



**TOWN OF WESTBROOK
ZONING BOARD OF APPEALS**

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

MINUTES - ZBA REGULAR MEETING – 22 January 2014

The Westbrook Zoning Board of Appeals met on Wednesday, January 22, 2014, in the Multi-Media Room of the Teresa Mulvey Municipal Center located at 866 Boston Post Road. Chairman Mark Damiani called the Regular Meeting to order at 8:38 p.m. Members present were Mark Damiani, Vincent Neri, Bonnie Hall, Eve Barakos and Alternate Devin Xenelis. Also present was Recording Secretary Category I, Janet L. Aiken.

DECISIONS:

No. 13-32 – Appeal of Barbara Peet, owner/applicant; Robert L. Doane Jr. PE LS of Doane-Collins Eng. Assoc. LLC, agent. Property located at 177 Old Mail Trail. Identified on Assessor's map 195 as Parcel 54. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(a) front yard setback to allow 5' where 25' required, Section No. 4.33.06(b) side yard setback to allow 5' where 10' required, Section No. 4.33.07 tidal wetlands buffer to allow 11.4' where 50' required, and Section No. 11.00.05 reduction or waiver of setback requirement, to allow 11.4' where 50' required, to allow construction of a 2-bedroom 24' X 30' house. CAM required.

Discussed was that the application was consistent with the use of other surrounding properties; that the original subdivision dated from 1927 and that health codes and building restrictions are different now; that because of the health code, a septic cannot be placed on lot 151; that denying an owner use of their property was confiscatory; that the variance request was the minimum to alleviate the restrictions of the regulations; that the proposed house has a very small footprint; that high ground water exists on lot 151A; and that any decision by the Board does not negate any Association rule or regulation.

A motion was made by Bonnie Hall, seconded by Devin Xenelis, to grant the variance and approve the CAM as presented. The inclusion of any conditions was discussed however it was determined that conditions were not necessary due in part to Land Use's normal review process before permits are issued. On the motion: The motion carried unanimously.

Minutes:

A motion was made Bonnie Hall, seconded by Eve Barakos, to approve the minutes of the 12/11/13 public hearing. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Eve Barakos, to approve the minutes of the 12/11/13 regular meeting. The motion carried unanimously.

Bills:

A motion was made by Mark Damiani, seconded by Bonnie Hall, to approve the bill from the Hartford Courant for \$461.44. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by Eve Barakos, to approve the bill from Janet Aiken for secretarial services for \$343.35. The motion carried unanimously.

Correspondence: Reviewed.

Other Business: None.

A motion was made by Bonnie Hall, seconded by Eve Barakos, to adjourn. The motion carried unanimously.

The regular meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Janet L. Aiken

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

(ONE (1) digital disk was recorded for the 1/22/14 Public Hearing & Regular Meeting and filed with the Town Clerk's Office).

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

1/26/14
Date Submitted