

**CITY OF NORWALK
ZONING COMMISSION
August 16, 2017**

PRESENT: Nate Sumpter, Chair; Doug Stern; Louis Schulman; Mike Witherspoon; Galen Wells; Roderick Johnson (after roll call)

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Paxton Kinol; Atty Jackie Kaufman; Laurie Hall; Keith Beaver; Kwesi Brown; Craig Flaherty; Frances DiMeglio; Mike Jacabacci Stan Justlock; Mike Mushak; Ginger and Larry Katz; Rosario Constantine; William Dunne; Diane Lauricella

I. CALL TO ORDER

Mr. Sumpter called the meeting to order at 7:03 p.m. He then discussed the rules of the meeting.

II. ROLL CALL

Mr. Kleppin called the roll.

III. PUBLIC HEARINGS

- a. #4-17R – NWMFP Norwalk Town Ctr II/3 Q Property LLC – Proposed amendments to revise Design District Development Park (DDDP) criteria for developments in Central Business Design District Subarea B and
- b. #2-SPR/#14-17CAM – NWMFP Norwalk Town Ctr II/3 Q Property LLC – The Pinnacle @ Waypointe South Block - 467 West Av/17 Butler St/3 Quincy St – New 7 story, 519,820 square foot mixed use development with 330 dwelling units, 496 seat iPic movie theater (41,604 sf), 12,209 square feet restaurant, 14,046 square feet retail, 23,979 square feet fitness center and 942 space parking garage and
- c. #3-17SPR/#15-17CAM – 6 Butler Properties, LLC – 6 Butler Street – Demolish existing building at 6 Butler Street; Relocate historic building from 3 Quincy Street to 6 Butler Street; demolish a portion of the historic building and rehabilitate remaining portion of historic building for reuse as 7,680 square feet of office

Mr. Sumpter opened the public hearing by stating that all three items would be combined which was acceptable to the applicant. Mr. Kinol then began the presentation with a video which was basically a drive-through of Waypointe renderings. The Zoning Department had been shown the video earlier in the day. He explained that all of the restaurants and retail have to go through a review by the Redevelopment Agency. They had sent a link to staff so it could be shared with the commissioners. He then discussed the Waypointe plans as far back as April 2011 since some of the commissioners were not on the commission at that time.

Atty. Kaufman continued the presentation by introducing the project to the commissioners. She also provided the certificates of mailing evidencing notice of the public hearing to the abutting neighbors. She also showed the renderings of the project over the years as well as occupancy rates. She then described the south block application which would also be known as the Pinnacle. As she was discussing the gym facility that would be built in this project, there were questions about the gyms that were a part of the residential buildings, which both she and Mr. Kinol answered. She noted that all that the applicant had proposed is permitted under the zoning regulations. There was a discussion about the parking. Atty Kaufman discussed 6 Butler Street and what they commissioners were seeing on the renderings, particularly from the Stepping Stones Children's Museum. There was a discussion

about the iPic Theatre.

The architect, Laurie Hall, for the project continued the presentation with a thorough explanation of the 6 Butler St. project. There was a question about the materials being used for the projects. She also explained that the buildings were designed to look as if they had been built independently as well as showing the renderings to them. Mr. Kinol explained the townhouse styles on the ground floor of the residential buildings. Ms. Hall continued to explain the different styles of the buildings. There was a further discussion of the retail that would be located in this building. There was a concern that there was not enough local retail which would support the residents in the buildings. Mr. Kinol explained that there was a large hair salon, Salons by J.C., as well as an athletic store. He said there was a need for restaurants. He also said that retail struggles in this area. People would like to have more stores so that they can make more than one stop when they park. Mr. Kinol then discussed why some retailers did not sign leases. For others, he was not sure why the investors had not signed leases with them.

Keith Beaver, the landscape architect, explained that they plan for this part of the project was to continue the look of the streetscape of the other projects. He discussed the proposed landscape plan which included street trees and benches. He described the plantings around the rooftop pools.

Kwesi Brown, the traffic engineer for the project, continued the presentation. He discussed how the study was done, when it was done, as well as future projections and the levels of service. They have not received an official approval from the state; however, they are waiting for Zoning Commission before they will receive it. They have also not received approval from the city's Department of Public Works which they had expected to receive in writing.

Craig Flaherty, the engineer on the project, continued the presentation by explaining which city departments that he had worked with. He said that they had received many approvals from them as well as providing drainage, sewer and numerous other reports.

Atty. Kaufman discussed the application that had been filed with Redevelopment Agency which was filed on May 30. There was then a discussion as to when the 3rd party review would be started which was not expected for another 2 weeks. Atty Kaufman then explained the proposed text amendment. There was a discussion about the supermajority that would be necessary to pass this amendment, since the Planning Commission did not pass the referral. Mr. Kleppin explained that they had not liked the idea of another gym, hair salons and had wanted to see more retail. Mr. Kinol said that they would not be making money on retail in downtown. They bring the retail in for the residents. He said there were more people on the streets now then there had been in 2011.

At this point, the chair of the Planning Commission, Frances DiMeglio, spoke regarding the Planning Commission's denial of this application. She also explained that there were concerns about when would changes stop as well as believing that the city is saturated with fitness centers. She said that she did not have data about this but it had been part of their discussion.

Atty. Kaufman said that fitness centers were asking to be leased in the space so she did not think the neighborhood was saturated. She also addressed the remainder of Ms. DiMeglio's remarks.

Mr. Sumpter asked for members of the public to speak.

Mike Jacobacci from Stepping Stones Children's Museum by speaking in support of the project. He said that there had been numerous discussions with the applicant about the West Avenue corridor.

Stan Justlock, Canfield Ave., spoke in support of the project. He acknowledged that retail will be difficult in this area especially with the SoNo Collection being built. He believed that the applicant had done their own studies and would not take a risk on this project.

Mike Mushak, a former Zoning Commission, spoke in support of the application. He spoke how he supported the project when he was on the commission as well as now. He also noted that many

cities were adding bike lanes.

Atty. Kaufman continued with her final remarks. There was a discussion about the parking garage and lighting it. Mr. Kinol said that there have been some car thefts which are happening in other cities as well. They have caught some on the cameras. If they lock the garages the crimes do go down. A September hearing date would be set. She also said that renderings would be left with staff.

Mr. Witherspoon read the Planning Commission denial into the record. The hearing was held open until the September meeting.

d. #6-17R – Zoning Commission – Proposed amendments to permit medical marijuana dispensaries and medical marijuana producers in certain zones

Mr. Sumpter opened the public hearing. Mr. Kleppin began the presentation by giving a history of the proposed amendment which began in 2016 at the request of Corporation Counsel. Definitions were adopted in July 2016. Speakers were brought in; research was done as to the demand for medical marijuana. Zoning Department staff provided locations for the dispensaries, by zone. He noted that the Planning Commission had denied the proposed amendment application. They did recommend the B-1 zone for dispensaries and against production/growing facilities. Mr. Kleppin showed this on a map. At this point, the Zoning Commission would like to get comments from the public. Mr. Witherspoon read the Planning Commission denial as well as their recommendation into the record. He also read the comments from WestCog and Coastal Area Management.

Mr. Sumpter asked for members of the public to speak.

Ginger and Larry Katz spoke against the application because of their son's drug addiction and ultimate death from a drug overdose. He began with smoking marijuana. She and her husband founded a foundation to convince young people to remain drug free. She then discussed the statistics of substance abuse in this area. Mr. Katz read a report said that many states saw an increase in crime from medical marijuana dispensaries. He said that it was being abused. Mr. Schulman said that Connecticut's medical marijuana law was one of the strictest in the nation.

Rosario Constantine spoke against the application. She said there were huge profits in it because there was no price control. She said that Westport had just approved one and would be opening another.

William Dunne asked a few questions, one of which was why Norwalk should have a dispensary. Why should there be a growing facility in Norwalk? Mr. Stern noted that there had been inquiries from people who would like to open them. There was a discussion as to why there was a separate dispensary and not have it dispensed in a pharmacy. The commissioners noted that this was a question for the state that wrote the legislation. Mr. Dunne also expressed concerns about this effect on Norwalk property values.

Frances DiMeglio, chair of the Planning Commission, discussed the rationale for the Planning Commission's denial.

Diane Lauricella, 21 Blue Mountain Ridge Road, requested that the Zoning Commission approve what the Planning Commission suggested.

Stan Cheselock, Canfield Ave., spoke against the application. Hospitals could not dispense marijuana because it was against federal law. He wondered how this would help Norwalk. He did not think that some people would move to Norwalk.

