

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING OCTOBER 17, 2024
DRAFT MINUTES**

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

OTHER: Tammy Maldonado; Carlo Vona; Jim Jamieson; Adam Blank; Wayne
D'avano; Matt Popp; Miguel Frascone; Emily Marshall; Rick Constantini

CALL TO ORDER

Chairman Levey called the meeting to order at 7:04 P.M. There was a quorum present.

ROLL CALL

A roll call of those present was performed.

PUBLIC HEARINGS

24-0919-01

CARLO & MEREDITH VONA (CONTINUED FROM SEPTEMBER 19, 2024)
VARIANCE FOR NUMBER OF STORIES TO RAISE AND RENOVATE AN EXISTING
SINGLE-FAMILY DWELLING IN ZONE CD-1S. PROPERTY LOCATED AT 19 DOCK
RD.

Mr. Blank came forward to discuss this item. He had information to answer questions that had been previously raised. He provided a photograph of the house that had been flooded. He provided the history of the changes that had been made to the application. He noted that there had been complaints about prior proposals. He reviewed the efforts to address the complaints and related emails. The potential impact on the views of other property owners was discussed as well. Mr. Blank said that Connecticut case law said a variance could be granted to bring a home into FEMA compliance. Discussion followed regarding if there was sufficient grounds to grant a variance.

Mr. Frascone came forward to speak on this item. He reviewed their approval of the prior plans for the property. He noted that they had not voted on the present plans. Discussion followed regarding how to properly handle this item and how the neighbors would react if approved. It was noted that there were three trees that were also coming down which would change what is and isn't visible.

No one wished to speak in favor of the application.

Ms. Marshall came forward to speak against this item. She had only recently seen the documents that had been drafted. She voiced her objections to the way the application had been handled including having someone come to their property to take pictures. She also said she disapproved of the ARB's opinion and their decision and felt it was unfairly weighted in the applicants favor.

Mr. Constantini came forward to speak against this item. He had submitted a letter today detailing his legal opinion regarding the application. He said that a neighbor speaking to the ARB did not waive their right to speak against the application at the ZBA. Discussion followed regarding case law and the case that had been attached to the letter. He also questioned if the flat roof was sufficient for a hardship. He also brought up the case of a prior approval in 2018. He said it had no bearing on the current application. He said that the desire for additional space was not valid grounds for a variance.

Discussion followed regarding the roof of the house and what would be acceptable should a variance be granted.

BOARD ACTION ON: 24-0919-01

There would be a vote on the variance and a vote on the coastal site plan. Chairman Levey said good arguments had been presented by both sides. He voiced his issues with the current proposed roof plans. He outlined his opinion on the proposed plans and said that he felt this was not a major intrusion and didn't see it as a tool to vastly increase the value of the property. Discussion followed regarding the necessity of the proposed variances. It was noted that there were issues with approval due to the sites location in a historic district.

**** MR. CONROY MOVED TO GRANT THE VARIANCE REQUESTED IN ITEM 24-0919-01 FOR A THIRD STORY WITH A FLAT ROOF AS PRESENTED, DUE TO PRACTIAL DIFFICULTY OF THE NEIGHBORHOOD ROOF DESIGN REQUIREMENT.**

**** CHAIRMAN LEVEY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. CONROY MOVED TO APPROVE THE COASTAL SITE PLAN AND STATE THAT THEY DID NOT SEE ANY CONFLICT WITH THE GOALS OF THE COASTAL AUTHORITY AND TO MOVE THE PLAN FORWARD FOR FURTHER REVIEW.**

**** CHAIRMAN LEVEY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADMINISTRATIVE ACTIONS

ACTION ON HEARING MINUTES – SEPTEMBER 19, 2024

**** MR. CONROY MOVED TO APPROVE THE MINUTES OF SEPTEMBER 19, 2024 AS SUBMITTED.**

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

ADJOURNMENT

**** MR. CONROY MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:22 P.M.

Respectfully Submitted,

Ian A. Soltes

Telesco Secretarial Services