

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING **DRAFT** MINUTES – DECEMBER 18, 2025
VIA ZOOM VIRTUAL CONFERENCE**

ATTENDEES: Lee Levey, Andy Conroy, Keith Lyon, Ben Hanpeter, Steve Ferguson, Anthony Simari.

STAFF: Tammy Maldonado.

OTHERS: Danielle Hogan, Eva (Yihua) Zhang, Charisse Litchman, Kyle Sasloe (for Osborne Avenue LLC), Mike Stadler (for Osborne Avenue LLC)

I. CALL TO ORDER

Mr. Levey called the regular meeting of the Zoning Board of Appeals to order at 7:00 p.m.

II. ROLL CALL

Mr. Levey conducted the roll call. Present were Mr. Levey, Mr. Conroy, Mr. Lyon, Mr. Hanpeter, Mr. Ferguson, and Mr. Simari.

III. PUBLIC HEARINGS

A. 25-1120-01 – Danielle Hogan – (Continued from November 20, 2025) - Variance for accessory structure front setback and side setback for proposed inground pool at an existing single family residence. Property located at 222 West Rocks Road.

Seated for this item were Mr. Conroy, Mr. Lyon, Mr. Simari, Mr. Hanpeter and Mr. Ferguson.

Mr. Lyon read the application into the record, including the original variances requested from Table 4.3.1A for accessory structure front setback of 60 feet required and 45.4 feet proposed, and side setback of 30 feet required and 16 feet 6 inches proposed, for a proposed in-ground pool at an existing single-family residence in the C Residence D-1L zone, property located at 222 West Rocks Road, District 5, Block 23, Lot 232. Mr. Lyon then read the revisions, stating that the pool location is now proposed at 70.5 feet from the front property line, which eliminates the front setback variance request, and that the side setback variance request has been reduced with the new location at 21 feet from the side property line where 30 feet is required.

Mr. Lyon read the revised analysis and findings, stating that staff met with the applicant per the board's instructions, that the proposed plan eliminates the front setback request and reduces the side yard variance request, that the retaining walls that were constructed do not meet the required setback of 10 feet from all property lines, that Zoning Regulation Section 4.3.16.M prescribes additional standards for series of retaining walls, that the survey does not provide the height of the walls so staff cannot determine if there are additional compliance issues beyond the setback,

and that the applicant wishes to move forward with the pool variance request and address the retaining walls at a later date.

Ms. Hogan stated that she would skip the original proposal since it had been revised, but noted that the original hardship justification remained applicable due to the house being situated on a steep slope from the wooded rear yard to the flatter front yard, the rear yard being very wooded and lacking access to utility connections and electricity, the area directly behind the house including the French drain system with slope and ledge rock, previous tree removal due to a large tree in danger of falling on the house, the critical nature of the drainage system and slope management for home safety including flood protection and excavation issues, the desire not to push further behind the home, severe rear access limitations with no back entry from the home and only side yard entry through a sliding glass door and deck, insufficient visibility and unobstructed access for safety and emergencies if the pool were placed further back, and ledge rock encountered during initial side excavation.

Ms. Hogan stated that she met with Ms. Maldonado, who was wonderful, and they worked together to eliminate as many variances as needed and explore alternate options to minimize impact, resulting in the revised location now in compliance with the front yard at 70.5 feet, moving the pool farther back to 21 feet from the side yard while avoiding removal or movement of the French drain, maintaining emergency access from the sliding glass doors, and preserving sight lines from the kitchen and living room area to the pool for accessibility and safety. Ms. Hogan displayed images and the remapped survey. Ms. Hogan acknowledged that the retaining walls need to be addressed, agreed fully with that, and stated she would address them later, one step at a time. Ms. Hogan concluded her presentation.

Mr. Levey asked if there were any questions from the board on this item and if there were any comments from members of the public. Ms. Maldonado noted attendees including someone on the phone and instructed how to raise hands for comment. Ms. Maldonado stated there were no raised hands. Mr. Levey stated that since there were no comments, there was no need for rebuttal or further comment from the applicant, and the board would move to the next item on the agenda. The public hearing was closed.

B. 25-1120-03 – Eva (Yihua) Zhang – (Continued from November 20, 2025) - Variance for front setback, driveway width and to allow parking within the front setback for proposed 2 ½ story side addition with integral garage at an existing single family residence. Property located at 8 Belmont Place.

Seated for this item were Mr. Conroy, Mr. Lyon, Mr. Simari, Mr. Hanpeter and Mr. Ferguson.