Angela DiMecco, Compassionate Care Center owner, spoke in support. She said that her center has the most Norwalk patients. She also is working to fight the opiate epidemic. She has seen cancer patients survive with medical marijuana use. She explained how some people were able to get

off of other addictive drugs. She explained that Connecticut is highly regulated.

Mr. Sumpter closed the public hearing.

IV. REPORT OF PLAN REVIEW COMMITTEE

- a) #4-13SP Shelter Dev. LLC (ProCon) – 162 New Canaan Ave – Assisted living facility - Request for release of maintenance surety - Report & recommended action

***** MS. WELLS MOVED: BE IT RESOLVED** that the maintenance surety be approved to be released on application #4-13SP submitted by Shelter Dev. LLC (ProCon) for the location at 162 New Canaan Ave as all improvements have been completed and maintained; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be August 25, 2017.

Mr. Johnson seconded.

Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson

No one opposed.

No one abstained.

- b) #19-17CAM – 195 Investment LLC – 195 Rowayton Avenue – Demolish and replace with new single family dwelling and add accessory building - Report & recommended action

***** MS. WELLS MOVED: BE IT RESOLVED** that Coastal Area Management application # 19-17 CAM, submitted by 195 Investment LLC, for a replacement single family dwelling at 195 Rowayton Avenue, as shown on a survey by William W. Seymour and Associates, P.C., Land Surveyors, Darien , CT entitled “Topographic & Zoning Location Survey Depicting Proposed Conditions Prepared For 195 Investments, LLC,” dated October 17, 2016, revised to July 18, 2017 and on plans by “Warrington Homes, Darien CT, entitled “Casey, 195 Rowayton Ave, Rowayton, CT’ be **APPROVED**, with the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
2. That any additional soil sedimentation and erosion controls required by staff during construction be placed immediately; and
3. That all required final Flood Certifications and asbuilts be provided prior to issuance of any final zoning compliance; and
4. That the Five Mile River Commission comments become part of this approval; and
5. That a be restriction be filed on the Land Records to insure that the artist’s studio is not used as a second unit; and
6. That a DPW signoff on the drainage be submitted; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable Coastal Resource and Use Policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be August 25, 2017.

Mr. Witherspoon seconded.

Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson

No one opposed.

No one abstained.

c. #2-17SP/#12-17CAM – Web Construction – 34 Meadow Street – Contractor’s storage yard with rock crushing/ processing facility

***** MR. SCHULMAN MOVED: BE IT RESOLVED** that the applications #2-17 SP / #12-17CAM – WEB Construction, Inc. – 34 Meadow Street – Contractor’s storage yard with a rock crushing / processing facility proposed contractor's storage yard for the owner, WEB Construction Inc. for the property 34 Meadow Street, as shown on the site plans dated 4/20/2017 and revised 5 /19/17 by Landtech Engineering, LLC, Westport, CT and on the architectural plans by ADA Architects dated 4/17/2017 and revised 5 /12/17 be **APPROVED** subject to the following conditions:

1. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
2. That any additional soil sedimentation and erosion controls be installed at the direction of the Staff; 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 the contractor’s yard will only have one (1) contractor operating at any one time; and
5. That all stockpile areas be kept under 20’ in height and be covered at all times in order to prevent any materials from migrating off site; and
6. That the proposed sprinkler system be maintained and kept in good working order; and
7. That the proposed sprinkler system be operated as indicated by the applicant; and
8. That all overhead doors, doors, and windows be closed when the rock crusher is in use; and
9. Prior to obtaining a building permit, the specifics to the HVAC / HEPA system inside of the building, be submitted to the Commission for review and approval; and
10. That a maintenance plan for the HVAC / HEPA system submitted; and
11. That the proposed HEPA system inside of the building be maintained and kept in good working order; and
12. That the proposed rock crushers sprinkler system be maintained and kept in good working order; and
13. That all plantings be maintained and replaced as needed; and
14. That there are no storage containers on site, and
15. That all signage, existing and proposed, comply with the zoning regulations; and
16. That an engineer’s certification of all site improvements, including site drainage, be submitted prior to a certificate of occupancy; and
17. That a stormwater system be maintained per the operations and maintenance plan submitted; and
18. That any graffiti on the site, now or in the future, be removed immediately; and
19. That any horn blowing, idling of trucks, and exhaust discharge be in compliance with Chapter 68 [§68-6 Prohibited Activities] - Noise Ordinance of the City Code of Norwalk; and
20. That any modification by any other agency which requires a substantial change to these plans be submitted to the Zoning Commission for review and approval; and
21. That any proposal to add a dumpster to the site will need an approval by the Zoning Commission; and

22. That the operating hours of the site be 7:00AM – 5:00PM Monday through Friday and Saturday from 8:00 AM to 2:00 PM; and
23. That permits required by the Connecticut Department of Energy and Environmental protection for work done in their jurisdiction be obtained; and

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be August 25, 2017

Mr. Witherspoon seconded.

Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson

No one opposed.

No one abstained.

V. REPORT OF ZONING COMMITTEE

Action on Items III. a., b., c. and d.

Mr. Sumpter announced that since the public hearing was still open, Items III a. b., and c. would be sent back to the Zoning Committee.

- a) #6-17R – Zoning Commission – Proposed amendments to permit medical marijuana dispensaries and medical marijuana producers in certain zones

NOTE: Need 5 votes to approve & override Planning Commission’s recommendation to deny

***** MS. WELLS MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "**#6-17R** - Zoning Commission – Proposed amendments to permit licensed medical marijuana producer or dispensary facility as permitted by the State of Connecticut in certain business and industrial zones" and dated July 6, 2017 be **APPROVED**.

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

- a) To implement the Plan of Conservation and Development to “Encourage diversity in commerce and industry” (A.1.1.2, p. 10); and
- b) Medical Marijuana Dispensaries will be allowed within the Business #1 Zone ONLY; and

BE IT FURTHER RESOLVED that the effective date of this action be October 30, 2017.

Mr. Johnson seconded.

Before the commissioners voted on this item, they all stated their positions on the resolution. Ms. Wells said she would support the application if the dispensaries would be located in the B-1 zone as suggested by the Planning Commission. There was a discussion about the difference in using a Special Permit or Site Plan application. Mr. Stern said that he would approve the application because he believed that the state had set strict regulations. Mr. Schulman said that although he had mixed feelings about the use of medical marijuana because there were not many studies on their efficacy, due to the fact that it was an illegal substance, he would support the Planning Commission’s recommendation for dispensaries. However, he would not support growing facilities in Norwalk, when those regulations would be written. Mr. Witherspoon supported the approval of dispensaries in the B-1 Zone. He also didn’t think that patients should have to travel far for medical marijuana. He did not support growing facilities. Mr. Johnson agreed with Mr. Witherspoon and would like to have a more thorough discussion on growing facilities. Mr. Sumpter reminded them that they would revisit the growing facilities. There was also a discussion about the effective date of the resolution because the moratorium did not expire until October 27, 2017.

Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson
No one opposed.
No one abstained.

b. #X-17SPR - NWMFP Norwalk Town Ctr II/3 Q Property LLC et al - Modify Waypointe Design District Development Park (DDDP) and data accumulation plan to reduce DDDP acreage from 15.56 to 15.26 acres, to increase DDDP density from 814 units to 988 units and to increase sf of development on South Block from 345,632 sf to 519,820 sf and related changes - Report & recommended action

No action was taken on this item.

VI. APPROVAL OF MINUTES: July 19, 2017

**** MR. SCHULMAN MOVED** to approve the Zoning Commission minutes of the meeting on July 19, 2017.

Mr. Witherspoon seconded.
Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson
No one opposed.
No one abstained.

VII. COMMENTS OF DIRECTOR

Mr. Kleppin discussed the initial meeting with the consultant for the Plan of Conservation and Development. They were working on data gathering and outreach. It would ramp up further in the next 4-6 weeks.

VIII. COMMENTS OF COMMISSIONERS

Mr. Schulman asked for the status of the hiring of traffic consultants as well as an architect for architectural and planning services. Mr. Kleppin said that would also eventually send out an RFQ for an acoustical engineer. He explained that these consultants would help with the efficiency of the processing of a large application for a developer. It would also help with the dual reviews by Zoning and the Redevelopment Agency.

IX. ADJOURNMENT

Ms. Wells made a Motion to Adjourn
Mr. Witherspoon seconded.
Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson
No one opposed.
No one abstained.

The meeting was adjourned at 10:11 p.m.

