called the roll.

III. PUBLIC HEARINGS

Before the public hearings began, Emily Wilson discussed the procedures.

a. #6-13R – A. Glazer –Proposed amendments to Silvermine Tavern Village District to increase to 19,600 sf. for new structures and to allow single family residences and cluster housing, b. #16-13SP – A. Glazer – 192, 193 & 194 Perry Ave/1 River Rd - Rehabilitate Silvermine Tavern buildings, convert existing mill buildings to single family residence with guest house, construct new barn, add 4 units cluster housing, reconfigure existing parking lot & add valet parking

Emily Wilson opened the public hearing by stating that the public hearing for one of the applications would be used as the public hearing for the other application. Mr. Glazer, representing the Silvermine Tavern, began the presentation. He discussed the history of the property as well as the process of how he became involved with the project. Mr. Wrinn passed hand-outs to the commissioners. He described how the new houses would be arranged. Next, he talked about the barn, which recently lost its roof under the weight of the snow. He then described the new restaurant which would be smaller than previous iterations of the restaurant. The main part of it would be an inn. There would also be a store, an event barn and the mill house. There may also be other rooms at the top of the store. He then discussed the parking especially for those that want to fish in the nearby river. They would encourage them to park in their parking lot. He also discussed the driveway in front of the inn. Neighbors had concerns about how that would look and whether it would be in keeping with the character of the inn. He then discussed the crosswalk from the store to the inn which would be at the points where there were steps at both. There was also a discussion about the village district report completed by the consultants, BFJ Planning. Mr. Glazer said that there had been meetings with the community. Most were pleased that the tavern would be open again.

Although Ms. King was pleased with the project, she had concerns about the safety of pedestrians. Ms. King also had a question about the single family residences. Mr. Mushak had questions about the consultant's report regarding the crosswalks on River Road and truck deliveries. Mr. Glazer responded to their questions and briefly discussed the proposed text amendment.

Ms. Wilson asked if there was anyone from the public who wished to speak on the matter.

Lee Grant, 99 Comstock Hill Avenue, said that she worked to help nominate the Silvermine Center to the National Historic Registry. She said that the Silvermine Tavern was the center of the district which was important to not only Norwalk, but Wilton and New Canaan as well. She said that she appreciated the discussions with Mr. Glazer as well as with the Planning and Zoning Department staff. She asked that most of the buildings remain as preserved buildings with the only new buildings being the new single family homes and the barn. She also questioned the amount of parking that there would be for the new tavern and inn. She had safety concerns.

Christine Names, 223 Silvermine Avenue, President of the Norwalk Association of Silvermine Homeowners ("NASH"), thanked the commissioners as well as Andy Glazer. She discussed a recent meeting of NASH at which most of the members voted against the proposed new driveway in front of the inn.

Mary Howetzein, 11 Muscot Ridge Road, spoke in support of the application.

Leslie Ash, Executive Director of the Silvermine Art Center, spoke in support of the application. Although not a resident of Silvermine, she said that they have been pleased with what Mr. Glazer has proposed and looked forward to working with them.

Frank Whitman, owner of the Silvermine Tavern, spoke in support of the application. He believed this project would work for the property. Mr. Mushak asked about the valet parking. Mr. Whitman said that the inn did have valet parking many years ago.

Peter Viterreto, 119 Comstock Hill Road, was concerned about the drop-off at the tavern. He thought they should try to find another solution. Mr. Mushak discussed with Mr. Viterreto possible alternatives.

Mr. Glazer began his rebuttal by discussing the parking. He said that he had operated another restaurant with less parking than this one and that the valet parking had worked very well. He said they would have to manage the restaurant so that it could accommodate the number of patrons that could be parked. He said that they would be building a model and would continue to work on the design of the inn driveway to ensure that vehicles would be screened.

Peter Romano, of Landtech, the civil engineer on the project, continued the rebuttal by showing the commissioners a cross section of the grade on the driveway in front of the inn. He discussed how they would change the grade and the vegetation. Mr. Mushak made some suggestions as to how they might be able to change the grade. Mr. Glazer indicated that since the single family residences would be built first, they still had more time to address the parking issues. Mr. Sumpter discussed the type of lighting and the need to manage the valet parking. Ms. King discussed methods of connecting the tavern and the inn. Mr. Glazer responded and said that he will continue to respond to the community and encourage their involvement as the project moves forward.

