

**CITY OF NORWALK
ZONING COMMISSION
September 17, 2014**

PRESENT: Emily Wilson, acting as Chair; Jill Jacobson; Nora King; Adam Blank; Mike O'Reilly; Nathan Sumpter; Linda Kruk (arrived after the roll call)

STAFF: Michael Greene; Mike Wrinn; Dori Wilson

OTHERS: Atty. Liz Suchy; Craig Flaherty; Lori Hall; Keith Beaver; Kwesi Brown; Paxton Kinol; Atty. Christopher Smith; Guy Mazzola; Matt Brown; Mike Galante; Atty. Joseph Capalbo; Kane Winn; Mary "Missy" Conrad; Robert Townes; Diane Lauricella

I. CALL TO ORDER

Emily Wilson called the meeting to order at 7:31.

II. ROLL CALL

Mr. Greene took the roll call.

III. PUBLIC HEARINGS

a. #4-14R - NW MFP Norwalk Town Ctr LLC & 3Q Property LLC –Proposed amendments to revise CBDD residential setbacks to require only when residential use in residence zone and b. #8-14SPR/#9-14CAM - NW MFP Norwalk Town Ctr LLC/3Q Property LLC – 17 Butler St/3 Quincy St (South Block) – New 130,280 sf mixed use development with 54,250 sf retail, 3,229 sf restaurant, 11,441 sf gym and 620 seat theater and expand existing below grade parking garage to 150 parking spaces c. #9-14SPR/#10-14CAM - NW MFP Norwalk Town Ctr LLC/3Q Property LLC – 467 West Av (South Block) – Retain existing 18,193 square foot building with retail and restaurant uses and add new below grade parking garage to increase parking to 324 spaces

Emily Wilson opened the public hearing. Atty Suchy began the presentation by asking that all of the applications be heard as one public hearing, rather than 3 separate hearings. The record for one could be used for all of them. She also handed in the certified, return receipts evidencing notification of the public hearing. She then made introductions of all the experts that would be speaking during the presentation. Atty Suchy explained the history of the Waypointe development in the last few years. She then discussed the proposed text amendment. She then briefly discussed the site plans.

Craig Flaherty, the civil engineer on the property, continued the presentation. He explained that the Loehmann's building would be demolished. He described some curb cuts on Quincy Street. He said that the infrastructure and water quality will improve on the site. He explained and showed an inspiration picture for something similar to what they would do near Stepping Stones Museum. There was a discussion about the entrances of the parking lot to the stores. There was also a discussion about the size of the sidewalks as well as the church. Mr. Flaherty said they would provide new landscaping for it.

Ms. King asked Mr. Greene about a study done in 2012 which recommended that sidewalks be 15 ft. Since the city had not yet made that a requirement, Atty Suchy said that the applicant would follow the requirements at the time the application was filed. Mr. Greene said that the application was in the Redevelopment Agency's offices for review. They had conducted the study so they would have to effectuate the standards in the study. Mr. Flaherty said that their application was complete and that had all of their sign-offs. They did not agree that their sidewalks were inappropriate for the project.

There was a discussion about the shuttle buses running on weekends to help the retail stores. It would depend upon demand and if they could fund it.

Lori Hall, the architect on the project, continued the presentation. She said that this building was similar to the buildings in the other parts of the projects. She explained the various retail including the movie theater and restaurant. She showed the commissioners the different renderings of the project. She also showed them the materials board.

Keith Beaver, the landscape architect, continued the presentation. He said the project was designed to be cohesive with the other blocks that were developed by the applicant. He explained the pavers and the trees that would be used. There will be trees to help shade the loading areas. There will be trees on the islands in the parking lot.

There was a discussion about the carpet store that was adjacent to the property especially about whether the staff could ask the owner to improve the property.

Kwesi Brown, the traffic engineer, continued the presentation. He described the four intersections that they studied as well as how and when the study was conducted. They used the same growth rates that they used on previous Waypointe projects. He explained what the different levels of service were. He explained that some of the intersections would need improvements which would include timing changes of the traffic signals. A level of service D is still considered acceptable. They have also sent an application to the state for review. Mr. Brown noted they would have to go to the city to make changes to the traffic signals.

