

PLANNING COMMISSION
CITY HALL
125 EAST AVENUE P.O. BOX 5125
NORWALK, CT 06856-5125

APPLICATION FOR APPROVAL OF SUBDIVISION OR RESUBDIVISION MAP

Application is hereby made to the City Planning Commission for approval of a Subdivision or Resubdivision map entitled:

“Subdivision Plan 29 Bouton Street Norwalk, Connecticut Prepared for 25-29 Bouton, LLC Scale: 1”=10’ Date: 4 September 2020” prepared by Fuller Engineering & Land Surveying, LLC [“Subdivision Map”]

1. Name and address of persons submitting application: 25-29 Bouton, LLC
c/o E. Suchy – Carmody Torrance Sandak & Hennessey, LLP
707 Summer Street, Stamford, CT 06901 Telephone No. (203) 252-2656
Cell Phone No. n/a Email: esuchy@carmodylaw.com
2. Name and address of owner of record at time of submission of plans:
ABM 28 Bouton, LLC, RCM 28 Bouton, LLC & DAS 28 Bouton, LLC
c/o Sammarco Associates – PO Box 4181 Telephone No. (203) 252-2656
Stamford, CT 06901
Cell Phone No. n/a Email: esuchy@carmodylaw.com
3. Name and address of Engineer, Surveyor or Designer: Fuller Engineering & Land Surveying, LLC
525 John Street, Bridgeport, CT Telephone No. (203) 333-9465
Cell Phone No. n/a Email: info@fullersurveyors.com
4. Address of Property 29-31 Bouton Street, South Norwalk, CT 06854
5. Tax District 2 Tax Block 71 Tax Lot 14 CAM No
6. Zoning Designation Neighborhood Business (NB) Plan of Development Designation NB
7. Total area of proposed subdivision or resubdivision: 0.3±acres; 13,350± square feet
- 7a. No. of lots proposed 2
8. Water Supply:
 - a. Is public water available within or at periphery of proposed subdivision or resubdivision?
Yes
 - b. If not, how far distant is public water available, measured along a public right-of-way?
N/A
 - c. Is the public water system to be extended to serve proposed subdivision or resubdivision?
N/A

9. Sewage Disposal:

- a. Is public sewage system available within or at periphery of proposed subdivision or resubdivision? Yes
- b. If not, how far distant is public sewage available, measured along a public right-of-way? N/A
- c. Is the public sewage system to be extended to serve proposed subdivision or resubdivision? N/A

10. Streets:

- a. List names of existing streets and widths of right-of-way and traveled roadway within or adjacent to proposed subdivision or resubdivision
Bouton Street - 39.4 ft.
- b. List names of proposed streets and lengths:
None
- c. Can this application form be considered an offer of dedication to the City of Norwalk for public acceptance of the proposed streets contained in this subdivision or resubdivision upon proper completion thereof? No
If not, please explain: N/A

11. Existing structures: Description: vacant

12. Does owner of record own or have any interest in a partnership or corporation owning abutting property? No

13. Has the Zoning Board of Appeals granted any variances or permits concerning this property? None found If so, full information must be attached. _____

14. Is any variance from the "Subdivision/Resubdivision Regulations" requested? No. If so, a letter stating reasons must be submitted herewith. n/a

RECORD OWNER(S) SIGNATURE

By Carmody Torrance Sandak & Hennessey
(If agent signs, a letter of authorization from the owner(s) must accompany this application). Letter of consent attached *UP*

Carmody Torrance Sandak & Hennessey LLP
Its Attorney

APPLICATION AND INSPECTION (to be filled in by Planning Commission Staff)

1. Number of new building lots - including
remainder of tract: 2 X \$200. = \$400.00 + \$30. State fee = \$430.00

2. Minimum fee: \$400. + \$30.00 State fee: Total \$430.00

PAID TO: _____
(Signature)

DATE: _____

NARRATIVE: Attach a narrative that gives a concise explanation of the proposed subdivision or resubdivision and how it meets or exceeds the subdivision and resubdivision regulations. Attached hereto and made a part hereof.