Emily Wilson closed the public hearing. Mr. Mushak announced to the public that the commissioners would vote on the application after the second public hearing.

c. #7-13R – Merritt River Partners, LLC –Proposed amendments to Section 118-760 Commercial Planned Residential Development (PRD) regulations to reduce lot size, increase FAR, building area & density & related changes and d. #17-13SP – Merritt River Partners, LLC – 1 Glover Ave – 5 story, 132 unit Commercial Planned Residential Development (PRD)

Emily Wilson opened the public hearing. David Waters, General Counsel for Building and Land Technology and Merritt River Partners, the applicant, began the presentation. He then handed over the certified, return receipts for the mailing of the legal notice for the public hearing. He also requested that since there were two applications, that the public hearing for one of the applications be adopted for the second application.

Atty. Waters discussed the history of the Commercial Planned Residential Development regulations ("PRD") and presented maps that showed where the property was located just south of the Merritt Seven properties on Main Avenue. He noted how these regulations would help with traffic since residential use has the opposite traffic flow of the office use traffic that predominates in the area. The Main and Glover Ave area was transit oriented since there was a bus line and a MetroNorth train station.

Atty Waters discussed the proposed application by showing an aerial map of the current property. Currently there is an approval on the property which was for an office building. He showed a board with the currently approved office building for the same site. He then showed a rendering of the proposed new Commercial PRD building that they would like to put in place of the office building. The property is now used as a surface parking lot. Attorney Waters provided a materials board and a rendering showed the proposed design for the residential building. He noted that it was basically the same footprint and roughly the same size as the office building.

Victor Marenschuck, the architect on the project, continued the presentation. He showed the commissioners a rendering of the façade of the front of the building. He gave a description of the interiors of the building and showed renderings of different floors. Mr. Sumpter asked where the workforce housing would be in the building. Mr. Marenschuck indicated that the workforce units would be throughout the building and on all floors of the building. He then described the materials and where they would be used on the building. Atty Waters also discussed the storm water management plan.

Michael Galante, the traffic consultant, continued the presentation. He described what the study analyzed. He showed the commissioners a map with bus routes, etc. He noted that the parking lot, which will be where the proposed building is planned, will only have 1 entrance and not two, as it does currently. He compared the approved application of an office building to the proposed application for a residential building. The proposed building would lead to 100 less trips on the roads in the area. He then described the current traffic situation at the Glover Avenue/Main Avenue traffic signal. He discussed another applicant's agreement with DOT to build another lane on Glover Avenue to make a right turn. He said that it was a little unclear about this agreement and they were researching it. He believed that this additional lane was needed. The application was being reviewed by the Office of State Traffic Administration ("OSTA") because this was a major traffic generator. However, they would not provide an approval until the city approves the application. He said that there were many accidents especially main rear end collisions in the area. Mr. Mushak discussed existing traffic patterns at the Glover Avenue/Main Avenue intersection. There was also discussion about the traffic interchange improvements associated with the Merritt Parkway near this project.

Atty Waters continued the presentation. He discussed an easement along the front of the property that was granted to the Department of Transportation ("DOT") which the applicant cannot build in. He pointed out some land along the RR that was leased from the DOT for parking. They have not counted these parking spaces in the count toward parking because DOT could terminate the lease. He discussed the recreation area, balconies, fitness area and picnic areas. He also said that the applicant has agreed to extend the sidewalks beyond the site over the railroad tracks to the sidewalk on the other side. Mr. Mushak asked if this was also the way to walk to the train station. Atty Waters noted that this sidewalk would be used to get to the parking garage and the train station. He said they had sent the plans to the DOT's office for rail lines which had no issues with the project. They have received CEAC approvals as well as that of the Conservation Commission. He also discussed the workforce housing plan which he said included floor plans for each floor which indicated where the units were.

