

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

PRESENT: Linda Kruk, acting as Chair; Jill Jacobson; Nate Sumpter; Jim White, Nora King; Michael O'Reilly

STAFF: Mike Wrinn; Dori Wilson; Frank Strauch; Jim Bova

OTHERS: Mr. Knipschildt; Atty Mark Grenier; Ray Sullivan; Jim Rotondo; Michael Galante; Ron Czebiniak; Michael Mushak; Diane Lauricella; John Romano; Kevin Palinkas

I. CALL TO ORDER

Ms. Kruk called the meeting to order at 7:39 p.m.

II. ROLL CALL

Mr. Wrinn called the roll call.

III. PUBLIC HEARINGS

a. #6-14SP – Knipschildt Chocolate – 133 Washington Street – 333 sq ft Boutique manufacturing use

Ms. Kruk opened the public hearing. Mr. Knipschildt explained that he was moving his business around the corner from where he is currently located. The landlord made the new location available to him.

There were no members of the public that spoke for or against the application.

Ms. Kruk closed the public hearing.

b. #7-14SP – 587 CT Avenue, LLC – 587 Connecticut Ave – Mixed use development with 98,576 sq ft self storage facility and 50 multifamily dwelling units

Ms. Kruk opened the public hearing. Atty Grenier began his presentation by introducing the owners of the self-storage facility as well as the current owners of the property. He explained the previous approval on the property as well as the revised application. He described the residential building, which included the number of units and workforce housing units. He then described the self-storage facility as well as the owners of the facility. He said they hoped to begin construction in the second quarter of 2015. They have all sign-offs and were not seeking any variances or waivers.

Ray Sullivan, the architect on the project, continued the presentation by showing the commissioners photos of the current location. He then showed the commissioners the site plans for the project. He said the storage facility would look more like an upscale office building. He explained how to access the storage facility by describing the parking spaces. He also explained how the road would create a distinction between the storage facility and the residential building. There was a discussion about the busy hours for the storage facility. He showed the commissioners the floor plans for the residential building. He, again, showed the commissioners current pictures of the property. He then showed the commissioners the floor plans of the storage facility.

Jim Rotondo, the civil engineer for the project, continued the presentation by describing where the dumpsters would be located. He also showed them where the trash and recycling facilities would be located on the site plan. He described the sidewalks that were to be installed. These sidewalks would connect the residential building to Connecticut Avenue. He explained the utilities which would be upgraded as required. He also explained the sanitary sewer and storm water management systems. There was a discussion about the lighting system in regards to walking to Connecticut Avenue. Mr. Sullivan said that the lighting plan did show that the parking lot was fully lit. Mr. Strauch said that there was no spillage of lighting off of the property. There was a discussion about the trees in front of the storage facility.

Mr. Galante, the traffic engineer, continued the presentation by showing the commissioners an aerial photo of the site location. He then described how the study was done. He did not recommend any mitigation of traffic or changing the timing of traffic signals on Connecticut Ave. They would also have to obtain a certificate from the state agency, OSTA)

Mr. Grenier discussed the kinds of trees that would be planted on the site. He concluded his presentation by also stating that they did not see any adverse effect on traffic or the environment. Ms. Kruk opened the hearing to the public.

Ron Czibiniak spoke in favor of the project, but also suggested connecting the parking lot to the one next door.

Michael Mushak, a former commissioner, spoke in favor of the project, but asked if there would be an ADA accessible sidewalk, which was in the original application. He also thought there should be a shared driveway. He thought they should get more residential on Connecticut Avenue. He would have preferred offices but he understood the economy and that there was no market for it at this time.

Diane Lauricella continued the presentation by stating that she supported the project. However she would have liked to have seen some other industry rather than the storage facility. She made suggestions on how to improve the storm water management techniques. She asked how many millions of gallons of sewage would go into the public sewage treatment.