Mr. Lyon read the application into the record, including variances from Table 4.3.1-C for front setback of 30 feet required, 11.6 feet existing at the current facade and 12 feet originally proposed for the addition, driveway width of 10 feet maximum within 10 feet of the frontage line with 13 feet existing and 25 feet proposed, and to allow parking within the front setback, for a proposed 2.5-story side addition with integral garage at an existing single-family residence in the CD-1S zone, property located at 8 Belmont Place, District 6, Block 31, Lot 23. Mr. Lyon then read the revisions, stating that the proposed addition has been moved 4.9 feet further away from

the front property line than the original request, originally proposed at 12 feet and now proposed at 16.9 feet where 30 feet is required. Mr. Lyon read the revised analysis and findings, stating that the survey diagram has been corrected to depict the 30-foot front setback line, that staff met with the applicant per the board's instructions and advised to move the proposed addition as far away from the front property line as possible, and that this modest concession was the result. Mr. Levey noted that Mr. Ferguson would participate in the decision on this item.

Ms. Zhang stated that the request is for variance for the minimum front setback where 30 feet is required and the house currently sits legally nonconforming at 11.6 feet, that they wish to add an attached garage with bedroom above aligning with the existing house's historic front setback, that additionally due to the garage location they are applying for variance for the driveway width, and that all other setback requirements are met. Ms. Zhang stated that since last month they met with Ms. Maldonado, revised the design to move the addition 4.9 feet farther back from 12 feet to 16.9 feet so that it now sits 4.9 feet back from the front of the house, and that all other zoning requirements remain compliant. Ms. Zhang displayed the survey showing the property and the 4.9-foot pushback. Ms. Zhang explained the front constraint that the existing house stands legally nonconforming and the train station owns the front yard so the house does not appear to encroach on the street and would not with the garage addition keeping a similar front setback. She displayed visuals of the front yard pavement owned by the train station across from the Rowayton train station, explained the rear constraint that the rear grade and elevation relative to the second floor would require extensive retaining walls and structural work if pushed farther back, displayed photos showing the slope, explained the interior constraint that any conforming placement would require removal of existing first-floor laundry and bath eliminating essential living space and requiring full reconstruction elsewhere, displayed the interior floor plan showing how conforming placement would impact the laundry room and bathroom, and stated that the reason for the variance is that the perceived front lawn is not owned by them and even the sign was placed on train station land. Ms. Zhang concluded her presentation.

Mr. Conroy asked if the applicant had contacted DOT regarding widening the driveway on their land. Ms. Zhang clarified that they are not widening the section owned by DOT and that the variance relates to the width requirement within a certain distance of the front property line. Discussion ensued among board members and Ms. Zhang regarding the proposed setback, garage dimensions, driveway maneuvering, potential future DOT actions on adjacent land, rear slope and excavation issues, interior impacts, and the need for a minimum 20-foot front setback for the addition. Ms. Maldonado requested that Ms. Zhang display the existing and proposed front elevation slides. Further discussion occurred regarding DOT maintenance and potential future use of their land, driveway access necessities, and practical turning space at a 20-foot setback. Mr. Levey noted the unusual situation of the house fronting on DOT property rather than a city street.

Mr. Levey called for public comment. Ms. Maldonado instructed attendees on how to raise hands to speak in favor or opposition. Ms. Maldonado stated there were no raised hands. Ms. Zhang asked if the vote would occur at the end of the meeting, and Mr. Levey confirmed it would. Ms. Maldonado clarified options for conditioning approval versus continuation. The board agreed to close the public hearing and address the application with a potential condition during board action. The public hearing was closed.

C. 25-1120-02 – Charisse Litchman – Variance for front setback for proposed front addition to include an elevator at an existing single family residence. Property located at 68 Shorefront Park. District 2, Block 85, Lot 5.

Seated for this item were Mr. Levey, Mr. Conroy, Mr. Lyon, Mr. Simari and Mr. Ferguson.

Mr. Lyon read the application and staff memo into the record, stating a variance from Table 4.3.1-C for front setback where 30 feet is required and 28.6 feet is proposed for a proposed front addition to include an elevator at an existing single-family residence in the CD-1S zone at 68 Shorefront Park, District 2, Block 85, Lot 5. Mr. Lyon further read that the applicant seeks a location variance for a proposed elevator, that the existing home was built new in 2015 to VE standards on pilings with breakaway walls, that it is two and a half stories with the ground floor excluded from story calculation under new and previous zoning regulations, that staff does not see an obvious compliant alternative for an elevator based on the plans and site conditions, that the encroachment proposed is minimal with the footprint amount in the front setback only about 21 square feet, and that the application does not require coastal site plan review by the Board or the Planning and Zoning Commission. Mr. Levey stated he would participate in the decision on this item.