Atty. Waters discussed the parking plan. Some of the parking spaces would be off-site which they are allowed to do under the regulations. He explained that they were at 801, 901 Main Avenue and 45 Glover Avenue. He explained that parking spaces at the residential building would be used by the businesses across the street during the day. Ms. King had concerns that residents of the building may want to park their vehicles there if they were commuting to the city. There was a discussion about how this parking arrangement would work and how many parking spaces were in the nearby

office buildings. Atty. Waters responded that 45 Glover Ave had over 700 parking spaces. He discussed where signage would be.

Atty. Waters then discussed the proposed text amendment, and the effects on other parcels in the area. He also discussed how changing residential density could improve traffic in the area. He mentioned that Class A office vacancy rates were at about 25% and that similar residential developments had occupancy rates of about 95-98%. He believed these occupancy rates indicated a need for more residential units. Ms. King discussed the occupancy rates of the buildings from which parking would be leased for this project and Atty. Waters indicated that there were many spaces available even when the buildings were fully occupied. Atty. Waters also discussed an analysis of the Plan of Conservation and Development ("POCD") that was part of the file. He mentioned that the applicant had received a referral from the Planning Commission and that the applicant had met the Special Permit standards. He went over the approvals that the applicant had received from different departments. Atty Waters also spoke with the Executive Director of the Merritt Parkway Conservancy to confirm that signage did not interfere with parkway. He also had conversations with AON Hewitt which had concerns about the parking lot being a violation of their lease. Atty Waters said they did not agree with that. He said that if one of the conditions of the approval was having a signed lease for parking, they would work out a lease agreement with one of the other two buildings that would be available (801 or 901 Main Ave). The second issue that AON Hewitt had was with building an additional lane on Glover Avenue. They did not believe that it was their responsibility; however, Atty Waters said that ultimately if the applicant was required by OSTA to complete it, then they would. Whatever private issues that they had with Hewitt would be handled in another forum.

Mr. Mushak asked whether the building would have bike storage. Atty. Waters noted that there were bike racks in the front of the building.

Acting Chair Wilson asked if there was anyone from the public who wished to speak on this.

Atty. Murphy and Atty. Vasko, representing AON Hewitt, the tenant at 45 Glover Avenue, spoke in opposition to the application. His client was concerned that their parking was being given away. He mentioned that the parking on the proposed property had been given to other buildings in the area to meet their parking requirements. Only a small amount of parking spaces would be exclusive to the applicant's proposed residential building.

Mr. White believed that this matter was a landlord/tenant issue and not a zoning issue. Emily Wilson suggested that the applicant had alternatives if there was no lease agreement with 45 Glover Avenue for parking. Atty. Murphy then discussed the issue about the additional lane on Glover Avenue.

Some of the commissioners had questions for staff as to the additional parking on Glover Avenue. Mr. Mushak noted that trends are showing reduced vehicle ownership. Dori Wilson told the commissioners that they could write a condition for approval to state that the applicant would have to submit a signed 25 year lease agreement to provide the required off-site parking. Atty Waters ended with stating that the project complies with the zoning regulations permitting mixed use parking and the lease of off-site parking spaces.

Atty Waters continued the presentation with his rebuttal. He briefly discussed Atty Murphy's opposition to the application. He agreed with the commissioners that their issue was a landlord/tenant issue. He discussed the current mixed use regulations.

IV. REPORT OF ZONING COMMITTEE, EMILY WILSON, CHAIR

a. Action on Items III a., b., c. and d. Note: Action on zoning amendment must precede action on related special permit/site plan review application

i. #6-13R – A. Glazer –Proposed amendments to Silvermine Tavern Village District to increase to 19,600 sf. for new structures and to allow single family residences and cluster housing

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “#6-13R – A. Glazer - Proposed amendments to Article 50 to revise Section 118-531 Silvermine Tavern Village District to increase to 19,600 sq. ft. for new structures, allow single family residences & related amendments” and dated January 9, 2014, be **APPROVED**.

