



**TOWN OF WESTBROOK
ZONING BOARD OF APPEALS**

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**AMENDED
MINUTES - ZBA PUBLIC HEARING - 23 February 2011**

The Westbrook Zoning Board of Appeals met on Wednesday, February 23, 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 9 February 2011 and 16 February 2011.

Vice-Chairman John Boehme called the Hearing to order at 7:30 p.m. and introduced Board members to the public in attendance. Members present were John Boehme, George Rehberg, Bonnie Hall, and Alternate Richard White. Also present were Administrative Secretary Janet L. Aiken.

Vice-Chairman Boehme read the procedures to be followed at the Hearing as well as the Legal Notice of the Public Hearing.

Alternate Richard White was seated at this time.

No. 11-01 - Appeal of Karen M. And Peter S. Oliver, applicant/owner; Attorney Edward M. Cassella, agent. Property located at 6 Wangum Road. Identified on Assessor's Map 188 as Parcel 69. HDR Zone. Variance requested from Zoning Regulations Section No. 4.33.06(b) to allow side yard setback of 5.9' where 10' required, and Section No. 2.10.06, enlargement of a nonconforming structure. CAM exempt.

With the recent resignation of the Chairman Damiani from the ZBA, absent regular member Eve Barakos away on vacation and the recusal from this application of Alternate Richard White, there was no quorum present to hear the application. The Vice-Chairman therefore stated No. 11-01 would be held over to the next meeting of March 23, 2011.

No. 11-04 - Appeal of David and Nora Luszcz, applicant/owner; Thomas Elliott AIA, agent. Property located at 15 Shore Lane. Identified on Assessor's Map 13 as Parcel SF8. HDR Zone. Variance requested from Zoning Regulations Section No. 4.33.06(c) to allow rear setback of 22' where 35' required, Section 4.33.06(b) to allow side yard setback (East) of 4' where 10' required, and Section No. 2.10.06, enlargement of a nonconforming structure. CAM exempt.

The Vice-Chairman also stated this application would be held over to the Board's next meeting on March 23, 2011.

No. 11-02 - Appeal of Elaine Erwin Matulis, applicant/owner; Attorney Edward M. Cassella, agent. Property located at 534 Seaside Avenue. Identified on Assessor's Map 189 as Parcel

028. HDR Zone. Variance requested from Zoning Regulations Section No. 4.33.06(b) to allow side yard setback (West side) of 5.4' where 10' required, Section No. 4.33.06(b) to allow side yard setback (East side) of 5.4' where 10' required, and Section No. 4.33.06(c) to allow rear setback (North) of 34' where 35' required. CAM approval needed.

The Vice-Chairman opened the hearing and agent Cassella was present. He stated to the Board that he would give no presentation at this time, noting that the Board during the previous application of his client had expressed the desire for a site walk of the site. He further stated that should the current Board wish to conduct a site visit before his full presentation at the next meeting of March 23, that the Board could then consider and question all the provided information for rendering a decision. Vice-Chairman Boehme deferring to the members for their opinion, Richard White stated he would like to visit the site to which Bonnie Hall and George Rehberg concurred. The application was then continued to the March 23, 2011 meeting.

From the audience Warren Porter objected to the Board's decision to schedule a site visit prior to the presentation. Attendee Richard Whiting also questioned the decision, further wishing to present documentation pertaining to the application, which the Vice-Chairman disallowed at this time. He was asked to save it for the next meeting of March 23, 2011.

The public hearing portion of the meeting was closed at 7:40 p.m.

Respectfully Submitted,

Janet L. Aiken

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

(ONE (1) micro cassette tape was recorded for the 2/23/11 Public Hearing & Regular Meeting and filed with the Town Clerk's Office).

Janet L. Aiken
Janet L. Aiken, Administrative Secretary

2/24/11
Date Submitted