

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES - OCTOBER 16, 2025
VIA ZOOM CONFERENCE **DRAFT MINUTES****

ATTENDEES: Andy Conroy (Chair), Lee Levey, Danielle Sanchick, Keith Lyon, Ben Hanpeter, Kathy Olsen.

STAFF: Tammy Maldonado.

I. CALL TO ORDER

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

II. ROLL CALL

Mr. Conroy performed the roll call as noted above.

III. PUBLIC HEARINGS

A. 25-0918-03 – (Continued from September 18, 2025) - Variances of setbacks, height, building coverage and coastal buffer to elevate and expand existing Single Family Residence. Property located at 6 Golden Court.

Ms. Sanchick read the item description and revised staff report. The application, submitted by Tracy and Buell Duncan, sought variances from Table 4.3.1-C for building height (32 feet required, 38.5 feet proposed) and total building height (40 feet required, 46.8 feet proposed). The side yard setback and building coverage variances had been withdrawn. An additional variance was requested from Section 6.9.5.D.1 to allow reconstruction of a patio, addition of a rear deck, installation of planting beds, and construction of an in-ground staircase within the 15-foot coastal buffer zone, to elevate and expand the single-family residence in the CD1S zone and coastal area management overlay. The property is located at 6 Golden Court, District 6, Block 36, Lot 75.

Ms. Sanchick noted that the plans had been revised to remove the side expansion for the staircase and the related side setback variance, leaving the request for elevation and expansion with an interior access staircase, along with the deck, patio, planting beds, and exterior access in the coastal buffer. The original home was built in 1932 on a non-conforming undersized lot of approximately 3,834 square feet. Previous variances were granted in 1953 for setbacks to enlarge the home and add a one-car garage, and in 2021 for an addition over the existing first-floor footprint.

In the analysis, Ms. Sanchick stated that the proposal includes elevating the home to comply with current flood standards, and while variances are not precedential, the board has previously

identified hardships for properties in the flood zone. The 2021 hardship was the undersized lot abutting coastal waters. The prohibition on work within 15 feet of the coastal jurisdiction line is a newer regulation to protect the shoreline. Ms. Sanchick referenced the attached coastal site plan review memo from Amelia Williams, indicating that the activities require Coastal Site Plan Review by the Planning and Zoning Commission. The application requires two separate decision motions: one for the variance with a hardship declaration, and one for the coastal site plan review with a declaration on consistency with Coastal Area Management Act (CAMA) goals and policies and potential adverse impacts to coastal resources.

Ms. Sanchick read the memo from Ms. Williams, confirming the property is within 100 feet of coastal resources and entirely within the VE 15 flood zone. The proposal involves raising the existing residence, constructing a new addition for interior stairs, reconstructing a patio, adding a rear deck, installing planting beds, and building a staircase within 15 feet of the coastal jurisdiction line. Per Section 6.9.5.1, existing residences may be raised within the buffer, but no new construction or massing increase is permitted as of right. These activities require Coastal Site Plan Review by the Planning and Zoning Commission with referral to the Harbor Management Commission, as the property is within 50 feet of coastal resources bounded by Long Island Sound. Any variance application within the coastal boundary requires review for impacts, and the ZBA motion must include a statement on consistency with CAMA and adverse impacts.

Mr. Conroy asked about letters received. Ms. Sanchick confirmed two documents with letters. Mr. Conroy requested reading them at the beginning to acknowledge public input, differentiating between positive and negative comments, without debate. Five letters were received in favor from Levenson, Angelakis, Topper, Madigan, and Gaylord. Ms. Sanchick read the letter from Tim Gaylord, expressing surprise that his mother, Lynn Gaylord, had written a letter of support without full understanding of the plans. Mr. Gaylord supported home improvements in principle but emphasized protecting his mother, including ensuring her full informed consent. He raised concerns about the AC compressor location, noting ongoing conflicts with neighbors and that the plans misrepresented relocation commitments. He requested that documents requiring his mother's signature be shared with him or his sister for confirmation to protect her interests and ensure compliance with zoning laws. Ms. Maldonado confirmed Mr. Gaylord as an adjacent neighbor on Bell Island.