Emily Wilson asked if there were any members of the public that wanted to speak. No one spoke in support or against the application.

Atty Suchy then closed her presentation. Paxton Kinol made a statement about the traffic signals. He said that they had recently been replaced by the state. He understood the commissioners' concerns. He also told the commissioners about some properties they would be purchasing. With regard to one of them, he addressed the concerns about the sidewalks. He told them that they would be constructing a building which would be their offices. Since they would be walking there, they were very concerned about the sidewalks. There was a discussion about the concept of sidewalk widths needed for various types of streets A, B and C streets. Mr. Kinol said that sidewalk widths on C streets should not have to meet the same standard as A streets. He also said that his company intended to stay in Norwalk. There was a discussion about a shuttle service to and from the train station on weekends. Mr. Blank said he would recommend making it a condition of approval. There was also a discussion about the Container Store especially since they treat their employees well. There was another discussion about the sidewalks. Mr. Kinol described what sidewalks were being constructed and where.

At this point, Ms. Jacobson read 2 referral letters into the record, one from the Planning Commission and the other from Coastal Area Management. Mr. O'Reilly still had some concerns about the traffic which Atty Suchy then explained how the timing changes would help alleviate it. Mr. Blank reminded everyone that the area would be congested but not in a bad way. There was a discussion about how the timing changes would be handled.

Dori Wilson said that two letters of support were already part of the application. Emily Wilson closed the public hearing.

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

Emily Wilson opened the public hearing. Atty Smith began the presentation by handing in the certified, return receipts evidencing notification of the public hearing, as well

as the receipt for payment for the newspaper publication. He made introductions of those that would be presenting. He then oriented the commissioners as to the location of the property as well as other neighboring businesses by showing them an aerial view of the AMEC transfer station. He explained the difference between municipal solid waste ("MSW") and construction and demolition (C&D") waste. He asked that the record from the appeal be incorporated as a part of this record. He described exhibits that were presented as exhibits. He then gave a brief overview of the history of the property. After that, he described the new application which included allowing AMEC to increase its tonnage, open the transfer station to the public and then complete a traffic study to see the effects on the area.

There was a discussion about the trench drains. The work had to be approved by the Department of Public Works which did not think that the applicant had approval from the Planning and Zoning Department ("P&Z"). However, they did have approval under the resolution in 2011 which was the subject of an appeal. Atty Smith said they would work with the P&Z staff to get it done.

Guy Mazzolla, one of the owners of AMEC Carting, continued the presentation by explaining AMEC's background and described the services they provided. He said that they had their offices in Norwalk and employed about 200 people. He reminded the commissioners of the many projects in Norwalk that they provided demolition services. He then described the traffic coordination plan. He showed them a sketch of the plan and discussed a contract that they would use with outside contractors to make sure that everyone follows the rules. There was a discussion about the outside contractors which included whether they would take their C&D waste to other locations and what type of outside contractors they would be. Mr. Mazzola explained the C&D carting service to the commissioners, including Mr. Blank who asked for the process to be explained. There was a discussion about the types of trucks that could come into the AMEC transfer station so that the commissioners could recommend a condition for the resolution. Ms. King asked Mr. Mazzola to address the concerns of Hal Alvord, the Director of Public Works, in a letter that Mr. Alvord wrote about this application. Atty Smith discussed the amount of time before the traffic study would be requested, which the applicant was proposing. Mr. Mazzola continued his discussion of the traffic coordination plan. There was a discussion about the scales on the property for the trucks.

Atty Smith spoke again about Mr. Alvord's letter to the commissioners about the AMEC application which he said was similar to the comments he made in 2011. He also introduced the next speaker, Matt Brown.

