

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING
MARCH 21, 2024**

ATTENDANCE: Lee Levey, Chairman; Andy Conroy; Tom Farkas; Ben Hanpeter; Danielle Sanchick

OTHER: Atty. Liz Suchy; Chris Reeb; Nicholas Renzulli; Tammy Maldonado; Louis Contadino; Alison Kohlmeyer; Allison Mathern; Aron Schumacher; Carol Hayes; Cedric Probst; Dan Scharff; Tony Federico; Felicia Rubenstein; Amy Zabetakis; Diane Cece

CALL TO ORDER

Chairman Levey called the meeting to order at 7:02 P.M. There was a quorum present.

ROLL CALL

Chairman Levey performed a roll call of those present.

PUBLIC HEARINGS

**A. 23-1221-03
BELL ISLAND LLC (CONTINUED FROM DECEMBER 21, 2023 & JANUARY 18, 2024) –
VARIANCES FOR: FRONT YARD SETBACK, REAR YARD SETBACK, NUMBER OF
STORIES, BUILDING LOT AREA AND OF PARKING WITHIN THE FRONT SETBACK
TO CONSTRUCT A NEW FLOOD COMPLIANT SINGLE-FAMILY RESIDENCE.
PROPERTY LOCATED AT 23 WESTMERE AVE.**

Ms. Sanchick reviewed the requested variances for those present.

Ms. Kohlmeyer came forward to discuss this item. She stated that this was the third revision of the plan.

Mr. Scharff came forward to discuss this item. He is the architect for the project. He reviewed the most recent changes for those present including:

- Cut the front porch back 13 feet and slid it from the right to the left-hand side.
- Brought the backwall of the house 18” from the rear.
- Reduced the footprint down to 39% lot coverage.
- Further lowering the retaining wall.

Chairman Levey asked for more detail regarding the materials for the driveway. Mr. Scharff said they were considering gravel or some other semi-pervious material. Chairman Levey asked for more details regarding stormwater retention. Further discussion followed regarding the off-street parking. It was suggested that they contact DPW for guidance in reducing the dangers present. Ms. Kohlmeyer noted that elder accessibility was needed for the house.

Ms. Maldonado said that a decision was needed tonight. She noted that three additional letters of opposition had been submitted regarding the item.

Ms. Rubenstein came forward to speak. She asked to see what the building would look like if there was no request for a variance in size and noted there had been no effort to conform with the 35% request. Mr. Scharff said they had already brought it down from 50% to 39% and were seeking a conservative 4% coverage variance. Ms. Rubenstein said that this would block their view. Further discussion followed.

Ms. Zabetakis came forward to speak. She is present on behalf of the residents of 17 Yarmouth. She felt that the proposed changes did not go far enough in bringing the house into conformity. She also felt that, since the house was new and not pre-existing, it should be doing its best to follow regulations. Further discussion followed regarding possible ways to reduce variations.

B. 24-0118-01

JOANNE SMITH (CONTINUED FROM JANUARY 18, 2024) – VARIANCE FOR FRONT SETBACK FOR A PROPOSED 1 STORY NORTHERLY ADDITION AND A 2 STORY SOUTHERLY ADDITION AND VARIANCE OF PARKING WITHIN THE FRONT SETBACK AT AN EXISTING SINGLE-FAMILY RESIDENCE. PROPERTY LOCATED AT 281 EAST AVE.

Ms. Sanchick proceeded to review the application for those present.

Mr. Renzulli came forward to discuss this item. He provided the plans for those present. He pointed to where they had reduced impervious coverage and cut livable square footage. A rendering of the property was provided. Further discussion followed.

Ms. Cece came forward to comment. She said she was hoping to understand the difference between the original application and the one presented at the meeting. She was also struggling to understand what constituted a hardship. She also asked for clarity regarding the residency of the occupant. Further discussion followed regarding what constituted a hardship. The applicant responded and further discussion followed regarding the floorplan. Chairman Levey felt that the application was incomplete and requested further information. It was decided to keep the application open so further information could be gathered.

C. 24-0215-02

CAROL HAYES – VARIANCE FOR FRONT SETBACK AND SIDE SETBACK FOR FOUR PROPOSED LP TANKS AND VARIANCE OF SIDE SETBACK AND REAR SETBACK FOR PROPOSED GENERATOR AND VARIANCE TO EXCEED LOT COVERAGE MAXIMUM AT EXISTING SINGLE-FAMILY RESIDENCE. PROPERTY LOCATED AT 19 WESTMERE AVE.

Mr. Reeb came forward to discuss this item. He reviewed the history of the application for those present and provided diagrams of the lot. The possibility of using an underground tank was raised. It was pointed out that this was not possible currently. Mr. Levey asked if the LP tanks were allowed under windows. Mr. Reeb confirmed that is allowed.

A question was raised regarding the fence lines on the property. It was noted that portions of the fence were cutting into the passway. Further discussion followed.

