

**CITY OF NORWALK
ZONING COMMISSION
April 20, 2016**

DRAFT Not approved by the Commission

PRESENT: Adam Blank, Chair; Emily Wilson; Linda Kruk; Nate Sumpter; Doug Stern; Rod Johnson; Mike Witherspoon

STAFF: Mike Wrinn; Dori Wilson

OTHERS: Atty Liz Suchy; Antonio DiCamillo, Christopher Mojica, Atty Jackie Kaufman; Tim Gooding; Craig Flaherty; Scott Silk; Richard Afkari; Paxton Kinol

I. CALL TO ORDER

Mr. Blank called the meeting to order at 7 p.m.

II. ROLL CALL

Mr. Wrinn called the roll.

III. EXECUTIVE SESSION

a. Discussion of NW MFP Norwalk Town Ctr. II, LLC v. Norwalk Zoning Commission appeal/Waypointe South Block - 17 Butler/3 Quincy/467 West Av

The meeting went into Executive Session.

IV. RETURN FROM EXECUTIVE SESSION

The commissioners returned from Executive Session at 7:10 p.m. and continued the meeting.

V. PUBLIC HEARINGS

a. #2-16R – United Parcel Service – 254 MLK Jr. Dr - Proposed amendments to Section 118-711 Restricted Industrial to permit expansion of existing package distribution facility with off-site parking on lots within 500 feet of facility, proposed amendments to lease terms for off-site parking and related technical amendments and b. #2-16SP – United Parcel Service – 254 MLK Jr. Dr - 187 space off-site parking lot for package distribution facility

Atty Suchy began the presentation by handing in the certified mail, return receipt cards evidencing notice of the public hearing. It was decided that the two applications would be heard together for one public hearing. She introduced the project team and then gave a history of the applicant and an overview of the applications. She oriented the commissioners as to the location of the property on an aerial map.

Antonio DiCamillo, the civil engineer for the project, discussed the site plans which included the number of parking spaces, islands, landscaping and lighting. He also discussed the drainage.

There was a discussion about security at the parking lot. Atty Suchy suggested there would be lighting. She also said that there would be a gate at the main entrance of the parking lot.

Christopher Mojica the traffic engineer from Stantec, continued the presentation by explaining how the traffic analysis was done, including how the data was collected.

Atty Suchy continued the presentation by describing the gate further and how it would be accessed by the employees. They have received the necessary approvals from various departments.

No one spoke in support or opposition to the application. Ms. Kruk then read the referrals into the record from the Planning Commission and the Connecticut Department of Energy and Environmental Protection (“D.E.E.P.”). Atty Suchy then closed her presentation.

Mr. Blank closed the public hearing.

c. #1-16SPR/#4-16CAM - NW MFP Norwalk Town Ctr. II, LLC – 467 West Ave/6 Butler/605 West Ave – 6 story, 109,157 sf mixed use development with 76 multifamily dwelling units and 16,820 sf retail and d. #4-16SP - 6 Butler Properties, LLC – 6 Butler Street – 14 space off street parking lot e. #5-6SP/#10-16CAM - NW MFP Norwalk Town Ctr. II LLC – 17 Butler Street – 303 space off street parking lot

Before Mr. Blank opened the public hearing, it was decided that all of these applications would be heard together.

Atty Kaufman began the presentation by orienting the commissioners as to the location of the property on an aerial map. She then handed in the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. She also introduced the project team. She described the applications as well as describing the "Gap building." She showed them what the parcels would become and described the parking lots. She described the proposed building at 467 West Ave which included a mixed use as well as workforce housing. It is the building that is where the current Gap building. She noted that some of the parking would be off-site.

Tim Gooding, the architect on the project, continued the presentation. He began by explaining the buildings, including the parking garage, retail, residential levels, and the amenities. He described the architecture which would break up the size of the buildings. He also described the materials that would be used. There was then a discussion about the possibility of differences in the renderings. Mr. Gooding then showed the commissioners the materials board. He then described the roof line.

