

**CITY OF NORWALK
ZONING COMMISSION
February 18, 2015**

PRESENT: Joe Santo, Chair; Jill Jacobson; Linda Kruk; Emily Wilson; Adam Blank; Nate Sumpter

STAFF: Mike Wrinn; Dori Wilson; Adam Carsen

OTHERS: Atty Liz Suchy; Mike Mushak; Margaret Suib; Daisy Franklin; Bill Collins; Anna Keegan;

I. CALL TO ORDER

Mr. Santo 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, Mr. Santo discussed the rules and procedures for the public hearings.

a. #3-14M – 25 Butler, LLC –25 Butler Street – Proposed change to Building Zone Map from D Residence to CBDD Subarea B (1 parcel)

Atty Suchy began the presentation by explaining the zone change on the property as well as the reason for the zone change. The applicant would like to relocate the building to across the street from its current location in order to use the building for its office. In this zone, office use is not permitted. The applicant has also filed an application for a variance which would be before the Zoning Board of Appeals on March 5, 2015. They have received all the required sign-offs. Mr. Santo opened the hearing to the public.

Mr. Mushak spoke in support of the application. He thought it was great that the developer was saving the historic building it and moving it across the street.

Two letters in support of the application were made part of the record. Ms. Kruk read the letter of referral from the Planning Commission which approved the application.

Mr. Santo closed the public hearing.

b. #11-14R – Norwalk Project, LLC – Proposed amendments to Section 118-521 to increase FAR from 1.0 to 1.5 for storage facilities located in Business #1 zones and c. #9-14SP – Norwalk Project, LLC – 50 Keeler Avenue - 40,000 sq. ft. addition to existing Westy storage facility

Mr. Santo announced that this project had been withdrawn so that there would be no public hearing.

d. #9-14R – Zoning Commission – Proposed amendments to Section 118-700 Industrial #1 zone to revise affordable housing requirements for Transit Oriented Developments from 30% and 20% to 10%

Mr. Santo opened the public hearing. Dori Wilson briefly explained the amendments for the affordable housing requirements for Transit Oriented Developments which would make it similar to other districts such as the Reed Putnam Design District. Ms. Kruk read the referrals from the Planning Commission and the state Coastal Area Management. Mr. Santo opened the hearing to the public.

Mr. Mushak spoke in support of the amendment. He explained that the current regulations defeated the purpose of affordable housing although it seemed like the amendment was decreasing it. There would be more development with the new amendment. He also thanked the commissioners for revising the Zoning requirements.

Margaret Suib, Norwalk Fair Housing Officer, spoke in opposition to the amendments. She explained what she thought was the reasoning for the current regulations which would make sure that Norwalk stayed above the 10% threshold of affordable housing state requirements. She gave other reasons why the Fair Housing Commission opposed these amendments.

Daisy Franklin spoke in opposition to the amendments. She was concerned that some people that live in South Norwalk would not be able to afford the new, affordable housing. She thought it might be a good idea for members of the Fair Housing Commission to be involved in this process.

Bill Collins spoke in opposition to the amendments. He did not believe that the commissioners should be involved in stimulating development. He thought that there were not enough places for those with low incomes to live. He also discussed the Dreamy Hollow co-op. He also made some suggestions as to how they could subsidize units. He also suggested that the commissioners table this item until others in housing could come to talk about it.

Anna Keegan spoke in opposition to the amendments. She said that Norwalk ranks in usually ranks in the top 3 of least affordable places to live. People will work here but not be able to afford to live in Norwalk.

There was a discussion about how this amendment could affect the 10% threshold that Norwalk has met in affordable housing for the last decade. Some developments have at least 10% and other developments, like Trinity Washington Village will have more. Dori Wilson explained that some other towns are not over the 10% threshold and have had actions filed against them. Mr. Sumpter noted that he was concerned that there would be groups of people without affordable housing in Norwalk.

Mr. Santo closed the public hearing.

e. #10-14R – Zoning Commission – Proposed amendments to Section 118-1050 Workforce Housing regulation to require that workforce units in all zones be located on-site

Mr. Santo opened the public hearing. Dori Wilson gave a brief summary of the amendment. She said that the developers would not be required to keep all workforce housing units on site. Ms. Kruk read the letters of referral from the Planning

Commission and the Coastal Area Management Commission into the record. Mr. Santo opened the hearing to the public.