Mr. Russo identified himself as Chris Russo with Russo & Rizzio LLC, offices at 10 Sasco Hill Road in Fairfield, appearing on behalf of the applicant. Mr. Russo shared his screen and presented the proposal, describing the property at 68 Shorefront Park as a single-family residential house in the CD-1S zone abutting Norwalk Harbor on the rear side with limited space in the coastal zone, noting a building restriction line near the pool providing a buffer to the harbor, the property being in a FEMA flood zone requiring elevated living floors, the existing front porch in the southwest corner where the addition is proposed solely for installing an elevator to access living floors, the request reducing the front yard setback to 28.6 feet for an encroachment of only 1.4 feet and about 21 square feet, the addition extending through all living floors with height compliant, an increased buffer between the property line and the road due to the road configuration, the addition filling in a notch with most of it compliant except a small portion, compliance with impervious surface and building coverage, the addition used only for the elevator and access landings, attractive appearance with windows, in line with existing facade except slightly forward, aerial views showing context, comparison to neighboring properties with greater nonconformities, photos demonstrating screening by mature trees, conformity with neighborhood character, and a submitted petition of neighbor support. Mr. Russo stated the hardship stems from the FEMA flood zone requiring elevated living floors and the need for vertical mobility for family members unable to use stairs due to medical conditions including Parkinson's and brain cancer, that personal hardship is not the basis but the coastal zone elevation requirement creates the hardship for access, citing the 2019 Mayer Whitman case upholding variances in flood-prone coastal areas to avoid depriving use of the dwelling, that the relief is minimal, in keeping with the neighborhood, and the only compliant location.

Mr. Levey asked if there were questions from the board. Mr. Conroy asked about alternative placement near the existing exterior stairwell. Mr. Russo clarified the location and explained placement on the front keeps it farthest from coastal resources, avoids coastal site plan review, and provides logical access similar to the existing stairwell.

Mr. Levey commented on the need for a ramp rather than steps at the entrance for better accessibility and on the front elevation windows appearing jarring architecturally. Mr. Russo acknowledged the ramp suggestion as permitted and beneficial, and noted transparency in design. Ms. Maldonado asked if letters of support should be read into the record. Mr. Russo read the petition into the record supporting the application with no negative impact on the neighborhood, signed by Maura Reilly of 64 Shorefront Park, Peter Sosnow of 70 Shorefront Park, and Frank Marchetti of 66 Shorefront Park.

Mr. Levey called for public comment. Ms. Maldonado instructed the remaining attendee on how to raise a hand to speak for or against the application and stated no hands were raised. Mr. Conroy clarified that a prior state memo regarding general handicap access approvals does not apply here as there is no contradiction with zoning code. Mr. Levey stated there was no public input, no need for response from Mr. Russo, and the public hearing would be closed and following the next application there would be later board discussion. Mr. Russo thanked the board for suggestions to improve accessibility. The public hearing was closed.

D. 25-1218-01 – Osborne Avenue LLC – Special exception to change one non-conforming commercial use to another commercial use (office). Property located at 48 Osborne Avenue.

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

Mr. Lyon read the application and staff memo into the record, stating a special exception per Sections 8.3.3A.2B(2) and 1.21.2.B.5.G to change a nonconforming use from retail to another nonconforming use office within an existing commercial building in the CD2 zone at 48 Osborne Avenue, District 3, Block 8, Lot 1. Mr. Lyon further read that the applicants seek a special exception to change nonconforming use for a proposed office, that the existing subject building is one of two commercial buildings on site built in 1979 and used for commercial purposes since then, that the zone was originally a commercial zone known as Business Number 1 but the latest zoning regulations and map change adopted in 2024 changed it to a residential CD2 zone making the site nonconforming in use, that the smaller building was once a restaurant with the most recent zoning permit for a retail tenant called Clay Space and possibly a dog food retailer more recently, and that a special exception does not have the hardship requirement of a variance and staff believes the proposed office use will be equal to or less intense than the previous commercial retail use.