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

1. To implement the Plan of Conservation and Development F.4.1.5 Maintain & expand Village Districts to preserve the character of the districts, to improve the design of buildings and their relationship to the streetscape, and to protect resources of historical and architectural significance; establish Village Districts in Cranbury (Gregory’s Store), Golden Hill (Cedar Street area), Silvermine Tavern area, and Liberty Square area (p. 43); and
2. To preserve the unique character of the historic Silvermine Tavern properties as recommended in the Plan of Conservation and Development A.1.1.4 Preserve and enhance the character of Norwalk (p.10); and
3. To implement the Plan of Conservation and Development F.5.1 Designate, preserve, and re-use historic and architecturally significant landmarks, structures, and districts where economically feasible and F.5.1.1 Improve the appearance of Norwalk and retain the character of the city by emphasizing historic preservation and quality design of all public and private facilities (p. 45); and
4. To implement the Plan of Conservation and Development F.5.1.6 Support private preservation and rehabilitation efforts and adaptive reuse of historic structures and F.5.1.10 Evaluate regulations to give incentive to the retention and reuse of historically significant buildings that are listed in the local or state register of historic places(p.45); and

BE IT FURTHER RESOLVED that the effective date of this action be February 28, 2014.

**** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

ii. #16-13SP – A. Glazer – 192, 193 & 194 Perry Ave/1 River Rd - Rehabilitate Silvermine Tavern buildings, convert existing mill buildings to single family residence with guest house, construct new barn, add 4 units cluster housing, reconfigure existing parking lot & add valet parking

**** EMILY WILSON MOVED: BE IT RESOLVED** that Village District and Special Permit application #16-13SP – A. Glazer – 192, 193 & 194 Perry Avenue/1 River Road - Rehabilitate Silvermine Tavern buildings, convert existing mill to single family residence with guest house, construct 2,000 sq. ft. barn and 4 units cluster housing, add 3 multifamily dwellings or 4 inn rooms to existing retail building and related site improvements including public access along the Silvermine River as on a set of plans entitled "Site Improvement Plans for Residences, Inn & Tavern 194 Perry Avenue, Norwalk CT." dated November 20, 2013 as revised to January 31, 2014 by Landtech Civil and Structural Engineers and Eckerson Design Associates LLC and related architectural drawings for new barn and cluster homes by Edward Clemente be **APPROVED**, subject to the following conditions:

1. That the public access improvements along the waterfront, as shown on a plan dated revised to January 31, 2014 be made a part of this approval and that such work be complete prior to the issuance of a Certificate of Zoning Compliance; and
2. That a public access easement be filed on the Norwalk Land Records to permanently protect the public access area and that such easement be made a part of this approval; and
3. That the valet parking plan dated February 6, 2014 be implemented as needed and made a part of this approval; and

4. That notice of this action in the form of a Village District site plan and certificate of special permit be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
5. That final plans for the rehabilitation of each of the existing buildings (including the tavern, inn, country store and mill buildings) be submitted for staff review prior to the start of construction; and
6. That a revised soil and erosion control plan, showing silt sacks at all existing and proposed catch basins, designating a stockpile area and providing a schedule for construction, be submitted for staff review and approval prior to the start of any construction or site work; and
7. That a licensed Connecticut engineer certify that the development as constructed complies with all relevant Federal flood regulations (Mill Building) and that such certification be submitted prior to the issuance of a final Certificate of Zoning Compliance; and
8. That any graffiti on the site, now or in the future, be immediately removed; and
9. That any modifications to the approved plans be submitted to the Zoning Commission for review and that all CEAC signoffs be submitted prior to the start of construction; and
10. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of required improvements and that a Connecticut licensed engineer certify that the required improvements were installed to City standards; and

BE IT FURTHER RESOLVED that the reason for this action is that this application complies with the Connecticut General Statutes Section 8-2j Village Districts and with applicable village district review standards; and

BE IT FURTHER RESOLVED that this application complies Section 118-531 Silvermine Tavern Village District, as amended, and with 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 February 28, 2014.

**** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

iii. #7-13R - Merritt River Partners, LLC –Proposed amendments to Section 118-760 Commercial Planned Residential Development (PRD) regulations to reduce lot size, increase FAR, building area & density & related changes

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#7-13R - Merritt River Partners, LLC - Proposed amendments to Section 118-760 Commercial Planned Residential Developments to revise schedule of height and bulk " and dated December 19, 2013, be **APPROVED**;

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

1. To implement the Plan of Conservation and Development A.1.2.3 Allow a wide range of housing opportunities to ensure that the housing needs of all segments of the labor force are met (p.10); and
2. To implement the Plan of Conservation and Development A.1.1.7 Encourage a balance between new jobs and housing opportunities (p.10)); and
3. To implement the Plan of Conservation and Development B.1.1.2 Encourage new development around transit access, and allow new development which does not exceed the capacity of infrastructure systems (roads, sewers, water, etc) (p. 16)); and
4. To implement the Plan of Conservation and Development C.1.1.5 Provide additional public space along Norwalk River in the next 10 years; provide open spaces leading to the Norwalk River " (p.23); and

5. To implement the Plan of Conservation and Development F.4.2.1 Enhance pedestrian experience to support related economic revitalization and encourage transit use (p. 44); and

BE IT FURTHER RESOLVED that the effective date of this action be February 28, 2014.

**** MR. WHITE SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

iv. #17-13SP – Merritt River Partners, LLC – 1 Glover Ave – 5 story, 132 unit Commercial Planned Residential Development (PRD)

**** EMILY WILSON MOVED: BE IT RESOLVED** that special permit application #17-13SP; Merritt River Partners, LLC for 132 unit Commercial Planned Residential Development and related site improvements as shown on a certain set of plans by EDI International Architects, Environmental Land Solutions and Civil One Engineers, dated November 8, 2013 as revised to January 28, 2014 and related site plans and drawings, be **APPROVED**, subject to the following conditions:

1. That a copy of the permit issued by the Office of the State Traffic Administration (OSTA) be submitted prior to the issuance of a zoning permit and that any modifications to the approved plan, including changes requested by the OSTA, be submitted for review by the Zoning Commission; and
2. That all traffic improvements, including improvements required by the OSTA, 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
3. That a signed 25 year lease agreement to provide two hundred and five (205) parking spaces at 45 Glover Avenue, or on a property within 600 feet of the site owned by the applicant or an affiliate, be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
4. That all CEAC signoffs be submitted prior to the start of construction; 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 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 any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
8. That any invasive species along and in the river be continuously removed as part of a long-term maintenance plan; and
9. That the plans be revised to provide a bus shelter at the front of the building to serve Wheels bus and other transit users; and
10. That a certificate of special permit and approved site plan be filed on the Norwalk Land Records; and

BE IT FURTHER RESOLVED that the application complies with the Norwalk Building Zone Regulations, including Sections 118-760 Commercial Planned Residential Developments, as revised and 118-1450, Special Permits.

BE IT FURTHER RESOLVED that the effective date of this action be February 28, 2014.

Before there was a second on the motion, the commissioners had some comments. Ms. King said that she thought the parking in the building should be designated for residents.

**** MR. WHITE SECONDED.
** MOTION PASSED (5-0).**

Mr. Mushak noted that referrals from other departments should have been read into the hearing record but had not been. Although this was an error, it was noted that it would not affect the vote.

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 – Report & recommended action

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendments to the Building Zone Regulations as shown on a certain document entitled "#3-13R – Trinity Washington Village Limited Partnership – Proposed amendment to Industrial Zone #1 regarding the location of parking in relation to principal use for properties in Flood Zone AE and in Transit Oriented Development (TOD) areas" and dated October 1, 2013 regarding the location of parking for Transit Oriented Development (TOD) properties in flood zones, be approved;

