

**CITY OF NORWALK  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
AUGUST 21, 2025  
VIA ZOOM VIRTUAL CONFERENCE**

**ATTENDANCE:** Andy Conroy (Chairman), Lee Levey, Danielle Sanchick (Secretary), Steve Ferguson, Ben Hanpeter, Kathy Olsen.

**STAFF PRESENT:** Tammy Maldonado

**OTHERS:** Daniela Alfaro (Pinto), Jorge Hernandez, John A. and Mary B. Gerster, Dan Conlon, Liz Suchy, Matt Bruton, Trevor Edkin, Curtis McMurray, Shane Cornwin, Mike Barbudo, Wade Harnin

**I. CALL TO ORDER**

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

**II. ROLL CALL**

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

**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.**

*Mr. Levey, Mr. Conroy, Ms. Sanchick, Ms. Olsen and Mr. Hanpeter were seated for this item.*

Ms. Sanchick presented the background on this single-family home, outlining the applicant's request for variances to allow parking within the front setback and for tandem parking, due to an after-the-fact conversion of the existing one-car garage into living space. She highlighted zoning violations stemming from the illegal conversion, including unpermitted use as a rooming house and installation of a second kitchen. Staff also noted a complaint about animal care business activity at the property, currently under investigation.

Jorge Hernandez, representing the applicant's architect, acknowledged the unpermitted work and stated that the former garage is now intended as a bedroom for family use (specifically, an in-law situation). Mr. Hernandez outlined challenges with creating code-compliant parking behind the setback, citing physical limitations of the lot, need for expensive retaining walls, and issues with curb cuts. The applicant indicated willingness to comply with code, but sought relief due to these constraints.

Mr. Levey stressed that financial cost cannot be used as a basis for variance decisions, and requested a concrete alternative site plan for parking solutions.

Mr. Conroy clarified the unique site orientation with Mr. Levey, questioning the feasibility of proposed parking configurations.

Ms. Maldonado confirmed that required variances pertain to both tandem parking and front setback encroachment, explaining that tandem parking is not allowed in this zone and that restoring the garage would resolve the violations and eliminate the variance need.

Mr. Hanpeter asked whether a compliant turnaround or back-out parking plan could remove the need for a variance, to which staff explained current allowances and the potential for alternative configurations with additional screening and setback management.

Ms. Sanchick and others emphasized the need for the applicant to address neighbor concerns in any resubmission and to provide a fully developed site plan with options. Board members expressed concern about the applicant's lack of preparation despite multiple continuances.

A continuance was granted, with the stipulation that the applicant must return to the next meeting (September 18, 2025) fully prepared to present alternative parking solutions and directly address public comments.

**B. 25-0717-01 - Norwalk CT Ave LLC – (Continued from July 17, 2025)**  
**Variations 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.**

*Mr. Conroy, Ms. Sanchick, Mr. Levey, Mr. Ferguson and Mr. Hanpeter were seated for this item.*

Ms. Sanchick detailed the application for variances from new form-based code standards, including front setback, two-story minimum height, and frontage buildout, for a proposed 500 sq. ft. drive-through coffee shop and associated refrigeration/storage building, positioned within an existing big box parking lot (Raymour & Flanagan site).

Ms. Suchy summarized changes since the last hearing: Reconfiguration of the building orientation to parallel Connecticut Ave, reducing the front setback from 84 to 29 feet. Addition of pedestrian amenities: picnic tables, sidewalk connection, and bike rack. Exterior design maintained a two-story massing at the north side, sloping to one story, with revised vehicular circulation for the drive-through.

Ms. Suchy argued that the site's size, parking requirements, and strict application of form-based code presented legitimate hardship for creating a small pedestrian-oriented building in the existing suburban context.

Mr. Conroy commended the revised layout and improved pedestrian experience. Mr. Ferguson thanked the applicant for addressing board feedback, noting better circulation and accessibility. Mr. Levey called the plan a “considerable improvement,” recommending more landscaping in front of the refrigeration structure and seating enhancements.

Ms. Sanchick supported the activation of outdoor space, encouraged additional seating, and urged further alignment with zoning intent.

Mr. Hanpeter remained critical, observing continued auto-orientation and perceived misalignment with the city’s long-term zoning goals, but asked for clarification on parking supply (121 spaces, 16 over minimum) and sidewalk width (7 feet); he suggested considering sidewalk expansion but ultimately acknowledged practical constraints.

Ms. Maldonado confirmed no written or public comments were received on the application.

**\*\*MR. FERGUSON MOVED TO APPROVE THE APPLICATION, CONDITIONED ON STAFF OVERSIGHT OF A LANDSCAPING AND SEATING ENHANCEMENT PLAN, PER BOARD INPUT.**

**\*\*MR. LEVEY SECONDED.**

**\*\*THE MOTION PASSED WITH ONE (1) OPPOSED (MR. HANPETER).**

Ms. Suchy agreed to the staff approval condition.

**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.**

*Ms. Sanchick, Mr. Levey, Mr. Ferguson, Ms. Olsen and Mr. Hanpeter were seated for this item.*

Ms. Sanchick introduced the application for variances for a minor front setback encroachment and a negligible increase in impervious surface coverage, both needed for a partial second-story addition to a single-family home on a pre-zoning, undersized lot.

Mr. Conlon explained that the addition would align the new roof overhang with the existing architecture, with no additional encroachment toward lot lines. The only net zoning impacts were the roof alignment and a 30 sq. ft. increase in impervious coverage. He cited the hardship as the significant pre-existing lot nonconformity.

Ms. Maldonado confirmed that while pre-existing nonconformity alone does not merit a variance, it does establish hardship under Connecticut law.

Ms. Sanchick proposed approval, with offsetting the small increase in impervious area elsewhere on site via landscaping or permeable paving.

Mr. Levey, Ms. Olsen, and Mr. Ferguson all expressed support, noting architectural consistency, promotion of flood resilience (roof AC), and minimal practical impact.

**\*\*MS. SANCHICK MOVED TO APPROVE WITH THE NOTED CONDITIONS.  
\*\*SECONDED BY MR. LEVEY.  
\*\*MOTION PASSED UNANIMOUSLY.**

**\*\*MS. SANCHICK ALSO MOVED TO FIND THE PROPOSAL CONSISTENT WITH COASTAL AREA MANAGEMENT POLICIES AND TO ASSERT NO ADVERSE COASTAL RESOURCE IMPACTS.  
\*\*SECONDED BY MR. HANPETER.  
\*\*MOTION PASSED UNANIMOUSLY.**

#### **IV. BOARD ACTION ON ITEMS A–C**

See actions and votes under each hearing above.

#### **V. ADMINISTRATIVE ACTIONS**

##### **Approval of Minutes:**

##### **1. June 26, 2025 Meeting Minutes**

**\*\*MR. CONROY MOVED TO APPROVE THE MINUTES OF JUNE 26, 2025.  
\*\*SECONDED BY MR. LEVEY.  
\*\*MOTION PASSED WITH ONE (1) ABSTENTION (MS. SANCHICK).**

##### **2. July 17, 2025 Meeting Minutes**

**\*\*MR. CONROY MOVED TO APPROVE THE MINUTES OF JULY 17, 2025\*\*  
\*\*SECONDED BY MR. LEVEY\*\*  
\*\*MOTION PASSED WITH ONE ABSTENTION (MS. OLSEN).**

#### **VI. ADJOURNMENT**

The meeting adjourned unanimously at 8:39 PM

Respectfully Submitted,  
Courtney Baldwin  
Recording Secretary