



**TOWN OF WESTBROOK
ZONING BOARD OF APPEALS**

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

MINUTES - ZBA PUBLIC HEARING – 22 May 2013

The Westbrook Zoning Board of Appeals met on Wednesday, May 22, 2013, 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 8 May 2013 and 15 May 2013.

Chairman Mark Damiani called the Hearing to order at 7:31 p.m. and introduced Board members to the public in attendance. Members present were Mark Damiani, Bonnie Hall, Eve Barakos, Vincent Neri and Alternates Richard White and Joshua Katz. Also present was Recording Secretary Category I, Janet L. Aiken and ZEO Nancy Rudek.

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

No. 13-08 – Appeal of Donna Szewczak, owner/applicant. Property located at 84 Old Pent Road. Identified on Assessor's map 183 as Parcel 2/3. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(b) side yard setback (West) to allow 3' where 10' required, and Section No. 2.10.06 extension/enlargement of non-conforming structure, to remove and rebuild front porch on existing cottage, with addition on second floor including a deck. CAM exempt.

Alternate Richard White was seated for this application.

Donna Szewczak was present explaining that the house, originally built in 1890 with repairs done 20 years ago, is showing extensive rot around the existing porch. She further noted that the foundation of the porch is inadequate being a pier system. **Exhibit 1**, photos of the existing structure, was submitted by the applicant into the record. The side setback to the East is conforming while the West side is nonconforming at 3 feet. The request to remove the existing porch and rebuild, extending the porch an additional 4 feet on the South side. A deck on the second floor covering three sides of the house including over the new 4 foot porch addition, will be open. If ceiling heights on the second floor permit, a 4 foot addition to the second floor bedroom will be considered. The applicant feels that removing and replacing the porch is the best option because she is not sure what further damage might be uncovered once construction starts.

Ms. Szewczak told the Board that the house is a year-round structure but is only used on weekends. The house will remain at 2 bedrooms and has an upgraded septic system.

No one from the audience spoke in favor or against the application.

The public hearing closed at 7:42.

No. 13-09 – Appeal of Kristi Joy, owner/applicant. Property located at 77 Chapman Beach Road. Identified on Assessor's map 180 as Parcel 109. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(a) front yard setback, to allow 9.9' where 25' required, Section No. 4.33.06(b) side yard setback (South), to allow 7.91' where 10' required, Section No. 4.33.06(b) side yard setback (South), to allow 9.21' where 10' required, and Section No. 2.10.06 extension/enlargement of non-conforming structure, to add screened-in porch and second floor with second floor dormer bump-out. CAM exempt.

Alternates Richard White and Joshua Katz were seated for this application. Board member Eve Barakos recused herself from this hearing at 7:44 p.m.

Kristi Joy and David Olmsted were present. The application is for a new 7 foot porch addition off the front of the house, and for a bathroom dormer on the new second floor. Hardship was questioned by Richard White. The applicants noted that the screened porch addition would make the house conforming to

the neighborhood. The existing year round house has 2 bedrooms to be moved to the proposed second floor allowing for much needed living space on the first floor. The only new feature is the addition of a second bathroom. An attic with pull-down stairs will provide for much needed storage space. The proposal poses no ROW impingements, the septic system is to the rear of the lot and the driveway is to the North.

Bonnie Hall inquired if the porch was to have heat and what the new height of the house will be after construction. The applicants stated that the porch will be three-season only, and that the renovated house will be at 30' 10".

For the record, Richard White noted that with the recent changes to FEMA regulations, should a catastrophic event occur to the renovated structure, in all likelihood damage might be more that 50% of the structure's assessed value which would cause rebuilding the house subject to the new flood elevation requirements.

No one from the audience spoke in favor nor against the application.

Letters in favor of the application were read into the record from (1) Michael Wood of 104 Chapman Beach Road, dated May 16, 2013, (2) Janet H. O'Donnell (a.k.a. Johnson), no address given, dated May 15, 2013, (3) Joanne Putnam owner of 73-75 Chapman Beach Road, dated May 21, 2013, and (4) Joseph Popovich and Elaine Hozebin of 82 Chapman Beach Road, dated May 13, 2013.

The hearing closed at 7:48 p.m. Member Eve Barakos returned to the meeting.

No. 13-10 – Appeal of David J. & Carolyn Daniels, owner/applicant. Property located at 482 Seaside Avenue. Identified on Assessor's map 189/017 as Parcel 01. HDR zone. Variance requested from Zoning Regulations Section No. 4.33.06(b) side yard setback (West), to allow 3.8' where 10' required, Section No. 4.33.06(b) (East), to allow 6.9' where 10' required, and Section No. 2.10.06 extension/expansion of non-conforming structure, to allow 4' x 8' A/C condenser platform & electric meter and 78 sq.ft. roof over elevated landing area. CAM exempt (CAM previously granted 2/27/13 w/No. 13-04)

Alternate Richard White was seated for this application.

David Daniels was present as was architect Elizabeth Bazazi from Bazazi Design. Mr. Daniels explained that upon review of the plans approved at the 2/27/13 meeting, it was determined that the proposed house needed to be altered on the East side, to eliminate one stairwell and extend the catwalk from the front door area to the rear deck as well providing for a roof covering over the front door and catwalk of 78 square feet for safety. The proposed change to the West side for the condenser platform was not on the approved plans and the condenser has to be located outside the house and not in the mechanical room. The electric meter will also be located with the condenser for convenience of meter reading and for easy access by the fire department should a fire event occur. The water-side deck has also been reduced in size, with the previously approved plans footprint remaining essentially the same.

The site has no beach or yard, and the previously existing house was heavily damaged by Storm Sandy and has since been razed. The catwalk proposed is 3'6" wide. The Board questioned the 1' projection of the 78 square foot roof over the front door portion of the catwalk. ZEO Nancy Rudek explained to the Board that a 1' architectural projection is allowed without needing a variance. She also noted that compressors were a grey area.

No one spoke from the audience in favor or against the application.

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

(ONE (1) digital CD disk was recorded for the 5/22/13 Public Hearing & Regular Meeting and filed with the Town Clerk's Office).

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

5/26/13
Date Submitted