Craig Flaherty, the civil engineer on the project, continued the presentation by explaining that his company was responsible for the utilities and storm water management. Some things like parking will remain in the same location that they are already in. Some improvements would be made to the storm water management system and the water quality system. There would be an increase in the plantings, permeable pavers, etc. The sidewalks would be wider.

Atty Kaufman then continued the presentation by mentioning that a revised traffic report had been provided in March. The commissioners did not have questions for the traffic engineer.

Scott Silk, 4 Quincy Street, spoke about his traffic concerns, and the garbage being dumped from the construction crews. He mentioned that the day of hearing was the first time it had been cleaned in 2 years. He wondered why there was no police out monitoring the construction crews. He was concerned about a traffic accident happening. Mr. Sumpter asked if he had made any complaints. Mr. Silk said that he had tried to talk to the crews about being a good neighbor. Ms. Wilson has asked the applicant to clean the streets as well.

Mr. Richard Afkari said that he represented the abutting property. He had submitted a letter outlining his concerns which were mostly that the building would not be seen. He asked if the applicant could replace the building with the parking on that side. Although he was happy with the development, was concerned about the location of the building.

Kwesi Brown continued the presentation with a discussion of the Butler Street signal. He recommended timing modifications. There was a discussion about how long that would take. Mr. Sumpter noted that this had been a problem for a long time. Dori Wilson said that the Zoning Department staff would check with the Department of Public Works ("DPW") to find out when this could be completed.

Atty Kaufman continued the presentation by stating that the applicant would certainly be a better neighbor by continuing to clean up. She also noted that the applicant would accept as a condition of approval, a construction management plan as well as having police on duty while the demolition work continues. Mr. Flaherty said that DPW would also like to review a construction management plan. There was a discussion of a dirt pile and its use. Atty Kaufman then showed the commissioners a rendering of where Mr. Afkari's building was. She explained that his building was a great entry way to the area. The architecture from the proposed project was meant to compliment the other building.

There was as discussion as to who Mr. Silk could call about the problems during the construction. Mr. Wrinn said anyone could call the city's customer service number. Atty Kaufman added that anyone could contact her law firm as well. They would get messages to the applicant.

Mr. Kinol continued the presentation by explaining that some of the construction is utility construction. He said he had seen Mr. Silk as he entered the building and explained it to him. He also explained that some of the utilities such as electric, were being moved underground. He asked Mr. Silk to contact him directly when there was a problem because they did not seem to listen to Mr. Silk when he asked them to clean up, etc.

Mr. Blank closed the public hearing.

f. #1-16R – NW MFP Norwalk Town Ctr. II, LLC – Proposed amendments to Article 121 regarding Design District Development Park signs in Central Business Design District

Mr. Blank opened the public hearing.

Mr. Flaherty began the presentation by explaining the text amendment for signage that would be on the west and south side of Butler Street. He also said that the applicant had waited before proposing the text amendment, until it was determined who the tenants would be. He read the proposed language for a sign manual into the record and said it was modeled after the manual that was used for

Norwalk Hospital. He discussed a chart comparison of what was already in the regulations and what would be changed. He showed the commissioners pictures of various signs and said that many of them would be wayfinding and parking signs. Many people were not able to find the parking lots without the signs. Mr. Flaherty explained that the letters on the signs were not large enough under the current regulations. Also, the signs would not be high enough. Some signs around the city had been changed by the Zoning Board of Appeals. He showed photos of these other signs around the city which had been changed. He also explained cornice signs and showed photos of them as well. He then discussed projecting signs because iPic theater would like to use that. The last item that he discussed were ground signs. He showed them 2 options that the applicant proposed.

Ms. Kruk read the referral from the Planning Commission into the record. No one spoke in support or in opposition to the application. Mr. Blank closed the public hearing.

