



REGULAR MEETING – ZONING BOARD OF APPEALS AGENDA

AUGUST 21, 2025, 7:00 PM
BY ZOOM VIRTUAL MEETING

To allow public access, anyone may access a meeting by telephone and/or Zoom, or a recording in the City of Norwalk YouTube channel. Specific instructions and links can be found at norwalkct.gov/meetings.



Members of the public may call in to participate. Callers will not be able to see the meeting participants. All participants will be muted upon entering the meeting. To speak, dial *9 on the phone and you will be called on by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide "live comments" may also use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email Tammy Maldonado at tmaldonado@norwalkct.gov with the subject line "Public Comment" to provide written public comment prior to the meeting.

Application materials can be found at this link:

<https://www.norwalkct.gov/2066/Pending-applications-Zoning-Board-of-App>

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PUBLIC HEARINGS**
 - A. **25-0626-01 – Daniela Alfaro - (Continued from June 26, 2025) - Variance to allow parking within the front setback and tandem parking following after the fact conversion of 1 car garage to living space at existing Single Family Residence in CD-1S Zone. Property located at 34 Garner St.**
 - B. **25-0717-01 - Norwalk CT Ave LLC – (Continued from July 17, 2025) - Variances of front setback, building height, and frontage buildout to construct a new (additional)**

principal building proposed as free-standing drive-through coffee shop in CD-3C zone. Property located at 641 Connecticut Ave.

- C. 25-0821-01 – John A. and Mary B. Gerster – Variances for front setback and impervious surface coverage for second story addition to existing single family residence in CD-1S Zone and CAM Overlay. Property located at 53 Rowayton Ave.

IV. BOARD ACTION ON: A-C

V. ADMINISTRATIVE ACTIONS

- A. Action on Hearing Minutes (June 26, 2025 and July 17, 2025)

VI. ADJOURNMENT

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 26, 2025
DRAFT MINUTES**

BY ZOOM VIRTUAL MEETING

ATTENDANCE: Andy Conroy, Kathy Olsen, Lee Levey, Ben Hanpeter, Keith Lyon

STAFF: Tammy Maldonado

OTHERS: Atty. Liz Suchy, Jairo Castro, Craig Flaherty, Oliver Cope, Azure Dee Sleicher, Michael Angelakis, Patsy Gill, Daniela Alfaro, Caitlin Drury, Arnold Coello, Amy Kule

I. CALL TO ORDER

Mr. Conroy called the meeting to order at 7:00 p.m.

II. ROLL CALL

Mr. Conroy called the roll. A quorum was present.

III. PUBLIC HEARINGS

A. 25-0417-03

Plant Court, LLC (Continued from April 17, 2025 & May 15, 2025) - Variances to elevate and alter existing SFR, parking in front setback, replacement pool, replace retaining wall section and reduce mean high tide buffer. CD-1S Zone and Coastal Area Management Overlay. Property located at 46 South Beach Drive.

Ms. Olsen introduced the continued variance application, including plans to raise and modify a home, add front yard parking, replace a pool and retaining wall, and reduce the coastal buffer. Updates include lowering the pool to grade and eliminating a deck. A decision is due by July 17, 2025.

Atty. Suchy explained the elevation is required for FEMA compliance. Variances for height and setbacks are mostly unchanged, with the deck and cupolas removed. A height variance is needed due to flood rules, not new construction.

Mr. Cope detailed revisions: one roof wing was lowered 2.5 feet, and a cupola and chimney were removed. About 4% of the house exceeds height limits. No new living space was added.

Mr. Conroy emphasized variances must meet hardship criteria and raised concerns. Atty. Suchy said lowering the main roof would require full redesign. Mr. Conroy disagreed that construction difficulty qualifies as hardship.

Mr. Lyon asked for specifics on the footprint expansion. Mr. Cope said it was due to stairs and pier placement for elevation. Garage bays shifted, and rooflines were extended to maintain scale. Atty. Suchy clarified the expansion was minimal and necessary.

Mr. Levey called the house complex and said further height reduction would require major redesign. Mr. Conroy maintained the house is still too high and encouraged roof adjustments. Mr. Levey suggested a clipped gable roof to reduce visual height, though others questioned its impact.

Ms. Olsen supported the revisions, citing FEMA rules and loss of functionality if height is reduced further. Mr. Angelakis added the house, built in 2013, complies with updated codes and is not expanding. Support from neighbors was noted.

Mr. Lyon agreed the changes were reasonable. Mr. Conroy acknowledged improvements but remained concerned about a 3-foot extension toward the street and overall height, though terrain contributes to the perception.

