

DRAFT
CITY OF NORWALK
ZONING BOARD OF APPEALS
March 3, 2016

PRESENT: Andrew Conroy; Chair; Joe Beggan; Taylor Strubinger; Keith Lyon; Lee Levey

STAFF: Aline Rochefort; Vladimir Mariano

OTHERS: Pete Romano; Atty Liz Suchy; Andrea Light

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. 16-0204-01 Div Dunham 35 LLC - Variance of zoning front setback and lot coverage for creation of parking area within the zoning front setback. Property located at 200 Connecticut Ave. (WITHDRAWN)

B. 16-0303-01 Joanne Smith – Variance of maximum building area for replacement single family residence. Property located at 287 East Avenue.

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

Pete Romano began the presentation by explaining that the applicant had previously been before the ZBA in December. He then continued by showing the commissioners the site plans. He described the retaining wall on the plans. He discussed the lot area and coverage. He asked for part of the legal memo to be read again. Ms. Rochefort gave him a copy of it. Mr. Romano then handed in the certified, return receipt cards, evidencing notice of the public hearing.

No one spoke in support or against the application. A letter from the adjacent neighbor was read into the record by Mr. Beggan. The letter contained pictures which were shown to the commissioners. This letter, from Mr. Klinkowski, requested that the

variance not be granted unless the applicant erects a chain link fence to prevent the applicant from using his property during construction on the applicant's property. Mr. Conroy explained that some things were better handled by the court system. He then closed the public hearing.

C. 16-0303-02 Jonathan S. Teed – Variance of front yard setback, side yard setback, rear yard setback and coverage for single family residence. Property located at 28 Channel Ave.

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

Atty Liz Suchy began the presentation by handing in the certified, return receipt cards, evidencing notice of the public hearing. She introduced the property owner and then oriented the commissioners as to the location of the property. She described the Harbor View area as well as the history of it. She then showed photos, before and after, of the single family residence. She explained what changes were done to the structure. There was an issue with the roof and making it a flat roof. She then discussed the deck at the back. The last issue was a stairway that was not constructed in accordance with the variance granted in 2014. There was a discussion of what the hardships were. There was a discussion as to whether the Building Department had issued a stop work order. Atty Suchy said that she was not aware of one. There was a discussion about the safety of the garage and having people sitting on it. There would be no barbeque on it. Mr. Conroy wanted assurances that the roof would be safe by going back to the Building Department. There was a discussion about the utilities and changing the entry door.

Andrea Light, 7 Greenwood Place, spoke in support of the variance requests.

Kathryn Tracy spoke in support of the application. Mr. Beggan then read her letter of support into the record. He then read several other letters of support into the record. No one spoke against the application.

Mr. Conroy closed the public hearing.

IV. BOARD ACTION ON: A - C

16-0303-02 Jonathan S. Teed – Variance of front yard setback, side yard setback, rear yard setback and coverage for single family residence. Property located at 28 Channel Ave.

There was a discussion about the flat roof garage as well as the electrical meter. They also discussed what was in the original variance which denied building over the garage. Commissioner Strubinger expressed reluctance to grant a variance to an already non-conforming property resulting in further non-compliance. They thought it might be best to determine what could lower the coverage

MR. CONROY MOVED to grant the variance for the deck platform for the electrical meter location as well as approving the deck and stairs connecting the garage with conditions. He then moved to deny the coverage variance and the deck over the garage without prejudice.

Mr. Levey seconded.

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

No one voted in opposition.

No one abstained.

16-0303-01 Joanne Smith – Variance of maximum building area for replacement single family residence. Property located at 287 East Avenue.

MR. LEVEY MOVED to deny the variance application.

Mr. Strubinger seconded.

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

No one voted in opposition.

IV. ACTION ON HEARING MINUTES – February 4, 2016

Mr. Conroy moved to approve the minutes.

Mr. Lyon seconded.

Mr. Beggan, Mr. Conroy, Mr. Lyon, and Mr. Strubinger voted in favor.

No one voted in opposition.

Mr. Levey abstained.

V. ADJOURNMENT

MR. LYON made a motion to adjourn.

Mr. Strubinger seconded.

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

No one voted in opposition.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Diana Palmentiero