VI. REPORT OF PLAN REVIEW COMMITTEE, LINDA KRUK, ACTING AS CHAIR

a. Action on Items V. c., d., and e.

#1-16SPR/#4-16CAM - NW MFP Norwalk Town Ctr. II, LLC – 467 West Ave/6 Butler/605 West Ave – 6 story, 109,157 sf mixed use development with 76 multifamily dwelling units and 16,820 sf retail

**** MS. KRUK MOVED: BE IT RESOLVED** that site plan application **#1-16SPR/#4-16CAM** - NW MFP Norwalk Town Ctr II, LLC – 467 West Avenue (Waypointe South Block) – Demolish existing “Gap” building and construct a new 6 story 109,157 square foot mixed use development with 76 dwelling units (8 workforce housing units and 68 market-rate units) and 16,820 square foot retail and expand existing below grade parking garage with 52 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 March 31, 2016 and various related plans by Gooding Architecture 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, east block and west block parcels in the Waypointe Design District Development Park (including the new parcel at 605 West Avenue) 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 deed restriction documents referenced in the “District Center at Waypointe Affordability Plan” dated January 2016 for a total of eight (8) onsite deed restricted workforce housing units (four (4) two bedroom and four (4) one bedroom units), shall be submitted for Corporation Counsel review and then filed on the Norwalk Land Records and that all such workforce housing units be deed restricted in perpetuity and meet all requirements of Section 118-1050 Workforce Housing regulations; and
3. 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
4. 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 and that a construction management plan be submitted and traffic control be onsite as deemed necessary by the Department of Public Works and the Police Department; and
5. That any graffiti on the site, now or in the future, be immediately removed; and
6. 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
7. 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
8. 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

9. That all site improvements shown on the above-referenced plans are the applicant's responsibility including decorative paver crosswalks, granite curbs, moveable furniture and any street improvement upgrades; and
10. That the landscape plan showing decorative pavers on the crosswalk connecting the south block to the Stepping Stones Museum for Children be made part of this approval; and
11. That a shuttle bus service to the train station be provided on weekdays during peak hours; and
12. That a shuttle bus service to the train station be provided on 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 April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

d. #4-16SP - 6 Butler Properties, LLC – 6 Butler Street – 14 space off street parking lot e. #5-6SP/#10-16CAM - NW MFP Norwalk Town Ctr. II LLC – 17 Butler Street – 303 space off street parking lot

**** MS. KRUK MOVED: BE IT RESOLVED** that special permit application #4-16SP - 6 Butler Properties, LLC – 6 Butler Street – New 14 space off street parking lot 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 revised to March 31, 2016, be **APPROVED**, subject to the following conditions:

1. That all site improvements shown on the above-referenced plans are the applicant's responsibility including granite curbs along Orchard and Quincy Streets, street trees and permeable paver tree pit; 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
7. That a certificate of special permit and the approved site plan (as modified to address any conditions of approval) be filed on the Norwalk Land Records; 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 April 29, 2016.

Emily Wilson seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

e. #5-6SP/#10-16CAM - NW MFP Norwalk Town Ctr. II LLC – 17 Butler Street – 303 space off street parking lot

**** MS. KRUK MOVED: BE IT RESOLVED** that special permit application **#5-16SP** and coastal site plan application **#10-16CAM - NW MFP Norwalk Town Center II, LLC – 17 Butler Street –** Revise existing parking layout and increase to 303 space off street parking lot for adjacent mixed use developments as shown on a set of plans entitled "Zoning Site Plan depicting District Center at Waypointe 17 Butler Street Norwalk, CT" prepared for NW MFP Norwalk Town Center II, LLC by Redniss and Mead Engineers and Didona Associates Landscape Architects and dated revised to March 31, 2016, be **APPROVED**, subject to the following conditions:

1. That all site improvements shown on the above-referenced plans are the applicant's responsibility including granite curbs along West Avenue, Orchard and Butler Streets, street trees, etc.; and
2. That the stormwater maintenance plan, including the annual maintenance schedule, be made a part of this approval to verify that the proposed 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, and that a construction management plan be submitted and traffic control be onsite as deemed necessary by the Department of Public Works and the Police Department; 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
7. That any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
8. That a certificate of special permit and the approved site plan (as modified to address any conditions of approval) be filed on the Norwalk Land Records; 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.