Mr. Cope presented a revised pool plan, now lowered to ground level, improving views and complying with flood regulations. Ms. Drury shared the updated landscape plan, including fewer new trees and replacing a shed with a tree.

Board members agreed the revisions improved the project visually. Most members agreed the applicant made sufficient changes and were ready to vote.

There was a letter of support from a neighbor.

No one wished to speak in support of this application.

No one wished to speak in opposition of this application.

B. 25-0515-01

ACR Property, LLC – (Continued from May 15, 2025) - Variances of front yard setbacks at Lane Rd and East Rocks Rd, parking within the front setback at Lane Rd and East Rocks Rd and proposed backout space adjacent to Lane Rd property line to construct new Single-Family Residence. CD-1M zone. Property located at 6 Lane Road.

Ms. Olsen introduced an application for multiple variances at 6 Lane Road to build a single-family home on an undersized corner lot. Variances requested included reduced front yard setbacks on Lane Road and East Rocks Road, parking within setbacks, and a back-out space near the property line.

Ms. Maldonado raised a concern about a potential notice violation, stating she received an email from a neighbor alleging the required zoning notice sign had been removed and not reposted. The applicant's architect, Ms. Gill, confirmed she instructed the owner to repost the sign, but had not verified it. The owner, Mr. Coello, admitted the sign was taken down after the first meeting and claimed it was later replaced, but couldn't confirm its current presence.

Ms. Kule came forward to speak against this item. She confirmed the sign was not up as of the previous day. The Board expressed concern over the lack of proper notice, equating it to missing certified mailings.

Board members unanimously agreed the hearing could not proceed due to the notice issue. The application was continued to the July meeting. Staff instructed the applicant to repost the sign immediately and ensure it remains up until a decision is made.

C. 25-0626-01

Daniela Alfaro - Variance to allow parking within the front setback (30' required, 0' proposed) and tandem parking following after the fact conversion of 1 car garage to living space at existing Single Family Residence in CD-1S Zone. Property located at 34 Garner St.

Ms. Olsen introduced a variance request for 34 Garner Street to allow tandem parking within the front setback, following the unpermitted conversion of a garage to living space. The property is also under zoning violation for operating as a rooming house with separate locks and an unauthorized second kitchen. Additional complaints included unpermitted animal care activities and an Airbnb listing.

Ms. Maldonado explained the issue was self-created and restoring the garage would eliminate the need for a variance. Ms. Alfaro, the homeowner, said the garage was converted for her elderly mother, not for Airbnb use, and confirmed the kitchen was removed.

Board members raised concerns about the ongoing violations, lack of permits, and insufficient parking. Due to an unprepared presentation and missing visuals, the hearing was continued to July. The applicant was instructed to provide full documentation and keep notice signs posted.

IV. BOARD ACTION ON: A-C

A. 25-0417-03

Mr. Levey recognized the applicant's efforts since the initial review and felt the height reduction request would require unrealistic demolition. He said the setbacks were minimal and the revised pool and terrace were positive changes. Other board members, including Ms. Olsen and Mr. Hanpeter, agreed the applicant had made significant efforts.

**** MR. LYON MOVED TO APPROVE THE NON-CAM VARIANCE.**

**** MR. LEVEY SECONDED THE MOTION.**

****THE MOTION PASSED WITH FOUR (4) IN FAVOR (MR. LEVEY, OLSEN, MR. LYON, MR. HANPETER) ONE (1) ABSTENTION (MR. CONROY).**

**** MR. LEVEY MOVED TO APPROVE THE CAM APPLICATION.**

****THE MOTION PASSED WITH FOUR (4) IN FAVOR (MR. LEVEY, MS. OLSEN, MR. LYON, MR. HANPETER) ONE (1) ABSTENTION (MR. CONROY).**

Ms. Maldonado announced that the applications for 6 Lane Road and 34 Garner Street were continued to the July 17th meeting.

V. ADMINISTRATIVE ACTIONS

A. Action on Hearing Minutes – April 17, 2025, and May 15, 2025

**** MR. CONROY MOVED TO APPROVE THE MINUTES OF APRIL 17, 2025, AS SUBMITTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. CONROY MOVED TO APPROVE THE MINUTES OF MAY 15, 2025, AS SUBMITTED.**

**** THE MOTION PASSED WITH FOUR (4) IN FAVOR (MR. CONROY, MR. LEVEY, MR. LYON, MS. OLSEN) AND ONE (1) ABSTENTION (HANPETER)**

VI. ADJOURNMENT

**** MS. OLSEN MOVED TO ADJOURN THE MEETING.**

**** MR. LYON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:12 PM.

**CITY OF NORWALK
NORWALK ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 17, 2025 at 7PM
DRAFT MINUTES**

ATTENDANCE: Andy Conroy (Chairman), Danielle Sanchick (Secretary), Lee Levey, Keith Lyon, Steve Ferguson, Ben Hanpeter.

