



**TOWN OF WESTBROOK
ZONING BOARD OF APPEALS**

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MINUTES - ZBA PUBLIC HEARING – 25 July 2012

The Westbrook Zoning Board of Appeals met on Wednesday, July 25, 2012, 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 11 July 2012 and 18 July 2012.

Chairman Mark Damiani called the Hearing to order at 7:30 p.m. and introduced Board members to the public in attendance. Members present were Mark Damiani, John Boehme, Bonnie Hall, Eve Barakos, Vincent Neri, and Alternate Richard White. Also present was Recording Secretary Category I, Janet L. Aiken.

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

No. 12-13 – Appeal of Mary Ann Dunn, owner/applicant. Property located at 150 Salt Island Road. Identified on Assessor's map 182 as Parcel 085. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06 (a) front yard setback, to allow 9' where 25' required, to enlarge front porch with roof and handicap ramp. CAM exempt.

The applicant, as well as her daughter Ann Marie Ferrara, were present. Speaking for Ms. Dunn was David Musso. The applicant requested a front yard variance to enlarge an existing open front porch and to also install a handicap ramp. Enlargement of the porch was necessary to accommodate the turning radius of a wheelchair and to provide inclement weather cover. It was also explained that rain storms allowed water to seep into the front windows of the old first floor enclosed porch area (now living space) in the area where the enlarged porch and ramp are to be installed.

The length of the ramp was necessary due to the high concrete foundation and the 1" rise to 1' run code requirement. The ramp proposed would be in an "L" shape, running along the entire front of the house and wrapping around the side. The proposed porch would be open and not enclosed. Gutters would prevent water from sheeting onto the ramp. The exterior door would also have to be widened to accommodate a wheelchair.

The Board membership inquired as to the present and proposed distance to the roadway as there was some confusion concerning the map provided with the application as the scale and other information had been cut off. Questions arose concerning the width of the pavement and whether the variance distance was measured from the pins shown or the asphalt surface. An older map dated 1931 was provided by the applicant for the members to examine, with said map showing lot line adjustments between lots.

Hardship was questioned as there appeared to be substantial property to the rear of the house. Mr. Musso explained a deck existed which was not shown on the sketch, the foundation height was even higher than the front of the house, and the septic tank was above ground. Hardship was given as the applicant's age and declining health, and the height of the foundation to the rear.

A letter against the application was read into the record from Rodrick and Charlotte Lynch of 158 Salt Island Road, dated July 20, 2012.

No one spoke for or against the application from the audience.

Addressing the concerns expressed in the letter, it was determined that the Lynch's lived on the water side of the subject property (W) and there should be no obstruction of their view. The letter did however bring up the fact that the former first floor porch had been enclosed as living space and that the existing porch sought to be enlarged has been added to the front at that time. Ms. Ferrara noted that the

cottage had been raised and at that time the front had been redone, the footprint never changing. The applicant’s application gave no indication of a previous variance nor was there any testimony given as to previous building permits being taken out for that enlargement.

The applicant was asked by the Board if she would be agreeable to not enlarging the porch should the Board be favorable to the application, allowing just the ramp instead. The applicant indicated she wanted the porch enlarged as presented.

The hearing closed at 8:15 p.m.

Respectfully Submitted,

Janet L. Aiken

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

(TWO (2) micro cassette tapes were recorded for the 7/25/12 Public Hearing & Regular Meeting and filed with the Town Clerk’s Office).

Janet L. Aiken
Janet L. Aiken, Recording Secretary Category I

7/25/12
Date Submitted