Mr. Brown, the engineer on the project, continued the presentation by describing his tenure with AMEC over the past few years. He then showed an aerial photo of a similar transfer station in Norwalk, the Meadow Street transfer station. This building was similar in some ways, such as size, but they also handled MSW. He explained how the trucks weighed in at this other facility. He also discussed the doors at the other facility. His opinion that the 400 tons requested would be manageable, and that the transportation coordination plan would be adequate. There was a discussion about the breakdown of the type of waste that the Meadow Street transfer station handled. There was a discussion about the original intent of the owners of AMEC when they moved into their location. There was then a discussion about the roads around the AMEC transfer station that are now closed. Atty Smith said that Mr. Mazzola was committed to doing a traffic study. He reminded the commissioners that this application was different from the one in 2011 in that they were not asking for as much tonnage and they were willing to go back to less tonnage if things did not work out. Mr. Sumpter asked about Mr. Alvord's comments that AMEC cars are parked in the turnaround. Atty Smith said that he was not sure because if cars were parked there, trailers would not be able to leave the site.

Mike Galante, the traffic engineer on the project, continued the presentation by giving a brief overview of his company's work on other AMEC applications. He discussed the

purpose of the traffic studies. He showed the commissioners graphs from the report from when the application was for 600 tons per day. There was a discussion about Crescent St. being re-opened. Mr. Galante reminded the commissioners that the traffic study was completed using 600 tons per day. To him, this meant that the traffic generated from the transfer station would be adequate. The applicant would provide more analysis for traffic if the transfer station should be open to the public. Atty Smith reiterated this as well.

There was continued discussion about the letter sent by Mr. Alvord. The commissioners asked whether an investigation had been done. Mr. Wrinn said that he had been to the site and had not seen what had been suggested in the letter. Atty Smith said that these are complaints that Mr. Sclafani has also made. He did not think these allegations were relevant to the application. He said there had been investigations by the city before. At this point, Mr. Mazzola gave explanations for allegations in Mr. Alvord's letter.

At this time, Emily Wilson opened the hearing up to public comment.

Theresa Laird, 214 Highland Avenue, said that she had concerns about the traffic. She also wanted Crescent St. to remain a dead end.

Atty. Joseph Capalbo, representing the Sclafani brothers, began his comments by describing their property as well as a brief background of the Sclafani company. He discussed the conditions that were imposed by the city and the state before AMEC first opened its doors. He reminded the commissioners that all of the same issues remained the same such as the narrow street, why should the permit be changed? He also told the commissioners about a similar facility in Stamford that was about to close down. He suggested that it might be time for AMEC to find a new location. He was concerned that his client has a warehouse full of food. He also discussed the outside contractors who may not be as careful about what waste they put in their trucks. He also noted that other applicants might want to have the Zoning Commission give them similar conditions as they might give to AMEC.

Ms. King had questions about the transfer station closing in Stamford and asked that the Planning and Zoning staff find out more about it. There was also a discussion about AMEC's original application.

Kane Winn, a private investigator from Colucci Investigations, hired by Mr. Sclafani, reported how he conducted his investigation. He observed their hours of operation, storage of dumpsters on the property, bay doors being open for an extended periods of time and water misting within the facility. There was a discussion about the video that Mr. Winn had of his observations. It would be submitted into the record. The commissioners decided to leave the hearing open so that they could view it at the next meeting and the applicant could rebut the testimony. Mr. Winn said that he would also submit his written report.

Mary "Missy" Conrad, 37 Stonecrop Road, spoke in opposition to the application. She had many concerns including opening the transfer station to outside companies, the fact that the applicant had not withdrawn its appeal against the city, traffic in the area as well as the traffic's effect on emergencies.

Robert Townes, the Community Advocacy Manager for Stepping Stones Children's Museum submitted a letter from the President of the museum in opposition to the application.

Diane Lauricella, 21 Blue Mountain Ridge Road, spoke in opposition to the application. Some of her concerns included that the transfer station was already at capacity, that many AMEC trucks were already on Crescent St., and she observed dust coming from the site. She also noticed that the doors did not go down. She said that several

city agencies could not comment on this application because the applicant had not withdrawn its appeal against the city. She handed the commissioners many documents as exhibits and described each one in detail.

At this point, no other members of the public came up to the podium to speak. Emily Wilson closed the public portion of the hearing and said that the hearing would be continued for rebuttal only and would be held at the next Zoning Commission meeting on October 15, 2014.

e. #1-14R – Planning Commission - Proposed amendments to regulate the location and screening of mechanical equipment and HVAC units on rooftops in multifamily and business zones

Dori Wilson began the presentation. The amendment was proposed by the Planning Commission to screen mechanical equipment on rooftops. No changes had been made to the proposed amendment. A public hearing was scheduled for June but since that meeting was cancelled, it was re-scheduled for this meeting.

