

COMMISSION ON THE CITY PLAN
Thursday, January 27, 2022, 7:00 PM
Virtual Meeting
NORWICH, CT

Assistant City Planner Daniel Daniska read information pertaining to virtual meetings and clearly stated that the meeting, including video, would be recorded.

CALL TO ORDER: Chair Frank Manfredi called the meeting to order at 7:00 PM.

ROLL CALL AND SEATING OF ALTERNATES:

Present: Chairman Frank Manfredi, Vice Chairman Les King and Michael Lahan

Absent: Kathy Warzecha

Others Present: Director of Planning and Neighborhood Services Deanna Rhodes, Assistant City Planner Dan Daniska, Brandon Handfield, Yantic River Consulting, Jose L. Lizardi Robles, Lou Kauffman, Phil Biondo and Recording Secretary Melinda Wilson

APPROVAL OF MINUTES: Commission on the City Plan (CCP) December 14, 2021 Meeting

On a motion by Michael Lahan, seconded by Les King, the CCP unanimously approved the minutes of the December 14, 2021 meeting as presented.

COMMUNICATIONS: None presented.

Director of Planning and Neighborhood Services Deanna Rhodes requested a change to the order of the agenda to align the New Business items according to applicant. On a motion by Les King, seconded by Michael Lahan, the CCP unanimously approved to change order of agenda to address #2 SP#21-04 first under New Business.

NEW BUSINESS:

2. PUBLIC HEARING AND POTENTIAL ACTION ON THE FOLLOWING APPLICATION:

SP#21-04: 230 Central Avenue. Request for Special Permit to change from a non-conforming use of "Processional Offices" to another non-conforming use of "Customer Service Establishments" in accordance with Zoning Regulation Section 4.8.4. Application of Jose' L. Lizardi Robles. Property of Luz C. Matos Dias. Assessors Map 86, Block 3, Lot 38. Zone Multi-Family (MF)

On a motion by Les King, seconded by Michael Lahan, the CCP unanimously opened the public hearing at 7:04 PM.

Ms. Rhodes explained that Luz C. Matos Dias has owned the property for two years and has had difficulty renting the space. Jose L. Lizardi Robles spoke regarding the application and plans for the property including a laundromat. The property is currently a non-conforming use. Ms. Rhodes read accepted uses within Customer Service Establishments. Laundromats are allowed. She referred to her memo which CCP members had received prior to the meeting.

No questions were raised. No one spoke in favor or against the application.

Ms. Rhodes displayed a photograph of the property to review site plan notes about parking lot and landscaping. The owner agreed to adding a bike rack. She is satisfied with the owner's special permit responses. She added several items to the record.

Les King made a motion to close the public hearing. Michael Lahan seconded. The CCP unanimously closed the public hearing at 7:16 PM.

Les King made a motion to approve a waiver of the engineered site plan as it is not necessary for this application.

REASON: The engineered site plan is not necessary for approval of this application due to the limited site disturbance.

Michael Lahan seconded. Motion passed unanimously.

Michael Lahan made a motion to approve SP#21-04 with following conditions:

1. That the certification of approval for the Special Permit use be filed with the City Clerk's office before becoming effective. This certification will be provided to the applicant by the City Planning Department post approval after the appeal period has ended.
2. That after filing of the special permit, a zoning permit shall be issued for the change of use to "customer service establishment" with the understanding that all future tenants will require a separate zoning permit to verify their use is compliant with the approval.
3. That prior to receiving a zoning permit, that the applicant address all items of this memorandum. These include the installation of the landscaping in the existing asphalt strip area, striping the parking lot as approved by the City Engineer and installing the dumpster/recycling containers as shown on the revised plan/drawing.
4. That any modifications to the approved proposal shall be reviewed by the Zoning Enforcement Officer prior to occurring and may require additional review and approval by the Commission.
5. That an erosion and sediment control bond may be required if deemed necessary by the City Engineer and submitted in the form of a check or letter of credit.
6. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance or a performance bond will be required in accordance with Sections 7.5.7.3 and 8.9 of the Zoning Regulations.

REASON: The proposal conforms to ZR Section 4.8.4, Chapter 5 and 7.7 of the Zoning Regulations.

The motion was seconded by Les King. The motion passed unanimously.

1. PUBLIC HEARING AND POTENTIAL ACTION ON THE FOLLOWING APPLICATION:

SP#10-05M: 555+575 Norwich Avenue. Request for a Special Permit for proposed site development/land disturbance activities proposed within a Special Flood Hazard Area which are associated with a proposed conversion of the south mill building at Ponemah to 146 apartment units and a 3,870 square foot restaurant.

