

CITY OF NORWALK
ZONING BOARD OF APPEALS
April 7, 2016 (approved May 5, 2016)

PRESENT: Andrew Conroy, Chair; Keith Lyon; Juanita Olguin; Lee Levey
STAFF: Aline Rochefort; Vladimir Mariano
OTHERS: Atty Al Vasko; Edward Musante; Richard Wood; David McCarthy

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 went over the rules of the meeting as well as the changes to the agenda.

III. PUBLIC HEARINGS

A. 16-0407-01 CREFII-SCC, LLC – Variance to allow off premise signs attached to a permanent awning to be considered as a wall signage and allow an entrance sign that exceeds the height limitations. Property located at 50 Washington Street.

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

Atty Vasko began the presentation. He handed in the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. He then oriented the commissioners as to the location of the property on an aerial map. He then described the history of the building which included the awning. He also described previous variances. He described the new signs as well.

Mike Oz, the owner of the property, gave a history of his ownership of the property. He discussed the design of the old premises signage. He believed that the signage on the canopy would help with leasing the retail space.

Atty Vasko answered questions from the commissioners which included whether other tenants would want to have their signage on the canopy. Atty Vasko acknowledged they would. There was also a discussion of the coordination of the

graphics for the signs. Mr. Oz said it was their intention to keep it uniform. There was also a discussion of possible conditions for the variance. Only the ground floor tenants would be able to have signage.

Edward Musante, the head of the Norwalk Chamber of Commerce, spoke in support of the variance. No one spoke against it.

Mr. Conroy read an email from Mr. Moccia, the Director of the Recreation and Parks, City of Norwalk and letter from Elizabeth Stocker, the Director of Economic Development, City of Norwalk, into the record. Mr. Conroy closed the public hearing.

B. 16-0407-02 Betsy & Kevan Herold - Variance to lift house previously granted by variance. Property located at 12 Pine Point Road.

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

Richard Wood, the architect on the project, began the presentation by handing in the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. He then explained by explaining the history of the property, setbacks and the changes that will be made.

No one spoke in support of the application.

David McCarthy, 38 Nearwater Road, spoke in opposition to the application because he had concerns about the development in the area. He believed that granting variances should be an exception, not the rule. The commissioners discussed the validity of Mr. McCarthy's statements. Mr. Lyon noted that this particular Zoning Board of Appeals has not been in the habit of automatically granting variances.

Mr. Wood explained how they were required to comply with FEMA regulations which were why they were requesting the variance. They were not changing the footprint of the house or excavating.

C. 16-0407-03 JM Church Properties, LLC/Paul Garavel – Variance to increase the number of signs allowed on a side wall, facing two streets, from 2 to 3. Property located at 300 Westport Avenue.

Mr. Conroy had announced at the start of the meeting that this application was postponed until the following month.

D. 16-0407-04 The Norwalk Country Club Company/Shore & Country Club Inc. Variance for replacement bathhouse structure. Property located at 220 Gregory Boulevard.

Mr. Conroy had announced at the start of the meeting that this application was postponed until the following month.

IV. BOARD ACTION ON: A - B

A. 16-0407-01 CREFII-SCC, LLC – Variance to allow off premise signs attached to a permanent awning to be considered as a wall signage and allow an entrance sign that exceeds the height limitations. Property located at 50 Washington Street.

There was a discussion about the possible design requirements for the signs.

MR. LYON MOVED to grant the variance as requested for signage on the canopy and, for height on the identification sign.

Mr. Levey seconded.

Mr. Conroy, Mr. Lyon, Ms. Olguin, and Mr. Levey voted in favor.

No one voted in opposition.

No one abstained.

B. 16-0407-02 Betsy & Kevan Herold - Variance to lift house previously granted by variance. Property located at 12 Pine Point Road.

The commissioners discussed the fact that a previous variance had been granted. There was also a reference to the staff findings set forth in the legal memo and that the commissioners should support it. They also discussed that they should be consistent since they had passed other variances for similar reasons, to comply with FEMA regulations.

MR. CONROY MOVED to grant the variance as requested.

Mr. Lyon seconded.

Mr. Conroy, Mr. Lyon, Ms. Olguin, and Mr. Levey voted in favor.

No one voted in opposition.

No one abstained.

V. ACTION ON HEARING MINUTES – March 3, 2016

Mr. Conroy moved to approve the minutes.

Mr. Levey seconded.

Mr. Conroy, Mr. Lyon, and Mr. Levey voted in favor.

No one voted in opposition.

Ms. Olguin abstained

VI. ADJOURNMENT

Mr. Conroy made a motion to adjourn.

Mr. Levey seconded.

**Mr. Conroy, Mr. Lyon, Ms. Olguin, and Mr. Levey voted in favor.
No one voted in opposition.**

The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Diana Palmentiero