



**TOWN OF WESTBROOK
ZONING BOARD OF APPEALS**

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

MEETING MINUTES – ZBA PUBLIC HEARING – 8 DECEMBER 2010

The Westbrook Zoning Board of Appeals met on Wednesday, December 8, 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 24 November and 1 December 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, Bonnie Hall, Alternate Richard White and Eve Barakos. Also present was Administrative Secretary Janet L. Aiken.

Chairman Damiani read the Legal Notice of the Public Hearing. Alternate Richard White was seated for John Boehme for the duration of the Public Hearing.

No. 10-21 - Appeal of Westbrook Fire Department, applicant; Town of Westbrook, owner; Chief Mike Jenkins, agent. Property located at 1163 Boston Post Road. Identified on Assessor's Map 176 as Parcel 008. CTC zone. Variance requested from Zoning Regulations Section No. 10.27.03 to allow lawn signage of 30 square feet where 9 square feet allowed. CAM exempt.

Loren Baker Jr. presented the application explaining that the 30 square foot sign is existing, installed without the realization that it was non-conforming to the Zoning Regulations. Facing the northwest direction of Route 1, the informational sign disseminating public safety issues such as changing smoke detector batteries and Christmas tree light safety, is the same size as the Town's on the Green. Richard White inquired into the signage on the south side of the Green. Mr. Baker indicated that the signs allowed were either 4 x 8 or 4 x 4, no banners, with a maximum display time of two weeks, and controlled by the Fire Department. George Rehberg agreed with the public safety aspect of the signage. Bonnie Hall inquired if the sign was to be illuminated, adding the sign was tasteful. Mr. Baker stated that it would be externally lit in the Spring, with additional stone work planned for the base.

Two people from the audience spoke in favor of the application.

The public hearing was closed at 7:40 p.m.

No. 10-22 - Appeal of Economic Development Commission (EDC), applicant; Town of Westbrook, owner; Jim Crawford, agent. Property located at Riggio Building, 1163 Boston Post Road. Identified on Assessor's Map 176 as Parcel 008. CTC zone. Variance requested from Zoning Regulations Section No. 10.27.03 to allow community information signboard of 30 square feet where 9 square feet allowed. CAM exempt.

Jim Crawford presented the application stating the proposed sign would duplicate those messages currently posted on Route 1 at the Teresa Mulvey Municipal Center located at 866 Boston Post Road. The 2-sided sign would be located to the West of the flagpole on the front lawn of the Riggio Building, and would be black and gold. There are no plans for illumination at this time.

Two people from the audience spoke in favor of the application.

The public hearing was closed at 7:45 p.m.

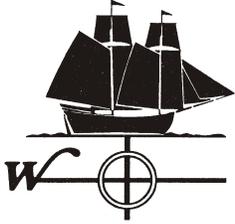
Respectfully Submitted,

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

(ONE (1) micro cassette tape was recorded for the 12/8/10 Public Hearing & Regular Meeting and filed with the Town Clerk's Office)

Janet L. Aiken, Administrative Secretary

12/9/10
Date submitted



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MEETING MINUTES – ZBA REGULAR MEETING – 8 December 2010

The Westbrook Zoning Board of Appeals met on Wednesday, December 8, 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 7:45 p.m. Members present were Chairman Mark Damiani, George Rehberg, Bonnie Hall, Alternate Richard White and Eve Barakos. Also present was Administrative Secretary Janet L. Aiken.

Alternate Richard White was seated for John Boehme for the duration of the Regular Hearing.

DECISIONS:

No. 10-21 - Appeal of Westbrook Fire Department, applicant; Town of Westbrook, owner; Chief Mike Jenkins, agent. Property located at 1163 Boston Post Road. Identified on Assessor's Map 176 as Parcel 008. CTC zone. Variance requested from Zoning Regulations Section No. 10.27.03 to allow lawn signage of 30 square feet where 9 square feet allowed. CAM exempt.

After brief discussion and in the interest of public safety, a motion was made by Richard White, seconded by Bonnie Hall, to approve as presented. The motion carried unanimously.

No. 10-22 - Appeal of Economic Development Commission (EDC), applicant; Town of Westbrook, owner; Jim Crawford, agent. Property located at Riggio Building, 1163 Boston Post Road. Identified on Assessor's Map 176 as Parcel 008. CTC zone. Variance requested from Zoning Regulations Section No. 10.27.03 to allow community information signboard of 30 square feet where 9 square feet allowed. CAM exempt.

After brief discussion and in the interest of disseminating information to the general public, a motion was made by Richard White, seconded by Bonnie Hall, to approve as presented. The motion carried unanimously.

MINUTES -

A motion was made by Bonnie Hall, seconded by Richard White, to approve the Public Hearing minutes of 27 October 2010, as written. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to approve the Regular Meeting minutes of 27 October 2010, as written. The motion carried unanimously.

BILLS –

A motion was made by Bonnie Hall, seconded by Eve Barakos, to approve bills from the Hartford Courant totaling \$220.92. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to approve the bill from Gould, Larson, Bennet, Wells and McDonnell P.C. for \$1,110.00 representing \$810.00 for the return of record for the Matulis appeal, and \$300.00 for attendance at the Behr hearing. The motion carried unanimously.

A motion was made by Richard White, seconded by Bonnie Hall, to approve the bill from Board secretary Janet Aiken for \$448.26 for clerical services. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to approve the bill from Woodard & Curran for additional review of the Lot 17 Pointina Road Behr application for \$250.00. The motion carried unanimously.

CORRESPONDENCE –

The Chairman reported that a lawsuits had been filed in the second Behr application which was approved at the October 2010 meeting. Copies had been given to the Board members.

The members discussed the possibility of removing item #12 from the ZBA application regarding Sanitarian review, approval and denial of septic plans as the ZBA has no jurisdiction over the matter and the issue continually comes up in a majority of applications. The lack of a sign-off by the Sanitarian was part of the filed writ.

Brief discussion was also had regarding the CAM application and whether a separate motion has to be made for its approval or denial as the appeal writ also referred to that issue.

The Chairman indicated he would speak with the Board's counsel regarding both matters.

OTHER BUSINESS -

A motion was made by George Rehberg, seconded by Bonnie Hall, to approve the 2011 meeting schedule with the meeting day corrected to Wednesday. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by George Rehberg, to adjourn. The motion carried unanimously.

The meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Janet L. Aiken, Administrative Secretary

(ONE (1) micro cassette tape was recorded for the 12/8/10 Public Hearing & Regular Meeting)

Janet L. Aiken, Administrative Secretary

12/9/10
Date submitted