Respectfully submitted,

Diana Palmentiero

**CITY OF NORWALK
ZONING COMMISSION
September 13, 2017**

PRESENT: Nathan Sumpter, Chair; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Richard Roina; Roderick Johnson; Galen Wells

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Atty Liz Suchy; Tom Nelson; Anthony Totilo; Mike Galante; Paul Brodsky; Scott Gilbert; Paxton Kinol; Craig Flaherty; Atty Jackie Kaufman; Kwesi Brown;

I. CALL TO ORDER

Mr. Sumpter called the meeting to order at 7 p.m. and went over the rules of the public hearings.

II. ROLL CALL

Mr. Kleppin called the roll.

III. PUBLIC HEARINGS

a. #3-17SP/#18-17CAM/#2-17MV – Black Bridge Motors LLC – 314 Wilson Ave – Motor vehicle repairer

Atty Suchy began the presentation by handing in the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. She then introduced the project team and continued with a brief overview of the application. She also oriented the commissioners as to the location of the property on an aerial map. She discussed the hours of operation and then The applicant has received all sign-offs except for the State's approval from the Department of Motor Vehicles.

Tom Nelson, the engineer on the project, who explained that there was not much to the plan. There were not many changes to the site. There will be no car washing on the premises and work is done within the building. There should be no effect on coastal resources.

Anthony Totilo, the architect on the project, who discussed the floor plan of the building which included offices, and bathrooms. It is a wide open space and a good space for this business.

Mike Galante, the traffic engineer, who explained the traffic report and how the analysis was done. He noted how many employees were on the property and that there were no accidents in the last 3 years. There would be an insignificant impact on traffic in the area.

Paul Brodsky, 12 Split Rock Rd., had concerns about air pollution, water pollution and noise pollution. He said they would expect the tenants to be a good neighbor. There was a discussion about the possibility of work being done after hours on the property. The applicant agreed to stipulate in the resolution that no work be done after 5 p.m. on Saturday.

Scott Gilbert, the owner, explained the restoration process and the use of water on the property. He also explained that the cars, after the restoration, were sent out to be detailed.

Mr. Sumpter closed the public hearing.

b. #4-17R – NWMFP Norwalk Town Ctr II/3 Q Property LLC – Proposed amendments to revise Design District Development Park (DDDP) criteria for developments in Central Business Design District Subarea B – Continue public hearing from August 16, 2017 and c. #2-17SPR/#14-17CAM – NWMFP Norwalk Town Ctr II/3 Q Property LLC – The Pinnacle @ Waypointe South Block - 467 West Av/17 Butler St/3 Quincy St – New 7 story, 519,820 square foot mixed use development

with 330 dwelling units, 496 seat iPic movie theater (41,604 sf), 12,209 square feet restaurant, 14,046 square feet retail, 23,979 square feet fitness center and 942 space parking garage - Continue public hearing from August 16, 2017 and d. #3-17SPR/#15-17CAM – 6 Butler Properties, LLC – 6 Butler Street – Demolish existing building at 6 Butler Street; Relocate historic building from 3 Quincy Street to 6 Butler Street; demolish a portion of the historic building and rehabilitate remaining portion of historic building for reuse as 7,680 square feet of office - Continue public hearing from August 16, 2017

Mr. Kinol began the presentation by showing the commissioners the revised landscape plan which he said there were minor changes on. He explained the changes to them which included changes would allow the pool to be on the garage. There would be more landscape area and less impervious area. He then showed them several renderings and explained the changes to each one.

Atty Kaufman introduced Craig Flaherty and discussed the landscape plan which was modified due to Department of Public Works (“DPW”) comments.

Mr. Flaherty continued the presentation by showing the commissioners the modified site plans, according to DPW comments. He also explained some further landscape plan changes.

Atty Kaufman explained that OESTA has not made a final recommendation but has received the application. (Check 31:42) They are still awaiting comments from Redevelopment Agency but they do not have them. They hope to have them by October so they can close the public hearing.

Mr. Kinol hoped that the commissioners would not wait 4 months for the Redevelopment Agency’s final review. Mr. Sumpter said they hoped it would not be waiting 4 months but that they would have to make sure the Zoning Commission completed its due diligence. Mr. Schulman said that he had seen some of their comments and that it would be in their best interest to answer the Redevelopment Agency’s comments. There was also a discussion about bike lanes and how the applicant could work with the city on them. There was a discussion about when the hearing would be closed because the commissioners had 65 days after that to vote on it. There was then a discussion of outstanding items. Mr. Kleppin said that they should be able to leave the hearing open until October and then vote on the applications that night. Atty Kaufman gave staff a letter allowing the Zoning Commission to keep the public hearing open.

Mr. Brown, the traffic engineer, continued the presentation by explaining that he would look at the bike lanes and would work with DPW to make a determination about whether they should be placed on West Avenue. Mr. Kleppin said that he had met with DPW earlier in the week and they said they would like to see bikes lanes but are not requiring them at this time. They did not think that it should be difficult to add them later. Mr. Flaherty added that this building was providing additional space which was now parking on the street. It could accommodate bike lanes later.

The public hearing would be continued until October 18, 2017.

IV. REPORT OF PLAN REVIEW COMMITTEE

a. Action on Item III. A

i. #3-17SP/#18-17CAM/#2-17MV – Black Bridge Motors LLC – 314 Wilson Ave – Motor vehicle repairer

There was a discussion about a change to the resolution before it was voted on about the hours of operation.

***** MR. SCHULMAN MOVED: BE IT RESOLVED** that the applications #3-17SP/#18-17CAM/#2-17MV – Black Bridge Motors LLC – 314 Wilson Ave – Motor vehicle repairer and sales for the property 314 Wilson Avenue as shown on the site plans dated 6/30/2017 by McChord Engineering Associates, LLC, Wilton, CT and on the architectural plans dated 5/22/2017 and revised 7/11/17 by Anthony Totilo Architects and Associates, Darien, CT be **APPROVED** subject to the following conditions:

1. That there be no commercial towing / storage operation conducted on the site; and That all repairs be conducted within the building; and
2. That there be no outdoor storage of parts or auto carcasses; and
3. That all vehicles to be repaired and / or restored shall be stored within the building and not outdoors; and
4. That there be no on-street parking of vehicles; and
5. That there be no on-street parking for patrons or employees; and
6. That there shall be parking only in designated spaces as shown on the approved site plan; and
7. That there be no temporary signs erected at the site; and
8. That no off-premise signs are permitted; and
9. That any graffiti on the site, now or in the future, is to be removed immediately; and
10. That all signage, existing and proposed, be in compliance with the Zoning Regulations; and
11. That all required soil sedimentation and erosion controls are in place prior to the start of any construction; and
12. That there are no storage containers on site, and
13. That all signage, existing and proposed, comply with the zoning regulations; and
14. That any graffiti on the site, now or in the future, be removed immediately; and
15. That any horn blowing, idling of trucks, and exhaust discharge be in compliance with Chapter 68 [§68-6 Prohibited Activities] - Noise Ordinance of the City Code of Norwalk; and
16. That any modification by any other agency which requires a substantial change to these plans be submitted to the Zoning Commission for review and approval; and
17. That any proposal to add a dumpster to the site will need an approval by the Zoning Commission; and
18. That the operating hours of the site be 9:00 a.m. to 5 p.m., Monday through Saturday and Sunday be limited to appointments only; and

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 22, 2017.

Mr. Passero seconded.

Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Roderick Johnson; Galen Wells

No one opposed.

No one abstained.

b. #4-17CAM – ServPro – 173 Main Street – Indoor contractors parking facility - Report & recommended action

Mr. Schulman asked whether the applicant's attorney, Atty Suchy, had addressed the commissioners' concerns about the aesthetics of the property. Mr. Wrinn said they were incorporated into the resolution.

***** MR. PASSERO MOVED: BE IT RESOLVED** that the application #4-17SPR, for an indoor contractors parking facility at 173 Main Street for ServePro, as shown on the floor plans by ADA Architects, Norwalk, CT dated 7/11/17 be **APPROVED** with the following conditions:

1. That all equipment, supplies, and vehicles other than personal vehicles of staff be stored indoors at all times; and
2. That, as recommended in the traffic report, stop bars and stop signs be located on the site, at the exit of both Catherine St. and Main St. exits; and
3. That any future tenant seeking to reuse the building as an Indoor Contractors Parking facility apply and receive approval of the Zoning Commission prior to occupancy in order to verify that the future use and traffic load is appropriate for the area; and
4. That all lighting, existing or proposed, be properly shielded and screened to prevent any lighting off the property; and
5. That the large storage containers at the SE end of the building be removed off the property; and
6. That any subtenant occupying the space shown as a separate storage space at the SE end of the

- building receive a tenant fit up and occupancy permit
7. That the large used signbox on the Catherine Street side of the building be removed unless a complying sign utilizing that signbox is proposed prior to occupancy of the building. This is no way prohibits any legally complying signage in the future from being installed on the building; and
 8. That no maintenance work be performed on the vehicles stored in the garage; that all maintenance be performed offsite; and
 9. That all backing maneuvers be done on the property, either inside the building or

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 22, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Roderick Johnson; Galen Wells

No one opposed.