Margaret Suib, Norwalk Fair Housing Officer, spoke in support of the amendments. She discussed the importance of interspersing the units throughout the developments as well as other reasons including integration.

Daisy Franklin spoke in support of the amendments.

Mike Mushak spoke in support of the amendments. He remembered the days when as a Zoning Commissioner, that he had to help decide whether off-site units were the same as the ones on-site. He also stressed the importance of economic integration.

Mr. Santo closed the public hearing.

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

a. #15-13SP/#21-13CAM – Trinity Washington Village Ltd Partnership/City of Norwalk – Raymond, Water & Day Sts - 193 unit multifamily development – Request for 1 year extension of approval time – Report & recommended action and b. #13-13SP/#19-13CAM – Trinity Washington Village Limited Partnership /City of Norwalk – 13 Day St – 10 unit multifamily development – Request for 1 year extension of approval time – Report & recommended action and c. #14-13SP/#20-13CAM – Trinity Washington Village Limited Partnership /Norwalk Housing Authority - 20 Day St - 70 unit multifamily development – Request for 1 year extension of approval time – Report & recommended action

It was agreed that all three of these applications would be voted on together.

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for special permit application 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**,

1. That property taxes be kept current for the duration of the extension period; and
 2. That the original conditions of approval remain in effect; and
 3. That the new approval deadline for obtaining permits will be **February 28, 2016**;
- and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Emily Wilson seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for special permit 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 property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be **February 28, 2016**;
and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Emily Wilson seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for special permit application 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 property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be **February 28, 2016**;
and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Emily Wilson seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

d. #2-03SP/#6-03CAM - City of Norwalk - Calf Pasture Beach Rd – Restaurant – Request for 1 year extension of approval time – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for special permit **#2-03SP/#6-03CAM** - City of Norwalk - Calf Pasture Beach Concession as shown on various plans by Robert Storm Architects dated revised to February 11, 2003, be approved, subject to the following conditions:

1. That the original conditions of approval remain in effect; and
2. That the new approval deadline for obtaining permits will be March 31, 2016; and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Nate Sumpter seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

e. #3-15CAM – Landtech – 215 Rowayton Ave – New single family residence – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #2-15CAM, construction of additions to a single-family residence for the property 61 Bluff Avenue and as shown on the A-2 Survey titled: “Property Survey of a Property Prepared For John A. Arredondo & Elizabeth Arredondo, #215 Rowayton Avenue, Rowayton, Connecticut, Scale: 1”=20’, Date: Sept. 29, 2015 and Revised to Jan. 21, 2015” by Arcamone Land Surveyors, LLC, Wayne Arcamone Land Surveyor – Connecticut Registration No. 15773 and on the engineering drawings dated Jan. 22, 2015 by LandTech Consulting, Westport, CT and on the architectural drawings of Jan. 22, 2015 and revised to Feb. 6, 2015 by Mark P. Finlay Architects, AIA, Southport, CT be **APPROVED** subject to the following conditions:

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

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be February 27, 2015.

Linda Kruk seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

V. REPORT OF ZONING COMMITTEE, EMILY WILSON, CHAIR

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

i. #3-14M – 25 Butler, LLC –25 Butler Street – Proposed change to Building Zone Map from D Residence to CBDD Subarea B (1 parcel)

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed changes to the Building Zone Map as shown on a certain document entitled “#3-14M – 25 Butler, LLC – 25 Butler Street – Proposed change to Building Zone Map from D Residence to CBDD Subarea B (1 parcel)” and dated November 21, 2014 affecting property located in the First Taxing District, Block 12, Lot 11 and including property now part of the Butler Street ROW and Quincy Street ROW, all of which is now zoned D Residence and proposed for change to Central Business Design District Subarea B, be approved.