25-29 Bouton, LLC
29 Bouton Street – South Norwalk, CT
SUBDIVISION APPLICATION
CITY OF NORWALK – PLANNING COMMISSION
SCHEDULE A

BACKGROUND

25-29 Bouton, LLC (hereinafter referred to as the “Applicant”) is the contract purchaser of a parcel of land located at 29 Bouton Street in South Norwalk, Connecticut (hereinafter referred to collectively as the “Property”). Designated as Tax Lot 14 in Block 71 of the Second Taxing District, the Property is approximately 0.30± ac/13,350± sq.ft.,¹ is zoned Neighborhood Business (NB) and is located in the “Whistleville” section of South Norwalk. The lot is improved with sidewalks and curbs, which are in moderate to good condition.

PROPOSAL

The Applicant seeks Planning Commission approval to subdivide the Property into two (2) lots which fully conform to the minimum standards set forth in the City of Norwalk Building Zone Regulations (“zoning regulations”) for Neighborhood Business (NB) zone lots. If approved by all requisite boards, agencies, departments and commissions, two (2) fully compliant NB zone lots would be created and subsequently developed.

The minimum lot size in the NB zone are 5,000 sq.ft with 50’ of frontage. Both Lot 1 and 2 meet or exceed these standards. Lot 1 would be 6,481+/- sq.ft. with 50.5 feet of frontage and eventually, would be redeveloped with three-unit residential dwelling and associated site improvements, if all required approvals and permits are obtained post subdivision. Lot 2 would be 6,869+/- sq.ft with 50 feet of frontage and would be similarly developed with three-unit residential dwelling and associated site improvements.

All parking required for the dwellings would be created on the lots, with cross easements recorded on the Norwalk Land Records, where necessary. Curbing and sidewalks exist in front of each of the existing/proposed lots, and they will be maintained and/or upgraded as necessary. Street trees are proposed along Bouton Street in accordance with the subdivision regulations for the installation of street trees. (Refer to “Overall Site Plan (Sheet C-2.1)” dated 5/20/2000 prepared by Fuller Engineering and Land Surveying, attached hereto and made a part hereof. The Property is and will continue to be served by city water and sewer.

Since there will be an increase and alteration of impervious surface as a result of the contemplated development, a stormwater management system has been designed to evaluate pre- and post-development stormwater runoff volume and peak discharge rates for the two, 10, 25, 50 and 100-year storm events, in accordance with the City of Norwalk Drainage Manual 2017. As part of the system, stormwater runoff from the proposed buildings and driveway will be directed to inlet structures which are connected to underground detention/retention systems consisting of Cultec units embedded in crushed stone. This system will “help treat water quality and attenuate the stormwater runoff” and further “recharge the groundwater within the 24-hour rainfall period.” (Refer to Page 2, “Stormwater Study” dated October 1, 2020 prepared by Fuller Engineering & Land Surveying, LLC [“Fuller Report”]) “[I]f the proposed

¹The lot was originally 0.35+/- acres (15,207+/- sq.ft.) but was reduced in size due to a lot line revision.

development is constructed as depicted on the proposed development plans, then there will be no adverse impacts to adjoining properties and/or street drainage.” Furthermore, “the peak flows and the runoff volume of the post-development condition are less than the pre-development conditions for all storm events.” (Fuller Report p. 3). Finally, the Applicant has considered passive solar techniques due to the site’s limited size.

When approving or disapproving a subdivision plan, a planning commission acts in its administrative capacity. (*RK Development Corporation v. City of Norwalk*, 156 Conn. 369 (1968)), and in doing so, it is controlled by the regulations adopted. Furthermore, a planning commission is “limited to determining whether or not the subdivision application complies with the subdivision regulations.” (*R.B. Kent & Son, Inc. v. Planning Commission of Town of Ledyard*, 21 Conn.App. 370, 373 (1990)) It cannot consider offsite traffic conditions, municipal services required and the effect of an approval on property values in the area. (*Sowin Associates v. Planning and Zoning Commission of Town of South Windsor*, 23 Conn.App. 370, 375 (1990)). “Where a subdivision application meets the existing regulations of a planning commission, the commission must approve the application.” (*RK supra*, 376).