No one abstained.

c. #24-95CAM – Crystal LLC (Grasso) 314 Wilson Avenue – Landscape berm along Village Creek - Report & recommended action

***** MS. WELLS MOVED: BE IT RESOLVED** that the proposal to modify the approved site plan associated with application #24-95CAM SPR – Crystal LLC, for a contractors storage yard at 314 Wilson Avenue to allow the construction of an earthen berm with a rain garden and associated drainage with landscaping above at the eastern side of the property along Village Creek as required by the Department of Energy & Environmental Protection (DEEP) be **APPROVED** with the following conditions:

1. That the berm be constructed in accordance with the plan approved by DEEP, as described in their order of March 28, 2017, as amended (File #LIS-2015-3747-V); and
2. That no parking or storage of any materials is allowed in the area west of the rain garden, a distance of approximately 280 linear feet, from the northern end of the concrete block wall of the material pile to the southern end of the new proposed curbing; and
3. That the trees be properly maintained for the life of the project and any dead trees be replaced immediately;
4. That the proposed White Spruce trees be substituted with a species which is tolerant of salt water spray, with no change in number, size or spacing; and
5. That the surface material between the new curb remain unchanged from the original approval, specifically an asphalt surface in good condition; and
6. That the surface material to the west of the new curb remain unchanged from the original approval, specifically an asphalt surface in good condition; and
7. That this modification for the DEEP approval affects only that limited area and that the original site plan and conditions for the remainder of the site continue in force and remain unchanged.

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 22, 2017.

Mr. Passero seconded.

Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Richard Roina; Roderick Johnson; Galen Wells

No one opposed.

No one abstained.

d. #20-17CAM – Troupe 429 – 3 Wall Street – Live music request - Report & recommended action

***** MS. WELLS MOVED: BE IT RESOLVED** that Coastal Area Management #20-17CAM – Troupe 429 – 3 Wall Street – Live music request music for “Troup429 Bar & Performance Space” and as shown on the highlighted architectural drawing received by the Planning & Zoning Department on August 30, 2017 be **APPROVED** subject to the following conditions:

1. That all recommendations from the sound report be executed; and
2. That all windows and doors be closed during a live music event; and

3. That sound levels be at or below 55 decibels during the day and 45 decibels during the night; and
4. That the live music be confined to the raised stage at the rear of the tavern; and
5. That all signage, existing and proposed, comply with the zoning regulations; and
6. That any graffiti on the site, now or in the future, be removed immediately; and
7. That all needed permits from the applicable City agencies be obtained; 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 September 22, 2017.

Mr. Passero seconded.

Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Richard Roina; Roderick Johnson; Galen Wells

No one opposed.

No one abstained.

e. #7-14SP – 587 Connecticut Storage LLC – 587 CT. Ave – Request for return of maintenance surety- Report & recommended action

***** MR. PASSERO MOVED: BE IT RESOLVED** that the maintenance surety be **APPROVED** to be released on application #7-14 submitted by Connecticut Storage, LLC and 587 CTA, LLC for the location at 587 Connecticut Ave. as all improvements have been completed and maintained; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 22, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Roderick Johnson; Galen Wells

No one opposed.

No one abstained.

f. #10-16SP – Metropolitan Realty Assoc., LLC - 1 Bates Court – New multifamily development with 40 units – Request for one year extension of approval time - Report & recommended action

***** MR. PASSERO MOVED: BE IT RESOLVED** that the request for a (1) year extension of the approval time on application #10-16SP – Metropolitan Realty Associates, LLC, 1 Bates Court, 40 residential units, be **APPROVED**.

BE IT FURTHER RESOLVED that the new deadline is November 25, 2018.

g. #15-13SP/#21-13CAM – Trinity Washington Village Ltd. Prtnrs/City of Norwalk – Raymond, Water & Day Sts. – 193 unit multifamily development – Request to modify approved plans to add new driveway on Water St.; shorten Building C; remove bridges between bldgs.; add compact car pkg spaces & related changes – Report and recommended action

***** MS. WELLS MOVED: BE IT RESOLVED** that the resolution for special permit 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 related plans dated September 19, 2013 and November 22, 2013 as revised to August 10 2017 be **approved**, subject to following conditions:

1. That the original conditions of approval remain in effect; and

2. That all HVAC units shall be screened and located in conformance with the applicable zoning setbacks; and
3. That a mylar of the revised site plan be filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
4. That final sign-offs from Redevelopment and Public Works be submitted prior to the issuance of a zoning permit; 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 September 22, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero; Roderick Johnson; Galen Wells

No one opposed.

No one abstained.

V. REPORT OF ZONING COMMITTEE

a. Action on Items III. b., c. and d. – All of these items were moved back to committee and would be addressed at the next Zoning Commission meeting on October 18, 2017.

NOTE: Need 5 votes to approve and override Planning Commission's denial of proposed amendments

NOTE: Action on zoning amendment must precede action on site plan review/coastal site plan review

b. #X-17SPR - NWMFP Norwalk Town Ctr II/3 Q Property LLC et al - Modify Waypointe Design District Development Park (DDDP) and data accumulation plan to reduce DDDP acreage from 15.56 to 15.26 acres, to increase DDDP density from 814 units to 988 units and to increase sf of development on South Block from 345,632 sf to 519,820 sf and related changes - Report & recommended action

This item was moved back to committee and would be addressed at the next Zoning Commission meeting on October 18, 2017.

VI. APPOINTMENT OF NOMINATING COMMITTEE

Mr. Sumpter asked for volunteers for the committee, to which Mr. Passero said he would like to volunteer. Mr. Sumpter suggested having 5 commissioners on the committee but later realized that there were too many so scaled it back to 3 commissioners. There was a discussion about the fact that not all political party affiliations were being represented on the committee. Mr. Sumpter then appointed Mr. Schulman, Ms. Wells and Mr. Witherspoon.

VII. APPROVAL OF MINUTES: August 16, 2017

**** MR. SCHULMAN MOVED** to approve the Zoning Commission minutes of the meeting on August 16, 2017.

Mr. Witherspoon seconded.

Nate Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Galen Wells; Roderick Johnson

**No one opposed.
Mr. Passero abstained.**

VIII. COMMENTS OF DIRECTOR

There were no comments from the director.

IX. COMMENTS OF COMMISSIONERS

Mr. Schulman thanked the chair for ending the meeting before 8:15 p.m.

Mr. Passero noted that this was the 2nd year in a row that there were no Republicans on the nominating committee for the Zoning Commissioners.

X. ADJOURNMENT

**Mr. Passero made a Motion to Adjourn
Mr. Witherspoon seconded.
Nathan Sumpter; Lou Schulman; Doug Stern; Mike Witherspoon; Joe Passero;
Roderick Johnson; Galen Wells
No one opposed.
No one abstained.**

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Diana Palmentiero

**CITY OF NORWALK
ZONING COMMISSION
October 18, 2017**

PRESENT: Nathan Sumpter, Chair; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

STAFF: Steve Kleppin; Mike Wrinn

OTHERS: Atty. Al Vasko; Patricia Gill; Frank Diurno; Jim Kousidis; Jimmy Dimitrogou; Atty. Joseph Williams; Jim Galella; Patrick O’Leary; David Westmoreland; Fran DiMeglio; Ernie DesRochers; Frank DiNicola; Maglie _____; Atty. Jackie Kaufman; Paxton Kinol; Mike Mushak; Peter Libre

I. CALL TO ORDER

Mr. Sumpter opened the meeting at 7:02 p.m. and discussed the rules of the public hearings.

II. ROLL CALL

Mr. Kleppin took the roll.

III. PUBLIC HEARINGS

a. #7-17SP/#22-17CAM – Third Taxing District – 16 & 18 Rowan St – Construction of storage building for public utility supply & storage facility

Mr. Sumpter opened the public hearing.