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

- 1) To implement the Plan of Conservation and Development E.2.2.5 to "Consider designating a redevelopment area at the South Norwalk Station to help achieve goals for transit enhancements and transit-oriented development here" (p. 37); and
- 2) To implement the Plan of Conservation and Development A.2.1.2 to "Pursue mixed income development when renovating, rebuilding, or developing new public housing units" (p. 11); and
- 3) To implement the Plan of Conservation and Development B.1.1.2 to "Encourage new development around transit access and allow new development which does not exceed the capacity of infrastructure systems (roads, sewers, water, etc)" (p. 16); and
- 4) That the proposed amendment complies with Plan of Conservation and Development A.2.2.5 to "Maximize the number of affordable units available in the Norwalk Housing Authority inventory, within current resources, to address the shortage of affordable housing for all eligible populations (p. 12); and
- 5) That the proposed amendment complies with Plan of Conservation and Development A.2.2 to "Rehabilitate Norwalk's existing inventory of public, private, and non-profit housing" (p. 11); and
- 6) That the proposed amendment complies with Plan of Conservation and Development A.2.4 to "Use publicly owned land to provide long-term affordability" (p. 12); and

BE IT FURTHER RESOLVED that the effective date of this action be February 28, 2014.

**** MR. WHITE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

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 – Report & recommended action

**** EMILY WILSON MOVED: BE IT RESOLVED** that site plan application #13-13SP and coastal site plan application #19-13CAM – Trinity Washington Village Limited Partnership – 13 Day Street - New 10 unit multifamily development in Flood Zone AE and in a Transit Oriented Development (TOD) area as shown on a set of plans entitled "Parcel 1: 13 Day Street and Hanford Place Building A Norwalk, CT. Trinity Washington Village Limited Partnership & the Norwalk Housing Authority" by Icon Architecture; Tighe & Bond Engineers & Surveyors; Eric Rains Landscape Architecture and other related plans dated September 19, 2013 as revised to November 22, 2013 be APPROVED, subject to the following conditions:

- 1) That the architectural and site plans be modified as shown on the staff modified drawing dated November 27, 2013 to comply with the required maximum front setback and to confirm that the plans comply with the required recreation area prior to the issuance of a zoning permit; and
- 2) That the draft deed restriction as shown on a certain document entitled "Washington Village/South Norwalk Redevelopment **13 Day St** (10 units) Workforce Housing Affordability Plan" dated revised November 21, 2013 and related documents showing 1 three-bedroom unit, for a total of **one (1) workforce housing unit**, shall run with the land in perpetuity and shall be filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance; and
- 3) That a surety be submitted (in an amount to be determined by staff) **and approved by the Zoning Commission** to ensure the installation of all on and off-site improvements necessary to accommodate the final grades of proposed site utilities and driveway access for this development, including but not limited to: raising the grade of Raymond and Day St to Elevation 12.0 (SPL 0.0), the removal of on street parking along Water Street, and the extension of Day Street (one way) from Hanford Place north to Elizabeth Street (TOP.01) and related improvements; and
- 4) That all of the above referenced off-site improvements be complete prior to the issuance of a Certificate of Zoning Compliance (CZC); and
- 5) That a certificate of special permit and mylar of the approved site plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
- 6) That the staff be notified prior to any work, construction or demolition being undertaken to ensure that all soil and erosion controls are installed and maintained; that silt sacks be installed in all existing and proposed catch basins, and that any additional controls be installed at the direction of the Commission's staff, as needed; and
- 7) That the security plan dated November 22, 2013 be implemented to ensure the safety of residents; and
- 8) That an emergency parking plan to assist residents in the relocation of vehicles during flooding events be submitted; and
- 9) That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
- 10) That the stormwater maintenance plan including the Porous Pavement Maintenance Schedule dated November 21, 2013 be implemented to ensure the maintenance of onsite drainage systems; and
- 11) That all CEAC signoffs shall be submitted prior to the start of construction; and
- 12) That a Connecticut licensed engineer certify that all of the required improvements, including any required off-site improvements, were installed to City standards and that the development as constructed complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
- 13) That all signage, existing and proposed, comply with the zoning regulations and that any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
- 14) That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; 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 118-700 Industrial Zone. No. 1, as amended, 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 February 28, 2014.

**** MR. WHITE SECONDED.**

Before the vote, Mr. Mushak noted that the public improvements had to be completed before a Certificate of Zoning Compliance would be issued. The surety would be in place for all on-site and off-site improvements. He also [referenced and](#) read parts of a letter from the Redevelopment Agency as well as Emily Wilson's memo to Joe Santo, into the record. These issues were addressed and made party of the resolution.