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

1. To implement the Plan of Conservation and Development to “A.2.1.4 Continue to provide budget funding to redevelop the West Avenue, Wall Street, and Reed Putnam areas with new housing and mixed use developments” (p. 11); and
2. To implement the Plan of Conservation and Development to “A.6 Advance current redevelopment plans” (p. 13); and “A.3.1.2 Strengthen the revitalization of the West Avenue, Wall Street, and Reed Putnam areas by encouraging mixed-use development (i.e. offices, stores, services, restaurants and theaters together with housing, parks and cultural facilities)” (p.12); and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Adam Blank seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

ii. #9-14R – Zoning Commission – Proposed amendments to Section 118-700 Industrial #1 zone to revise affordable housing requirements for Transit Oriented Developments from 30% and 20% to 10%

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “#9-14R – Zoning Commission – Proposed amendments to Section 118-700 Industrial #1 zone to revise affordable housing requirements for Transit Oriented Developments from 30% and 20% to 10%” and dated November 13, 2014, be **APPROVED**;

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

1. To implement the Plan of Conservation and Development to “Encourage new development around transit access and allow new development which does not exceed the capacity of infrastructure systems (roads, sewers, water, etc)” (B.1.1.2, p. 16); and
2. To implement the Plan of Conservation and Development to “Allow for the future needs of Norwalk to be met as identified in this Plan (i.e. housing, economic growth, community facilities, etc.)” (F.1.1.6, p. 40); and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Adam Blank seconded.

At this point, Mr. Blank addressed some of the concerns of the public that had spoken on this application. Mr. Sumpter expressed his own concerns about those families that could fall between the cracks. He suggested setting up a task force to study this issue.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

iii. #10-14R – Zoning Commission – Proposed amendments to Section 118-1050 Workforce Housing regulation to require that workforce units in all zones be located on-site

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendments to the Building Zone Regulations as shown on a certain document entitled “**#10-14R** – Zoning Commission – Proposed amendments to Section 118-1050 Workforce Housing regulation to require that workforce units in all zones be located on-site” and dated November 13, 2014 , be **APPROVED**;

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

- 1) To implement the Plan of Conservation and Development to “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 to “A.2.1.5 Require a minimum of ten percent affordable units in all developments over 20 units as per the Workforce Housing ordinance” (p. 11); and

BE IT FURTHER RESOLVED that the effective date of this action be February 27, 2015.

Linda Kruk seconded.

Before the vote, Mr. Sumpter asked if language about interspersing the units throughout the building could be added to the resolutions. Mr. Wrinn said that a similar phrase, “ d e i was there. t Mr. uSanto asked how many uoff-site units there are d currently. Dori Wilson told him the numbers. There was a discussion about inspections after the inspection when the project is completed.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

b. 8-24 Review – Dept of Public Works – Abandonment / Discontinuance of a portion of Smith Street at its northerly terminus – Report & recommended action

Dori Wilson gave a brief explanation of this matter.

**** EMILY WILSON MOVED: : BE IT RESOLVED** by the Norwalk Zoning Commission in accordance with Section 8-24 of the Connecticut General Statutes, the referral by the Department of Public Works for the Abandonment/discontinuance of a portion of Smith Street at its northerly terminus and adjacent portion of 2 East Wall Street be **APPROVED**.

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Department of Public Works and the Public Works Committee of the Common Council.

BE IT FURTHER RESOLVED that the effective date of this approval shall be February 27, 2015.

Linda Kruk seconded.

Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and Nate Sumpter, voted in favor.

No one opposed.

No one abstained.

VI. APPROVAL OF MINUTES: January 21, 2015

Emily Wilson moved to approve the minutes.

**Linda Kruk seconded.
Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and
Nate Sumpster, voted in favor.
No one opposed.
No one abstained.**

VII. COMMENTS OF ASSISTANT DIRECTOR

Mr. Wrinn told the commissioners that the White Barn project was on hold. The Zoning Commission had an extension until mid-April to hold a public hearing.

VIII. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

IX. ADJOURNMENT

**Emily Wilson made a Motion to Adjourn.
Linda Kruk seconded.
Joe Santo, Jill Jacobson, Linda Kruk, Emily Wilson, Adam Blank, and
Nate Sumpster, voted in favor.
No one opposed.
No one abstained.**

The meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Diana Palmentiero