Letters in opposition were received from Thomas Juterbock and Terry Atkin, expressing concerns that changes to setbacks and coverage were not in community interests and could set a precedent for other property owners to challenge existing building guidelines. Ms. Sanchick summarized Mr. Juterbock's letter, supporting the request to raise the building for flood compliance but opposing changes to setbacks and coverage. Ms. Maldonado referenced a reply to Mr. Juterbock's questions but noted it was included for record. Mr. Conroy stated the intent was to acknowledge inclusion without debate.

Mr. Topper from 8 Golden Court spoke in support of the application. Mr. Mike Madigan from 32 South Beach spoke in support of the application. Mr. Tom Juterbock spoke, supporting the height variance for flood compliance and clarifying his concerns were limited to coverage and setbacks, which had been withdrawn. No further public comments were received.

Mr. Ryan presented the application on behalf of the applicants, joined by Mr. Kelly as architect, Ms. Sleicher as engineer, Mr. Holzwarth as civil engineer, and owners Mr. and Ms. Duncan. Mr. Ryan explained the need to elevate the 1932 home for FEMA compliance due to flood risks from Long Island Sound, with the first floor becoming a garage and stairs relocated inside to avoid side yard encroachment. He noted the deck replaces an existing elevated patio at FEMA height, supported by helical piles outside the coastal buffer, with no increase in footprint or impervious surface. The planting beds use existing soil, and the staircase provides safe access. Mr. Ryan addressed the AC unit relocation to the south roof for service access and neighbor compatibility. He confirmed revisions removed side yard and coverage variances, leaving height and coastal buffer requests, and noted prior 2021 approval under Ms. Levey's chairmanship. Increased permeable surfaces and greenery were highlighted.

Mr. Kelly detailed the design, confirming helical piles for the deck are outside the buffer, no massing increase in the buffer except elevation, and compliance with flood requirements. He explained the height variance due to elevation needs and chimney retention.

Mr. Conroy questioned the chimney's contribution to height. Mr. Kelly clarified it adds 6.3 feet but is necessary for functionality. Ms. Olsen inquired about the deck's new construction status. Mr. Kelly and Mr. Ryan confirmed it replaces an existing non-conforming elevated patio without expansion. Ms. Sanchick noted the deck has supports. Mr. Conroy confirmed no further public comments. The panel consisted of Mr. Conroy, Ms. Sanchick, Mr. Lyon, Mr. Hanpeter, and Ms. Olsen.

IV. BOARD ACTION ON: A

**** MR. CONROY MOVED TO APPROVE THE REMAINING VARIANCES FOR BUILDING HEIGHT AND TOTAL BUILDING HEIGHT, AND THE COASTAL BUFFER VARIANCE FOR THE DECK, PATIO, PLANTING BEDS, AND STAIRCASE.**

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

**** THE MOTION PASSED WITH ONE ABSTENTION (MR. LEVEY).**

Mr. Conroy stated the board must declare no adverse effect on coastal management and follow regulations for existing properties.

**** MR. CONROY MOVED TO APPROVE THE COASTAL SITE PLAN REVIEW, DECLARING THE PROPOSAL CONSISTENT WITH CAMA GOALS**

AND POLICIES AND WILL NOT ADVERSELY IMPACT COASTAL RESOURCES.

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

**** THE MOTION PASSED UNANIMOUSLY.**

V. ADMINISTRATIVE ACTIONS

A. Action on Hearing Minutes (September 18, 2025)

**** MR. CONROY MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 18, 2025 HEARING.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

VI. ADJOURNMENT

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

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at approximately 8:00 PM.

Respectfully Submitted,
Courtney Baldwin,
Recording Secretary