



REGULAR MEETING – ZONING BOARD OF APPEALS AGENDA

**MAY 15, 2025, 7:00 PM
BY ZOOM VIRTUAL MEETING**

To allow public access, anyone may access a meeting by telephone and/or Zoom, or a recording in the City of Norwalk YouTube channel. Specific instructions and links can be found at norwalkct.gov/meetings.



Members of the public may call in to participate. Callers will not be able to see the meeting participants. All participants will be muted upon entering the meeting. To speak, dial *9 on the phone and you will be called on by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide "live comments" may also use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email Tammy Maldonado at tmaldonado@norwalkct.gov with the subject line "Public Comment" to provide written public comment prior to the meeting.

Application materials can be found at this link:

<https://www.norwalkct.gov/2066/Pending-applications-Zoning-Board-of-App>

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC HEARINGS

- A. 25-0417-02 38SBD, LLC (Continued from April 17, 2025) - Variances to elevate and alter existing SFR, relocate and reconstruct detached garage, parking in front setback and add spa. CD-1S Zone and Coastal Area Management Overlay. Property located at 38 South Beach Drive.**
- B. 25-0417-03 Plant Court, LLC (Continued from April 17, 2025) - Variances to elevate and alter existing SFR, parking in front setback, replacement pool, replace retaining**

wall section and reduce mean high tide buffer. CD-1S Zone and Coastal Area Management Overlay. Property located at 46 South Beach Drive.

- C. 25-0515-01 – ACR Property, LLC – Variances of front yard setbacks at Lane Rd and East Rocks Rd, parking within the front setback at Lane Rd and East Rocks Rd and proposed backout space adjacent to Lane Rd property line to construct new Single-Family Residence. CD-1M zone. Property located at 6 Lane Road.

IV. BOARD ACTION ON: A-C

V. ADMINISTRATIVE ACTIONS

- A. Action on Hearing Minutes - April 17, 2025

VI. ADJOURNMENT

**CITY OF NORWALK
NORWALK ZONING BOARD OF APPEALS
REGULAR MEETING
APRIL 17, 2025
DRAFT MINUTES**

ATTENDANCE: Andy Conroy, Chairman; Danielle Sanchick; Steve Ferguson; Keith Lyon; Ben Hanpeter

OTHER: Tammy Maldonado; Kevin Rath; Tim Rath; Oliver Cope; David Rucci; Atty. Alexis Brooks; Caitlin Drury; Haily Simpson; Jack Smith; Deborah Smith; Atty. Liz Suchy; Craig Flaherty; Olivia Rowan; Melissa Reavis; Christine Angelakis; Terry Atkin; Lori Pascalini; Bessie Kong

CALL TO ORDER

Chair 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.

PUBLIC HEARINGS

25-0320-01

**KEVIN M RATH (CONTINUED FROM MARCH 20, 2025) – 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.**

Ms. Sanchick read the staff report for those present.

Mr. Rath came forward to discuss this item. He said they had taken into consideration the recommendations and increased the buffer zone and redesigned the deck to be more in-line with required standards. The plans for the deck were provided for review. There is currently a proposed text amendment that may be approved at a later date that would allow the proposed application if approved.

There were multiple letters of support from the neighbors.

No one wished to speak in support of this application.

No one wished to speak in opposition of this application.

25-0417-01

**JACK AND DEBORAH SMITH - VARIANCE OF FRONT SETBACK TO CONSTRUCT
A NEW CHIMNEY AT EXISTING SFR. CD-1S ZONE AND COASTAL AREA
MANAGEMENT OVERLAY. PROPERTY LOCATED AT 3 GULL ROAD.**

Atty. Brooks came forward to discuss this item. She said the new location would be no closer to Pine Point and would simply be a shift. Photos of the house were provided as well as plans for the house. The lot is undersized and pre-dates the zoning regulations. Atty. Brooks went into further detail about the history of the lot and why the variance should be granted.

There were multiple letters of support for the application from the neighbors.

No one wished to speak in support of this application.

No one wished to speak in opposition of this application.