**** MOTION PASSED UNANIMOUSLY.**

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 – Report & recommended action

**** EMILY WILSON MOVED: BE IT RESOLVED** that site plan application #14-13SP and coastal site plan application #20-13CAM – Trinity Washington Village Limited Partnership – 20 Day Street - New 70 unit multifamily development in Flood Zone AE and in a Transit Oriented Development (TOD) area as shown on a set of plans entitled " Parcel 1: 13 Day Street and Day Street Building B Norwalk, CT. Trinity Washington Village Limited Partnership & the Norwalk Housing Authority" by Icon Architecture; Tighe & Bond Engineers & Surveyors; Eric Rains Landscape Architecture and other related plans dated September 19, 2013 as revised to November 22, 2013 be approved, subject to the following conditions:

1. That the architectural and site plans be modified as shown on the staff modified drawing dated November 27, 2013 to comply with the required maximum front setback and to confirm that the plans comply with the required recreation area prior to the issuance of a zoning permit; and
2. That the draft deed restriction as shown on a certain document entitled "Washington Village/South Norwalk Redevelopment **20 Day St** (70 units)Workforce Housing Affordability Plan" dated revised November 21, 2013 and related documents showing 2 one-bedroom, 4 two-bedroom units and 1 three-bedroom units, for a total of **seven (7) workforce housing units**, shall run with the land in perpetuity and shall be filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance; and
3. That a signed 25 year lease agreement to provide twenty-nine (29) parking spaces needed for this development on an adjacent property located at Raymond Street (Washington Village) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
4. That a surety be submitted (in an amount to be determined by staff) **and approved by the Zoning Commission** to ensure the installation of all on and off-site improvements necessary to accommodate the final grades of proposed site utilities and driveway access for this development, including but not limited to: raising the grade of Raymond and Day St to Elevation 12.0 (SPL 0.0), the removal of on street parking along Water Street, and the extension of Day Street (one way) from Hanford Place north to Elizabeth Street (TOP.01) and related improvements; and
5. That all of the above referenced off-site improvements be complete prior to the issuance of a Certificate of Zoning Compliance (CZC); and
6. That a certificate of special permit and mylar of the approved site plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
7. 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
8. That the security plan dated November 22, 2013 be implemented to ensure the safety of residents; and
9. That an emergency parking plan to assist residents in the relocation of vehicles during flooding events be submitted; and

10. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
11. That the stormwater maintenance plan including the Porous Pavement Maintenance Schedule dated November 21, 2013 be implemented to ensure the maintenance of onsite drainage systems; and
12. That all CEAC signoffs shall be submitted prior to the start of construction; and
13. That a Connecticut licensed engineer certify that all of the required improvements, including any required off-site improvements, were installed to City standards and that the development as constructed complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
14. That all signage, existing and proposed, comply with the zoning regulations and that any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
15. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; 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 118-700 Industrial Zone. No. 1, as amended, and with 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 February 28, 2014.

** **MR. WHITE SECONDED.**
 ** **MOTION PASSED UNANIMOUSLY.**

d. #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 – Report & recommended action

**** EMILY WILSON MOVED: BE IT RESOLVED** that site plan application #15-13SP and coastal site plan application #21-13CAM – Trinity Washington Village Limited Partnership and the Norwalk Housing Authority – Raymond Street – New 193 unit multifamily development in Flood Zone AE and in a Transit Oriented Development (TOD) area as shown on a set of plans entitled "Washington Village Buildings C, D, E Norwalk, CT. Trinity Washington Village Limited Partnership & the Norwalk Housing Authority" by Icon Architecture; Tighe & Bond Engineers & Surveyors; Eric Rains Landscape Architecture and other related plans dated September 19, 2013 as revised to November 22, 2013 be **APPROVED**, subject to the following conditions:

1. That the plans be revised to make Raymond Street a two-way street from Water Street to Day Street and to retain on-street parking on south side and to revise the Water Street frontage to remove the existing on-street parking spaces, add a seven (7) foot sidewalk, provide a Wheels bus pull-off and a bus kiosk to the north of the new site driveway; and
2. That the draft deed restriction as shown on a certain document entitled "Washington Village/South Norwalk Redevelopment **Raymond St** (193 units) Workforce Housing Affordability Plan" dated revised November 21, 2013 and related documents showing 7 one-bedroom, 10 two-bedroom units and 3 three-bedroom units, for a total of **twenty (20) workforce housing units**, shall run with the land in perpetuity and shall be filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance (CZC); and
3. That a signed 25 year lease agreement to provide twenty-nine (29) parking spaces for an adjacent property at 20 Day Street be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and

4. That a surety be submitted (in an amount to be determined by staff) **and approved by the Zoning Commission** to ensure the installation of all on and off-site improvements necessary to accommodate the final grades of proposed site utilities and driveway access for this development, including but not limited to: raising the grade of Raymond and Day St to Elevation 12.0 (SPL 0.0), the removal of on street parking along Water Street, and the extension of Day Street (one way) from Hanford Place north to Elizabeth Street (TOP.01) and related improvements; and
5. That all of the above referenced off-site improvements be complete prior to the issuance of a Certificate of Zoning Compliance (CZC); and
6. That the security plan dated November 22, 2013 be implemented to ensure the safety of residents; and
7. That an emergency parking plan to assist residents in the relocation of vehicles during flooding events be submitted; and
8. That the applicant work with the Department of Public Works (DPW) to determine the feasibility of additional flood control measures including the addition of check valves for the proposed drainage system as noted on the Site Storm and Sanitary Sewer Plan (C1.1) **and that such work be included in the above referenced surety**; and
9. That a certificate of special permit and mylar of the approved site plan (as revised by any conditions of approval) be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
10. That the staff be notified prior to any work, construction or demolition being undertaken to ensure that all soil and erosion controls are installed and maintained; that silt sacks be installed in all existing and proposed catch basins, and that any additional controls be installed at the direction of the Commission's staff, as needed; and
11. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
12. That the stormwater maintenance plan including the Porous Pavement Maintenance Schedule dated November 21, 2013 be implemented to ensure the maintenance of onsite drainage systems; and
13. That all CEAC signoffs shall be submitted prior to the start of construction; and
14. That a Connecticut licensed engineer certify that all of the required improvements, including any required off-site improvements, were installed to City standards and that the development as constructed complies with all relevant Federal flood regulations and that such certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
15. That all signage, existing and proposed, comply with the zoning regulations and that any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
16. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; 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 118-700 Industrial Zone. No. 1, as amended, 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 February 28, 2014.

**** MR. SUMPTER SECONDED.**

Mr. Mushak stated that he believed this project would help alleviate problems from flooding and supported it wholeheartedly. He believed it was a humanitarian project.

**** MOTION PASSED UNANIMOUSLY.**

V. APPROVAL OF MINUTES: January 15, 2014

MS. WILSON MOVED to approve the minutes.

**** MR. WHITE SECONDED.
** MOTION PASSED.**

VI. COMMENTS OF ASSISTANT DIRECTOR

Mr. Wrinn had no comments.

VII. COMMENTS OF COMMISSIONERS

Mr. Mushak asked whether BJ's Wholesale Club had submitted a new application. He then asked to have staff use the recommendations in the traffic management plan for all projects of a certain size. He asked for an outside consultant to be hired for a peer review of the study. He noted that these recommendations should be used in traffic studies and adopted. He asked that he wanted them to be put on the next Zoning Commission agenda. He also said that there were other recommendations from the Redevelopment Agency which had not been adopted. He also asked to address issues that were still outstanding for the contractor's yards regulations. Ms. King asked Mr. Mushak if there could be a follow-up e-mail regarding the traffic study. There was a discussion of what the next steps for the Zoning Commission should be since they had reviewed to large projects at this meeting.

VIII. ADJOURNMENT

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

The meeting was adjourned at 11:12 p.m.

Respectfully submitted,

Diana Palmentiero