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

b. #2-08SPR/#2-08CAM – Norwalk Land Development (GGP) – 1 Putnam Av/West Av – District 95/7 North – ±605,000 sf mixed use development with 507,596 sq ft office, 88,094 sq ft of retail & 15,000 sf restaurant in a Design District Development Park - Request for 1 yr ext of approval time – Report & recommended action

**** MS. KRUK MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application **#2-08SPR** and coastal site plan application **#2-08CAM**; Norwalk Land Development, LLC (formerly 95/7 Ventures, LLC) – 1Putnam Avenue/105-141 West Avenue/3-11 Reed Street – **North Block** - ±605,000 square foot mixed use development (Phase 1) with 507,596 sq ft office, 88,094 sq ft of retail (including 15,000 GSF of restaurant space) in 4 new buildings within a design district development park as shown on a set of plans entitled "District 95/7 South Norwalk, Site Plan Review Submission" by Beyer Blinder Belle Architects & Planners, LLP; MPFP; and Stantec Consulting, dated January 17, 2008 as revised to March 13, 2008, be approved, subject to the following conditions:, be **APPROVED**, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be **April 4, 2017**; and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Blank seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

c. #5-11SPR/#10-11CAM – Norwalk Land Development, LLC (GGP) – 63 West Av/Putnam Av - District 95/7 South - 265,283 sf mixed use development w/232 multifamily units, 16,500 sf retail, 7,200 sf office & 321 sp garage in a Design District Development Park - Request for 1 yr ext of approval time – Report & recommended action

**** MS. KRUK MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application **#2-08SPR** and coastal site plan application **#2-08CAM**; Norwalk Land Development, LLC (formerly 95/7 Ventures, LLC) – 1Putnam Avenue/105-141 West Avenue/3-11 Reed Street – **North Block** - ±605,000 square foot mixed use development (Phase 1) with 507,596 sq ft office, 88,094 sq ft of retail (including 15,000 GSF of restaurant space) in 4 new buildings within a design district development park as shown on a set of plans entitled "District 95/7 South Norwalk, Site Plan Review Submission" by Beyer Blinder Belle Architects & Planners, LLP; MPFP; and Stantec Consulting, dated January 17, 2008 as revised to March 13, 2008, be approved, subject to the following conditions:, be approved, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be **April 4, 2017**; and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

d. #2-15SPR/#5-15CAM – 25 Butler LLC – 25 Butler St - Relocate historic building from 3 Quincy St for reuse as 8,350 sq. ft. office building – Request for 1 year extension of approval time - Report & recommended action

**** MS. KRUK MOVED: BE IT RESOLVED** that the request for a one year extension of time for site plan application **#2-15SPR** and coastal site plan application **#5-15CAM** - 25 Butler, LLC – 25 Butler Street – Relocate historic building from 3 Quincy St for reuse as 8,350 sq. ft. office building as shown on a set of plans entitled "Zoning Site Plan depicting 25 Butler Street Norwalk, CT" prepared for 25 Butler, LLC by Redniss and Mead Engineers; Harvey Kaufman Architect and Didona Associates Landscape Architects and dated December 18, 2014 as revised to March 9, 2015, be **APPROVED**, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be April 24, 2017; and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

e. #9-06SP – 110 Richards Ave LLC – 110 Richards Avenue – Third story, 13,056 sq.

ft. office addition - Request for 1 year extension of approval time – Report & recommended action