25 & 29 Bouton, LLC
29 Bouton Street, South Norwalk, CT
Application for Subdivision
List of Abutting Property Owners & Those Directly Across the Street
Schedule B

1.
2/71/15
DAS 28 Bouton, LLC
25 Bouton Street
Norwalk, CT 06854

Mailing:
c/o Sammarco Associates
PO Box 4181
Stamford, CT 06901

2.
2/71/23
Waclaw & Jozefa Wadolowski
11 Podmore Street
Norwalk, CT 06854

Mailing:
102 West Norwalk Road
Norwalk, CT 06851

3.
2/71/24
Waclaw Wadolowski
14 Podmore Street
Norwalk, CT 06854

Mailing:
102 West Norwalk Road
Norwalk, CT 06851

4.
2/71/47
Xavier Uquillas
2 Buda Street
Norwalk, CT 06854

5.
2/71/13
Agripino Ramirez
33 Bouton Street
Norwalk, CT 06854

6.
2/68/4
Susan Koproski
36 Bouton Street
Norwalk, CT 06854

Mailing:
111 Sanford Lane
Stamford, CT 06905

7.
2/68/30
ABM 28 Bouton, LLC & RCM 28 Bouton, LLC
30 Bouton Street
Norwalk, CT 06854

Mailing:
c/o Sammarco Associates
PO Box 4181
Stamford, CT 06901

8.

2/68/4A

ABM 28 Bouton, LLC & RCM 28 Bouton, LLC

38 Bouton Street

Norwalk, CT 06854

Mailing:

c/o Sammarco Associates

PO Box 4181

Stamford, CT 06901

9.

2/68/5

Daniel Spencer & Andrea Manning

26 Bouton Street

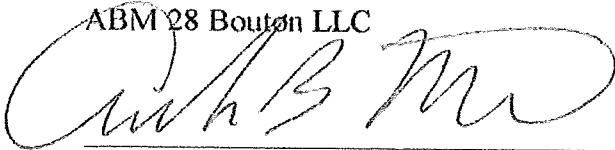
Norwalk, CT 06854

CONSENT TO SUBDIVISION APPLICATION

AGREEMENT made as of the 23rd day of September, 2020, BETWEEN ABM 28 Bouton LLC, a Connecticut limited liability company having an address of 13 Stanley Road, Darien, Connecticut 06820, RCM 28 Bouton LLC, a Connecticut limited liability company having an address of 52 Sachem Road, Stamford, CT 06902, and DAS 28 Bouton LLC, a Connecticut limited liability company having an address of 54 Toquam Road, New Canaan, CT 06840 (hereinunder referred to as the "OWNER"), consent to a subdivision application of 29 Bouton Street, Norwalk, Connecticut 06853 prepared by Carmody Torrance Sandak & Hennessey LLP, to be submitted by 25 & 29 Bouton LLC. All cost to be borne by 25 & 29 Bouton LLC. Upon approval of subdivision, filings will not be submitted without prior consent of OWNER.

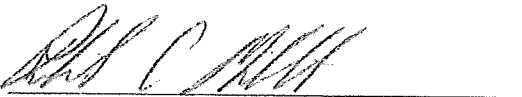
OWNER:

ABM 28 Bouton LLC

A handwritten signature in black ink, appearing to be 'C. B. M.', written over a horizontal line.

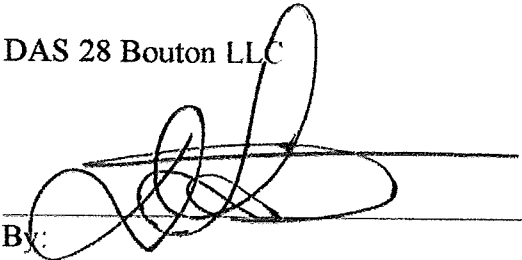
By:

RCM 28 Bouton LLC

A handwritten signature in black ink, appearing to be 'R. C. M.', written over a horizontal line.

By:

DAS 28 Bouton LLC

A handwritten signature in black ink, appearing to be 'D. A. S.', written over a horizontal line.

By: