

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING
MAY 20, 2021**

ATTENDANCE: Gregory Brasher; Andrew Conroy (Actg. Chairman); Chris Gavrielidis,
Keith Lyon, Tad Diesel

STAFF: Tammy Maldonado, Zoning Enforcement Officer; Michelle Andrzejewski

CALL TO ORDER

Ms. Maldonado announced the procedures for the meeting at 7:32 pm.

ROLL CALL

The Chair identified those members present.

PUBLIC HEARING

A. 21-0520-01 Kevin Bartlett - Variance of front yard setback for detached accessory structure and parking within the front setback for proposed driveway configuration. Property located at 5 Singing Woods Court.

Mr. Ray Rizio of Russo & Rizio represented the applicant. He said the applicant is seeking two variances and thought it was a clear case of hardship. A little less than 25 percent of the lot is usable. The applicant Mr. Bartlett and his wife were born and raised in Norwalk and are building this home to retire in Norwalk. Mr. Rizio showed the Board a site plan. He said there is no ability to push back the barn without entering wetlands. He added there is a 20 foot easement coming from Silvermine School. Mr. Rizio said there is a path on the lot that is used to access Silvermine.

He pointed out the barn does not dominate the lot. Mr. Rizzo said it is a modest house and the issue is the drainage easement and the regulated area.

He said the clients would love to attach the barn to the home and his contention was the strict enforcement of the regulation causes a hardship. Mr. Conroy asked about the accessory structure.

Mr. Rizio said the building is 24 feet wide and 38 feet deep on 3 acres of land. He said for an art studio/workshop it is not very big.

Mr. Gavrielidis asked if this was a self-created hardship. Ms. Duckworth said right now it is not a true hardship. Mr. Conroy said they could change the shape or size of the building. Mr. Rizio said the barn would have to be moved back 30 feet to reach the 70 foot setback.

Mr. Brasher said it did not seem to be a hardship.

The board discussed the driveway.

Mr. Rizio said the driveway would not allow for a parking area which would cause cars to back in and out. He said it would be best to relocate the driveway from a safety perspective. Mr. Rizio said there would be no adverse impact to traffic if the driveway is allowed to be built as presented and is compliant. He said they are not looking to build a circular driveway. There was a debate about whether the driveway could be done in another manner.

Mr. Rizio said with the two easements there are no other options for the driveway.

Mr. Brasher Gary Tierney the architect said typically 15-18 feet. He explained the standard template was used. He said the 8x10 hammerhead required by zoning would not accommodate a large car.

Mr. Rizio said it is more safe and consistent with the neighboring property.

Mr. Conroy asked about letters in support. Mr. Brasher said Mickey Phillips 139 Perry Avenue is not in favor and another letter from William Bonsante who was concerned about safety, the generator and parking. Mr. Rizio asked about a third letter. Mr. Brasher said that was the letter from Mr. Bonsante who was concerned about speaking out about a neighbor. Mr. Rizio said there was a letter from Mr. Shaw who was in support and said there are no neighbors that would be impacted by the driveway.

Ms. Andrzejewski asked people from the public to come forward. She said there were none in support. Mr. Bonsante said his concerns were the aesthetics and potential for parking in the cutout. He said the path is about 40 feet from the driveway and is a clear sight path. Mr.

Bonsante said the grade was increased and the building will be beautiful. He said the grade is atypical for the area. He said the building should not be placed in the front setback.

Mr. Conroy said there was another letter from someone at 2 Singing Woods Court who said the structure looked huge and overbearing. He thought the generator would create noise. Mr. Rizio said he would like to withdraw the application with respect to the accessory structure. He thought it was an excellent application. Mr. Rizio said he will take into account input from the staff and will proceed with the driveway.

Mr. Conroy closed the public hearing.

B. 21-0520-02 Nordan LLC – Variance for wall sign letters proposed and maximum sign allowance. Property located at 574 Main Avenue.

Applicant seeking double the sign letter size.

Mr. Brasher said the previous tenant was Dress Barn. The location is visible from street traffic and no zoning hardship was identified.

Mr. Bretton Usher, Mr. John Anderson and Mr. Pat English represented The Paper Store. Mr. Usher said the hope was for a 4 foot sign. He shared a PowerPoint presentation. He said they just moved from the Walmart Plaza and are usually located in plazas with supermarkets. It is a 12,000 square foot store. He said the small sign will not catch the attention of people on the highway. Mr. Usher added the larger sign will attract more customers and will mesh nicely with the Town Fair Tire sign.. He said it will be visible from Route 7 and should help increase sales and could also increase sales for other stores in the plaza.

Mr. Conroy said he favored a 3-foot sign over a 4-foot sign. Mr. Gavrielidis asked about the Town Fair sign. Mr. Conroy said it is not 4 feet. Mr. Lyon said he agrees from aesthetics he would feel better with a 3-foot sign. Mr. Diesel asked about the other stores. Mr. Usher said there will be a GEICO and a Verizon Store and he does not know the size of their signs.

Mr. Usher said to build a brand they need at least a 3-foot sign. Mr. Lyon said Paper Store has already built a brand. Mr. English said we are at 80 linear feet while the other shops are tiny. He added the others are maybe 20 to 25 feet. He said The Paper Store stands out and added it is a large storefront and that the correct sign should go with it.

Mr. Anderson, a principal of the company, was the next speaker. He said a 4-foot sign might be over the top but a 3-foot belongs. He said he has been doing this for 30 years and brick and mortar stores need to do this to survive.

Mr. Conroy said the Board might have to get back to them next month. He was not sure the board could grant a 3-foot sign. Mr. Conroy said it is not in our power to alter the application. Mr. Anderson said he wants to open the store in the next three weeks. Mr. Conroy said they could ask for a 2-year exemption.

Mr. Brasher read a letter from Dan Grundman of Norwalk. He said there is no hardship to justify this variance. He said there could be issues with other businesses requiring the same consideration and could be legal problems.

Mr. Anderson said the signs are halos and do not pop out and the light goes against the building.

Mr. Conroy said maybe we should leave it open for one month. He said they are not willing to pass it at 4-feet. The Board was agreeable to revisit the variance next month.

C. 21-0520-03 Katherine Tracey – Special Exception to separate 2 adjoining developed non- conforming lots in same ownership. Variances for lot area, lot width, lot coverage, setbacks and parking requirements for Tax Lot 104 (demo and replace SFR) and Tax Lot 103 (house to remain). Property located at 1 and 3 Greenwood Pl.

Attorney Liz Suchy represented the applicant. She said due to the late hour she asked the board if she should do half the presentation and continue next month. The Board decided to postpone the presentation until the June meeting.

Mr. Conroy closed the public hearing.

Mr. Brasher said he has reservations about the driveway and is concerned it will be used to park cars.

Mr. Diesel said he is conflicted because the driveway may not provide a safe turnaround and protect pedestrians. He added there is no other place to put the driveway and added he cannot judge the size.

Mr. Lyon asked if the original driveway meets all of the specifications and Ms. Duckworth confirmed. Mr. Gavrielidis said the situation was created by the builder.

The Board seemed to be able to reconcile the turnaround but not the size of it. Mr. Conroy said they could give the applicant a chance to alter the turnaround.

**** MR. CONROY MADE A MOTION TO DENY WITHOUT PREJUDICE**

**** MR. GAVRIELIDIS SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

ACTION ON HEARING MINUTES – April 15, 2021

**** MR. DIESEL MOVED THE MINUTES.**

**** MR. LYON SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. BRASHER MADE A MOTION TO ADJOURN**

**** MR. LYON SECONDED**

**** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 10:26 pm.