**** MS. KRUK MOVED: BE IT RESOLVED** that the request for a one year extension of time for special permit **#9-06SP** - 110 Richards Avenue, LLC - 110 Richards Avenue – Renovations and addition to 110 Richards Avenue for a 116,200 sq ft office and manufacturing building as shown on various plans by Telfer-Palmquist Architects and Studio Rai Architectural Design and dated as revised to March 17, 2010 be **APPROVED**, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That the original conditions of approval remain in effect; and
3. That the new approval deadline for obtaining permits will be **April 8, 2017**; and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

f. #9-15SPR/#24-15CAM – 587 CT. Ave. LLC – 11 Belden Av – 69 residential units – Report & recommended action

Before the vote for this application, there was a discussion as to why it had not passed the previous time that it was voted on. Mr. Blank explained that the application had to have 4 concurring votes. Since the vote was 2-2, it had not constituted an action, therefore, it had to be acted upon again.

**** MS. KRUK MOVED: BE IT RESOLVED** that application # 9-15SP / #24-15CAM, 587 Connecticut Avenue LLC, for a 69 unit residential building at 11 Belden Avenue, with 7 workforce housing units, as shown on plans by The Sullivan Architectural Group, Fairfield, CT and by Godfrey Hoffman and Associates, Surveyors and Engineers, North Haven, CT, dated 8/17/15 as amended be **APPROVED** with the following conditions:

1. That any change to the plan will require Zoning Commission approval; and
2. That any graffiti on the site, now or in the future, be removed immediately; and
3. That a long term parking agreement (25 years) for parking in lots #3 and #5 Mott be reviewed and approved by Corporation Counsel and placed in the Land Records; and
4. That any additional required sedimentation and erosion controls be installed as directed by staff; and
5. That both off street parking lots (# 3 and # 5 Mott Avenue) be upgraded with asphalt and drainage which meets city standards and be properly stripped; and
6. That lighting on both off street parking lots conform to City Standards, in both the amount of illumination and that the lighting be screened / shielded to prevent glare / light from leaving the property; and
7. That, as agreed to by the applicant, that a pedestrian cross walk be installed in the vicinity of the project ingress / egress on Mott Avenue; and
8. That this cross walk be equipped with Rapid Rectangular Flashing Beacons (RRFB's); and
9. That the Department of Public Works approval be received for this crosswalk; and
10. That a construction phasing plan (including laydown and storage area) be reviewed and approved by staff in order to prevent any interference/ impact with #15 Belden, which shares a common drive; and
11. That the Affordability plans for the Workforce Housing units be reviewed and approved by Corporation Council and filed in the Norwalk Land Records; and

BE IT FURTHER RESOLVED that the application complies with the applicable Coastal Area Management resource and use policies; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Rod Johnson, Linda Kruk, and Nate Sumpter voted in favor.

Doug Stern opposed.
Michael Witherspoon abstained.

g. #9-16CAM – Michael Smith Architecture – 9 Gregory Ct – Additions to SFR – Report & recommended action

**** MS. KRUK MOVED: BE IT RESOLVED** that application #9-16CAM, construction of a proposed additions to an existing single-family residence for the property 9 Gregory Court and as shown on the engineering drawings dated 2/2/2016 and revised to 3/31/2016 by DiVesta Civil Engineering Associates, Inc., Roxbury, CT and on the architectural drawings of 3/4/2016 by Michael Smith Architecture 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 April 29, 2016.

Mr. Sumpter seconded.
Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.
No one opposed.
No one abstained.

h. #6-16CAM – Landtech – 46 Shorefront Park - New single family residence – Report & recommended action

**** MS. KRUK MOVED: BE IT RESOLVED** that application #6-16CAM, construction of a proposed single-family residence for the property 46 Shorefront Park and as shown on the engineering drawings dated 2/18/2016 and revised to 3/24/2016 by Landtech Engineers, Westport, CT and on the architectural drawings of 3/8/2016 Turkel Design be **APPROVED** subject to the following conditions:

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

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

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 29, 2016.

