

**CITY OF NORWALK
ZONING COMMISSION**

April 15, 2015

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

STAFF: Michael Greene; Dori Wilson; Adam Carsen

OTHERS: Atty. Al Vasko; Ed Arredondo; Juan Perez; John Keegan; David Lasnick

I. CALL TO ORDER

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

II. ROLL CALL

Mr. Greene called the roll.

III. PUBLIC HEARINGS

Before the public hearings began, Mr. Santo discussed the rules of procedure.

a. #1-15R – 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 zone as revised to allow mixed use developments and b. #2-15SP – Norwalk Project, LLC – 50 Keeler Avenue - 4 story, 40,000 sq. ft. addition to existing Westy storage facility

Mr. Santo opened the public hearing. He asked Mr. Vasko, before he began the presentation whether one public hearing could be held for the two related applications. Mr. Vasko then introduced members of the applicant's project team as well as submitting the certified, return receipt cards, evidencing the notification of the public hearing to the neighbors.

Atty. Vasko then discussed the proposed amendment to increase the floor area ratio (FAR). He noted that FAR was already at 1.5 in other zones around the city. He also noted that very little traffic is generated by storage facilities. Some sites may have mixed use on it. Since many new residents were moving into the new apartments being built all over the city, they would need storage facilities for their belongings. On the other hand, commercial tenants also had seen a rise in the need for storage facilities. He described the building as well. The current building was over 95% occupied so that is why the applicant believes there is a need for more storage area and that they should be allowed to expand their facility.

Ed Arredondo, owner of Westy's storage, continued the presentation by explaining recent storage facilities that had been built. He then read a letter from the Modern Museum of Art which praised their facility.

Juan Perez, the civil engineer on the project, continued the presentation. He showed the commissioners the site plans of the existing building and the addition. The next thing that he discussed was the additional parking that would be needed. He then went over the landscaping as well as the lighting analysis. He said there would be no spillover from the property.

John Keegan, architect on the project, continued the presentation by showing the commissioners how it would be placed on the current building. It would be minimally visible and would look as if it was always part of the building. He showed the pictures of the current building as well as the plans.

There was a discussion about whether the Westy's in Stamford would be expanded. The applicant had no plans of expanding it at this time. Atty. Vasko then mentioned that the Norwalk facility was at 95% capacity so that led to their decision to construct an addition. He then concluded the presentation.

Ms. Kruk read the comments from the Planning Commission into the record. No one spoke for or against the application. Mr. Santo closed the public hearing.

c. #3-15SP – S. Choudhary – 391 Westport Ave/Strawberry Hill Av – Gas station & mini mart in existing former gas/service station

David Lasnick, attorney for the applicant, began the presentation by introducing the members of the project team, if the commissioners had questions for them. He said that he believed that the certification of mailing had previously been submitted but could re-submit if necessary. He gave a brief history of the property. He described the project which would be a gas station and convenience mart. There would be no repair shop. He went over the site plan as well as describing the interior and exterior of the building. He then went over the traffic plan which would include 3 different sites for ingress and egress. Curb cuts will be reduced and one cut will only be ingress which would be for gas trucks. He then described the drainage system. There was a discussion of the traffic plans done by the state. The staff would look into the striping on Route 1.

No one spoke for or against the application. Mr. Santo closed the public hearing.

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

a. Action on Item III. c. - #3-15SP – S. Choudhary – 391 Westport Ave/Strawberry Hill Av – Gas station & mini mart in existing former gas/service station

**** MS. JACOBSON MOVED:**

RESOLVED by the Norwalk Zoning Commission that application #3-15 SP, submitted by S. Choudhary for the reuse of a former gas/ service station to a gas / mini mart at 391 Westport Avenue, as shown on various plans by R. Sherwood, Landscape Architect, Brookfield, Ct and by Fairfield County Engineering, LLC dated 1-12-15, revised to 2/9/15 be **APPROVED** with the following conditions:

1. That any additional required sedimentation and erosion controls be installed at the direction of staff; and
2. That any graffiti on the site be removed immediately; and
3. That any rooftop HVAC units be properly screened and located in accordance with the Zoning Regulations; and
4. That any change to the plan will require a return to the Zoning Commission; and
5. That all lighting be properly shielded and remain so for the duration of the project; and
6. That all landscaping be installed as shown and maintained and that any major pruning of trees receive prior permission of the staff; the intent of the landscape plan is to allow the proposed trees to grow to a natural, mature height;
7. That all curb cuts be properly labeled with pavement markings and the one way curb cut be properly signed as such.

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 24, 2015.

Ms. Wilson seconded.

Joe Santo, Jill Jacobson; Emily Wilson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.

