



**TOWN OF WESTBROOK
ZONING BOARD OF APPEALS**

866 BOSTON POST ROAD
WESTBROOK, CONNECTICUT 06498
(860) 399-3046 • FAX (860) 399-3092

MOTIONS

MEETING MINUTES – ZBA PUBLIC HEARING – 28 APRIL 2010

The Westbrook Zoning Board of Appeals met on Wednesday, April 28, 2010, 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 15 April, 20 April, and 22 April 2010.

Chairman Mark Damiani called the Hearing to order at 7:30 p.m. and introduced Board members to the public present at the Hearing. Members present were Chairman Mark Damiani, George Rehberg, Eve Barakos, Bonnie Hall and Alternate Richard White. Also present was Administrative Secretary Janet L. Aiken.

Chairman Damiani read the procedures to be followed at the Hearing as well as the Legal Notice of the Public Hearing.

Alternate Richard White was seated for John Boehme.

A motion was made by Mark Damiani, seconded by Eve Barakos, to move application No. 10-07 first on the agenda. The motion carried unanimously.

No. 10-07 – Appeal of James Barry, owner/applicant. Property located at 40 Tarpon Avenue. Identified on Assessor's Map 2538 as Parcel 74. HDR zone. Variance requested from Zoning Regulations Section 4.33.06 (a) to allow 4'6" front setback where 25' required, and Section 4.33.06 (b) to allow 8'6" side setback where 10' required, allowing for new porch across front of house and stairs.

A motion was made by George Rehberg, seconded by Mark Damiani, to continue the public hearing to the Board's next meeting on May 26, to allow the applicant to submit construction plans for the proposed deck, and a site plan showing exactly where the front property line is located. The motion carried unanimously.

No. 10-05 – Appeal of Raymond and Janet Behr, owner/applicant; Gregg Fedus, Fedus Engineering LLC, agent. Property located at Lot 17 – Pointina Road. Identified on Assessor's Map 28 as Parcel N12. HDR zone. Variance requested from Zoning Regulation Section No. 4.33.07 setback from tidal wetlands to allow 6.1' setback where 50' is required. Also, CAM approval needed. **CONTINUED from 3/24/10**

A motion was made by Mark Damiani, seconded by Richard White, to close the public hearing. The motion carried unanimously.

No. 10-08 – Appeal of Elaine Erwin Matulis, owner/applicant; Thomas A. Cloutier, Esquire, agent. Property located at 534 Seaside Avenue. Identified on Assessor’s Map 15 as Parcel SF5. HDR zone. Variance requested from Zoning Regulations Section 4.33.06(b) to allow 5.4’ side setbacks where 10’ is required, and Section 4.33.06(c) to allow 34’ rear setback where 35’ required, and Section 2.10.06 to allow extension or enlargement of non-conforming use and structure, to remove existing structure and rebuild in substantially the same location with the existing footprint shifted 9.17’ to the south, allowing construction of a code compliant septic system on the north side of the property. Also, CAM approval needed.

A motion was made by Mark Damiani, seconded by Richard White, to close the public hearing. The motion carried unanimously.

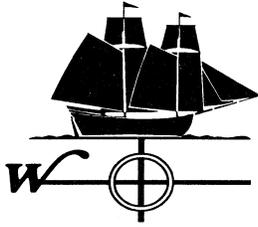
Respectfully Submitted,

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

(FIVE (5) micro cassette tapes were recorded for the 4/28/10 Public Hearing & Regular Meeting and filed with the Town Clerk’s Office)

Janet L. Aiken, Administrative Secretary

Date submitted



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MOTIONS

MEETING MINUTES – ZBA REGULAR MEETING – 28 APRIL 2010

The Westbrook Zoning Board of Appeals met on Wednesday, April 28, 2010, in the Multi-Media Room of the Teresa Mulvey Municipal Center located at 866 Boston Post Road. Chairman Mark Damiani called the Regular Meeting of the Zoning Board of Appeals to order at 11:07 p.m. Members present were Chairman Mark Damiani, George Rehberg, Eve Barakos, Bonnie Hall and Alternate Richard White. Also present was Administrative Secretary Janet L. Aiken.

Alternate Richard White was seated for John Boehme.

DECISIONS:

No. 10-07 – Appeal of James Barry, owner/applicant. Property located at 40 Tarpon Avenue. Identified on Assessor’s Map 2538 as Parcel 74. HDR zone. Variance requested from Zoning Regulations Section 4.33.06 (a) to allow 4’6” front setback where 25’ required, and Section 4.33.06 (b) to allow 8’6” side setback where 10’ required, allowing for new porch across front of house and stairs. **CONTINUED to 5/26/10**

No. 10-05 – Appeal of Raymond and Janet Behr, owner/applicant; Gregg Fedus, Fedus Engineering LLC, agent. Property located at Lot 17 – Pointina Road. Identified on Assessor’s Map 28 as Parcel N12. HDR zone. Variance requested from Zoning Regulation Section No. 4.33.07 setback from tidal wetlands to allow 6.1’ setback where 50’ is required. Also, CAM approval needed. **PUBLIC HEARING CLOSED; DECISION CONTINUED to 5/26/10**

No. 10-08 – Appeal of Elaine Erwin Matulis, owner/applicant; Thomas A. Cloutier, Esquire, agent. Property located at 534 Seaside Avenue. Identified on Assessor’s Map 15 as Parcel SF5. HDR zone. Variance requested from Zoning Regulations Section 4.33.06(b) to allow 5.4’ side setbacks where 10’ is required, and Section 4.33.06(c) to allow 34’ rear setback where 35’ required, and Section 2.10.06 to allow extension or enlargement of non-conforming use and structure, to remove existing structure and rebuild in substantially the same location with the existing footprint shifted 9.17’ to the south, allowing construction of a code compliant septic system on the north side of the property. Also, CAM approval needed. **PUBLIC HEARING CLOSED; DECISION CONTINUED to 5/26/10**

MINUTES -

A motion was made by George Rehberg, seconded by Mark Damiani, to approve the Public Hearing minutes of 24 March 2010, as written. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by George Rehberg, to approve the Regular Meeting minutes of 24 March 2010, as written. The motion carried unanimously.

BILLS –

A motion was made by Mark Damiani, seconded by George Rehberg, to approve the bill from Hartford Courant totaling \$255.52. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by Richard White, to approve a bill from Board secretary Janet Aiken, for \$227.50. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to adjourn. The motion carried unanimously.

Respectfully Submitted,

Janet L. Aiken, Administrative Secretary

(FIVE (5) micro cassette tapes were recorded for the 4/28/10 Public Hearing & Regular Meeting)

Janet L. Aiken, Administrative Secretary

Date submitted