D. 24-0321-01

**CEDRIC & TERESA PROBST – VARIANCE FOR SETBACK FOR PROPOSED OVERHANG,
DECK, BOX BAY WINDOW, AND AC UNITS FOR EXISTING SINGLE-FAMILY DWELLING.
PROPERTY LOCATED AT 48 BURCHARD LN.**

Atty. Suchy came forward to discuss this item. She said the neighbors had been notified of the hearing. She then reviewed the history of the property and the reasons for the need for the variances. She had received no objection from the property owner to the south.

Mr. Contadino came forward to discuss this item. He reviewed the provided plans for those present and the architectural details noting that the house had been constructed in the 70's.

There was discussion about possible alternative plans.

There were no questions from the public at this time. Letters in opposition had been submitted which were read into the record for those present.

**E. 24-0321-02
EQUITY ONE (NORWALK) LLC – VARIANCE FOR HEIGHT OF DIRECTIONAL SIGNS
FOR DRIVE UP PARKING SPACE SIGNS FOR “TARGET”. PROPERTY LOCATED AT 680
CONNECTICUT AVE.**

Mr. Schumacher came forward to discuss this item. He noted that there had already been lengthy discussions regarding signage for this property. They were requesting a 2 foot increase in height for parking lot customer pick-up signs.

Ms. Mathern came forward to discuss this item. She provided images of the site for review. She then discussed the need for the signs and how they would impact the site.

Mr. Conroy asked where the signs were to be located. Ms. Mathern pointed them out on the site plan and noted they were double faced signs. There will be 9 posts with the signs.

There were no comments from the public at this time.

BOARD ACTION ON: A-E

24-0321-02 680 CONNECTICUT AVE.

- ** MR. HANPETER MOVED TO APPROVE ITEM 24-0321-02 AS SUBMITTED.**
- ** MS. SANCHICK SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

24-0321-01 48 BURCHARD LN.

- ** CHAIRMAN LEVEY MOVED TO APPROVE ITEM 24-0321-01 AS SUBMITTED.**
- ** MR. CONROY SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

24-0215-02 19 WESTMERE AVE.

Mr. Conroy said they should take the fence issue off the table as it had been there for 15 years and it was unclear about the ownership of the passways.

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**** MR. CONROY MOVED TO APPROVE ITEM 24-0215-02 AS PRESENTED.
** CHAIRMAN LEVEY SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

24-0118-01 281 EAST AVE.

Chairman Levey said that this item would be continued until the next meeting.

23-1221-03 23 WESTMERE AVE.

Chairman Levey said they had to take action on this item tonight. Mr. Conroy felt that moving the building away from the road resolved a lot of the issues. He felt that they needed to engage with DPW. Chairman Levey suggested demolishing or moving the garage at the adjacent property for better sight lines. Further discussion followed regarding the issue with sight lines and getting DPW involved. Mr. Levey noted the practical difficulty of parking the car and getting up to the first floor of the house. Mr. Conroy noted that the height of the house does comply. Mr. Levey noted the complaints about blocked views and stated that views are not guaranteed.

**** MR. CONROY MOVED TO APPROVE ITEM 23-1221-03 WITH THE FOLLOWING CONDITIONS:**

- **REFERENCING THE REVISED PLANS DATED FEBRUARY 28TH AND ADDED TO ALL THE WAY UP TO MARCH 20TH.**
- **THE FRONT OF THE HOUSE TO BE MOVED AWAY FROM THE ROAD BY 1.1 FEET.**
- **MAINTAINING THE SIDE SPACES AS THEY HAD DESCRIBED AND THE AGREED UPON BACK SPACE FOR THE BELL ISLAND PATHWAY.**
- **THAT THE HEIGHT IS ACCEPTABLE.**
- **THAT THE PROPERTY OWNER ALSO OWNING THE ADJACENT PROPERTY WITH THE EXISTING GARAGE SHOULD MAKE EVERY EFFORT TO AMELIORATE THE SIGHTLINE PROBLEM AND WORK WITH DPW TO RESOLVE IT.**
- **THAT THE DRIVEWAY BE PERMEABLE PAVING.**
- **THAT SAFETY MIRRORS BE EXPLORED TO HELP WITH THE SIGHTLINE.**

**** MS. SANCHICK SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

ADMINISTRATIVE ACTIONS

ACTION ON HEARING MINUTES – FEBRUARY 15, 2024

**** MR. HANPETER MOVED TO APPROVE THE MINUTES OF FEBRUARY 15, 2024 AS SUBMITTED.
** MR. CONROY SECONDED THE MOTION.
** THE MOTION PASSED WITH FOUR (4) (CONROY; FARKAS; HANPETER; SANCHICK) IN FAVOR AND ONE (1) (LEVEY) ABSTENTION**

ADJOURNMENT

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

The meeting adjourned at 9:25 P.M.

Respectfully Submitted
Ian A. Soltes
Telesco Secretarial Services