Application and property of 555 South Mill LLC & 575 South Mill LLC. Assessor's Map 47, Block 4, Lots 5 & 6. Zone PMR & Mill-Reuse Overlay District.

Les King made a motion to open a public hearing. Michael Lahan seconded. By a unanimous vote, the public hearing opened at 7:20 PM.

Brandon Handfield of Yantic River Consulting shared the site plan on the screen. He prefaced his comments by explaining that the site plan was based on the tenant in the small building on the west side of the plan being a restaurant. He gave one presentation which included testimony for the special permit and site plan at the same time. Mr. Handfield displayed several maps on the screen of the South Mill. The building is currently empty. Parking, pedestrian access, amenities, traffic plan, drainage, erosion control, landscaping, lighting and façade were addressed.

Mr. Lahan inquired about the layout of the potential restaurant. Phil Biondo answered and expressed that the site would be marketed as a potential restaurant using both floors.

Mr. King asked about access along the path near the river. Mr. Handfield explained that it is an access way that runs to Route 169 and dead-ends at the North Mill building. Mr. King asked about a bus stop for the public school busses. Mr. Handfield said the applicant would address this if the need arose.

Chair Manfredi asked about the design as compared to the North Mill. The South Mill will be more one-bedroom units than the North Mill. The same design elements will be used.

No one spoke in favor or against the application. Lou Kauffman, Counsel for the applicant, spoke to the letter submitted by the adjacent property owner in reference to the wooden structure which connects the two and will be torn down and an easement granted between the two buildings.

Lengthy discussion was held regarding the access to Route 169 along the river.

Ms. Rhodes offered to begin a new five year approval period for the application.

Mr. Daniska asked to waive the reading of the exhibits. The CCP agreed.

Les King made a motion to close the public hearing. Michael Lahan seconded. The CCP unanimously closed the public hearing at 8:39 PM.

Michael Lahan made a motion to approve SP #10-05M with the following conditions:

1. That the site plan that is associated with this Special Permit approval will expire in 5 years unless an extension has been granted by the Commission in accordance with ZR Section 7.5.10.2.
2. That final revised plans be submitted and reviewed by City Staff.
3. That the transfer of property known as 539 Norwich Avenue (N/F NPB Assets of CT LLC) or easements granting installation of the improvements as depicted on the approved plans occur prior to the filing of the mylars.
4. That all legal documents, including a map depicting all new and existing easements, should be submitted to the City within 30 days of approval for review and comment by the City Attorney. After approval, these legal documents are to be filed prior to, and at the time of, filing of mylars.

5. That the City's letter of approval (CCP + IWWCC) be placed on the final revised plan set (cover page preferred), the required signature block be placed on all plan sheets, and that all plan sheets include the stamped seal and signature of the licensed professional.
6. That 6 signed and embossed sealed paper copies and 2 mylars of the final revised set of plans be submitted to the Planning Department for endorsement by an officer of the Commission. The mylars must include the red indelible ink certification which includes the name of producer and process used.
7. That the certification of approval for the Special Permit use be filed with the City Clerk's office before becoming effective. This certification will be provided to the applicant by the City Planning Department post approval after the appeal period has ended.
8. That the endorsed mylar set shall be filed on the Land Records by the applicant.
9. That drainage calculations be submitted to be reviewed by the City Engineer.
10. That after the filing of the mylars, a zoning permit shall be issued prior to any land disturbance activities associated with this approval.
11. That a bond, in an amount satisfactory to the City Engineer, be submitted for Erosion and Sediment Control and Site Restoration. Once approved, it should be submitted in the form of a check or letter of credit with the required paperwork for review and approval by the City's Attorney prior to the issuance of the Zoning Permit.
12. That any modifications to the approved proposal shall be reviewed by the Zoning Enforcement Officer prior to occurring and may require additional review and approval by the Commission.
13. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance or a performance bond will be required in accordance with Sections 7.5.7.3 and 8.9 of the Zoning Regulations.
14. That the Commission may require an as-built or certification by a licensed engineer or land surveyor should it be deemed necessary by the City to determine compliance with the approval granted.
15. That a lighting compliance plan for all installed lighting be submitted to the ZEO for their review prior to requesting a Certificate of Zoning Compliance required for a CO.

REASON: The proposal conforms to ZR Section 3.3, Chapter 5 and 7.7 of the Zoning Regulations.

The motion was seconded by Les King. The motion passed unanimously.