Attorney Al Vasko introduced the members of the project team and handed in the certified, return receipt cards evidencing the notice of the public hearing to the abutting neighbors. He then oriented the commissioners as to the location of the property on an aerial map. He described the application to them as well.

Patricia Gill, the architect on the project, who explained the type of structure that it would be by showing them the site plans. It would be used for storage for the equipment. There was a discussion as to why it didn’t have to have access under the Americans with Disabilities Act (“ADA”).

Atty. Vasko continued the presentation regarding storm water drainage systems. He then described the proposed landscaping but he said because of the substation that not many trees could be planted. He then said that he believed the application met all the Zoning regulations.

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

b. #5-17SP/#21-17CAM – Dimitrogou – 198-200 East Ave – 14 unit multifamily development

Mr. Sumpter opened the public hearing. Frank Diurno introduced the project team members. He then explained the application to the commissioners. He showed them the project on site plans, which would be on the rear of the property.

Jim Kousidis, the civil engineer of the property, who continued the presentation by explaining that his firm had prepared the utilities, etc. for the property. He also explained the parking lot, recreation areas. He said that the application had received approvals from various City departments. There was a discussion of the screening with arbor vide on East Avenue. There was a discussion of a sprinkler system which Mr. Passides said was not provided. There was also a discussion of the traffic study which some commissioners felt was questionable.

Jimmy Dimitrogou said that he had spoken to the traffic engineer who was not available to be at this public hearing. He explained how he had broken down the car trips. Mr. Wrinn read from the traffic report, prepared by the applicant’s traffic engineer. There was a discussion about having a right turn only at the site; however, he explained that there are 2 traffic lights which make it easier to come out of the site, without having a right turn only.

There was a discussion about the landscaping plan. Mr. Diurno explained where a fence would

be which would block it from the surrounding neighbors. Mr. Dimitrogou said that he would have to speak with the owner of Dunkin' Donuts to find out where the fence would be placed. There was a discussion of the lighting on the property. Mr. Diurno said that there might be one area where there would be light bleeding off the property.

Mr. Sumpter opened the public hearing to the public for comments. No one spoke for or against the application. Mr. Diurno concluded by explaining the intent of the application which was to provide housing for those looking for more affordable housing near the railroad.

Mr. Sumpter closed the public hearing.

c. #1-17M/#7-17R/#4-17SP - Cumberland Farms, Inc. – 2-4 West Main Street/125-131 Main Street – Proposed change to Building Zone Map from D Residence in part & Business #2 in part to entirely Business #2 zone and d. #7-17R - Cumberland Farms, Inc. – Proposed amendments to Section 118-1010 to remove text regarding a minimum distance of two thousand (2000) feet between gas stations and e. #4-17SP - Cumberland Farms, Inc. – 2-4 West Main Street/125-131 Main Street – New gas station with 6 pump islands and 4,794 sf retail store

Mr. Sumpter opened the public hearing.

Atty. Joseph Williams continued the presentation by explaining that he had provided a copy of the slide presentation. He then introduced the project team and handed in the certified, return receipt cards evidencing the notice of the public hearing to the abutting neighbors. He gave a brief history of Cumberland Farms which started in 1939. The company also donates funds to children's hospitals in the areas that their stores are located. He then gave a brief history of the current location which was built in about 1940. He also explained what would happen to the current location, as well as showed them pictures of what a new location looked like in Milford. He then discussed the current text of the regulations and what was proposed to change. He also discussed the history of the present regulations by discussing the minutes when the original regulations were passed in 1969. It seemed that there were some businesses for the regulations and others were against. It did not seem that any residents spoke at the hearing. He stated 3 reasons to approve the text amendment changes.

Atty. Williams then discussed the zone change by showing the commissioners an aerial view of the property. He then showed the pictures of the current neighborhood. Much of the neighborhood is now residential townhouses. He then showed them pictures of the structures that are currently on the property. He also discussed areas that would be landscaped. He then explained that the applicant would make a donation to an affordable housing fund. He noted that the Planning Commission had denied the applications and why the applicant had shown that it met the requirements of the regulations. He discussed the Plan of Conservation and Development ("POCD") as it related to the application. He noted that all utility wires would be buried underground. He also discussed that the commissioners had received letters of support from neighbors. He also referenced an article from the Norwalk Hour about the healthy choices of food that were offered at the new Milford store.

Jim Galella, the civil engineer on the project, continued the presentation, by showing the commissioners a survey which showed them the combining of the lots. He explained that the current lot was various different zones. He then explained what zones they were proposing and that all the structures on the lots would be demolished. He explained the structures that would be constructed as well as a retaining wall.

There was a discussion about the parking spaces and the truck turning radius. There will be no left turns out of the site, as per the state's Department of Transportation ("DOT"). He also discussed curb cuts and lighting. He then discussed the landscaping plan in detail. He discussed the new sidewalks that would be installed. Utilizes would be located underground. There would be a public school bus stop as well as public bus stop at their location. He also discussed the drainage report which the Department of Public Works ("DPW") said was "acceptable." The applicant is decreasing impervious areas. He also discussed the signage on the properties. He then discussed the building itself by showing them the proposed facility.

There was a discussion about the additional parking. He showed them how the fuel trucks would enter and exit the site, as well as where the deliveries would be made. Peter Yasky addressed concerns

about parking along West Main Street. He said that he had spoken with the Chief of Police but suggested that the applicant should speak with the Norwalk Parking Authority which they had not done as of this public hearing.

Patrick O'Leary, the traffic engineer on the project, to explain how the study was completed. He noted that traffic counts had gone down over the last 10 years, according to the DOT. He also discussed the trip generation as well as the level of service at the site. He addressed some parking spaces that were on West Main Street. He did not think that they were actually not being used at this time. They had received preliminary analysis from the DOT. He said this area was not a viable cut through route. They would put up signage to encourage drivers how to get to other roadways and not go into the neighborhood. There was a discussion as to the applicant mitigating traffic and affecting levels of service.

Atty. Williams summarized the application and noted that it met all Zoning requirements. Mr. Sumpter opened the hearing to the public for comments.

David Westmoreland spoke as an individual but noted that he was the Chair of the Historical Commission. He noted that the Zoning application was filed but that there was no notification to the Historical Commission since historical structures would potentially be demolished by this project. He noted that there are other parts of the POCD which were not being addressed especially those that said that historical structures should be preserved. He also noted that sometimes developers buy properties and then let the structures fall into disrepair. He asked for time to research the properties. He is concerned about the commercialization of this area. He thought that the neighbors should be concerned about parking being taken away from the area. He asked that the public hearing be continued for further public comment.

Fran DiMeglio, Chair of the Planning Commission, spoke about why the Planning Commission denied the application. She said that the Planning Commissioners thought that it did not meet the requirements POCD. She felt that it was being "dropped" into the neighborhood. It did not fit into the neighborhood because trucks would be coming into the neighborhood for gas.

Ernie DesRochers spoke in support of the application. He also was a Zoning Commissioner a few years ago. He explained why the application should be approved. If it was not approved, a more intensive use could be constructed on the property.

Frank DiNicola spoke in support of the application but he did have a concern about the traffic entering and exiting onto Main Street.

Maglie _____, West Main Street, spoke against the application. She was concerned about there being a school bus stop at the Cumberland. She was also concerned about parking and the traffic. She asked them to be concerned about the people that lived in the neighborhood.

Atty. Williams asked whether the Zoning Commission would like to address the concerns this evening or would the applicant would be asked back. He said that the structures on the property could be moved to another site, if residents would like to do that. He was not aware of the structures being historical. He noted that Cumberland Farms was leasing the property. The applicant would be open to the structures being moved. He also noted that other properties had been looked at around the city but that this was the best site. It would be an aesthetic improvement.

There was a discussion about tractor trailers being maneuvered on the site to deliver fuel. There was a discussion of the times of the deliveries of gas and groceries. Augie Vulcans discussed the types of trucks that would be used to deliver, which are 18 wheelers. He said there are no deliveries during school bus pickups and drop-offs. Atty Williams said that the applicant could commit to deliveries being in off-peak traffic times.

There was a discussion about whether to continue the public hearing. Mr. Schulman asked for it to be continued, Mr. Roina agreed. Mr. Passero did not agree to continue it. Ms. Wells thought it was a thorough presentation and could vote on it but would not mind holding it open. Mr. Johnson agreed. Mr. Witherspoon and Mr. Sumpter agreed to hold it open. Some commissioners wanted further clarification of some issues, including parking. It was decided that the public hearing would be continued to the Commission's next regular meeting on Wednesday November 15, 2017. Mr. Witherspoon read the denials from the Planning Commission into the record.

f. #8-17R – Wall Street Theater Company, Inc –Proposed amendments to Article 121 to revise Signs in Central Business Design District to permit marquee signs with digital changeable copy and related technical amendments and g. #6-17SPR – Wall Street Theater Company, Inc – 71 Wall Street - Add new marquee sign with two digital panels and a new projecting sign to façade of the Wall Street Theater

Before the applicant began, Mr. Sumpter called for a 5 minute recess. The meeting resumed at 9:31 p.m. and Mr. Sumpter opened the public hearing.

