

**CITY OF NORWALK
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING - SEPTEMBER 18, 2025 (ZOOM VIRTUAL)
DRAFT MINUTES**

ATTENDEES: Andy Conroy, Steve Ferguson, Benjamin Hanpeter, Lee Levey, Kathy Olsen, Danielle Sanchick.

STAFF: Tammy Maldonado.

OTHERS: John Ryan, Beau Couden, Jacqueline Zoeller, Justin Towart, Curt Lowenstein, Bethany & Nicholas Sgrignoli.

I. CALL TO ORDER

Mr. Conroy called the meeting to order at 7:02 PM.

II. ROLL CALL

Mr. Conroy performed the roll call as noted above.

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 the CD-1S Zone. Property located at 34 Garner St.

Ms. Maldonado informed the Board that the application for 34 Garner St. was withdrawn at the end of the previous day. Mr. Conroy acknowledged the withdrawal, and the Board moved to the next item.

B. 25-0918-02 – Variances of setbacks for proposed additions at existing Single Family Residence and Special Exception to unmerge two (2) parcels under the same ownership. Properties located at 41 & 43 Park Hill Avenue.

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

Mr. Conroy assigned Ms. Sanchick to read the item, which she did, detailing the variances for front setbacks for a proposed front porch and one-story addition at 41 Park Hill, along with a special exception to unmerge lots 41 and 43 Park Hill under the same ownership. Ms. Sanchick provided background, noting the existing non-conforming status of 41 Park Hill and the vacant lot at 43 Park Hill. She mentioned that staff could not identify a zoning hardship for the setback variances but noted the special exception did not require one, subject to conditions under NZR Section 8.94.9.f.8.

Mr. Couden, representing himself and his wife as the applicants, addressed the Board, explaining that they closed on the property on June 17, 2025. He shared a survey via screen, arguing that lot 43 was a legal lot prior to zoning changes and is currently taxed separately, with a configuration similar to contiguous lot 45. He noted that three of five lots on the cul-de-sac are non-conforming due to predating zoning regulations, and many adjacent lots on Park Hill Avenue are similarly non-conforming.

Mr. Couden presented a conceptual building footprint for lot 43, suggesting it is buildable with a 9-foot cut into the slope, comparable to a 17-foot cut at 45 Park Hill Avenue. He clarified no immediate plans to build but prepared documents to demonstrate buildability.

Mr. Conroy questioned the buildability and potential impact of building close to the existing house, to which Mr. Couden responded it was more about determining assets and property value due to the neglected state of 41 Park Hill. The Board decided to defer the decision on the special exception until later.

Mr. Couden then presented the variance request, sharing PDFs to show the front setback cutting through the existing house's fireplace, built in the 1940s before current zoning. He argued that expansion of the main living area could only occur in the requested location due to the floor plan. Later, Mr. Conroy expressed no issue with granting the special exception, citing no detrimental impact or social problem, despite the lot's small size. Mr. Levey and Ms. Olsen concurred.

**** MR. LEVEY MOVED TO APPROVE THE SPECIAL EXCEPTION TO SEPARATE THE TWO PROPERTIES.**

****MS. OLSEN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

For the variances, Mr. Levey moved to approve the additions, citing the necessity of a roof over the front entrance and the usability of the living room addition, which does not protrude closer to the street.

**** MR. LEVEY MOVED TO APPROVE THE VARIANCE FOR TWO ADDITIONS TO THIS HOUSE, WITH THE HARDSHIP FOR THE RECORD AS LOT CONFIGURATION AND TOPOGRAPHY.**

**** MR. FERGUSON SECONDED THE MOTION.**

****THE MOTION PASSED UNANANIMOUSLY.**

C. 25-0918-03 – Variances of setbacks, height, building coverage and coastal buffer to elevate and expand existing Single Family Residence. Property located at 6 Golden Court.

Seated for this item were Mr. Conroy, Ms. Sanchick, Mr. Levey, Mr. Ferguson and Ms. Olsen.

Mr. Ryan began by noting for the record that correspondence in support of the application had been received. Mr. Conroy requested that Ms. Sanchick read the letters into the record. Ms. Sanchick then summarized the correspondence:

First letter was from Michael and Christine Angelakis of 38 and 46 South Beach Drive. They expressed awareness of the challenges of coastal living and compliance with FEMA ordinances. They strongly supported the applicants' efforts and request for variances.

Second letter was from Joe and Maureen Topper, owners of 8 Golden Court, property located within 100 feet of 6 Golden Court, and also the previous owners of the subject property. They indicated the Duncans had shared their plans for an enclosed garage, stating it was the best possible solution. They strongly supported the request for variances.

A third letter came from Michael S. Madigan and Sandra B. Hart of 32 South Beach Drive, also within 100 feet of 6 Golden Court. They supported the applicants' request for variances. A fourth letter came from Lynn Gaylord of 2 Golden Court, also within 100 feet of 6 Golden Court, who expressed her support and urged the Zoning Board of Appeals to approve the application.