Ms. Jacobson read three referrals, from the Planning Commission, Coastal Area Management and SWRPA, into the record. At this time, Emily Wilson opened the hearing up to public comment. No members of the public spoke in support or opposition to the amendment. Emily Wilson closed the public hearing.

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

a. Action on Item III. d.

Since the public portion of the hearing had been completed, the rebuttal was continued to the next Zoning Commission meeting.

b. #12-14CAM – Amy Tyson – 6 Point Road – Shoreline flood and erosion control structure – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #12-14CAM – Amy Tyson – 6 Point Road – Shoreline flood and erosion control structure as shown on the engineering drawings dated June 19, 2014 and revised June 30, 2014 by Roberge Associates Coastal Engineers, LLC, Stratford CT, CT **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 needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 26, 2014.

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

c. #17-14CAM - Mark Litchman – 68 Shorefront Park – New single family residence – Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application #6-14CAM, construction of a single-family residence for the property 5 St. James Place as shown on the A-2 Survey

titled: "Topographic Survey For Mark D. Litchman and Charisse Litchman, Norwalk, Connecticut, Scale: 1"=10', Date: April 3, 2013" by Ryan and Faulds Land Surveyors, LLC, Douglas R. Faulds Land Surveyor – Connecticut Registration No. 13392 and on the engineering drawings dated May 27, 2014 and revised August 11, 2014 by Fairfield County Engineering, LLC, Norwalk, CT architectural drawings of June 11, 2014 and revised August 11, 2014 by J.M. Currie, Architects, Greenwich, CT 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 needed soil sedimentation and erosion controls be installed at the direction of the Staff; and

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 26, 2014.

**** MS. KRUK SECONDED.**

Before the vote, Ms. King said that she did not think that these applications should be voted on without a public hearing.

**** MOTION PASSED UNANIMOUSLY.**

- c. #18-14CAM – McDonough –15 North Main St – Request to add live music for Bradford’s – Report & recommended action**

**** MS. JACOBSON MOVED: BE IT RESOLVED** that Coastal Area Management #18-14CAM – McDonough –15 North Main St – Request to add live music for Bradford’s and as shown on the highlighted architectural drawing received by the Planning & Zoning Department on August 1, 2014 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 93 decibels; and
4. That the live music be confined to the raised stage at the rear of the tavern; 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 26, 2014.

**** MS. KRUK SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

- e. #8-11SPR – FPG Norden DC, LLC – 10 Norden Place – 168,000 sf data center facility – Request for release of surety – Report & recommended action**

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a release in the surety held for that the proposed site plan for #8-11SPR – Fortis Property Group/FPG Norden DC, LLC - 10 Norden Place – 167,588 sq. ft. Data Recovery center in an existing industrial development park as shown on a various plans by Perkins Eastman Architects, P.C., Tighe & Bond and LandTech Consultants Inc, and dated as revised to September 8,

2011, be **APPROVED**, subject to the following condition:

BE IT FURTHER RESOLVED that 15% of the required surety be retained as a maintenance surety to ensure that the site improvements are maintained for an additional year; and

BE IT FURTHER RESOLVED that the effective date of this action be September 26, 2014.

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

f. #6-11SPR - SoNo Metro LLC - 11-15 Chestnut St - Mixed use development with 11,000 sq ft office and 17 multifamily units - Request for extension of approval time - Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application **#6-11SPR** - 11 Chestnut Street Site Plan Review for a 24,745 square foot mixed use development with 11,000 sq. ft. office and 17 multifamily units and related site improvements as shown on a certain set of plans by entitled "11 Chestnut Street Site Plan Review" by Beinfield Architecture dated June 23, 2011 Revision 1, by Rotondo Engineering dated revised to July 13, 2011, by Eric Rains Landscape dated June 20, 2011 and related site plans and drawings as revised to August 4, 2011, 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 **September 30, 2015** and

BE IT FURTHER RESOLVED that the effective date of this action be September 26, 2014.