Mr. Sumpter seconded.
Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.
No one opposed.
No one abstained.

i. #X-16SPR – Lazaros Realty LLC (Jordan’s Restaurant) – 369 Westport Av/319 Strawberry Hill Av – 707 sf restaurant addition – Determine if minor change; Add off street pkg & access to/from Strawberry Hill - Rpt & recommend action

**** MS. KRUK MOVED: BE IT RESOLVED** that application #X-16 SPR, submitted by Lazaros Realty, LLC for an off street parking lot at 319 Strawberry Hill Avenue and a 707 SF restaurant addition at 369 Westport Avenue as shown on plans by Fairfield County Engineering, dated 11-26-15 and by

ADA Architects, dated 8-9-15, entitled Jordans Restaurant, 1 Story addition, 369 Westport Avenue be **APPROVED** with the following conditions:

1. That any change to the plan will require Zoning Commission approval; and That any graffiti on the site, now or in the future, be removed immediately; and
2. That a long term parking agreement (25 years) for parking on #319 Strawberry Hill Avenue be reviewed and approved by Corporation Counsel and placed in the Land Records;
3. That 2 street trees be placed in the planting islands at the new Strawberry Hill Avenue egress / ingress; and
4. That a final Department of Public Works approval be submitted; and

BE IT FURTHER RESOLVED that the effective date of this approval shall be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

j. #1-09SP/#1-09CAM – TR Sono Partners, LLC (SoNo Hotel) - 43-47 South Main St –110 room extended stay hotel with 70 sp valet pkg – Modify to 102 room extended stay hotel w/106 sp valet pkg garage - Rpt & recommend action

**** MS. KRUK MOVED: BE IT RESOLVED** that special permit application **#1-09SP** and coastal site plan application **#1-09CAM** by TR Sono Partners, LLC – 43 - 47 South Main Street for a new 8 story, 102 room extended stay hotel with 126space indoor valet parking in a 2 story automated garage as shown on a set of plans entitled "SoNo Hotel, 33-41 South Main Street, South Norwalk, CT." by Beinfield Architecture, PC; Eric Rains Landscape Architecture, LLC.; Cabezas-DeAngelis Engineers and other related plans dated November 24, 2015 as revised to April 18, 2016 be **APPROVED**, subject to the following conditions:

1. That a certificate of special permit and the approved site plan (as modified to address any conditions of approval) be filed on the Norwalk Land Records; and
2. That all CEAC signoffs be submitted prior to the start of construction; and
3. That the Parking Operations Plan dated April 18, 2016 detailing valet parking procedures for the hotel be made a part of this approval; and
4. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study and valet parking study be conducted and submitted to the Commission; and
5. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and
6. 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
7. That any graffiti on the site, now or in the future, be immediately removed and that all signs conform to the zoning regulations; and
8. That a Connecticut licensed engineer certify that all of the required improvements were installed to City standards and a final as-built survey be submitted to certify that the completed building complies with zoning; and
9. That a maintenance schedule be submitted and implemented to ensure maintenance of onsite drainage systems; and
10. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and
11. That truck deliveries and use of loading spaces be limited to weekdays between 7:00 am and 7:00 pm; 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 118-501 Washington Street Design District 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 April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Rod Johnson, Linda Kruk, Doug Stern Nate Sumpter, and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

VII. REPORT OF ZONING COMMITTEE, EMILY WILSON, CHAIR

a. Action on Items V. a., b. and f.

#2-16R – United Parcel Service – 254 MLK Jr. Dr - Proposed amendments to Section 118-711 Restricted Industrial to permit expansion of existing package distribution facility with off-site parking on lots within 500 feet of facility, proposed amendments to lease terms for off-site parking and related technical amendments

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "**#2-16R – United Parcel Service, Inc. – Proposed amendments to Section 118-711 Restricted Industrial to permit expansion of existing package distribution facility with off-site parking on lots within 500 feet of facility and to Section 118-1220 to revise lease terms for off-premise parking and related technical amendments**" and dated Revised March 16, 2016, be **APPROVED**.