An additional letter from Mr. Madigan reiterated his support for raising houses to reduce flood exposure and benefit citywide flood insurance rates. He emphasized that height restrictions should not prohibit compliance with modern FEMA guidelines for homes that were originally compliant when built.

Mr. Conroy confirmed that all six letters of support were submitted into the record.

Mr. Ryan provided introductory comments. He emphasized that all aspects of the proposal were occasioned by FEMA height-elevation requirements. He clarified that the project would not expand the footprint of the house and that the application did not involve making the house taller in terms of structure. Rather, the structure would be lifted upward from the base to achieve compliance.

He emphasized that the application incorporated a reduction in the impervious surface area, a positive outcome for the neighborhood and coastal resiliency. Mr. Ryan concluded by stating that the design proposed the minimum necessary adjustments to achieve FEMA compliance.

Mr. Kelly then presented details of the project. At Mr. Conroy's request, discussion first focused on the main structure. Mr. Conroy asked whether the applicants intended to rebuild the roof. Mr. Kelly confirmed they did not, noting the roof had been replaced within the last few years. The project would consist of lifting the structure as-is to meet FEMA VE-15 plus 2 feet freeboard requirements, while supported by new beams.

Mr. Conroy then inquired about a variance request for a new staircase along the north side of the property. He expressed concern about tight spacing between homes and whether adding a structure into the side yard was appropriate. Mr. Kelly explained the existing turret staircase only connects the first floor to the attic and could not practically be extended downward. At present, the homeowners must use exterior staircases to enter the home. The new interior-access stairwell would provide critical shelter and safety during winter conditions and would extend only from the basement to the first floor.

Mr. Kelly further explained the design sought to break up the scale of the large flat wall facing the neighborhood by incorporating architectural detail and rooflines that matched the shingle style of neighboring homes. He noted the lot was already over 88% impervious and that no new impervious coverage was being added; instead, some paving would be removed to create additional green space.

On the topic of air conditioning units, Mr. Kelly explained they were currently visible at ground level but would be relocated discreetly behind slatted screening at the proposed roofline. Mr. Conroy and Ms. Olsen both appreciated this improvement. Ms. Olsen inquired whether the new staircase would be accessible from the proposed one-car garage; Mr. Kelly confirmed this was the case.

Mr. Levey asked to see a survey of the property. After reviewing the plans, he expressed concern about the lack of access to the rear yard and how building materials would be moved. Mr. Kelly explained that limited access exists through the carport and garage, and construction staging would likely bring materials from the rear by hand or by boat if necessary. He added that the new addition was purposefully cantilevered to minimize disruption to the neighboring property during construction.

Mr. Levey suggested the applicants seek a written agreement with the next-door neighbor regarding temporary access, cautioning that problems can arise if ownership changes. Mr. Ryan acknowledged the recommendation, noting that discussions with the neighbor had been positive so far and indicating it was on their radar to resolve post-approval.

Discussion returned to FEMA compliance. Mr. Kelly explained that the first-floor elevation had to be raised to 18.8 feet in the VE-15 zone plus 2 feet of freeboard. Structural engineers had used the shortest possible steel beams, resulting in the absolute minimum increase in height variance—specifically, 6.5 feet for the building midpoint and 6.8 feet for the peak elevation. He reiterated that there was no intent to increase height beyond FEMA necessity. Mr. Conroy noted the benefit of decreasing impervious surface with added green space to the front and rear of the property.

Mr. Levey questioned on-street parking availability, as only a one-car garage exists. Ms. Maldonado clarified that the condition was legally classified as existing nonconforming.

Mr. Conroy asked if anyone wished to speak in support or opposition to the application. Ms. Maldonado clarified Zoom procedures for public comment. No members of the public spoke in favor or opposition beyond the letters already included in the record.

The Board accepted the correspondence and testimony as part of the application record, and no further questions were raised.

The hearing then concluded on this item.

****MR. LEVEY MADE A MOTION TO CONTINUE THE HEARING FOR AGENDA ITEM C. 25-0918-03—VARIANCES OF SETBACKS, HEIGHT, BUILDING COVERAGE, AND COASTAL BUFFER FOR ELEVATION AND EXPANSION OF THE SINGLE-FAMILY RESIDENCE AT 6 GOLDEN COURT UNTIL THE NEXT MEETING, WITH A DIRECTIVE FOR THE APPLICANT TO PRESENT ALTERNATIVE DESIGN OPTIONS FOR THE STAIRCASE TO EXPLORE SOLUTIONS THAT MINIMIZE TAKING UP ADDITIONAL SIDE YARD SPACE.**

**** MS. OLSEN SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

D. 25-0918-04 – Variances of setbacks for proposed additions and new pool, vary driveway width and vary parking requirement at existing SFR. Property located at 238 Silvermine Avenue.