Mr. Sasloe identified himself as Kyle Sasloe, project manager for Stadler Construction, and noted he was appearing with Michael Stadler, the owner. Mr. Sasloe shared his screen and presented the proposal, describing the buildings as vacant for well over a year with no recent

exterior work, the plan to use the space as a flagship office with modern upgrades including picture windows, new paint, lights, sidewalk and curb improvements to revitalize the space, reimagined layout with glass panel doors, total bi-fold picture windows, illuminated company sign compliant with city code, possible bluestone patio entryway of about 9 square feet, additional picture window on the side with a proposed mural combining company elements and East Norwalk neighborhood history including beach and boating, doors and windows on the parking lot side, minimal use with two parking spots allowed for personal vehicles mainly for support staff and owners, minor rear upgrades including security cameras and lighting, interior layout with small conference room with glass panel walls near picture windows, open office area in entryway for support staff consisting of Mr. Sasloe and one other person, two back offices for owners Mr. Stadler and co-owner Justin, small kitchenette, and ADA bathroom. Mr. Sasloe stated the owner is excited about the potential inhabitation and revitalization of the property.

Mr. Stadler introduced himself as Michael Stadler, owner of Stadler Construction, a Norwalk native for 41 years who started the company in 2002, stated the company is growing rapidly doing residential and small commercial work, that they wish to create an office for reviewing blueprints and estimates with clients and for staff to work on projects including City of Norwalk projects, that they love the space due to East Norwalk being up and coming with much work ongoing, that the building has been an eyesore for as long as he can remember, that he grew up with the building owner's son who asked if he would be interested in taking over the building, and that Stadler Construction is about cleaning up the community and being part of Norwalk growing. Mr. Stadler offered to answer questions with Mr. Sasloe.

Mr. Levey asked if there were questions from the board. Mr. Simari asked about visitor parking given two parking spots from the landlord. Mr. Stadler stated there is ample street parking, that client visits are appointment only, and staff would park on the street to allow clients to use the spots, that additional spots could be used as the landlord owns Elite Limousine with vehicles mostly on the road, and that he would coordinate for additional spaces if needed.

Mr. Levey called for public comment. Ms. Maldonado instructed the remaining attendee on how to raise a hand to speak for or against the application and stated no hands were raised. Mr. Levey closed the public hearing.

IV. BOARD ACTION ON: A-D

Action on Application A (25-1120-01 – Danielle Hogan)

The Board discussed the revised plan and the applicant's cooperation with staff.

****MR. HANPETER MOVED TO APPROVE THE VARIANCE AS PRESENTED.**

****MR. SIMARI SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

Action on Application B (25-1120-03 – Eva (Yihua) Zhang)

The Board discussed the revised setback and the constraints of the property.

****MR. CONROY MOVED TO APPROVE THE VARIANCES WITH A CONDITION THAT THE FRONT SETBACK FOR THE ADDITION BE NO LESS THAN 20 FEET FROM THE PROPERTY LINE, AND TO INCLUDE APPROVAL OF THE DRIVEWAY WIDTH VARIANCE AND PARKING WITHIN THE FRONT SETBACK AS SHOWN ON THE REVISED PLAN.**

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

****THE MOTION PASSED UNANIMOUSLY.**

Action on Application C (25-1120-02 – Charisse Litchman)

The Board discussed the minimal nature of the variance and the accessibility need.

****MR. FERGUSON MOVED TO APPROVE THE VARIANCE AS PRESENTED.**

****MR. CONROY SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

Action on Application D (25-1218-01 – Osborne Avenue LLC)

The Board discussed the low impact of the proposed office use.

****MR. LYON MOVED TO APPROVE THE SPECIAL EXCEPTION.**

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

****THE MOTION PASSED UNANIMOUSLY.**

V. ADMINISTRATIVE ACTIONS

A. 2026 Meeting Calendar

Mr. Levey stated that the 2026 meeting calendar had been distributed and that he found no conflicts with Jewish holidays. Mr. Conroy stated he had reviewed it and saw no issues. The Board expressed no objections to the calendar.

B. Action on Hearing Minutes (November 20, 2025)

The Board reviewed the minutes of the November 20, 2025, meeting. Mr. Conroy stated he was satisfied with them. A brief discussion occurred regarding the appropriate title for the female Chairperson.

****MR. LYON MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 20, 2025 MEETING.**

****MR. SIMARI SECONDED THE MOTION.**

****THE MOTION PASSED. THE MINUTES WERE APPROVED (ABSTENTION – MR. HANPETER - ABSENT AT THE NOVEMBER MEETING).**

VI. ADJOURNMENT

****MR. HANPETER MOVED TO ADJOURN THE MEETING.
MR. CONROY SECONDED THE MOTION.

The meeting was adjourned at approximately 8:30 PM.

**Respectfully Submitted,
Courtney Baldwin,
Recording Secretary**