



**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 – 26 February 2014

The Westbrook Zoning Board of Appeals met on Wednesday, February 26, 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 9:32 p.m. after a brief recess from the Public Hearing. Members present were Mark Damiani, Vincent Neri, Bonnie Hall, and Alternates Devin Xenelis, Richard White and Nick Malaimo. Also present was Recording Secretary Category I, Janet L. Aiken.

DECISIONS:

No. 14-01 – Appeal of David Foster, applicant/agent; Wilcox Fuel Inc., owner. Property located at 92 Essex Road. Identified on Assessor's map 177 as Parcel 001. IND zone. Variance requested from Zoning Regulations Section No. 4.56.04(c) rear yard setback to allow 3.5/8.6' where 35' required, to install two 30,000 gallon above ground propane tanks on North rear section of property. CAM required.

After discussion by the Board including the fire safety issues addressed by the applicant, a Motion was made by Bonnie Hall, seconded by Devin Xenelis, to grant the variance as requested and approve the CAM application. The motion carried unanimously.

No. 14-02 – Appeal of Soubhi Toma, applicant. Property located at 198 Essex Road. Identified on Assessor's map 166 as Parcel 028. TIC zone. Variance requested from Zoning Regulations Section No. 4.103.01 front yard setback to allow 10' where 50' required (Essex Rd/Rte 153), and Section No. 4.103.01 front yard setback to allow 43' where 50' required (Flat Rock Rd.), to remove existing canopy and replace with a larger, higher canopy. CAM exempt.

Board discussion included the signage and lighting issue. The Board felt that if the signage was painted, it would be okay but if lit, a new application would have to be made to the Board, and that no signage or lighting was included in the application.

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

No. 14-03 – Appeal of David and Celeste Borg, owners; Sabrina Foulke POA, applicant/agent. Property located at 23 Beverly Road. Identified on Assessor's map 193 as Parcel 078. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(b) side yard setback to allow 7' where 10' required, and Section No. 4.33.06(c) rear yard setback to allow 21.7' where 35' required, to demolish existing dwelling and replaced with 2-story 3 bedroom dwelling. CAM exempt.

The Board discussed the topography and minor grading issues as well as the revision to the driveway, meeting the concerns of the most affected neighbor. A motion was made by Bonnie Hall, seconded by Richard White, to grant the variance with the condition that driveway be redesigned to pitch away from Beverly Road to allow future water drainage to drain as it presently does to the rear of the property. The motion carried unanimously.

No. 14-04 – Appeal of Lincoln T. Tedeschi and Ngoc Dung T. Ho, owners/applicants; Joe Wren PE, agent. Property located at 37 Second Avenue. Identified on Assessor's map 181 as Parcel 141. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.05 building lot coverage to allow 29.6% where 25% max allowed; Section No. 4.33.06(b) side yard setback (East) to allow 4.7' to shed/shower, 8.5' to stairs, 8.7' to house, where 10' required; Section No. 4.33.06(b) side yard setback (West) to allow 1.8' to deck/steps, 5.0' to house where 10' required; Section

No. 4.33.06(c) rear yard setback (North) to allow 26.7’ to house, 31.4’ to entry porch where 35’ required, to demolish existing 6 bedroom seasonal dwelling and replace with 5 bedroom year round dwelling. CAM required.

Board discussion of the application included the reduction of footprint, the increase in conformity to the Regulations, that the A/C may be a geothermal consideration, and that the shed will be used for storage and not living area. A motion was made by Devin Xenelis, seconded by Richard White, to grant the variance as presented and approve the CAM. The motion carried unanimously.

Minutes:

A motion was made Bonnie Hall, seconded by Mark Damiani, to approve the amended minutes of the 1/22/14 public hearing. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Mark Damiani, to approve the minutes of the 1/22/14 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 \$172.36. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by Devin Xenelis, to approve the bill from Janet Aiken for secretarial services for \$440.63. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by Bonnie Hall, to approve the bill from Gould Larson Bennet Wells & McDonnell for \$225.00. The motion carried unanimously.

Correspondence:

John “Jack” Boehme’s resignation was read to the members. Noted was his excellent service to the Town for over 12 years. Jack was noted as an integral part of the Board and will be sorely missed. The Chairman noted that the seat needs to be filled by the Board and nominations and a secret ballot vote will be held at the next meeting when all regular members are present.

Other correspondence was reviewed.

Other Business: None.

A motion was made by Bonnie Hall, seconded by Mark Damiani, to adjourn. The motion carried unanimously.

The meeting adjourned at 9:50 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 2/26/2014 Public Hearing & Regular Meeting and filed with the Town Clerk’s Office).

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

3/3/14
Date Submitted