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

Ms. Sanchick introduced the variance requests. The applicant sought variances from required front, rear and side setbacks, as well as from parking rules, driveway width and parking area location, in order to allow for proposed building additions and a new pool at the single-family home. Tax records confirmed the dwelling was constructed in 1715, with a prior variance granted in 1994, though it is not officially listed as a historic structure. The lot is undersized for the zone and classified as a corner lot, requiring double front setbacks, further constraining the buildable area and prompting preferred design choices that led to the request for relief.

Mr. Towart, architect for the owners, and Mr. Lowenstein, the civil engineer, provided a detailed description of the legal hardship: the property size, corner lot status, and partial location within a FEMA floodplain made compliance with setback and bulk requirements unusually difficult and restricted expansion options. Mr. Towart displayed the site plan, showing the planned relocation of the driveway and curb cut from Silvermine Avenue to Mary Austin Place, which is a small cul-de-sac.

He explained that this would retire the original driveway and restore most of Silvermine Avenue's frontage to lawn and landscaping, with main parking and garage access now moved to Mary Austin Place for improved traffic flow and safety. To accommodate family needs and the configuration of the existing historic structure, a wider driveway and turnaround were necessary, resulting in a request for a 32-foot-wide curb cut off the cul-de-sac, compared to the allowed 10 feet. New additions proposed to the rear and side were designed to be low-profile and complementary to both the street-facing character and neighboring homes, supporting the family's desire for single-level living and accessibility.

Ms. Sanchick clarified that the area of proposed expansion largely involved the side and rear setbacks and that the additions themselves were less close to lot lines than the existing home. Board members raised concerns regarding impervious coverage, composition and layout of patio spaces, and encouraged further reductions in hardscape and consideration of pervious materials in the detailed design. Mr. Towart responded with detailed descriptions, indicating all patio and

pool pavers would include pervious zones and that the design intent was to avoid excessive stonework. He described a possible increase of landscaping and the inclusion of ornamental trees to mediate coverage calculations.

Public comment opened, and neighborhood residents expressed unanimous support and enthusiasm for the project. Ms. Pollock, Ms. Higgins, Mr. and Ms. Camerman, Mr. Gregory, Ms. Gutierrez, Ms. Lanard, Mr. Dougherty, and others described the proposed restoration as thoughtful and exemplary, and repeatedly emphasized the critical safety improvement made by moving the driveway off busy Silvermine Avenue. Residents commented positively on the enhanced architectural character, compatibility with neighboring homes, and the applicants' long-term commitment to the area. Several speakers shared personal stories regarding the property, including past ownership and the house's status as a neighborhood landmark, and volunteered additional historical context.

Ms. Sgrignoli thanked both the Board and neighbors for their help and encouragement during the arduous planning process and reaffirmed the family's intent to restore and improve the property as their permanent home. The Board then commenced deliberation, noting the substantial hardship posed by lot size, floodplain location, setbacks, and configuration challenges.

Mr. Levey, Ms. Olsen, Mr. Hanpeter, and other board members discussed the detailed merits of the plan, praised the reduction in curb cut frontage, complimented the driveway relocation for safety, and recognized the strong neighborhood consensus.

Board members did suggest further reductions in hardscape, but agreed that the proposed plan offered the minimum relief required and avoided the creation of new setback nonconformities. The overall effect was seen as a substantial improvement to both the property and the surrounding area, with positive impacts on traffic, pedestrian safety and preservation of both architectural and community character.

****MR. LEVEY MADE A MOTION TO APPROVE ALL REQUESTED VARIANCES WITHOUT MODIFICATIONS DUE TO THE LOT HARDSHIPS.
**MS. OLSEN SECONDED THE MOTION.
MOTION PASSED UNANIMOUSLY.

The Board confirmed the application met the test for hardship required by flood zone status, setbacks, lot configuration and neighborhood impact, and granted all requested variances for the proposed additions, new pool, driveway configuration and parking area changes at 238 Silvermine Avenue.

IV. BOARD ACTION ON: A-D

Items addressed under the respective public hearing sections.

V. ADMINISTRATIVE ACTIONS

A. Action on Hearing Minutes (August 21, 2025)

**** MS. OLSEN MOVED TO APPROVE THE MINUTES OF THE AUGUST 21, 2025 MEETING.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Conroy reminded the Board of the upcoming election in early November, noting Ms. Sanchick's interest in the chairmanship and the lack of candidates for secretary, which also serves as vice chairman.

Mr. Levey volunteered for the secretary role to back up Ms. Sanchick. Discussion ensued about the legal requirements for the chairman and secretary roles, with Mr. Conroy clarifying that only regular members can vote for the chairman.

VI. ADJOURNMENT

**** MR. LEVEY MOVED TO ADJOURN.**

****MR. HANPETER SECONDED THE MOTION.**

****MOTION PASSED UNANIMOUSLY.**

The meeting adjourned around 9:17 PM.

**Respectfully Submitted,
Courtney Baldwin
Recording Secretary**