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

- 1) To implement the Plan of Conservation and Development to "Encourage diverse job opportunities for various employment sectors within Norwalk" (A.1.2.4. p. 10); and
- 2) To implement the Plan of Conservation and Development to " Improve and maintain essential infrastructure to retain and attract desirable businesses (A.1.2.5, p. 10); and
- 3) To implement the Plan of Conservation and Development to "Seek private investment within the community" (A.1.1.1. p. 10); and
- 4) To implement the Plan of Conservation and Development to "Encourage diversity in commerce and industry" (A.1.1.2, p. 10); and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

#2-16SP – United Parcel Service – 254 MLK Jr. Dr - 187 space off-site parking lot for package distribution facility

**** EMILY WILSON MOVED: BE IT RESOLVED** that special permit application **#2-16SP - United Parcel Service Inc. – 254 Dr. MLK Jr. Drive - 187 space off-site parking lot for existing package distribution facility located at 190 Dr. MLK Jr. Drive as shown on a set of plans entitled "United Parcel Service Employee Parking 254 Dr. Martin Luther King Jr. Drive Norwalk, CT."** prepared by Stantec and dated November 9, 2015 as revised for resubmission February 12, 2016, be **APPROVED**, subject to the following conditions:

1. That the landscape plan showing street trees and evergreen shrubs along the street and along the southeastern property line to provide additional screening of the proposed outdoor motor vehicle storage area be made part of this approval; and
2. That any graffiti on the site, now or in the future, be immediately removed; and
3. That any modifications to the approved plans be submitted to the Zoning Commission for review

and approval; and

4. 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

5. That a surety, in an amount to be determined by staff, be submitted to guarantee the installation of the required erosion and sediment controls; and

6. That 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

7. That all CEAC signoffs be submitted prior to the start of construction; and

8. That a certificate of special permit and the approved site plan (as modified to address any conditions of approval) be filed on the Norwalk Land Records; and

9. That servicing and pick-up of the garbage dumpster occur no earlier than 8:00 am and no later than 8:00 pm; and

BE IT FURTHER RESOLVED that this application complies with, Section 118-711 Restricted Industrial, as amended, Section 118-450 Special Permits and applicable sections of the Building Zone Regulations for the City of Norwalk; and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

#1-16R – NW MFP Norwalk Town Ctr. II, LLC – Proposed amendments to Article 121 regarding Design District Development Park signs in Central Business Design District

**** EMILY WILSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled "#1-16R – NW MFP Norwalk Town Ctr II, LLC – Proposed amendments to Article 121 regarding Design District Development Park signs in Central Business Design District" and dated March 2, 2016 be approved.

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

1) To implement the Plan of Conservation and Development to "Strengthen the revitalization of the West Avenue, Wall Street, and Reed Putnam areas by encouraging mixed-use development (i.e. offices, stores, services, restaurants and theaters together with housing, parks and cultural facilities). (A.3.1.2, p. 12.); and

2) To implement the Plan of Conservation and Development to "To encourage retail activity in the West Avenue/Wall Street and Reed Putnam areas and place emphasis on pedestrian-oriented environment (A.4.1.1, p. 12); and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

b. #X-16SPR - NW MFP Norwalk Town Ctr. II LLC et al - Modify Waypointe Design District Development Park (DDDP) to add 605 West Avenue and to increase from 14.47 acres to 15.46 acres – Report & recommended action

****EMILY WILSON MOVED: BE IT RESOLVED** that request to revise the approved Design District Development Park master plan for the Waypointe Design District Development Park (DDDP) to add a new parcel at 605 West Avenue as shown on a set of plans entitled "Properties within the Design District Development Park prepared for NW MFP Norwalk Town Ctr II, LLC" by Redniss and Mead Engineers dated January 21, 2016 and various related plans by Redniss and Mead Engineers, Gooding

Architecture and Didona Associates Landscape Architects, LLC for each DDDP Block within the DDDP dated March 31, 2016, be approved, subject to the following conditions:

1. That revised Design District Development Park cross easements and development park agreements between the midblock, north block, east block, south block, west block parcels and the new individual 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) for any individual parcel; and
2. That any modification to the blocks and/or parcels within the Design District Development Park will require 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.