OTHERS: Tammy Maldonado (Zoning Officer), Patricia Gill (Applicant Architect), Amy Kule (Public Speaker - Opposition), Serena Cutugno (Public Speaker - Opposition), Donna Cutugno (Public Speaker - Opposition), Gail Candlin (Public Speaker - Opposition), Roger Brouard (Public Speaker - Opposition), Daniela Alfaro (Applicant, appeared by phone for continuance request), Liz Suchy (Attorney, representing Norwalk CT Ave LLC applicant), Matt Bruton (BL Companies - Civil Engineer for Norwalk CT Ave LLC).

I. CALL TO ORDER

Chairman Conroy called the virtual Zoom meeting to order at 7:00 p.m. He confirmed a quorum with members Mr. Conroy, Mr. Levey, Mr. Lyon, Mr. Ferguson, Mr. Hanpeter, and Ms. Sanchick (Secretary).

II. ROLL CALL

Roll call confirmed six members present.

III. PUBLIC HEARINGS

A. APPLICATION 25-0515-01 – ACR PROPERTY, LLC – 6 LANE ROAD

Seated for this item were Mr. Levey, Ms. Sanchick, Mr. Lyon, Mr. Ferguson and Mr. Hanpeter.

The Board heard a variance application for front yard setbacks along Lane Road and East Rocks Road, front yard parking, and backout space related to construction of a new single-family residence in the CD-1M zone.

Ms. Gill, architect for the applicant, initiated the presentation by stating that the lot was subdivided in 1928 before zoning codes existed in Norwalk. She explained that the general zoning regulations enacted later, particularly increased 30-foot setbacks on all street frontages, severely constrained the buildable area, making a conventional compliance build infeasible. The current plan is for a modestly sized single-family home with a garage and one additional off-street parking space, set into a steeply sloped lot descending from East Rocks Road. Preservation of existing trees and natural features was emphasized, with no blasting anticipated and building located to minimize visibility from the adjacent stone house.

Board members questioned Ms. Gill regarding the lack of any patios or terraces. Ms. Gill indicated only a front porch was included and no formal outdoor living spaces. Mr. Levey expressed concern about how future occupants would accommodate basic outdoor activities like barbecuing. The absence of a detailed landscaping or screening plan was raised, and Ms. Gill noted screening could be added but no formal plan had yet been developed. Mr. Hanpeter inquired about anticipated tree removal and potential blasting; Ms. Gill was unable to specify exact tree impacts but confirmed no blasting was expected as the building would have no basement. Mr. Lyon confirmed the property would have city water and sewer connections. Ms. Gill showed the limited buildable triangular area on the lot remaining after the large setbacks, acknowledging that the lot size was less than 60% of the zoning requirement.

The Board then opened the floor to public comment. Ms. Amy Kule spoke first, referencing the large volume of opposition letters submitted. She stressed that shoehorning a house onto such a substandard lot threatened the architectural harmony and single-family character of the neighborhood. She highlighted that Lane Road is a narrow single-lane road with frequent traffic bottlenecks and parking conflicts, and that the new house's design and size raised concerns about aesthetics and environmental disturbance, including tree loss and site grading. Ms. Kule urged rejection based on these comprehensive neighborhood impacts.

Ms. Serena Cutugno, residing directly across at 6 East Rocks Road, echoed these concerns, describing Lane Road as saturated with parked vehicles and traffic congestion, stating that adding another residence would exacerbate already difficult parking and circulation conditions. She cited observations of up to seven cars parked at another nearby house contributing to congestion.

Ms. Gail Candlin, also of East Rocks Road, emphasized the incongruity of a large home on a very small lot and warned that increasing density with multiple family uses in the vicinity was detracting from the neighborhood's unique character. She opposed further change in this predominantly single-family neighborhood.

Mr. Roger Brouard, 1 Lane Road, whose driveway faces the subject property, concurred with prior speakers. He described the narrow road as already challenging for vehicles to negotiate safely. Mr. Brouard expressed his concern about loss of neighborhood woodland and the visual impacts of further development, referencing prior clearing by adjacent lot owners and its consequences.

Finally, Ms. Donna Cutugno, Serena's mother and also resident at 6 East Rocks Road, recounted prior adverse parking conditions associated with another nearby property, described as effectively a rooming house with excessive vehicles. She characterized the neighborhood as suffering from "oversaturation" and believed the new construction would worsen conditions. The applicant's architect clarified that this was a separate lot and unrelated to this proposal.

