

THESE MINUTES ARE SUBJECT TO BOARD APPROVAL AT THE NEXT ZONING
BOARD OF APPEALS MEETING

Westbrook Zoning Board of Appeals REGULAR MEETING MINUTES
Wednesday, May 22, 2019
Mulvey Municipal Center – Multi Media Room
866 Boston Post Road

The Westbrook Zoning Board of Appeals met on Wednesday, May 22, 2019 in the Multi-Media Room of the Teresa Mulvey Municipal Center located at 866 Boston Post Road. Legal Notice of the Public Hearing was published in The Harbor News on 11 April and 18 April 2019. Chairman Bonnie Hall called the Zoning Board of Appeals Regular Meeting to order at 7:38pm.

Members Present

Chairman Bonnie Hall, Vice Chair Devin Xenelis, John Bech, Jack Boehme, Vincent Neri, and Alternate Matthew Schenck. Also present was Recording Clerk Meryl Moskowitz.

Absent: Eugenia Magill and Nick Alaimo

Call to Order: Chairman Hall called the meeting to order at 7:38pm. She welcomed new member Jack Boehme.

DECISION

No. 19-007 – Appeal of Tiffany F. & Douglas M. Glanville, owners; Joe Wren, agent. Property located at 30 Old Kelsey Point Road, further identified on Assessor's Map 180 as Parcel 138, HDR zone. Variances requested from Zoning Regulations **Section No. 4.33.06(a)** front yard, to allow 9.7' where 25' required; **Section No. 4.33.06(a)** front yard, to allow 12.3' where 25' required, and **Section No. 4.33.06(c)** rear yard, to allow 24.5' where 35' required, and **Section No. 2.10.06** enlargement of non-conforming structure. Variances needed to build screened porch with gable roof and attached rear deck with steps.

Alternate member Matthew Schenck was seated to vote on this appeal. B. Hall stated for the record that Jack Boehme joins the board as a new member and will not be discussing or voting on this appeal.

B. Hall reviewed the appeal. The existing home sits on the northwest corner of Dorothy Road and is the size of a two-car garage. The existing well will be abandoned, and city water will be connected. The applicant proposes to eliminate the steps to the north that are not conforming.

The hardship is that it is a corner lot requiring two front yard setbacks. The home was built in 1953; the rear stairs are to be removed. Two letters of support were submitted. They were not from abutting property owners.

The house is proposed to increase to 850 sq ft. It is a 2-bedroom with kitchen. It has an outside shower, and no heat or insulation.

The screened porch is proposed to be seasonal, and there is a proposed deck, 5.5 ft x 12 ft . The screened porch will be built on piers, with no concrete.

The stated hardship is that 97% of the property is restricted by setbacks. There is no CAM. No one spoke in favor or was opposed to the application at the public hearing.

Vincent Neri stated that the house has served as a cottage in its current footprint. He does not see the hardship with the dining room addition, stating that the applicant can do a vertical expansion without ZBA oversight.

B. Hall stated she finds hardship because the property has two front yards with the streets, and does meet the definition of a hardship.

D. Xenelis stated he agrees with the hardship, based on the property having two front yards, and it predating any zoning regulations.

Matthew Schenck stated he sees the hardship because of the uniqueness of the lot.

John Bech stated he agrees that hardship has been met. He does not see any issue with the porch.

V. Neri agreed that there is a uniqueness to the lot. He would like to put restrictions on it, for example, that it be built on piers.

A **MOTION** by D. Xenelis and seconded by J. Bech to grant with the stipulations that the addition is to be a screened porch with no heat, no windows, no basement or crawl space, and that the addition be built on piers. Voting on the Motion: B. Hall, D. Xenelis, J. Bech, V. Neri, M. Schenck. The motion passed unanimously.

MINUTES

A **MOTION** by D. Xenelis and seconded by J. Bech to accept the Public Hearing Minutes of 24 April 2019 as amended. The motion passed unanimously.

A **MOTION** by J. Bech and seconded by D. Xenelis to accept the Regular Meeting Minutes of 24 April 2019 as amended. The motion passed unanimously.

BILLS

A **MOTION** by J. Bech and seconded by M. Schenck to approve payment of \$440.00 to Shore Publishing. The motion passed unanimously.

A **MOTION** by D. Xenelis and seconded by J. Bech to approve payment of \$358.96 to Meryl Moskowitz for clerk duties April-May 2019. The motion passed unanimously.

CORRESPONDENCE

Regular meeting minutes IWWC, March 5, 2019

Corrected regular meeting minutes IWWC, March 5, 2019

Corrected regular meeting minutes IWWC, April 9, 2019

Regular meeting minutes IWWC, May 7, 2019

Regular meeting minutes, Zoning Commission, April 23, 2019

ANY OTHER BUSINESS

B. Hall reminded members that next month is a review of the ZBA clerk.

ADJOURNMENT

A **MOTION** by M. Schenck and seconded by D. Xenelis to adjourn the meeting at 8:17pm. The motion passed unanimously.

Respectfully submitted,

Meryl Moskowitz
ZBA Recording Clerk