25-0417-02

**38SBD, LLC - VARIANCES TO ELEVATE AND ALTER EXISTING SFR, RELOCATE
AND RECONSTRUCT DETACHED GARAGE, PARKING IN FRONT SETBACK AND
ADD SPA. CD-1S ZONE AND COASTAL AREA MANAGEMENT OVERLAY.
PROPERTY LOCATED AT 38 SOUTH BEACH DRIVE.**

25-0417-03

**PLANT COURT, LLC - VARIANCES TO ELEVATE AND ALTER EXISTING SFR,
PARKING IN FRONT SETBACK, REPLACEMENT POOL, REPLACE RETAINING
WALL SECTION AND REDUCE MEAN HIGH TIDE BUFFER. CD-1S ZONE AND
COASTAL AREA MANAGEMENT OVERLAY. PROPERTY LOCATED AT 46 SOUTH
BEACH DRIVE.**

This item and 25-0417-02 were handled at the same time since they neighbored each other.

Ms. Sanchick reviewed the details of the application and properties for those present. Images of the properties and their plans were provided. Atty. Suchy came forward to discuss these applications. She reviewed those present as well to provide further information regarding the applications. Separate presentations for each property were given. Mr. Cope came forward to review the proposed plans. Mr. Flaherty came forward to discuss this item and provide further information regarding the applications. He provided an aerial overview of the properties. He also provided information regarding the coastal storm drainage. Ms. Simpson came forward to review if the proposed improvements were flood-zone compliant. She said the proposed changes were FEMA compliant.

There was a letter of support from a neighbor.

No one wished to speak in support of this application.

Ms. Atkin came forward to ask a question regarding the mass/bulk of the garage. Ms. Maldonado provided information in response. Discussion followed regarding the amount of massing on the property.

Ms. Pascalini asked if there was consideration of previously approved construction in the neighborhood and if there might be an oversaturation of construction going on. Ms. Maldonado provided information regarding the approval process for Ms. Pascalini.

Discussion followed regarding the parking situation of the houses. Questions were asked as to why the variances were required for the property. Discussion followed.

Atty. Suchy came forward to discuss 46 South Beach Drive and provided information on the property, application, and its relationship to the prior application. Mr. Cope provided more information on the proposed plans for the property. The results for things like coastal resources were nearly identical to the prior property. Discussion followed regarding the details of the proposed pool.

Atty. Suchy suggested keeping the hearing open for these two items for consideration of suggestions.

There was one letter of support for this project.

Mr. Ryan came forward to speak in favor of the application. He voiced his support for it and asked for details regarding the height of the proposed trees.

Ms. Atkin came forward to speak in opposition to the item. She voiced concern over the amount of bulk on the property. She said it felt contrary to the feel of the location. Discussion followed.

Ms. Kong came forward to speak in opposition to the item. She wished to ask if there would be a chance to speak later if the item was tabled. She was informed that there would be a chance to speak at that time.

BOARD ACTION ON: A – D

25-0417-01

Mr. Conroy said he felt this was an improvement and the change was minor and wouldn't cause issues.

**** MR. CONROY MOVED TO APPROVE APPLICATION 25-0417-01: JACK AND DEBORAH SMITH - VARIANCE OF FRONT SETBACK TO CONSTRUCT A NEW CHIMNEY AT EXISTING SFR NOTING THE HARDSHIP IS PRIMARILY THE LOT.**

CD-1S ZONE AND COASTAL AREA MANAGEMENT OVERLAY. PROPERTY LOCATED AT 3 GULL ROAD.

**** MR. FERGUSON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. CONROY MOVED THAT THE PROPOSAL IS CONSISTENT WITH CCMA GOALS AND WILL NOT ADVERSELY IMPACT COASTAL RESOURCES AND TO APPROVE.**

**** MR. HANPETER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

25-0320-01

**** MR. CONROY MOVED TO APPROVE APPLICATION 25-0320-01: KEVIN M RATH (CONTINUED FROM MARCH 20, 2025) – 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. HANPETER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. CONROY MOVED THAT THE PROPOSAL IS CONSISTENT WITH CCMA GOALS AND WILL NOT ADVERSELY IMPACT COASTAL RESOURCES AND TO APPROVE.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

ADMINISTRATIVE ACTIONS

ACTION ON HEARING MINUTES – MARCH 20, 2025

**** MR. FERGUSON MOVED TO APPROVE THE MINUTES OF MARCH 20, 2025 AS SUBMITTED.**

**** MR. CONROY SECONDED THE MOTION.**

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

ADJOURNMENT

**** MR. LYON MOVED TO ADJOURN.**

**** MR. FERGUSON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:32 P.M.

Respectfully submitted,

Ian A. Soltes

Telesco Secretarial Services