**** MS. KRUK SECONDED.
** MOTION PASSED UNANIMOUSLY.**

g. #2-14MV - Aamco Transmissions - 225 Main Av - Motor vehicle repairer license - Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** that application , #2-14MV - Aamco Transmissions - 225 Main Av - Motor vehicle repairer license at 225 Main Avenue, and as shown on the site plan titled, "Improvement Location Map - Existing, Prepared for Nina & Marco, Inc. dba AAMCO Transmissions of Norwalk, Norwalk, CT" Scale: 1"= 10'-0" Date: May 1, 2014 and Revised to September 4, 2014" by Robert T. Hamilton - Professional Land Surveyors, LLC, Robert T. Hamilton Land Surveyor - Connecticut Registration No. 14535 be **APPROVED** with 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 there be no on-street parking of vehicles; and
4. That there shall be parking only in designated spaces as shown on the approved site plan; and
5. That there be no temporary signs erected at the site; and
6. That no off-premise signs are permitted; and
7. That any graffiti on the site, now or in the future, is to be removed immediately; and
8. That all signage, existing and proposed, be in compliance with the Zoning Regulations; and
9. That the drainage system be maintained yearly; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be September 26, 2014.

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

h. CT DEEP Referral – 5 Cliff Place – Installation of a new dock - Report & recommended action

Adam Blank recused himself and left the room.

**** MS. JACOBSON MOVED: BE IT RESOLVED** that the staff be directed to contact the Connecticut DEP and Army Corp of Engineers with the following comments regarding #201407131-KR – 5 Cliff Place – Installation of a new dock for recreational boating access; and

BE IT FURTHER RESOLVED that this proposal is consistent with coastal resource and use polices.

Ms. King requested that this application be sent back to Plan Review Committee to draft a letter as to the Zoning Commission's recommendation.

**** MS. KRUK SECONDED.
** MOTION PASSED (5-1).**

At this time, Mr. Blank returned to the room.

i. #1-03SP/#2-03CAM – Norwalk River Rowing Club – 1 Smith St/Moody's Lane – Addition of fabric covered metal frame structure - Report & recommended action

**** MS. JACOBSON MOVED: BE IT RESOLVED** by the Norwalk Zoning Commission that the application for a modification of rowing club structure to a metal framed fabric structure 46± in height as shown on plans submitted by the Norwalk River Rowing Association, entitled "Elevation and Floor Plan, Scale 1/16" = 1', Norwalk River Rowing Association, 1 Moody's Lane, Norwalk, CT" be approved, with the following conditions:

1. That the brick paver walk along the river walk be installed to replace the existing temporary asphalt in front of the rowing club, as required on the original approval;
2. That the public parking be properly signed and the access to the same be kept open

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

V. REPORT OF ZONING COMMITTEE, EMILY WILSON, CHAIR

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

b. Note: Action on zoning amendment must precede action on related site plan/coastal site plan review applications

i. #4-14R - NW MFP Norwalk Town Ctr LLC & 3Q Property LLC –Proposed amendments to revise CBDD residential setbacks to require only when residential use in residence zone

**** MS. WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#4-14R – NW MFP Norwalk II/3Q Property, LLC – Proposed amendments to Section 118-504 Central Business Design District to modify setbacks for properties across the street from a residence zone" and dated June 25, 2014 be **APPROVED**.

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 September 26, 2014.

**** MS. JACOBSON SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

ii. #8-14SPR/#9-14CAM - NW MFP Norwalk Town Ctr LLC/3Q Property LLC – 17 Butler St/3 Quincy St (South Block) – New 130,280 sf mixed use development with 54,250 sf retail, 3,229 sf restaurant, 11,441 sf gym and 620 seat theater and expand existing below grade parking garage to 150 parking spaces

**** MS. WILSON MOVED: BE IT RESOLVED** that site plan application #8-14SPR and coastal site plan application #9-14CAM - NW MFP Norwalk Town Center LLC & 3Q Property LLC – 17 Butler Street/3 Quincy Street (South Block) – New 130,280 square foot mixed use development with 54,250 square foot retail, 3,229 square foot restaurant, 11,441 square foot gym and 620 seat theater and expand existing below grade parking garage to 150 parking spaces within a Design District Development Park as shown on a set of plans entitled "District Center at Waypointe Norwalk CT." by Redniss and Mead Engineers dated June 17, 2014 as revised to September 2, 2014 and various related plans by Penney Design Group and Didona Associates Landscape Architects, LLC, be **APPROVED**, subject to the following conditions:

1. That revised development park agreements between the revised south block parcels and the midblock, north block and east block parcels in the Waypointe Design District Development Park allowing the transfer of development rights to permit shared parking between parcels and increases in permitted FAR, coverage and density 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 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 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 any graffiti on the site, now or in the future, be immediately removed; 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; and
6. That all traffic improvements be complete prior to the issuance of a final certificate of zoning compliance (CZC) and that within six months of the issuance of the CZC, a follow-up traffic study be submitted; and
7. That a revised permit from the Office of the State Traffic Administration (OSTA) and all CEAC signoffs be submitted prior to the start of construction; and 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
8. 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
9. That a shuttle bus service from the site to the train station be provided weekends from 11:00 am to 6:00 pm for at least one (1) year from the date of issuance of a certificate of zoning compliance (CZC); 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 118-504 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 September 26, 2014.

**** MR. BLANK SECONDED.**

There was then a discussion as to additional comments that the commissioners wanted to add into the resolution.

**** MOTION PASSED UNANIMOUSLY.**

iii. **#9-14SPR/#10-14CAM - NW MFP Norwalk Town Ctr LLC/3Q Property LLC – 467 West Av (South Block) – Retain existing 18,193 square foot building with retail and restaurant uses and add new below grade parking garage to increase parking to 324 spaces**

BE IT RESOLVED that site plan application #9-14SPR and coastal site plan application #10-14CAM - NW MFP Norwalk Town Center LLC & 3Q Property LLC – 467 West Avenue (South Block) – Retain existing 18,193 square foot building with retail and restaurant uses and add new below grade parking garage to increase parking to 324 spaces within a Design District Development Park as shown on a set of plans entitled "District Center at Waypointe Norwalk CT." by Redniss and Mead Engineers dated June 17, 2014 as revised to September 2, 2014 and various related plans by Penney Design Group and Didona Associates Landscape Architects, LLC, be **APPROVED**, subject to the following conditions:

1. That revised development park agreements between the revised south block parcels and the midblock, north block and east block parcels in the Waypointe Design District Development Park allowing the transfer of development rights to permit shared parking between parcels and increases in permitted FAR, coverage and density 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 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 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 any graffiti on the site, now or in the future, be immediately removed; 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; and
6. That all traffic improvements be complete prior to the issuance of a final certificate of zoning compliance (CZC) and that within six months of the issuance of the CZC, a follow-up traffic study be submitted; and
7. That a revised permit from the State Traffic Commission and all CEAC signoffs be submitted prior to the start of construction; and
8. 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,
9. 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
10. That a shuttle bus service from the site to the train station be provided weekends from 11:00 am to 6:00 pm for at least one (1) year from the date of issuance of a certificate of zoning compliance (CZC); 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 118-504 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 September 26, 2014.

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

VI. APPROVAL OF MINUTES: July 16, 2014

Ms. King had some questions about the minutes with reference to remarks that she had made. They were not approved.

VII. APPOINTMENT OF NOMINATING COMMITTEE

Emily Wilson appointed Mr. Blank, Ms. King and Ms. Jacobson to the Nominating Committee.

VIII. COMMENTS OF DIRECTOR

Mr. Greene had no comments.

IX. COMMENTS OF COMMISSIONERS

Ms. King said that she thought that the CAM applications should have been removed from the agenda until the commissioners had further discussion on this topic.

Mr. Sumpter asked about having the Planning Commission and Zoning Commissions meet. There was a discussion about what Mr. Santo thought about the suggestion. Ms. King thought it should be put on the agenda to have a discussion about it. Some ideas suggested were sharing each Commission's minutes, having 1 person from each commission meet, etc.

X.

ADJOURNMENT

**** MR. BLANK MADE A MOTION TO ADJOURN.
** MS. WILSON SECONDED.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 12:12 a.m.

Respectfully submitted,

Diana Palmentiero