

**CITY OF NORWALK
ZONING BOARD OF APPEALS
BY VIDEO CONFERENCE AND TELECONFERENCE
SEPTEMBER 17, 2020**

ATTENDANCE: Lee Levey; Andy Conroy; Chris Gavrielidis; Keith Lyon; Tad Diesel;
Gregory Brasher;

STAFF: Aline Rochefort; Tammy Maldonado

OTHERS: Attorney Elizabeth Suchy; Claudia Gelzer; Wendy Foster; Mr. Paglero,
Milone & Macbroom; Michael Tromba; Kimberly Tromba; Norman Hill;
Shauna Lagatol; Pamela Strader; Mary Keating

I. CALL TO ORDER

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

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. 20-0716-03- Scott & Donna Mattson-** Variances for replacement single family residence. **Property located at 4 Buttonball Trail.**

Mr. Levey said the application will be heard on October 15, 2020, and the applicant will be submitting revised plans.

- B. 20-1917-01- Claudia Gelzer & Wendy Foster-** Variances to allow a 3rd story addition/variance of dormer regulation for premise previously granted by variance. **Property located at 7 Nearwater Rd.**

Attorney Suchy said Pine Point much like Belle Island was developed as a summer beach colony and as the properties became desirable many of the dwellings became year round dwellings, but the lots are often small and many variances have been granted for properties in this area in the past. She said the existing conditions of the property are that it is a two and a half story dwelling and has existed for more than 20 years and variances were granted in the early 1990's. The proposal is to construct a dormer on the upper most floor the give her clients 50 more square feet of interior space. She said the reason for this is that Covid -19 has dramatically changed the way all of us work and will continue to work and navigate through the pandemic and many employers and employees are more than ever working remotely. Both of her clients are working remotely and this additional workspace within the dwelling is important to them because it will provide a needed increase in workspace that is both practical and functional for both of them. There is no expansion of the footprint or further encroachment to the side yards and is a technical requirement request of the board. All of the neighbors have been notified and all of them support the proposal.

Mr. Paglero presented the design drawing and said they are looking to install the dormer on the rear side of the house and there is an existing attic in the space and by creating a dormer can convert the space to function as an office.

Mr. Levey asked if the space if legally habitable. Mr. Paglero said "yes". Mr. Levy asked if there would be any reason to consider leaving the eve in place. Mr. Paglero said he would have no problem with that. Mr. Levey said that will allow visual separation to present this as a dormer.

Attorney Suchy read the names and address of the people who had sent a letter of support for the application into the record. Mr. Levey asked if there is anyone who wished to speak against the item. There was no one that spoke against the item.

- C. 20-0917-02- Mike & Kimberly Tromba-** Variances to elevate existing single family residence previously granted by variance and rebuild and reconfigure front & rear decks and add balcony. **Property located at 1 Oliver Street.**

Mr. Conroy read the staff report into the record.

Mr. Hill said the house is located in the Harborview neighborhood and the lot is only 40' wide and believe the house is grandfathered in where it is located. He said the Tromba's would like to raise the house above the 500 year flood elevation. He said the house is in ill repair and has been vacant for several years, and they would like to repair it but before they put money into this house they want to raise it so it is not in threat of a flood from a hurricane. He said they would like to raise the house to an elevation of 16.4, expand the front deck so that it is 7/10' closer to Channel Avenue and the variance is for the proposed second story balcony.

Mr. Levey asked why they are requesting to raise the house the additional height above and beyond the FEMA regulation. Mr. Hill said that 500 year storms do happen.

Mr. Levey asked if the green cards have been submitted. Mr. Tromba said "yes" and that he has them in his possession. Ms. Rocheford requested that they send them to her office. Mr. Levey asked that they be in her office by 12:00PM tomorrow.

Shauna Lagatol- 3 Oliver Street

Ms. Lagatol stated that Mr. Tromba had responded to a lot of their questions in detail and they are satisfied with the responses.