Atty Grenier said that since there was low flow drainage into the system, he did not expect that there would be millions of gallons. He also explained that there would be a sidewalk out to Connecticut Avenue, as there had been in the original application. He addressed the question about connecting the parking lots. He said that vehicles would have a right to go through the parking lot and make the left to Keeler Avenue.

Ms. Kruk closed the public hearing.

c. #2-14R – Zoning Commission – Discussion of possible amendments to revise minimum lot size for indoor contractor parking facility from 12,500 sf to 10,000 sf, to allow as principal use in Bus #1 & Bus #2 zones subject to submittal of Environmental impact statement (EIS) and related technical amendments

Ms. Kruk opened the public hearing. Ms. Wilson began the presentation by explaining the current regulation for indoor contractor parking facility as well as the reason for the amendment to that regulation. The minimum lot size would be changed from 12,500 sq. ft. to 10,000 sq. ft. She also explained that most permits would now be over the counter permits unless the site plan review thresholds were reached. There were also concerns about what would be happening inside the facilities with regards to

chemicals, etc. Jill Jacobson read the Planning Commission and Coastal Area Management referral letters into the record. Ms. Wilson explained that the resolution would need 5 votes in order to pass, due to the denial by the Planning Commission. Ms. King asked for a recording of the Planning Commission meeting since she had heard that Mr. Greene had swayed the votes of the commissioners. She also wanted to hear the recording of the Planning Commission meeting at the next Plan Review committee meeting. Ms. Kruk opened the hearing to the public.

John Romano spoke in support of the proposed amendments. He thought the current regulations were a burden on the taxpayers. The proposed amendments made it more user friendly.

Mr. Mushak thanked the staff and the commissioners for working on this proposed amendment. He believed that the Planning Commission did not understand what they had voted on. His comments supported local businesses, including small contractors, who would benefit from these contractor's facilities. He said this zone change would help fix the problems of a lack of facilities. He said that it was supported by contractors in Norwalk. He discussed the Planning Commission's resolution to deny the proposed amendment by going over each of the reasons that were used in it. He then quoted additional reasons to support the amendments from the Plan of Conservation and Development.

Diane Lauricella agreed with Mr. Romano and Mr. Mushak. She was also concerned about the environmental impact would be if any of the contractors used chemicals, or contaminants. She suggested unannounced inspections of the facilities should be required in addition to the impact statement.

Ron Czebiniak spoke by about the current regulations which he believed were restrictive and expensive. He wondered why there was a minimum lot size, which Mr. Wrinn explained was because the business zones abutted residential zones. He was in support of the proposed amendments.

Kevin Palinkas spoke in support of the proposed amendments. There was some discussion about the inspections required for the tenant fit-ups for these facilities.

There was further discussion about Mr. Greene's involvement with these amendments.

Ms. Kluk closed the public hearing.

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

a. Action on Items III. a. and b.

i. #6-14SP – Knipschildt Chocolate – 133 Washington Street – 333 sq ft Boutique manufacturing use

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #6-14SP, submitted by House of Knipschildt, LLC for the addition of 333 SF of boutique manufacturing space at 133 Washington St. as an accessory use to a café coffee house, be **APPROVED** with the following conditions:

- 1.** That any graffiti on the building be removed immediately;
- 2.** That any deliveries/shipping, loading activities associated with the boutique manufacturing be limited to daylight hours, as per the regulations.

BE IT FURTHER RESOLVED THAT, a Special Permit Certificate be filed on the Land Records.

BE IT FURTHER RESOLVED THAT, the effective date of this approval shall be November 28, 2014.