3. SDP #1007M: 555+575 Norwich Avenue. Site Plan Review for proposed conversion of the south mill building at Ponemah to 146 apartment units and a 3,870 square foot restaurant. Application and property of 555 South Mill LLC & 575 South Mill LLC. Assessor's Map 47, Block 4, Lots 5 & 6. Zone PMR & Mill-Reuse Overlay District.

Mr. Handfield requested that his testimony given under SP#10-05M apply to this agenda item, as well.

Michael Lahan made a motion to approve SDP #1007M with following conditions:

1. That the approval will expire in 5 years unless an extension has been granted by the Commission in accordance with ZR Section 7.5.10.2. This approval supersedes and extinguishes the final extension to SDP#1007 that was granted on May 28, 2020 and would have expired on July 20, 2024.
2. That final revised plans be submitted and reviewed by City Staff.

3. That the transfer of property known as 539 Norwich Avenue (N/F NPB Assets of CT LLC) or easements granting installation of the improvements as depicted on the approved plans occur prior to the filing of the mylars.
4. That all legal documents, including a map depicting all new and existing easements, should be submitted to the City within 30 days of approval for review and comment by the City Attorney. After approval, these legal documents are to be filed prior to, and at the time of, filing of mylars.
5. That the City's letter of approval (CCP + IWWCC) be placed on the final revised plan set (cover page preferred), the required signature block be placed on all plan sheets, and that all plan sheets include the stamped seal and signature of the licensed professional.
6. That 6 signed and embossed sealed paper copies and 2 mylars of the final revised set of plans be submitted to the Planning Department for endorsement by an officer of the Commission. The mylars must include the red indelible ink certification which includes the name of producer and process used.
7. That the endorsed mylar set shall be filed on the Land Records by the applicant.
8. That drainage calculations be submitted to be reviewed by the City Engineer.
9. That after the filing of the mylars, a zoning permit shall be issued prior to any land disturbance activities associated with this approval.
10. That a bond, in an amount satisfactory to the City Engineer, be submitted for Erosion and Sediment Control and Site Restoration. Once approved, it should be submitted in the form of a check or letter of credit with the required paperwork for review and approval by the City's Attorney prior to the issuance of the Zoning Permit.
11. That any modifications to the approved proposal shall be reviewed by the Zoning Enforcement Officer prior to occurring and may require additional review and approval by the Commission.
12. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance or a performance bond will be required in accordance with Sections 7.5.7.3 and 8.9 of the Zoning Regulations.
13. That the Commission may require an as-built or certification by a licensed engineer or land surveyor should it be deemed necessary by the City to determine compliance with the approval granted.
14. That a lighting compliance plan for all installed lighting be submitted to the ZEO for their review prior to requesting a Certificate of Zoning Compliance required for a CO.

REASON: The proposal conforms to ZR Section 3.3, Chapter 5 and 7.7 of the Zoning Regulations.

Les King seconded the motion. The motion passed unanimously.

4. Referral from the City Council: AN ORDINANCE PROPOSING TO AMEND ORDINANCE SECTION 7-91 to expand tract one OF THE ENTERPRISE ZONE described therein BY ADDING A PARCEL OF APPROXIMATELY .43 ACRES TO IT – 23 Thermos Avenue Norwich, CT.

Ms. Rhodes explained this is a residential property adjacent to an Enterprise Zone. She displayed a map of the zone and the contiguous property. The parcel is currently aa unoccupied residential building. There is a condo development adjacent. The developer plans apartments on the larger site.

Les King made a motion to forward a favorable recommendation to amend Ordinance Section 7-91 to expand tract one of the Enterprise Zone described therein by adding a parcel of approximately .43 acres to it to the City Council.

REASON: A strategy in the 2013 POCD is to promote economic development in targeted zones.

Michael Lahan seconded. The motion passed unanimously.

OLD BUSINESS: None presented.

EXTENSION REQUESTS: None presented.

BOND REDUCTION/RELEASE REQUESTS: None presented.

OTHER BUSINESS: None presented.

STAFF REPORT: Ms. Rhodes reported the hiring of an assistant zoning officer/blight officer. The selected candidate should be starting soon. Ms. Rhodes reported that the candidate had started as a temporary worker in the department. She is well prepared for this full time position.

Ms. Rhodes reported that the City Council appointed members of the POCD Committee.

The city is required to have an affordable housing plan.

ADJOURNMENT: On a motion by Michael Lahan, seconded by Les King, the CCP unanimously adjourned at 8:53 PM.

*Respectfully submitted,
Melinda Wilson,
Recording Secretary*