Mr. Levey asked if there is anyone that wished to speak against the application.

Ms. Pamela Strader-16 Channel Avenue

Ms. Strader stated that going over the 500 year flood is a bit much and with the change the light and the level of privacy will be effected. She said she has lived in the area over 20 years and the house they have purchased has never flooded in that time.

Mr. Tromba stated that the house is not a colonial and are only requesting a higher pitched roof so by going up they are way under the code of 40' and it is not their intention to block anyone's view or the sunlight.

- D. 20-1917-03-Mary Keating-** Variance of the zoning front setback to construct an attached 2 car garage to replace a garage & carport, 40ft required 27.7 ft propose (Section 118-330C) in A residence zone. **Property located at 39 Arnold Lane.** District 6, Block 28B,lot 142.

Mr. Conroy read the staff report into the record.

Ms. Keating presented the survey and said that that they live at the end of Arnold Lane and are requesting to enlarge the garage and carport slightly and enclose it for safety and security. She said she has emailed Ms. Rochford the proof of mailings and a petition in support of her neighbors except for the neighbor that lives behind her because he is away, but his property is the furthest away and the rest of the neighbors have signed and are on board for what she is doing.

Ms. Keating presented photos of the interior of the garage and the application is driven by the fact that she has to have a wheelchair lift and it is the only viable place in the house to put it, and it would provide safe ingress and egress to the house and would protect the wheelchair lift and van from the weather.

Ms. Rochefort read the addresses of those in support of the application.

Mr. Conroy said going from a carport to an enclosed garage with a couple of feet for a bump out towards the street to accommodate the van is not significant and does improve the look of the property.

Mr. Levey said the pie shaped lot presents hardship and design difficulties and would constitute an approval in this application.

IV. BOARD ACTION ON: A-D

- D. 20-1917-03-Mary Keating-** Variance of the zoning front setback to construct an attached 2 car garage to replace a garage & carport, 40ft required 27.7 ft propose (Section 118-330C) in A residence zone. **Property located at 39 Arnold Lane.** District 6, Block 28B,lot 142.

**** MR. CONROY MOVED TO APPROVE THE ITEM BASED ON THE SHAPE OF THE LOT THAT WOULD NOT PERMIT A GARAGE IN ANY OTHER PRACTICAL LOCATION AND THE DEFINITIVE NEED FOR HANDICAPPED ACCESSIBILITY TO AND FROM THE LIFT AND TO AND FROM THE HOUSE TO THE VAN.**

**** MR. DIESEL SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

- C. 20-0917-02- Mike & Kimberly Tromba-** Variances to elevate existing single family residence previously granted by variance and rebuild and reconfigure front & rear decks and add balcony. **Property located at 1 Oliver Street.**

**** MR. LEVEY MOVED TO APPROVE THE ITEM BASED ON THE FEMA REGULATIONS.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

- B. 20-1917-01- Claudia Gelzer & Wendy Foster-** Variances to allow a 3rd story addition/variance of dormer regulation for premise previously granted by variance. **Property located at 7 Nearwater Rd.**

**** MR. LEVEY MOVED TO APPROVE THE ITEM.**

**** MR. BRASHER SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

- A. 20-0716-03- Scott & Donna Mattson-** Variances for replacement single family residence. **Property located at 4 Buttonball Trail.**

The application was withdrawn and will be heard at the October 15, 2020 meeting.

Mr. Conroy requested going forward that staff update the board members when they are not in possession and have not verified that the green cards have been returned for each of the applications.

V. ACTION ON HEARING MINUTES- AUGUST 20, 2020

**** MR. CONROY MOVED TO TABLE THE MINUTES.
** MR. LEVEY SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

VI. ADJOURNMENT

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

The meeting adjourned at 8:45PM.

Respectfully submitted,

Dilene Byrd
Telesco Secretarial Services

