

UNAPPROVED

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**WESTBROOK ZONING COMMISSION
REGULAR MEETING
March 23, 2010
7:00 PM MULVEY MUNICIPAL CENTER, MULTI-MEDIA ROOM**

Members Present: Chairman Tony Marino, Regular Member Harry Ruppenicker Jr., Regular Member Chris Ehlert (arrived @ 7:11 p.m.), Alternate Member Lee Archer and Zoning Enforcement Officer Nancy Rudek.

ESTABLISHMENT OF QUORUM Chairman Tony Marino called the regular meeting to order at 7:07 pm. It was noted that the Commission did have a quorum present. Chairman Marino appointed Lee Archer to sit for Bob Hagemeister.

AGENDA ADDITIONS

None.

RECEIPT OF APPLICATIONS

1. **Z2010-06 – 184 Grove Beach Road** – Application for Coastal Area Management (CAM). Replacement of existing residential house within required Zoning/Tidal setback, and associated site improvements, i.e., driveway, construction of rain gardens, and new septic system. Zone District - HDR. (65-day application period ends 5/27/2010)

Chairman Marino stated that this application has been forwarded to DEP for their review.

Upon a motion by Harry Ruppenicker Jr., seconded by Lee Archer, it was:

VOTED: Unanimously to receive the CAM application for 184 Grove Beach Road.

OLD BUSINESS

1. **Z2010-04 – 505 Seaside Avenue** – Continued application for Coastal Area Management (CAM) review involving the replacement of existing residential house with new 3-bedroom dwelling in conformance with zoning bulk and area requirements. Zone district – HDR. (65-day application period ends 4/29/2010). (Possible deliberation and vote).

Chairman Marino stated for the record that even though he owns property near this location, he does not feel that there is a conflict of interest. Engineer Joe Wren stated that the applicant did receive approval from IWWC. The response from DEP regarding this application was read for the record.

Upon a motion by Harry Ruppenicker Jr., seconded by Lee Archer, it was:

VOTED: Unanimously to approve Application #Z2010-04 – Seaside Avenue.

2. **Z2010-05 9 Beach Court** – Continued application for Coastal Area Management (CAM) for proposed replacement of existing residential house with new 3-bedroom dwelling on same nonconforming footprint, to be rebuilt in accordance with FEMA requirements for Flood Zone VE. Zone District HDR. (65-day application period ends 4/29/2010). (Possible deliberation and vote).

Attorney Ed Cassella and Engineer Stu Fairbanks were present representing the applicant.

Chairman Marino stated that a report was not received from DEP, but a letter from them, dated

3/22/2010, was received and read for the record. The DEP did state concerns regarding this application. Also received were letters from Jason and Karen Garner, Irving Bernstein, Lynn Andies and Leslie Nathan, all stating that they are in support of the application. Attorney Cassella stated that this application does meet all Zoning Regulations, the septic system is in compliance with the public health code and they are FEMA compliant. The house will be on pilings so it reduces the potential for flooding. Attorney Cassella stated that he disagrees with the DEP letter. He feels that this application will not impact the beach or the dunes. Chairman Marino pointed out that the application will have to meet with WPCC ordinance criteria. Engineer Stu Fairbanks stated that he believes the application does meet this criteria.

Upon a motion by Chris Ehlert, seconded by Lee Archer, it was:

VOTED: Unanimously to approve application Z2010-05, 9 Beach Court with the following stipulation: The Sanitarian is to do a thorough review of the application to make sure that it is compliant with the WPCC ordinance and overall health issues.

7:40 p.m. – Chris Ehlert left the meeting.

PUBLIC HEARING(s)

None.

NEW BUSINESS

1. Zoning Map – Review and schedule public hearing for adoption of digital map.

There is a new digital version of the Zoning Map which will soon be on the Town Website. The map must be adopted by the Zoning Commission to make it the official map. A Public Hearing date must be set for the approval.

Upon a motion by Lee Archer, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to set a Public Hearing date for May 25, 2010 at 7:00 p.m. to for the approval of the Zoning Map.

MISCELLANEOUS

None.

COMMISSION BUSINESS MEETING:

1. ZEO Report:

The report was distributed and discussed.

2. Miscellaneous Correspondence:

1. Copy of letter, dated 2/25/2010, from Zoning to Police Advisory/Traffic Authority Board regarding Golf Links Road.
2. Copy of Letter, dated 3/4/2010, from Zoning to ZBA regarding Appeal of the General Store.
3. Copy of E-Mail, dated 3/2/2010, from Nancy Rudek to Attorney Ed Cassella regarding 57 Essex Road.
4. Copy of notification of all proposed budget changes made by the Board of Selectmen.
5. Notification of seminar regarding Public Hearing Procedures.

3. Status of proposed amendments to Zoning Regulations

A joint meeting will be held with the Planning Commission on April 14th.

4. Bills:

Zoning Budget:

Upon a motion by Lee Archer, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to approve payment for the following bills out of the Zoning Commission Budget:

\$36.88 to Kathleen Kelemen for Secretarial duties
\$87.50 and \$70.00 to Jan Aiken for Secretarial duties
\$317.84 to the Hartford Courant for Legal Notices
\$64.95 to Staples for Office Supplies
\$406.00 to Branse, Willis & Knapp for General Legal
\$48.26 to WB Mason for Supplies
\$290.00 to Halloran & Sage for Legal

Bills: 150% Special Fund-Consulting Services:

Upon a motion by Lee Archer, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to approve payment of \$590.00 to Woodard & Curran for Portabella's Zoning Application.

APPROVAL OF MINUTES: February 23, 2010 – Regular Meeting and March 10, 2010 – Special Meeting.

Upon a motion by Harry Ruppenicker Jr., seconded by Lee Archer, it was:

VOTED: Unanimously to approve the minutes of the Regular Meeting of February 23, 2010 and of the Special Meeting of March 10, 2010, as corrected.

ADJOURNMENT

Upon a motion by Harry Ruppenicker Jr., seconded by Lee Archer, it was:

VOTED: Unanimously to adjourn at 8:02 pm.

Respectfully submitted:

Kathleen H. Kelemen, Secretary