



**TOWN OF WESTBROOK  
ZONING BOARD OF APPEALS**

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

**AMENDED  
MINUTES - ZBA REGULAR MEETING - 23 February 2011**

The Westbrook Zoning Board of Appeals met on Wednesday, February 23, 2011, in the Multi-Media Room of the Teresa Mulvey Municipal Center located at 866 Boston Post Road. Vice-Chairman John Boehme called the Regular Meeting to order at 7:40 p.m. Members present were Vice-Chairman John Boehme, George Rehberg, Bonnie Hall and Alternate Richard White. Also present was Administrative Secretary Janet L. Aiken.

Alternate Richard White was seated for the duration of the Regular Meeting.

**DECISIONS:**

**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. PH HELD OVER TO 3/23/2011

**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. PH HELD OVER TO 3/23/2011

**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. PH CONTINUED TO 3/23/2011

A motion was made by Bonnie Hall, seconded by George Rehberg, to continue the hearing and schedule a site walk before the next meeting date. The motion carried unanimously.

Vice-Chairman Boehme discussed the scheduling of the site walk with the members. Due to regular member's Eve Barakos' absence, the Vice-Chair will contact her upon her return

for available dates and times. A weekday late afternoon was preferred by those present. The other members will then be polled and a set date scheduled. The agenda will be posted on line and the agent emailed.

### **CORRESPONDENCE:**

Correspondence received from Board counsel Michael Wells concerning the resignation of Chairman Mark Damiani was reviewed. Reading of the same was waived. It was determined by those present that no vote for a new chair and vice-chair would take place at this time. It was also noted that alternates cannot vote for regular members and that both political parties were not adequately represented at the meeting. Vice-Chair Boehme stated that he hoped to have another alternate on the Board by March 23 as the Board of Selectmen were meeting to appoint the same. George Rehberg noted that alternate Richard White should be considered for a regular membership if he so wanted. As for any actual voting, the Voce-Chair said that a secret written ballot would be used when voting did take place.

### **MINUTES:**

A motion was made by Richard White, seconded by Bonnie Hall, to approve the minutes of the 12/8/10 Public Hearing and Regular Meeting. The motion carried unanimously.

### **BILLS:**

A motion was made by Bonnie Hall, seconded by George Rehberg, to approve the bill from the Hartford Courant for \$275.32. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by George Rehberg, to approve the bill (12-8-10 to 1-31-11) from Administrative Secretary Janet Aiken for \$882.06. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to approve the bill (2-1-11 to 2-22-11) from Administrative Secretary Janet Aiken for \$133.76. The motion carried unanimously.

A motion was made by George Rehberg, seconded by Richard White, to approve the bill from W.B. Mason for \$11.00. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to approve the bill from CIEL, Inc. for \$256.00. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by Richard White, to approve the bills from Gould, Larson, Bennet, Wells & McDonnell PC for \$1,875.00. The motion carried unanimously.

**CORRESPONDENCE:**

Correspondence received since the last meeting of December 8, 2010 was reviewed. Noted was the upcoming public hearing on Zoning Regulations changes, scheduled for March 14.

Board members asked that the ZEO's monthly reports be emailed and/or mailed to them for review and information.

The email correspondence from ZEO Nancy Rudek to Jon Lorensen of Lorensen Toyota regarding the illuminated Toyota building was reviewed. Vice-Chair Boehme will contact the ZEO regarding any followup, including research of the ZBA files as to what had been approved in 2007.

Richard White asked if anyone else was going to the land use planning seminar in Middletown in March.

A motion was made by John Boehme, seconded by Bonnie Hall, to adjourn. The motion carried unanimously.

The regular meeting adjourned at 8:07 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