

**CITY OF NORWALK
ZONING BOARD OF APPEALS
FEBRUARY 20, 2020
(APPROVED JULY 16, 2020)**

ATTENDANCE: Andy Conroy; Chris Gavrielidis; Keith Lyon; Marilyn Altman;
Tad Diesel

STAFF: Aline Rochefort; Tammy Maldonado

OTHERS: Attorney Suchy; Peter Cummings; Edward Martinez; Alan White

I.CALL TO ORDER

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

Mr. Conroy welcomed Mr. Diesel to the Board.

II. ROLL CALL

Mr. Conroy called the roll and indicated that they had a quorum.

Mr. Conroy provided an overview of the how the meeting will be conducted and said that for the first two hours there will be a public hearing on the applications that were listed in The Norwalk Hour, and after the applicant and or his or her representative has spoken those against the application will have the opportunity to state their opposition for the record. After that has concluded the applicant and only the applicant will have the opportunity to rebut and respond to the issues that were raised. The hearing will then be closed and the board will discuss and act upon the applications and no further public input will be accepted and should an applicant decide to leave you may contact the Zoning office tomorrow to learn about the decision.

III. PUBLIC HEARINGS

- A. 20-0220-01 Eversource/City of Norwalk WPCA-** Variance of the required two story minimum for replacement pump station. **Property located at 473 Connecticut Ave.**

****THE APPLICATION WAS PASSED OVER.**

- B. 20-0220-02- Mark & Ellen Loomis** Variance to enclose the second floor balcony on property previously granted by variance. **Property located a 42 Yarmouth Road.**

Mr. Brasher read the staff report into the record.

Mr. Cummings came forward and said that he is the designer of the project and presented the project for a second floor deck from the master bedroom and said it is a modification to the original variance, and the deck itself meets all the requirements of the setbacks. Mr. Gavrielidis asked when the original variance was granted. Mr. Cummings said it was granted in 1998 to go from two stories to three stories.

- C. 20-0220-03 Richard Gilhooly.-** Variance for after the fact expansion of a non-conforming single family house within the front setback. **Property located at 28 Amundsen Street.**

****THE APPLICATION WAS POSTPONED AND WILL BE HEARD ON MARCH 19TH. THE APPLICANT FAILED TO NOTIFY THE ABBUTTING OWNERS OF THE PUBLIC HEARING.**

- D. 20-0220-04- 83 East Ave.; LLC** Variance of required parking previously approved by variance # 83-0407-03, reduce parking from 116 spaces to 111 spaces. **Property located at 83 East Ave.**

****THE APPLICATION WAS WITHDRAWN.**

- E. 20-0220-05- Estate of Concetta DiScala- Special Exception to develop a non-conforming lot in same ownership in AAA Residence Zone. Property located at 17 Skytop Drive.**

Mr. Brasher read the staff report into the record.

Attorney Suchy came forward and presented the project and said the lots were created in 1956 when the zone for the property was zone A, and the subdivision was inactive in 1956 and approximately two months later the parcels in the area were rezoned to AAA making all of the parcels nonconforming. However, the parcels have existed in their current configuration since they were subdivided in 1956. The application for special exception seeks to unmerge the lots and submitted documentary evidence and presented physical evidence that the lots have been and continue to be separate lots and the special exception should be granted. Mr. Conroy asked if there are any improvements of any sort that were done to the lot. Attorney Suchy said “no” and that the lot is vacant. Ms. Altman asked if it is known what will be developed on the lot. Attorney Suchy said at some point a single family residence in accordance with the AAA zone. Ms. Altman asked if there has been any feedback received from the neighbors. Ms. Rocheford said there are two letters from neighbors that are in support of the applications.

Mr. Brasher read the letters of support into report for the record.

Mr. Martinez came forward in opposition of the application and questioned if a house can be built on ½ acre of land.

Mr. White came forward and spoke in opposition of the application and said he was always under the impression that was a one acre lot and the possibility of building a house on the property is not something he is looking forward to. He said it will spoil the current view and presented photos of the current views from his residence. Mr. Conroy asked Mr. White if he has ever seen anyone make use of the lot. Mr. White said years ago but that it has become overgrown in the last 10 years. Ms. White said because it was zoned as one property at the time they purchased their home they were under the impression that it was one lot. Mr. Conroy said he does not see any evidence that it was ever one lot. Mr. Gavrielidis asked if there is any record of the property ever being zoned as one lot. Ms. Rocheford said that map that was presented by the Attorney and is on file with the land records distinctly shows the property as two separate lots, and there are no other maps filed in the land records nor are there any permits that combined lots. Mr. White requested an extension of the meeting so that they can hire an Attorney. Ms. Rocheford said the notices were sent out on February 6, 2020, so they met the statutory requirements on the notice to the neighbors.

Attorney Suchy came forward and stated that the documents that have been submitted clearly demonstrate two lots and that the application should be approved this evening.

IV. BOARD ACTION ON: A-E

- E. 20-0220-05- Estate of Concetta DiScala-** Special Exception to develop a non- conforming lot in same ownership in AAA Residence Zone. **Property located at 17 Skytop Drive.**

**** MR. LYON MOVED TO APPROVE THE SPECIAL EXCEPTION.**

**** MR. GAVRIELIDIS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

- D. 20-0220-04- 83 East Ave.;** LLC Variance of required parking previously approved by variance # 83-0407-03, reduce parking from 116 spaces to 111 spaces. **Property located at 83 East Ave.**

****THE APPLICATION WAS WITHDRAWN.**

- B. 20-0220-02- Mark & Ellen Loomis** Variance to enclose the second floor balcony on property previously granted by variance. **Property located a 42 Yarmouth Road.**

**** MR. LYON MOVED TO APPROVE THE CHANGED PLAN AS PRESENTED.**

**** MS. ALTMAN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

- A. **20-0220-01 Eversource/City of Norwalk WPCA- Variance of the required two story minimum for replacement pump station. Property located at 473 Connecticut Ave.**

****MR. CONROY MOVED TO OPEN THE HEARING AND POSTPONE THE HEARING UNTIL MARCH 19, 2020.**

**** MR. CONROY MOVED TO CLOSE THE HEARING.**

**** MR. BRASHER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

V. ACTION ON HEARING MINUTES- DECEMBER 5, 2019

**** MR. CONROY MOVED TO TABLE THE MINUTES.**

**** MR. GAVRIELIDIS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

VI. ADJOURNMENT

**** MR. GAVRIELIDIS MOVED TO ADJOURN.**

**** MR. BRASHER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:15PM.

Respectfully submitted,
Dilene Byrd
Telesco Secretarial Services