



**TOWN OF WESTBROOK**  
ZONING BOARD OF APPEALS  
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## **MINUTES - ZBA PUBLIC HEARING - 14 December 2011**

The Westbrook Zoning Board of Appeals met on Wednesday, December 14, 2011, 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 Hartford Courant* on 30 November 2011 and 7 December 2011.

Chairman Mark Damiani called the Hearing to order at 7:32 p.m. and introduced Board members to the public in attendance. Members present were Bonnie Hall, Mark Damiani, Eve Barakos, Vincent Neri and Alternate Richard White. Also present were Administrative Secretary Janet L. Aiken and ZEO Nancy Rudek.

Chairman Damiani read the procedures to be followed at the Hearing.

No. **11-23** - Appeal of Stempien Realty Trust, owner; Zdon Builders Inc, applicant, William Zdon, agent. Property located at 48 Elm Avenue. Identified on Assessor's map 196 as Parcel 005. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(a) front yard setback, to allow 7.9' where 25' required, Section No. 4.33.06(b) side yard setback, to allow 7.2' where 10' required, and Section No. 4.33.06(c) rear yard setback, to allow 25' +/- where 35' required, to allow raising of the existing house to meet flood elevation code, remove existing garage, and construct new addition. CAM required.

A letter was read from the agent requesting a continuance to the Board's 1/25/2012 meeting.

No. **11-22** - Appeal of The Lee Company, owner/applicant; Matthew White, P.E., agent. Property located at 2 Pettipaug Road. Identified on Assessor's map 49 as Parcels 017, 018 and 019, and on Assessor's map 50 as Parcels 006 and 036. LI zone. Variance requested from Zoning Regulations Section No. 4.74.04 front yard setback, to allow 15.6' where 40' required; Section No. 4.74.05 residential district setback, to allow 15.6' where 75' required; and, Section No. 10.04.01 landscaped islands and parking spaces, to allow construction of a pump station to adequately supply the necessary volume and pressure for the construction of new Building 9 and expansion of existing Building 3, and a new maintenance garage/storage building, along with associated access drives and parking facilities. CAM exempt.

Alternate Richard White was seated to hear this application.

Matthew White from Angus McDonald Gary Sharpe & Associates presented the plan to the Board members and public.

Due to the size of proposed Building 9, the building must have sprinklers to meet building code. At present, there are 2 ponds on the campus and a domestic water supply, which is used for fire protection. The location of the proposed pump house is at the intersection of Route 153 and Pettipaug Road. This location is also the lowest elevation of the site, necessary to provide enough water pressure. The pump building proposed will appear barn-like with board

and batten siding and 20' x 28' dimensions. It will have light use, used 1 to 2 times a year to test the pumps. The site had a house on it at some point and the site is level. Landscaping is proposed containing 12' white pine and 12' spruce, along with 6' arrow wood bushes, to limit any intrusion into the surrounding residential neighborhoods.

Expansion of the two other buildings on the campus necessitates reconfiguration of the parking spaces and the applicant is also requesting a variance from the landscaped island for every 15 parking spaces, citing difficulty in plowing and maintenance. It was noted that the building is located within the interior of the campus and not visible from the road.

Matt White explained that The Lee Company currently has an application before the Zoning Commission for a Special Permit. It also needs Inland Wetlands approval. The two variances sought are necessary in order to go forward with the plans and approvals.

Elevation differences and water line size was discussed.

A letter from Don Forgey dated 12/10/11 in opposition was read into the record. It was stated by the Chairman that the issues of concern in the letter were more appropriate for the upcoming Zoning Commission hearing.

Speaking in favor of the applicant was Ed Binder of 593 Essex Road.

Speaking in opposition from the audience was Betsy Ronne (Cold Spring), Tom Belval (Cold Spring), Steve Roach (Pettipaug), Richard Aninno, Marilyn Rocco(sic), and Bob Callaghan (Cold Spring). Concerns raised included light and noise, as well as increase traffic. External tanks closer to the buildings were suggested, size of the pump house, whether or not the Company would consider bringing the water main down Pettipaug Road, and that Building 9 was too big for the site.

Leighton Lee addressed the questions noting that cisterns had been investigated but would be more visually and light intrusive to the Cold Spring residents than the pump house, and would necessitate more land disturbance and tree cutting as well as possible ledge removal (blasting).

The hearing closed at 8:52 p.m.

Respectfully Submitted,  
*Janet L. Aiken*  
Janet L. Aiken, Administrative Secretary  
Westbrook Zoning Board of Appeals

(TWO (2) micro cassette tape was recorded for the 12/14/11 Public Hearing & Regular Meeting and filed with the Town Clerk's Office).

Janet L. Aiken 12/21/11  
Janet L. Aiken, Administrative Secretary Date Submitted