At the conclusion of verbal testimony, Ms. Sanchick read aloud the names and addresses of over 30 residents who had submitted written opposition letters, all unanimous in objection based on similar neighborhood character, parking, and environmental concerns.

Ms. Gill offered rebuttal emphasizing the modest size of the proposed residence, the intent to preserve existing greenery, and acknowledged the hardship caused by post-subdivision adoption of zoning setbacks that rendered the lot virtually unbuildable without relief.

Following deliberation, Mr. Levey moved to deny the application without prejudice so that the applicant could reconsider design and landscaping to better fit the neighborhood character. Ms. Sanchick seconded. The motion carried 4–1 with Mr. Hanpeter opposed.

B. APPLICATION 25-0626-01 – DANIELA ALFARO – 34 GARNER STREET

Seated for this item were Mr. Levey, Ms. Sanchick, Mr. Lyon, Mr. Ferguson and Mr. Hanpeter.

Ms. Sanchick summarized the variance request regarding parking within the front setback due to an illegal conversion of garage space to living area at an existing single-family home in the CD-1S zone. The property is also under ongoing zoning violations for use as a rooming house and alleged unpermitted animal care business.

Despite repeated attempts by staff to contact Ms. Alfaro prior to the meeting, she did not initially appear. During the hearing, an attendee identified as “Apple’s iPhone” unmuted and identified herself as Ms. Alfaro, explaining she was currently hospitalized and lacked full access to present. Ms. Alfaro requested a continuance.

Mr. Levey moved to continue the hearing to August 21, 2025 to allow the applicant adequate time to prepare. Mr. Hanpeter seconded and the Board unanimously approved the continuance.

C. APPLICATION 25-0717-01 – NORWALK CT AVE LLC – 641 CONNECTICUT AVENUE

Seated for this item were Mr. Conroy, Ms. Sanchick, Mr. Levey, Mr. Lyon, and Mr. Hanpeter.

Ms. Sanchick read the variance requests for front setback, building height and frontage buildout for a proposed freestanding drive-through coffee shop on property zoned CD-3C.

Attorney Ms. Suchy represented the applicant, explaining that the site is currently a large parking lot in front of Raymour & Flanigan furniture. The proposed coffee kiosk is a small, roughly 580 square foot, predominantly drive-through facility with some pedestrian access. She argued that due to existing parcel configuration and zoning history, the strict new form-based code requirements for building placement and frontage were impractical for this use.

Planning staff memorandum was read into the record expressing opposition to the variances as the proposal conflicted with city goals to create pedestrian-friendly, urban-form retail frontage along Connecticut Avenue consistent with the new zoning code and the city’s Plan of Conservation and Development.

Board members discussed the uniqueness of the proposal, noting its essentially auto-centric nature with associated excessive parking and lack of active frontage. Several members voiced concern that the project was inconsistent with long-term zoning objectives for this corridor.

Mr. Conroy asked the Board if there were any objections to continue this item to the August meeting. There were none. The item was continued.

IV. BOARD ACTION ON APPLICATIONS

Regarding the applications, the Board took the following actions:

APPLICATION 25-0515-01 – ACR PROPERTY, LLC – 6 LANE ROAD

- ** MOTION TO DENY THE APPLICATION WITHOUT PREJUDICE.**
- ** MR. LEVEY MOVED TO DENY THE APPLICATION WITHOUT PREJUDICE.**
- ** MS. SANCHICK SECONDED THE MOTION.**
- ** THE MOTION PASSED WITH FOUR (4) IN FAVOR (CONROY; LEVEY; SANCHICK; LYON) AND ONE (1) OPPOSED (HANPETER).**

APPLICATION 25-0626-01 – DANIELA ALFARO – 34 GARNER STREET

- ** MOTION TO CONTINUE THE HEARING TO AUGUST 21, 2025, DUE TO EXIGENT CIRCUMSTANCES.**
- ** MR. LEVEY MOVED TO CONTINUE THE APPLICATION TO AUGUST 21, 2025.**
- ** MR. HANPETER SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

APPLICATION 25-0717-01 – NORWALK CT AVE LLC – 641 CONNECTICUT AVENUE

- ** MR. CONROY CONTINUED THIS ITEM TO AUGUST 21, 2025**

V. ADJOURNMENT

- ** MR. LYON MOVED TO ADJOURN THE MEETING.**
- ** MR. FERGUSON SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at approximately 9:13 p.m.

Respectfully submitted,
Courtney Baldwin