Atty. Jackie Kaufman began the presentation by introducing those on project team and handed in the certified, return receipt cards evidencing the notice of the public hearing to the abutting neighbors. She noted that there was a booklet that was passed out so that the commissioners could follow along with her presentation. She then oriented the commissioners as to the location of the property on an aerial map. She also described the property. She explained that many people did not realize that the theater was open because there is no signage. She explained the history of the property and showed them some historical photos. No one is sure when the marquis sign was removed. She then explained what the applicant was requesting for the signage. She explained the changeable, lighted copy and when it was proposed to be on. She noted the letters of approval that the applicant had received, including from the Historical Society.

Mr. Schulman noted that the signs had been fabricated before this application had been approved. Atty. Kaufman noted that the applicant had thought these signs would have been an over the counter permit but were then made aware that they would have to submit an application to the Zoning Commission. In the future, Mr. Schulman did not think that this was a good practice.

Mr. Sumpter asked if the applicant could move to public comment. No one spoke in favor or against the application. Atty. Kaufman added a couple of letters in support to the record. Mr. Witherspoon read the approval from the Planning Commission. Atty. Kaufman asked that the effective date be immediate so that the applicant could process the historical credits. Mr. Wrinn said that it would have to be published first and then it would be effective. Mr. Sumpter closed the public hearing.

h. #4-17R – NWMFP Norwalk Town Ctr II/3 Q Property LLC – Proposed amendments to revise Design District Development Park (DDDP) criteria for developments in Central Business Design District Subarea B – Continue public hearing from September 13, 2017 and i. #2-17SPR/#14-17CAM – NWMFP Norwalk Town Ctr II/3 Q Property LLC – The Pinnacle @ Waypointe South Block - 467 West Av/17 Butler St/3 Quincy St – New 7 story, 519,820 square foot mixed use development with 330 dwelling units, 496 seat iPic movie theater (41,604 sf), 12,209 square feet restaurant, 14,046 sf retail, 23,979 sf fitness center and 942 sp pkg garage - Continue public hearing from Sept 13, 2017 and j. #3-17SPR/#15-17CAM – 6 Butler Properties, LLC – 6 Butler St – Demolish existing building at 6 Butler St; Relocate historic building from 3 Quincy St to 6 Butler St; demolish portion of historic bldg and rehabilitate remaining portion of historic bldg for reuse as 7,680 sf of office - Continue public hrg from Sept 13, 2017

Mr. Sumpter noted that these amendments would be heard together. Atty Kaufman introduced the project team and then reminded the commissioners of the proposed applications.

Mr. Kinol noted that the Redevelopment Agency had recently approved the plans. He then showed them the changes the Redevelopment Agency requested which included windows which could display art in the movie theater, and changes to the façade. Windows would be clear to be able to bring the inside out. There would also be a fountain in the area. There was a discussion about the iPic entrance. Mr. Schulman thought that some areas did not focus on West Avenue. He was concerned that one could not see anything from West Avenue. There was a discussion about the recent application for changes to the sign manual.

Atty. Kaufman discussed the text amendments which would include personal services establishments. She noted why the applicant thought this would be a good inclusion. There was a discussion of the bike lanes. She also noted that there would be parking spaces on West Avenue and the developer could eventually put bike lanes. Mr. Kinol said that they would add bike lanes or parking spaces, whichever the city wanted. Atty Kaufman said that she was providing copies of the Workforce

Housing Plan to the commissioners and that they were evenly spread out through the buildings.

Mike Mushak said he was speaking as a private citizen. He had concerns about the parking on this street. He made a request for a change which would not remove parking on the street so that the applicant did not have to come before the Zoning Commission again later. He also noted that research said there was a 20% increase in retail sales where there are bike lanes. Craig Flaherty explained some calculations which agreed with Mr. Mushak's comments.

Peter Libre spoke in support of the bike lanes. He was an ophthalmologist who noted that many people were getting cataracts younger because of unhealthy lifestyles. He discussed the bike lanes in NYC. He also noted that eventually West Avenue could not have all the cars on it that are projected in the next 10 years.

Atty. Kaufman said that she did not have a rebuttal. Mr. Kinol asked if the commissioners could vote on this item so that he could complete his financing.

k. Proposed amendments to By-Laws and Rules of Procedure Zoning Commission

Mr. Sumpter opened the public hearing. Mr. Kleppin explained why these amendments were being recommended. Duplication of items as well as clarification of the election process.

No one spoke for or against the amendments. Mr. Sumpter closed the public hearing.

IV. REPORT OF PLAN REVIEW COMMITTEE

a. Action on Item III. a. and b.

i. #7-17SP/#22-17CAM – Third Taxing District – 16 & 18 Rowan St – Construction of storage building for public utility supply & storage facility

***** MR. JOHNSON MOVED: BE IT RESOLVED** that application #7-17SP/#22-17CAM, submitted by the Third Taxing District of Norwalk, or a new 4,500 sf storage facility for electrical equipment and supplies at #16-18 Rowan Street, as shown on plans by Gill and Gill Architects, 39 Wall Street, Norwalk, CT dated July 13, 2017, as amended be **APPROVED** with the following conditions:

1. That any additional required soil erosion and sedimentation controls be installed at the direction of the Zoning Commission staff; and
2. That all required soil erosion and sedimentation controls be installed prior to the start of any construction at the site; and
3. That no backing into the building from Rowan Street is allowed; and
4. That all required CEAC signoffs are submitted prior to the issuance of a zoning approval; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable coastal area management policies; a and

BE IT FURTHER RESOLVED that this application complies with the Neighbor Business Zone regulations and with applicable sections of the Building Zone Regulations for the City of Norwalk, as amended; and

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

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

Mr. Schulman seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

ii. #5-17SP/#21-17CAM – Dimitrogou – 198-200 East Ave – 14 unit multifamily development

***** MR. JOHNSON MOVED: BE IT RESOLVED** that application #5-17SP/#21-17CAM – Dimitrogou – 198-200 East Ave – 14 unit multi-family development, and as shown on combination map dated 12/2/2016 by Shevlin Land Surveying, LLC (Fairfield, CT), Michael S. Shevlin, Jr., CT. LIC. 70339; and on the engineering plans by Kousidis Engineering (Westport, CT), dated 8/17/2017 and revised to 9/27/2017 and the architectural plans by Balance Architecture (Norwalk, CT) dated 8/17/2017 and revised to 9/25/2017 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 if there is a proposed dumpster outside that it be locked and properly screened; and
7. That the hours of garbage pick-up be no earlier than 7 a.m. and no later than 7 p.m. and that any deliveries be no earlier than 8 a.m. and no later than 6 p.m.; and
8. That all signage, existing and proposed, comply with the zoning regulations; and
9. That an engineer's certification be submitted prior to a certificate of occupancy; and
10. That a stormwater system maintenance plan be submitted and that any proposed system be properly maintained; and
11. That any changes to the plan be reviewed and approved prior to those changes being implemented; and
12. That any graffiti on the site, now or in the future, be removed immediately; and
13. That all HVAC units shall be located in conformance with the applicable zoning setbacks; and
14. That any sidewalks to be replaced be a full 5' clearance from any obstruction; and

BE IT FURTHER RESOLVED that the proposal complies with the applicable sections of the Norwalk Building Zone Regulations, specifically Sections 118-510, "Neighborhood Business Zone," and 118-1450 Special Permit and 118-1110 Coastal Zone ; 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 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 October 27, 2017.