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

c. #8-14SPR/#9-14CAM - NW MFP Norwalk Town Ctr. II LLC – Waypointe South Block - 17 Butler/3 Quincy/467 West Av - 7 story, 236,475 sf mixed use development w/526 seat iPic theater, 46,866 sf retail, 6,604 sf restaurant, 4,428 sf office, 16 lane bowling alley & 80 dwelling units - Modify approved plans to add signs/signage manual – Report & recommended action

**** EMILY WILSON MOVED: BE IT RESOLVED** that the request to modify the approved plans to add new wall, projecting and ground signs as shown in the “Exterior Signage Manual for Waypointe Design District Development Park” dated revised on April 6, 2016 and exhibits in attached appendix for site plan application **#8-14SPR** and coastal site plan application **#9-14CAM** - NW MFP Norwalk Town Center II, LLC & 3Q Property LLC – 17 Butler Street/3 Quincy Street (Waypointe South Block) – 7 story, 236,475 square foot mixed use development with 526 seat iPic theater, 46,866 sf retail, 6,604 sf restaurant, 4,428 sf office, 16 lane bowling alley (see #18-15SP) and 80 multifamily dwelling units with new public amenities within a Design District Development Park as shown on a set of plans entitled “District Center at Waypointe Norwalk CT.” by Redniss and Mead dated June 17, 2014 as revised to January 11, 2016 and various related plans by Penney Design Group and Didona Associates Landscape Architects, LLC, be **APPROVED**, subject to the following conditions:

1. That any further changes to the above manual including any proposed new signs with letters larger than 24 inches or revisions to the plan regarding signs to be illuminated, be reviewed and approved by the Zoning Commission; and

BE IT FURTHER RESOLVED that the effective date of this action be April 29, 2016.

Mr. Sumpter seconded.

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.

No one opposed.

No one abstained.

VIII. REPORT OF ADMINISTRATION COMMITTEE

a. Action on NW MFP Norwalk Town Ctr. II, LLC v. Norwalk Zoning Commission appeal/Waypointe South Block - 17 Butler/3 Quincy/467 West Av appeal

Mr. Blank noted that this item would be tabled pending further discussions.

IX. APPROVAL OF MINUTES: March 3 and 16, 2016

**Mr. Blank moved to approve the March 3, 2016 minutes.
Emily Wilson seconded.**

Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and voted in favor.
No one opposed.
Michael Witherspoon abstained.

Emily Wilson moved to approve the March 16, 2016 minutes.
Ms. Kruk seconded.
Adam Blank; Emily Wilson; Doug Stern, and Michael Witherspoon voted in favor.
No one opposed.
Linda Kruk, Nate Sumpter and Rod Johnson abstained.

X. COMMENTS OF ACTING DIRECTOR

Mr. Wrinn reminded the commissioners that there was a Special Meeting of the Zoning Commission the following week in the Community Room of City Hall.

XI. COMMENTS OF COMMISSIONERS

There were no comments from the commissioners.

XII. ADJOURNMENT

Mr. Blank made a Motion to Adjourn.
Ms. Wilson seconded.
Adam Blank; Emily Wilson; Doug Stern, Rod Johnson, Linda Kruk, Nate Sumpter and Michael Witherspoon voted in favor.
No one opposed.
No one abstained.

The meeting was adjourned at 8:59 p.m.

Respectfully submitted,

Diana Palmentiero