

DRAFT
CITY OF NORWALK
ZONING BOARD OF APPEALS
June 2, 2016

PRESENT: Andrew Conroy, Chair; Taylor Strubinger; Joe Beggan; Nadine Campbell; Lee Leavey; Juanita Olquin; Greg Brasher

STAFF: Aline Rochefort

OTHERS: Frank Santo; Karen Santo; Atty John Bove; Joe Cugno; Mike Karski; Richard Alexander

I. CALL TO ORDER

Mr. Conroy called the meeting to order at 7:30 p.m.

II. ROLL CALL

After Mr. Conroy called the meeting to order, he mentioned that one of the items on the agenda had been moved to a future ZBA meeting in September. He then went over the rules of the meeting as well as the changes to the agenda.

III. PUBLIC HEARINGS

A. 16-0602-01 Frank Santo – Variance of zoning front setback for construction of porch. Property located at 68 Strawberry Hill Rd.

Mr. Conroy opened the public hearing and Mr. Beggan read the legal memo into the record.

Mr. Santo, the owner of the property, began the presentation. He said that he wanted to restore the porch to the original because the house was the oldest in Norwalk. It was built around 1675. He thought it was a beautiful house which he wanted to restore because he thought it could add value to the neighborhood. Photos of the porch, prior to it being removed by a previous owner, were shown to the commissioners. There was a discussion about enclosing the porch which Mr. Santo said he would not do. Karen Santo, Mr. Santo's wife, read a letter from a neighbor in support of the application, into the record. She said they had rented it for 4 years and then purchased it in December 2015.

No one spoke in support or against the application. Mr. Conroy closed the public hearing.

B. 16-0602-02 John L. Payson & Margrit I. Behrens - Variance of front setback for replacement single family residence. Property located at 34 Channel Avenue.

Mr. Conroy opened the public hearing and Mr. Beggan read the legal memo into the record.

John Bove, the attorney for the applicant, began the presentation by submitting the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. He also handed in letters of support from neighbors. He then explained to the commissioners that there were 2 front setbacks and showed them this on a map. He explained the slope in the rear of the property. A pond would be removed as well as deck that was in disrepair.

Joe Cugno, the architect of the project, continued the presentation by showing them the survey which compared the existing structure to the proposed structure. He then explained that the top of the garage would be a roof deck which could be walked upon because of the grade of the property. Atty Bove showed the commissioners the property on an aerial map and explained that the home behind this property was also owned by the applicant. There was a further discussion about the top of the garage and concern that it would become a patio. Mr. Cugno said it would not.

No one spoke in support or against the application. Mr. Conroy closed the public hearing.

C. 16-0602-03 Richard F. Passero Et Al/Party City- Variance to allow 54 inch letters and 240 sq ft. wall signage. Property located at 500 Connecticut Ave.

This item was postponed and would be on the ZBA calendar in September.

D. 16-0505-03 Richard B. & Kimberly B. Alexander – Variance of zoning front setback for entry landing. Property located at 22 Meridian Rd.

Mr. Conroy opened the public hearing and Mr. Beggan read the legal memo into the record.

Mike Karski, the contractor for the applicant, explained the background of the application. He showed the commissioners a photo of what was built. The larger landing was to help Mr. Alexander's elderly mother and was not what had been approved previously by the ZBA. There was a discussion about why a temporary handicap ramp was not put in place which Ms. Rochefort explained could have been achieved with a temporary permit. They would then also avoided an appearance before the ZBA.

Mr. Alexander explained why they had constructed the front porch for his mother, who visited his family several times a year for holidays and special occasions.

No one spoke in support or against the application. Mr. Conroy closed the public hearing.

IV. BOARD ACTION ON: A - D

A. 16-0505-03 Richard B. & Kimberly B. Alexander – Variance of zoning front setback for entry landing. Property located at 22 Meridian Rd.

Ms. Rochefort was asked when the Zoning Department staff had found out about the enlarged front porch landing. She said the application came into the office in March. If it was denied, then the landing would have to be constructed as it had been approved under the previous variance.

MR. BEGGAN MOVED to deny the application because a hardship had not been shown.

Mr. Strubinger seconded.

Andrew Conroy, Taylor Strubinger; Joe Beggan, Nadine Campbell, Juanita Olquin and Greg Brasher voted in favor.

No one voted in opposition.

No one abstained.

B. 16-0602-02 John L. Payson & Margrit I. Behrens - Variance of front setback for replacement single family residence. Property located at 34 Channel Avenue.

There was a discussion about a possible condition to the resolution, concerning the pond and the garage roof.

MS. OLGUIN MOVED to approve the variance as the applicant had shown an hardship because of the non-conforming nature of the lot which had two front setbacks. The conditions were that the garage roof would not be used as a patio and be maintained with grass and that the pond be removed.

Mr. Strubinger seconded.

Andrew Conroy, Taylor Strubinger; Joe Beggan, Nadine Campbell, Juanita Olquin and Greg Brasher voted in favor.

No one voted in opposition.

No one abstained.

C. 16-0602-01 Frank Santo – Variance of zoning front setback for construction of porch. Property located at 68 Strawberry Hill Rd.

MS. CAMPBELL MOVED to approve the variance based on the fact that the house pre-dated the 1929 zoning regulations and there was no administrative rule that the porch had to be removed. The condition was that the porch would not be enclosed.

Ms. Olquin seconded.

Andrew Conroy, Taylor Strubinger; Joe Beggan, Nadine Campbell, Juanita Olquin and Greg Brasher voted in favor.

No one voted in opposition.

No one abstained.

V. ACTION ON HEARING MINUTES – May 5, 2016

Mr. Conroy moved to approve the minutes, as amended.

Before the minutes were approved, Mr. Leavey said that he had been contacted by Chuck Moran, a couple of days after the public hearing for his application, 16-0505-02. He said he had declared that he would not discuss the matter with him.

Mr. Leavey seconded.

Mr. Conroy, Mr. Beggan, Mr. Strubinger, Ms. Campbell and Mr. Leavey voted in favor.

No one voted in opposition.

Ms. Olquin and Mr. Brasher abstained.

VI. ADJOURNMENT

Mr. Strubinger made a motion to adjourn.

Mr. Leavey seconded.

Andrew Conroy, Taylor Strubinger; Joe Beggan, Nadine Campbell, Juanita Olquin, Lee Leavey and Greg Brasher voted in favor.

No one voted in opposition.

No one abstained.

The meeting was adjourned at 8:24 p.m.

Respectfully submitted,

Diana Palmentiero