No one abstained.

b. #2-15SPR/#5-15CAM – 25 Butler LLC – 25 Butler Street - Relocate historic

building from 3 Quincy St for reuse as 8,350 sq. ft. office building – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Special Permit application #2-15SP; Westy Self Storage/Norwalk Project LLC, 50 Keeler Avenue; for a 40,000 sq ft addition to an existing storage facility as shown on a certain set of plans entitled "Westy Self Storage, 50 Keeler Avenue, Norwalk, CT" by John M. Keegan, Architect and Landtech Civil & Structural Engineers, dated December 11, 2014 and December 9, 2014, be **APPROVED**, subject to the following conditions:

1. That a certificate of special permit and mylar be filed on the Norwalk Land Records; and
2. That all CEAC signoffs be submitted prior to the start of construction; and
3. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
4. 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
5. 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
6. That any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
7. That a Connecticut licensed engineer certify that all of the required improvements were installed to City standards and a final as-built survey be submitted to certify that the completed building complies with zoning; and
8. That a maintenance schedule be submitted and implemented to ensure maintenance of onsite drainage systems; and
9. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and
10. That any changes to the plan be reviewed and approved prior to those changes being implemented; and
11. That cutoff shields be installed on all lighting fixtures to prevent any stray light from being emitted off the property; 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, as amended, and Section 118-1450 Special Permit; and

BE IT FURTHER RESOLVED that the effective date of this action be April 24, 2015.

Ms. Wilson seconded.

Joe Santo, Jill Jacobson; Emily Wilson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.

No one abstained.

c. **#9-06SP – 110 Richards Ave, LLC – 110 Richards Avenue – Third story, 13,056 sq. ft. office addition – 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 time for special permit #9-06SP - 110 Richards Avenue, LLC - 110 Richards Avenue – Renovations and addition to 110 Richards Avenue for a 116,200 sq ft office and manufacturing building as shown on various plans by Telfer-Palmquist Architects and Studio Rai Architectural Design and dated as revised to March 17, 2010 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 April 8, 2016; and

BE IT FURTHER RESOLVED that the effective date of this action be April 24, 2015.

Ms. Kruk seconded.

Joe Santo, Jill Jacobson; Emily Wilson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.
No one abstained.

V. REPORT OF ZONING COMMITTEE, EMILY WILSON, CHAIR

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

iii.a. 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 zone as revised to allow mixed use developments

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#1-15R - 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 zone *as revised to allow mixed use developments*" and dated March 3, 2015, be APPROVED,

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

- 1) To implement the Plan of Conservation and Development to "Seek private investment within the community" (A.1.1.1, p. 10); and
- 2) To implement the Plan of Conservation and Development to "Examine and modify existing zoning where necessary to achieve the goals of this plan" (F.2.1, p. 42).

BE IT FURTHER RESOLVED that the effective date of this action be April 24, 2015

Ms. Jacobson seconded.

Joe Santo, Jill Jacobson; Emily Wilson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.

No one abstained.

iii.b. #2-15SP – Norwalk Project, LLC – 50 Keeler Avenue - 4 story, 40,000 sq. ft. addition to existing Westy storage facility

**** EMILY WILSON MOVED: BE IT RESOLVED** that Special Permit application #2-15SP; Westy Self Storage/Norwalk Project LLC, 50 Keeler Avenue; for a 40,000 sq ft addition to an existing storage facility as shown on a certain set of plans entitled "Westy Self Storage, 50 Keeler Avenue, Norwalk, CT" by John M. Keegan, Architect and Landtech Civil & Structural Engineers, dated December 11, 2014 and December 9, 2014 both as revised to March 6, 2015, be APPROVED, subject to the following conditions:

1. That a certificate of special permit and mylar be filed on the Norwalk Land Records; and
2. That all CEAC signoffs be submitted prior to the start of construction; and
3. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
4. 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
5. 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
6. That any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
7. That a Connecticut licensed engineer certify that all of the required improvements were installed to City standards and a final as-built survey be submitted to certify that the completed building complies with zoning; and
8. That a maintenance schedule be submitted and implemented to ensure maintenance of onsite drainage systems; and

9. That any and all HVAC units shall be adequately screened and located in conformance with the applicable zoning setbacks; and
10. That any changes to the plan be reviewed and approved prior to those changes being implemented; and
11. That cutoff shields be installed on all lighting fixtures to prevent any stray light from being emitted off the property; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Section 118-521, Business # 1 Zone, as amended, and Section 118-1450 Special Permit; and

BE IT FURTHER RESOLVED that the effective date of this action be April 24, 2015.

Ms. Kruk seconded.

Joe Santo, Jill Jacobson; Emily Wilson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.

No one abstained.

VI. APPROVAL OF MINUTES: March 18, 2015

Emily Wilson moved to approve the minutes with the change in Mr. Sumpter's name.

Ms. Kruk seconded

Joe Santo; Emily Wilson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.

Jill Jacobson abstained.

VII. COMMENTS OF DIRECTOR

Mr. Greene said that the packets of information about the White Barn application were available for the commissioners.

VIII. COMMENTS OF COMMISSIONERS

Mr. Santo said that he went to the Sky Zone in Bethel.

IX. ADJOURNMENT

Emily Wilson made a Motion to Adjourn.

Ms. Jacobson seconded.

Joe Santo; Emily Wilson; Jill Jacobson; Linda Kruk and Mike O'Reilly voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Diana Palmentiero