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

ii. #7-14SP – 587 CT Avenue, LLC – 587 Connecticut Ave – Mixed use development with 98,576 sq ft self storage facility and 50 multifamily dwelling units

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #7-14SP – 587 CT Avenue, LLC – 587 Connecticut Ave – Mixed use development with 98,576 sq ft self storage facility and 50 multifamily dwelling units, and as shown on various site and engineering and landscape plans Godfrey Hoffman Associates (North Haven, CT), dated 9/18/2014 and revised to 10/22/2014 and the site plan revised to 10/30/2014 and on the Architectural Plans by The Sullivan Architectural Group (Fairfield , CT) dated 9/18/2014 and revised to 11/3/2014 and the site plan revised to 10/30/2014 be **APPROVED** with the following conditions:

1. That all required CEAC signoffs are submitted; and
2. 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
3. That a surety, in an amount to be determined by staff, be submitted to guarantee the installation of the required improvements; and
4. 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
5. That any additional needed soil and sedimentation controls be installed at the direction of the staff; and
6. That the proposed dumpsters be locked and properly screened; and
7. 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
8. That all signage, existing and proposed, comply with the zoning regulations; and
9. That a follow-up traffic study be done within six (6) months of 80% occupancy of the residential units and presented to the Zoning Commission; and
10. That any changes to the plan be reviewed and approved prior to those changes being implemented; and
11. That all requirements of Section 118-1050 Workforce Housing regulations be met for the 5 workforce housing units; and
12. That any changes to the approved workforce affordability plan or the designated workforce housing administrator be referred to the Commission for review and approval; and
13. That the deed restriction shown in approved workforce affordability plan, Appendix C and the associated plans (Appendix D), be filed on the Norwalk Land Records prior to the zoning permit being issued; and
14. That a final certified “as-built” will be required to verify the completed project is built in accordance with the Zoning Regulations (height, setback, etc.); and
15. That a stormwater system be maintained per the maintenance plan submitted; and
16. That any graffiti on the site, now or in the future, be removed immediately; and
17. 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 118-1450 “Special Permit”; and

BE IT FURTHER RESOLVED that a Certificate of Special Permit **and** map be placed on the Norwalk Land Records; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be November 28, 2014.

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

b. #21-14CAM – Khanh Du Le – 10A & 10 B Main Street – Tenant fit-up for expansion of existing nail Salon (Magic Nail Salon) – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Coastal Area Management #21-14CAM – Khanh Du Le – 10A & 10 B Main Street – Tenant fit-up for expansion of existing nail salon (Magic Nail Salon) and as shown on the architectural drawings submitted by the applicant and received on 10/31/2014 be **APPROVED** subject to the following conditions:

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

BE IT FURTHER RESOLVED that under Section 118-1220 (L), municipal parking in Norwalk Center, 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 Norwalk Center; 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 28, 2014.

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

c. #4-14SP/#15-14CAM – AMEC Carting LLC – 1 Crescent St – Increase tonnage for existing transfer station, open to public, site modifications – Report & recommended action

**** MS. JACOBSON MOVED:** to send this application back to the Plan Review Committee for further review.

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

V. REPORT OF ZONING COMMITTEE, NORA KING, ACTING AS CHAIR

Action on Item III. c. #2-14R – Zoning Commission – Discussion of possible amendments to revise minimum lot size for indoor contractor parking facility from 12,500 sf to 10,000 sf, to allow as principal use in Bus #1 & Bus #2 zones subject to submittal of Environmental impact statement (EIS) and related technical amendments NOTE: Since Planning Commission recommended denial, 5 votes are needed to approve this amendment

**** MS. KING MOVED:** to send this application back to the Zoning Committee for further review.

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

Ms. King reiterated that she would like to receive the recording of the Planning Commission meeting at which they denied the referral.

VI. APPROVAL OF MINUTES: October 15, 2014

MS. JACOBSON MOVED to approve the minutes of October 15, 2014.

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

VII. ANNUAL MEETING SCHEDULE: Adopt 2015 Annual meeting schedule

MR. SUMPTER MOVED to approve the 2015 annual meeting schedule.

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

VIII. COMMENTS OF ASSISTANT DIRECTOR

Mr. Wrinn thanked the commissioners for their patience as well as introducing Jim Bova, the newest member of the Planning and Zoning Department staff.

IX. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

X. ADJOURNMENT

**** MR.SUMPTER MADE A MOTION TO ADJOURN.
** MS. KING SECONDED.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Diana Palmentiero