

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING
OCTOBER 20, 2022**

ATTENDANCE: Andrew Conroy, Chairman; Marilyn Altman; Lee Levey; Danielle Sanchick; Tom Farkas

STAFF: Tammy Maldonado, Zoning Enforcement Officer

OTHER: Adam Blank; Amy Zabetakis; Giancarlo Massaro; Greg Stewart; Meghan Stewart; Paul Garavel; Rick Costantini; Scott Corsello

CALL TO ORDER

Chairman Conroy called the meeting to order at 7:31 P.M. There was a quorum present.

ROLL CALL

A roll call of those present was performed.

PUBLIC HEARINGS

A. (CONTINUED FROM JULY 21, 2022) 22-0616-04

**LEONARDO & NATALINA FINO – VARIANCE FOR NUMBER OF STORIES AND VARIANCE TO ALLOW
PARKING WITHIN THE FRONT SETBACK FOR AN EXISTING SINGLE-FAMILY DWELLING. PROPERTY
LOCATED AT 34 BURRITT AVE.**

This item was withdrawn.

B. (CONTINUED FROM AUGUST 18, 2022) 22-0818-01

**JOHN & KAY GARRETT – VARIANCE TO ALLOW PARKING WITHIN THE FRONT SETBACK FOR AN
EXISTING SINGLE-FAMILY DWELLING. PROPERTY LOCATED AT 17 EAST BEACH DR.**

Revised plans were provided to the Board. The plans were revised so a story variance is no longer required.

Ms. Zabetakis came forward to discuss this item. They wish to use the existing, non-conforming, parking spaces. The spaces have been present for a long time. The spaces are used by both homeowners and adjacent neighbors. The plans for the property were provided for review. They are not adding new parking. Mr. Levey noted that they have approved similar parking configurations in the past. No objections were raised from the Board.

No one wished to speak in favor of this item.

No one wished to speak in opposition to this item.

C. 22-0915-01

GREGORY & MEGHAN STEWART – VARIANCE OF SIDE SETBACK FOR PROPOSED GARAGE ADDITION, VARIANCE OF SIDE SETBACK FOR EXISTING IN GROUND POOL AND VARIANCE OF FRONT SETBACK FOR EXISTING POOL PUMP AT SINGLE FAMILY RESIDENCE. PROPERTY LOCATED AT 15 SKYTOP DR.

Mr. and Ms. Stewart came forward to speak on this item. They gave the pool contractor a survey from 2016 that had specified setbacks for side and back yards that was used to design the pool and was sent to the City for approval. Existing placement changes followed. He further reviewed the history of the survey and the changes that had been done to the plans. Ms. Stewart said that when they bought the house it did have mold and a history of flooding. They have improved the drainage since then but have continued to experience flooding issues. This is what prompted them to contact an architect.

The architect, Mr. Massaro came forward to discuss this item. He reviewed how existing site conditions were resulting in flooding problems. Mr. Levey asked if a civil engineer had studied the site for drainage. Mr. Stewart said that they had not. He recounted their prior efforts to improve drainage at the site and further discussion followed. Mr. Stewart provided the documentation for the drainage system that was installed. Mr. Levey reiterated his belief that a civil engineer was needed to handle the drainage issue. Chairman Conroy suggested that this item be tabled till the next meeting so more information could be obtained.

D. 22-0915-02

ZION PROPERTIES, LLC – VARIANCE OF LETTER HEIGHT FOR A PROPOSED “SUBARU” WALL SIGN AT AUTO DEALERSHIP. PROPERTY LOCATED AT 520 (AKA 512) MAIN AVE.

Mr. Costantini came forward to discuss this item. The sign that is currently proposed is the sign they desire. It has not been put up though due to non-compliance. They had not requested a variance for letter height at the time. The plans for the sign were provided for the Board and further discussion followed involving the plans. The current sign size does not meet the corporate standard and the larger sign is required to meet them. Further discussion followed regarding the sign. It was noted that the building was a reasonable distance from the road. The applicant had originally intended to only use compliant sized lettering, but the corporation insisted on the larger lettering. This will be New England's largest Subaru dealership. Chairman Conroy requested that, if approved, a new drawing be submitted with everything properly to scale. Ms. Sanchick said that she felt that Subaru corporate should conform to the standards of the town. Mr. Levey reminded the Board that they had turned down a similar signage request from Walmart previously. The sign would be located more than 50 feet from the road. Further discussion followed regarding the site plans and sign size.

