



**TOWN OF WESTBROOK  
ZONING BOARD OF APPEALS**

866 BOSTON POST ROAD  
WESTBROOK, CONNECTICUT 06498  
(860) 300-3046 • FAX (860) 300-3099

**MOTIONS - ZBA REGULAR MEETING – 27 January 2016**

The Westbrook Zoning Board of Appeals met on Wednesday, January 27, 2016, in the Multi-Media Room of the Teresa Mulvey Municipal Center located at 866 Boston Post Road. Chairman Bonnie Hall called the Regular Meeting to order at 10:05 p.m. following a brief recess after the close of the public hearings. Members present were Chairman Bonnie Hall, Eve Barakos, Mark Damiani, Vincent Neri and Alternates Richard White, Nicholas Alaimo and Matt Diamond. Also present was Recording Secretary Category I, Janet L. Aiken.

**DECISIONS:**

**No. 15-019** - Appeal of Linda and Dave Hood, owners/applicants. Property located at 60 Wangum Road. Identified on Assessor's map 188 as Parcel 057. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(c) rear yard setback to allow 0.5' where 35' required and Section 2.10.06 extension/enlargement of non-conforming uses/structures, to build dormer increasing size of master bathroom area. CAM exempt. Opening of Public Hearing rescheduled from 12/9/15.

A motion was made by Mark Damiani, seconded by Eve Barakos, to grant the variance as presented. The motion carried unanimously.

**No. 15-020** - Appeal of Keith Rich, owner/applicant. Property located at 29 Pointina Road. Identified on Assessor's map 192 as Parcel 048. HDR zone. Variance requested from Zoning Regulations Section 4.33.06(b) side yard setback to allow 6' where 10' required, Section 4.33.06(c) rear yard setback to allow 27' where 35' required, and Section 4.33.06(c) rear yard setback to allow 20' where 35' required, and Section 2.10.06 extension/enlargement of non-conforming uses/structures, to build a 24' X 14' deck. CAM exempt. Opening of Public hearing rescheduled from 12/9/15.

A motion was made by Vincent Neri, seconded by Eve Barakos, to deny the variance request due to lack of hardship.

For: Vincent Neri, Bonnie Hall, Eve Barakos, Mark Damiani

Opposed: none                      Abstained: Matt Diamond                      The motion carried.

**No. 15-021**– Amended Appeal of Sue K. Morris, Trustee, applicant; Edward M. Cassella, Esquire, agent. Property located at 119 Second Avenue. Identified on Assessor's map 181 as Parcel 122. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(b) side yard setback (West) to allow 3.7' where 10' required, Section No. 4.33.06(b) side yard setback (East) to allow 3.7' where 10' required, Section No. 4.33.08 maximum height requirement to allow 38.7' where 35' is maximum, and Section No. 2.10.06/2.10.07 change/replacement of nonconforming structure, to demolish existing house and replace with 4 bedroom year round dwelling. CAM required. Opening of Public Hearing rescheduled from 12/9/2015.

A motion was made by Richard White, seconded by Mark Damiani, to grant as presented along with the CAM application, and all of the supporting documents. The motion carried unanimously.

**No. 15-022** – Appeal of Michael and Mary Kay Marino, owners/applicants; Thomas Elliott AIA, agent. Property located at 27-2<sup>nd</sup> Avenue. Identified on Assessor's map 180 as parcel 081. HDR zone. Variance requested from Zoning Regulations Section No. 2.10.06 extension/enlargement of non-conforming uses/structures, Section No. 4.33.06(a) front yard setback to allow 2.4' where 25' required, and Section No. 4.33.06(c) rear yard setback to allow

11.2' where 35' required, for vertical expansion removing partial second floor of existing structure and adding full second floor and unfinished attic within existing footprint. CAM required.

A motion was made by Bonnie Hall, seconded by Eve Barakos, to grant the variance with the CAM. The motion carried unanimously.

**No. 15-023** – Appeal of James Vitali, applicant; JEV Investments LLC, owner; George Cotter, agent. Property located at 7 Hogan Road. Identified on Assessor's map 180 as parcel 059. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(a) front yard setback to allow 14' (house) where 25' required, Section No. 4.33.06(b) side yard setback to allow 2.5' (house) and 2.0' (access platform) where 10' required, Section No. 4.33.06(c) rear yard setback to allow 8.6' (house) and 3.7' (access platform) where 35' required, and Section No. 2.10.06/2.10.07 enlargement of nonconforming structure, for vertical expansion and replacement of existing structure in same footprint. CAM required.

A motion was made by Richard White, seconded by Vincent Neri, to grant the variance and CAM as presented. The motion carried unanimously.

#### **Minutes:**

A motion was made by Eve Barakos, seconded by Mark Damiani, to approve the minutes of the 11/10/15 public hearing. The motion carried unanimously.

A motion was made by Eve Barakos, seconded by Mark Damiani, to approve the minutes of the 11/10/15 regular meeting. The motion carried unanimously.

#### **Bills:**

A motion was made by Mark Damiani, seconded by Richard White, to approve the bill from Janet Aiken for \$610.00. The motion carried unanimously.

A motion was made by Matt Diamond, seconded by Mark Damiani, to approve the bill from WB Mason for \$11.99 for a new nameplate. The motion carried unanimously.

A motion was made by Matt Diamond, seconded by Bonnie Hall, to approve the bill from Richard White for \$36.10 for tuition/attendance of a conference on 11/6/15 'legal issues in the age of climate adaptation'. The motion carried unanimously.

A motion was made by Richard White, seconded by Mark Damiani, to approve the bill from Gould, Larson, Bennet & McDonnell PC for \$750. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by Eve Barakos, to approve the bill from the Hartford Courant for \$483.15. The motion carried unanimously.

#### **Election of Officers:**

A motion was made by Vincent Neri, seconded by Eve Barakos, to nominate Bonnie Hall as Chairman and Mark Damiani as Vice Chairman for 2016. The motion carried unanimously.

**Correspondence:** To be reviewed at the next meeting.

#### **Other Business:**

A motion was made by Matt Diamond, seconded by Eve Barakos, to adjourn. The motion carried unanimously.

The meeting adjourned at 10:54 p.m.

Respectfully Submitted,

*Janet L. Aiken*

Janet L. Aiken, Recording Secretary Category I  
Westbrook Zoning Board of Appeals

(ONE (1) CD was recorded for the 1/27/16 Public Hearing & Regular Meeting and filed with the Town Clerk's Office).

*Janet L. Aiken*

Janet L. Aiken, Recording Secretary Category I

2/1/16

Date Submitted