

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING MARCH 20, 2025
DRAFT MINUTES**

ATTENDANCE: Andy Conroy, Chair; Steve Ferguson; Ben Hanpeter; Lee Levey; Keith Lyon

OTHER: Tammy Maldonado; Tim Rath; Kevin Rath

CALL TO ORDER

Chairman Conroy called the meeting to order at 7:00 P.M. There was a quorum present.

ROLL CALL

A roll call of those present was performed. Mr. Ferguson was appointed secretary for the meeting.

PUBLIC HEARINGS

25-0320-01

**KEVIN M RATH – VARIANCE TO ALLOW ELEVATING EXISTING REAR DECK
AND ADDING ACCESS STAIRS TO GRADE WITHIN 25’ OF THE MEAN HIGH
TIDE. PROPERTY LOCATED AT 22 HARBOR VIEW AVENUE.**

Mr. K. Rath and Mr. T. Rath came forward to discuss this item. They recounted the history in the area and said the changes were to make it flood-compliant. There will be no expansion of the footprint. Mr. Rath provided further details regarding the details of the deck. If it is not modified there will be adverse effects on this property and surrounding properties. Seven neighbors have submitted letters of support.

A site plan was provided for review of those present. They will be lifting the existing deck. Mr. Rath reviewed what the hardship was. Mr. Levey questioned whether this was a hardship. Further discussion followed regarding ways to install the deck while remaining compliant with current regulations. There were also issues with the placement of the proposed stairs. It was noted that a proposed text amendment would not be before the Planning and Zoning Commission till April 2nd that it would be introduced for public hearing and it would not be voted on at that time. There were issues with waiting for a proposed amendment as a result. Further discussion followed regarding the timeline and potential issues with the timeline if they waited for the potential amendment approval.

Mr. Levey said that, if the variance was approved, many people could request a similar variance which would result in a lot of issues. He suggested they try for a side-yard variance. Mr. Rath said that proposal would not work.

Mr. Lyons asked what the impact of a denial would have on the project. Mr. Rath expressed frustration at being required to lift their houses for flood compliance then the amount of work that was being additionally placed on them to make them flood compliant. He said it would have a very adverse effect on them and potentially others who also needed to raise their houses. Mr. Rath suggested possibly grandfathering the house in. Ms. Maldonado suggested continuing the item till the April 17th meeting. Further discussion followed regarding potential options.

BOARD ACTION

25-0320-01

**** CHAIR CONROY MOVED THAT THEY CONTINUE ITEM 25-0340-01 TO THE NEXT MEETING OF APRIL 17TH.**

**** MR. LYON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADMINISTRATIVE ACTIONS

ACTION ON HEARING MINUTES - DECEMBER 19, 2024 AND JANUARY 16, 2025

DECEMBER 19, 2024

**** CHAIR CONROY MOVED TO APPROVE THE MINUTES OF DECEMBER 19, 2024 AS SUBMITTED.**

**** MR. LYON SECONDED THE MOTION.**

**** THE MOTION PASSED WITH FOUR (4) IN FAVOR (CONROY, HANPETER, LEVEY, LYON) IN FAVOR AND ONE (1) ABSTENTION (FERGUSON)**

JANUARY 16, 2025

**** MR. FERGUSON MOVED TO APPROVE THE MINUTES OF JANUARY 16, 2025 AS SUBMITTED.**

**** MR. LEVEY SECONDED THE MOTION.**

**** THE MOTION PASSED WITH FOUR (4) IN FAVOR (CONROY, FERGUSON, HANPETER, LEVEY) IN FAVOR AND ONE (1) ABSTENTION (LYON)**

There was a brief discussion regarding upcoming training events.

ADJOURNMENT

**** MR. LEVEY MOVED TO ADJOURN.**
**** MR. HANPETER SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:52 P.M.

Respectfully Submitted

Ian A. Soltes

Telesco Secretarial Services