No one wished to speak in favor of this item.

No one wished to speak in opposition to this item.

E. 22-1020-01

TRISTRAM PERKINS – VARIANCE FOR PROPOSED NUMBER OF STORIES AND MIDPOINT HEIGHT TO ELEVATE AND RECONSTRUCT A SINGLE-FAMILY RESIDENCE. PROPERTY LOCATED AT 19 SOUTH BEACH DR.

Mr. Blank came forward to discuss this item. He reviewed the history of the application for those present. He noted that there had been an oversight and the variance had not been recorded which forced a do-over which was why they were submitting an application. He provided an overview of the property for those present. The house will be lifted in order to deal with flooding and needs a variance for the new height. This is a FEMA requirement. Chairman Conroy clarified that they wanted the house to remain in the footprint and not be expanded.

No one wished to speak in favor of this item.

No one wished to speak in opposition to this project.

IV. BOARD ACTION ON: A-E

**** MR. LEVEY MOVED TO APPROVE 22-1020-01 TRISTRAM PERKINS – VARIANCE FOR PROPOSED NUMBER OF STORIES AND MIDPOINT HEIGHT TO ELEVATE AND RECONSTRUCT A SINGLE-FAMILY RESIDENCE. PROPERTY LOCATED AT 19 SOUTH BEACH DR. WITH THE FOLLOWING STIPULATION:**

- **THE APPLICANT MAKE A DETERMINED EFFORT TO FILE THE ZBA APPROVAL AND OBTAIN BUILDING PERMIT PER TIME REQUIREMENTS.**

**** CHAIRMAN CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. LEVEY MOVED TO APPROVE 22-0915-02 ZION PROPERTIES, LLC – VARIANCE OF LETTER HEIGHT FOR A PROPOSED “SUBARU” WALL SIGN AT AUTO DEALERSHIP. PROPERTY LOCATED AT 520 (AKA 512) MAIN AVE.**

**** CHAIRMAN CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED WITH FOUR (4) IN FAVOR (CONROY, LEVEY, ALTMAN, SANCHICK) AND ONE (1) OPPOSED (FARKAS).**

**** CHAIRMAN CONROY MOVED TO CONTINUE ITEM C. 22-0915-01 GREGORY & MEGHAN STEWART – VARIANCE OF SIDE SETBACK FOR PROPOSED GARAGE ADDITION, VARIANCE OF SIDE SETBACK FOR EXISTING IN GROUND POOL AND VARIANCE OF FRONT SETBACK FOR EXISTING POOL PUMP AT SINGLE FAMILY RESIDENCE. PROPERTY LOCATED AT 15 SKYTOP DR. TO THE NEXT MEETING OF THE ZONING BOARD OF APPEALS.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

**** CHAIRMAN CONROY MOVED TO APPROVE ITEM 22-0818-01 JOHN & KAY GARRETT – VARIANCE TO ALLOW PARKING WITHIN THE FRONT SETBACK FOR AN EXISTING SINGLE-FAMILY DWELLING PROPERTY LOCATED AT 17 EAST BEACH DR.**

**** MS. ALTMAN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

V. ADMINISTRATIVE ACTIONS

A. ACTION ON HEARING MINUTES – AUGUST 18, 2022

- ** CHAIRMAN CONROY MOVED TO APPROVE THE MINUTES OF AUGUST 18, 2022 AS SUBMITTED.**
- ** MR. LEVEY SECONDED THE MOTION.**
- ** THE MOTION PASSED WITH FOUR (4) IN FAVOR (FARKAS, CONROY, SANCHICK, ALTMAN) AND ONE (1) ABSTENTION (LEVEY).**

B. STATUS OF TRAINING – BOARD MEMBERS SERVING AS OF JANUARY 1, 2023 MUST COMPLETE INITIAL LAND USE TRAINING BY JANUARY 1, 2024

Mr. Levey and Ms. Tammy Maldonado will work on training new Board members.

VI. ADJOURNMENT

- ** MR. LEVEY MOVED TO ADJOURN.**
- ** CHAIRMAN CONROY SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:00 P.M.