Mr. Passero seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

b. #15-15SP – 150/166/170 Glover LLC – 166 Glover Av (now 200 Glover Av) – Grist Mill Village Bldg B - 230 unit Commercial PRD – Request for 1 year extension of approval time - Report & recommended action

***** MR. PASSERO MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for special permit application #15-15SP - 150/166/170 Glover, LLC – **166 Glover Avenue Building B** – 230 unit Commercial Planned Residential Development and related site improvements as shown on

a certain set of plans entitled "Grist Mill Village **Building B**: Special Permit Approval" by Svigals + Partners Architects, Environmental Land Solutions, LLC and Tighe and Bond Engineers, dated September 17, 2015 as revised to December 9, 2015 and related site plans and drawings, 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 **January 29, 2019**;

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

c. #16-15SP – 150/166/170 Glover LLC – 174 Glover Ave (now 200 Glover Av) – Grist Mill Village Bldg C - 250 unit Commercial PRD – Request for 1 year extension of approval time - Report & recommended action

***** MR. PASSERO MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for special permit application #16-15SP - 150/166/170 Glover, LLC – **170 - 174 Glover Avenue Building C** – 250 unit Commercial Planned Residential Development and related site improvements as shown on a certain set of plans entitled "Grist Mill Village **Building C**: Special Permit Approval" by Svigals + Partners Architects, Environmental Land Solutions, LLC and Tighe and Bond Engineers, dated September 17, 2015 as revised to December 9, 2015 and related site plans and drawings, 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 **January 29, 2019**; and

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

d. #6-13SP/#10-13CAM – G. Ely & Sons Inc. 71-75 Rowayton Ave – 8 unit multifamily development – Request for release of maintenance surety - Report & recommended action

***** MR. PASSERO MOVED: BE IT RESOLVED** that the maintenance surety be **APPROVED** to be released on application #6-13SP/#10-13CAM submitted by R. Grosvenor Ely & Sons, Inc. for the location at 71 & 77 Rowayton Avenue as all improvements have been completed and maintained; and

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

e. #10-15SPR – Chick-Fil-A – 467 Connecticut Av – Modification to add additional parking on land leased from the State - Report & recommended action

***** MR. PASSERO MOVED: BE IT RESOLVED** that application #10-15SPR, Tucker Management, LLC for 2 individual buildings at 467 Connecticut Avenue/Rampart Road, consisting of a 2 story Chick-Fil-A restaurant with a drive up service window and a separate 2 story 10,000 SF retail furniture building, have condition #10, which stated no access to the State of Connecticut property along

I-95 through this parcel be replaced with a new condition #10, to read as follows:

1. That access to vehicle parking on the State of Connecticut property is allowed, based on a lease being in place and that no parking for commercial or construction vehicles occur on the leased parcel and that approval from the Conservation Dept. is obtained for the change;

BE IT FURTHER RESOLVED that the effective date of this approval shall be October 27, 2017.

Mr. Witherspoon seconded.

**Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero;
Richard Roina; Galen Wells**

No one opposed.

No one abstained.

V. REPORT OF ZONING COMMITTEE

a. **Action on Items III. c., d., e., f., g., h., i., j., and k.**

NOTE: Need 5 votes to approve and override Planning Commission's denial of proposed amendments

NOTE: Action on zoning amendment must precede action on site plan review/coastal site plan review

i. **#1-17M Cumberland Farms, Inc. – 2-4 West Main Street/125-131 Main Street – Proposed change to Building Zone Map from D Residence in part & Business #2 in part to entirely Business #2 zone and #7-17R#7-17R - Cumberland Farms, Inc. – Proposed amendments to Section 118-1010 to remove text regarding a minimum distance of two thousand (2000) feet between gas stations and iii. #4-17SP - Cumberland Farms, Inc. – 2-4 West Main Street/125-131 Main Street – New gas station with 6 pump islands and 4,794 sf retail store**

The public hearing on these three items was continued to the November 15, 2017 Zoning Commission meeting.

#8-17R – Wall Street Theater Company, Inc – Proposed amendments to Article 121 to revise Signs in Central Business Design District to permit marquee signs with digital changeable copy and related technical amendments

***** MS. WELLS MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "**#8-17R – Wall Street Theater Company, Inc – Proposed amendments to Article 121 Sign Regulations to revise Signs in Central Business Design District to permit marquee signs with digital changeable copy and related technical amendments**" and dated August 28, 2017 to allow a marquee sign with digital changeable copy (automatic) and a projecting sign on a theater located in CBDD Subarea A, be **APPROVED**;

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

1. To implement the Plan of Conservation & Development to "Continue to review and improve sign regulations" (F.4.1.4, p.43); and
2. That it is recommended by the Planning Commission that the zoning commission require a condition that the lighting intensity of the automatic changeable copy sign follow industry standards in regards to glare and brightness and be equipped with mechanism to automatically adjust the brightness based on the environmental conditions of the moment, to be monitored by the Zoning Officer; and
3. It is further recommended that the automatic changeable copy sign be turned off 1 (one) hour after the close of the establishment.

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

Mr. Witherspoon seconded.

**Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero;
Richard Roina; Galen Wells**

**No one opposed.
No one abstained.**

v. #6-17SPR – Wall Street Theater Company, Inc – 71 Wall Street - Add new marquee sign with two digital panels and a new projecting sign to façade of the Wall Street Theater

***** MS. WELLS MOVED: BE IT RESOLVED** that site plan application #6-17SPR submitted by the Wall Street Theater Company to add a new marquee sign with two digital panels and a new projecting sign to the façade of the Wall Street Theater as shown on a set of plans entitled "Wall Street Theater 71 Wall Street Norwalk, CT." prepared by ABC3i.com and dated August 22, 2017 and related submissions be approved, subject to the following conditions:

1. That any required CEAC signoffs be submitted prior to the start of construction; and
2. That any graffiti on the site, now or in the future, be immediately removed; and
3. That the lighting intensity of the automatic changeable copy sign follow industry standards in regards to glare and brightness and be equipped with mechanism to automatically adjust the brightness based on the environmental conditions of the moment, to be monitored by the Zoning Officer; and
4. That the automatic changeable copy sign be turned off 1 (one) hour after the close of the establishment.
5. That *any* modifications to the approved plans, including any changes to the approved uses, be submitted to the Zoning Commission for review and approval; and
6. That this approval includes only the signs shown on the submitted plans and that any additional signs be submitted to the Zoning Commission for review and approval prior to installation; 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 Section 118-504 Central Business Design District, Section 118-1295 I. Signs in Central Business Design District and related sign regulations 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 October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

#4-17R – NWMFP Norwalk Town Ctr II/3 Q Property LLC – Proposed amendments to revise Design District Development Park (DDDP) criteria for developments in Central Business Design District Subarea B – Continue public hearing from September 13, 2017

NOTE: Need 5 votes to approve and override Planning Commission's recommendation to deny

***** MR. JOHNSON MOVED: BE IT RESOLVED** that the proposed amendments to the Building Zone Regulations as shown on a certain document entitled "**#4-17R – NW MFP Norwalk Town Center II, LLC – Proposed amendments to Section 118-504 to revise Design District Development Park (DDDP) criteria for developments in Central Business Design District Subarea B and related technical amendments**" and dated May 18, 2017 **as modified October 18, 2017 to retain the word "active"**, be approved; and

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

- 1) To implement the Plan of Conservation and Development to "Create an engaging urban landscape and architectural setting in the West Avenue area through the adoption and implementation of West Avenue planning, as amended" (F.4.1.10, p. 44); and
- 2) To implement the Plan of Conservation and Development to "Advance current redevelopment plans" (A.6.2, p. 13)
- 3) To implement the Plan of Conservation and Development to "Strengthen the character of neighborhoods and commercial areas and improve the quality of architectural design" (F.4.1, p. 43); and

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

#2-17SPR/#14-17CAM – NWMFP Norwalk Town Ctr II/3 Q Property LLC – The Pinnacle @ Waypointe South Block - 467 West Av/17 Butler St/3 Quincy St – New 7 story, 519,820 square foot mixed use development with 330 dwelling units, 496 seat iPic movie theater (41,604 sf), 12,209 square feet restaurant, 14,046 sf retail, 23,979 sf fitness center and 942 sp pkg garage - Continue public hearing from Sept 13, 2017

***** MS. WELLS MOVED: BE IT RESOLVED** that site plan application #2-17SPR and coastal site plan application #14-17CAM - NW MFP Norwalk Town Center II, LLC & 3Q Property LLC – 467 West Avenue/17 Butler Street/3 Quincy Street (Waypointe South Block) – New 7 story, 519,820 sf mixed use development with 496 seat iPic theater, **0 sf retail, 22,509 sf restaurant**, 3,602 sf office, 23,979 sf fitness center and 330 multifamily dwelling units with new public amenities to permit one (1) additional story and 4 feet inches bonus height and 153,754 sf bonus floor area with 942 space parking garage within a Design District Development Park as shown on a set of plans entitled "The Pinnacle at Waypointe Norwalk CT." by Redniss and Mead and various related plans by Penney Design Group and Didona Associates Landscape Architects, LLC, dated July 21, 2017 **as revised to October 9, 2017, be APPROVED**, subject to the following conditions:

1. That revised Waypointe Design District Development Park (DDDP) master plan as shown on a plan entitled "Data Accumulation Plan depicting property surveys within Waypointe Design District Development Park Norwalk CT." dated revised to **October 17, 2017** to permit shared parking between parcels and increases in permitted FAR, coverage and density shall be submitted for Corporation Counsel review and then filed on the Norwalk Land Records prior to the issuance of a final certificate of zoning compliance (CZC); and
2. That a final Workforce Housing Plan showing a total of thirty three (33) workforce housing units shall be submitted for Commission review and approval and shall include deed restriction documents, architectural floor plans and a breakdown of the number of studios, one bedroom, two bedroom and three bedroom workforce housing units; the final Plan shall be submitted for Corporation Counsel review prior to filing on the Norwalk Land Records. All such workforce housing units be deed restricted in perpetuity and meet all requirements of Section 118-1050 Workforce Housing regulations; and
3. 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
4. That all traffic improvements, including improvements, including those 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
5. That a final Covenant Regarding Amenities and Bonus Amenities Exhibit showing wider sidewalks and a through block arcade which ensures the continuous operation and maintenance of each of the public amenities, including 18,737 sq. ft. of wider sidewalks and a 14,535 sq. ft. through block arcade as shown on a Bonus Amenity Exhibit dated July 21, 2017 and on related plans by Redniss & Mead, and that such amenities shall run with the land in perpetuity, shall be submitted for Corporation Counsel review and then filed on the Norwalk Land Records prior to the issuance of a final Certificate of Zoning Compliance (CZC); and
6. That all CEAC signoffs shall be submitted prior to the start of construction; and
7. That the storm water maintenance plan, including the annual maintenance schedule, be made a part of this approval to verify that the proposed subsurface infiltration system is properly maintained; and
8. That all soil and erosion controls be installed 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
9. That any graffiti on the site, now or in the future, be immediately removed; and

10. Pedestrian level windows shall remain at least 80% opaque, provided that is consistent with the design review approved by the Norwalk Redevelopment Agency and does not pose privacy issues for the tenant(s).
11. 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
12. That all site improvements shown on the above-referenced plans are the applicant's responsibility including flush paver crosswalks, granite curbs, moveable furniture and any street improvement upgrades; and
13. That the landscape plan be revised to show decorative pavers on the crosswalk connecting the south block to the Stepping Stones Museum for Children and made part of this approval; and
14. That a shuttle bus service from the site to the train station be provided seven (7) days per week during AM and PM peak hours for at least one (1) year from the date of issuance of a certificate of zoning compliance (CZC); and
15. A modified site plan shall be submitted to the Planning and Zoning Department for review, prior to obtaining any zoning permits for this project, which indicates a seventy (70) foot wide road clearance on West Avenue, containing the 1) existing travel lanes; 2) existing on-street parking on the west side of West Avenue; 3) on-street parking as proposed by the applicant; and 4) five (5) foot wide bike lanes on both the east and west sides of West Avenue, in order to confirm that the components contained in this paragraph and their respective dimensional standards are feasible.
16. Sidewalk widths may be reduced to thirteen (13) feet from the proposed fifteen (15) feet, in order to accommodate future bike lanes on West Avenue, provided the combined amenity space of the revised sidewalk area and the proposed through-block arcade justify the amenity bonus' requested by the applicant.
17. That the idling of delivery vehicles on site shall be prohibited. The property owner will inform vehicle operators of this prohibition by posting the appropriate language in designated delivery areas; and
18. That any modifications to the approved plans, including any reduction in active area contained in the Zoning Information Table dated 12/20/16, revised through 10/17/17, be submitted to the Zoning Commission for review and approval.

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

BE IT FURTHER RESOLVED that this application complies with Section 118-504 Central Business Design District, for a Design District Development Park in Subarea B, 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 October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

#3-17SPR/#15-17CAM – 6 Butler Properties, LLC – 6 Butler St – Demolish existing building at 6 Butler St; Relocate historic building from 3 Quincy St to 6 Butler St; demolish portion of historic bldg and rehabilitate remaining portion of historic bldg for reuse as 7,680 sf of office - Continue public hrg from Sept 13, 2017

***** MR. PASSERO MOVED: BE IT RESOLVED** that site plan review application **#3-17SPR/#15-17CAM** - 6 Butler Properties, LLC – 6 Butler Street – New 7,680 sf office building as shown on a set of plans entitled "Zoning Site Plan depicting 6 Butler Street Norwalk, CT" prepared for 6 Butler Properties, LLC by Redniss and Mead Engineers and Didona Associates Landscape Architects and dated May 17, 2017 **as revised to October 9, 2017**, be **approved**, subject to the following conditions:

1. That any modifications to the approved plans be submitted to the Zoning Commission for review and approval; and
2. That the stormwater maintenance plan, including the annual maintenance schedule, be made a part of this approval to verify that the proposed subsurface infiltration system is properly maintained; and

3. That all soil and erosion controls be installed 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
4. 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
5. 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 prior to the issuance of a final certificate of zoning compliance (CZC); and
6. That all CEAC signoffs be submitted prior to the start of construction; and

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

BE IT FURTHER RESOLVED that this application complies with Section 118-504 Central Business Design District, for a Design District Development Park in Subarea B 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 October 27, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

Proposed amendments to By-Laws and Rules of Procedure Zoning Commission

***** MR. SCHULMAN MOVED: BE IT RESOLVED** that the proposed amendments to the By Laws and Rules of Procedure for the Norwalk Zoning Commission as shown on a certain document entitled "By-Laws and Rules of Procedure Zoning Commission Norwalk, CT" and dated November 15, 2017", be **APPROVED**.

BE IT FURTHER APPROVED that the effective date of this action be January 1, 2018.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

b. #X-17SPR - NWMFP Norwalk Town Ctr II/3 Q Property LLC et al - Modify Waypointe Design District Development Park (DDDP) and data accumulation plan to reduce DDDP acreage from 15.56 to 15.26 acres, to increase DDDP density from 814 units to 988 units and to increase sf of development on South Block from 345,632 sf to 519,820 sf and related changes - Report & recommended action

***** MS. WELLS MOVED: BE IT RESOLVED** that the request to revise the Waypointe Design District Development Park as noted below and to adopt a new master plan for the Waypointe Design District Development Park (DDDP) as shown on a plan entitled "Data Accumulation Plan depicting property surveys within Waypointe Design District Development Park Norwalk CT" dated July 21, 2017 **as revised October 17, 2017** and related plans by Redniss and Mead Engineers, Penney Design Group, Gooding Architecture, Didona Associates Landscape Architects, LLC et al for each Block within the 15.26 acre DDDP, be **APPROVED**, subject to the following revised conditions:

- 1) That any modifications to the blocks and/or parcels within the Design District Development Park requires review and approval by the Commission; and

BE IT FURTHER RESOLVED that this application complies with Section 118-504 Central Business Design District, for a Design District Development Park in Subarea B and with applicable sections of the Building Zone Regulations for the City of Norwalk, as amended.

BE IT FURTHER RESOLVED that the effective date of this action be October 27, 2017.

VI. REPORT OF NOMINATING COMMITTEE: Election of Officers

Mr. Schulman, who was appointed to the Nominating Committee, said that they had met and discussed the Zoning Commission. All three members believed that the Zoning Commission was operating well and that everyone was comfortable with one another. He then said that they recommended Nathan Sumpter for Chair, Louis Schulman as Vice Chair and Mike Witherspoon as Secretary. He added that they agreed that the following year they should give others the opportunity to lead. There were no nominations from the floor.

MR. SCHULMAN MOVED to nominate Nathan Sumpter, Chairman, Louis Schulman, Vice Chair and Michael Witherspoon, Secretary

Mr. Passero seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

VII. APPROVAL OF MINUTES: September 13, 2017

**** MR. PASSERO MOVED** to approve the Zoning Commission minutes of the meeting on September 13, 2017.

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

VIII. COMMENTS OF DIRECTOR

Mr. Kleppin had no comments.

IX. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

X. ADJOURNMENT

Mr. Passero made a Motion to Adjourn

Mr. Witherspoon seconded.

Nathan Sumpter; Mike Witherspoon; Rod Johnson, Louis Schulman; Joseph Passero; Richard Roina; Galen Wells

No one opposed.

No one abstained.

The meeting was adjourned at 11:01 p.m.

Respectfully submitted,

Diana Palmentiero