



**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 - 22 JUNE 2011

The Westbrook Zoning Board of Appeals met on Wednesday, June 22, 2011, 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 8:11 p.m. following the Public Hearing portion of the meeting. Members present were John Boehme, Bonnie Hall, Mark Damiani, Eve Barakos and Alternates Richard White and Vincent Neri. Also present was Administrative Secretary Janet L. Aiken.

DECISIONS:

No.11-07 - Appeal of Alliance Energy, applicant/owner; Belal (Bill) Basatna, agent. Property located at 198 Essex Road. Identified on Assessor's Map 166 as Parcel 028. TIC-65 zone. Variance requested from Zoning Regulations Section No. 4.13.6(c) to allow rear yard setback of 21' where 50' required, to locate 8' x 8' storage shed. CAM exempt. CONTINUED FROM 5/25/11

After brief discussion, a motion was made by Bonnie Hall, seconded by Mark Damiani, to grant the variance for a 7.5' x 8' shed as presented, for dry storage only and no utilities. The motion carried unanimously.

No. 11-09 - Appeal of Enedina and Eugenio Jimenez, applicant/owner; Angela Cole, agent. Property located at 207 Pettipaug Road. Identified on Assessor's Map 58W72 as Parcel 149/016. RR zone. Use Variance requested from Zoning Regulations Section No. 4.03.07(a) and Section No. 4.01.00 to allow existing playhouse/shed to house mini horses. CAM exempt. CONTINUED TO 7/27/11

No. 11-11 - Appeal of Kathleen and Joseph Kelemen, applicant/owner. Property located at 167 Westbrook Heights Road. Identified on Assessor's Map 37 as Parcel W20 41. MDR zone. Variance requested from Zoning Regulations Section No. 4.23.06(c) to allow rear setback of 3' where 35' required for above ground pool. CAM exempt.

After brief discussion, a motion was made by Bonnie Hall, seconded by Mark Damiani, to grant the variance as presented in the plans. The motion carried unanimously.

MINUTES:

A motion was made by John Boehme, seconded by Mark Damiani, to approve the minutes of the 5/25/11 Public Hearing as amended. The motion carried unanimously.

A motion was made by Mark Damiani, seconded by Bonnie Hall, to approve the minutes of the 5/25/11 Regular Meeting. The motion carried unanimously.

BILLS:

A motion was made by Bonnie Hall, seconded by John Boehme, to approve the bill from W B Mason for supplies of \$26.99. The motion carried unanimously.

A motion was made by John Boehme, seconded by Eve Barakos, to approve the bill from the Hartford Courant for \$633.80. The motion carried unanimously.

A motion was made by Bonnie Hall, seconded by John Boehme, to approve the bill from Janet Aiken for \$296.43 for secretarial services. The motion carried unanimously.

CORRESPONDENCE:

Correspondence was reviewed.

The Chairman read a note from the First Selectmen concerning land use fees and the recent presentation to that Board by the ZEO. Investigation into surrounding towns' land use fees structure will be made and comment was deferred until the Board's next meeting on July 27.

Members discussed the error found in application 11-09, the need for application review by the land use office to prevent future mistakes, advocacy vs. assistance, and if a minor scriber's error found, if an application could go forward with the noted change.

The Chairman will email Board counsel Wells regarding the livestock vs. pet issue, grand-fathering, if a use variance can have a stipulation (i.e., only those animals currently existing), and the definition of a pet vs. exotic pet.

The ZEO's memo concerning signage was reviewed. It was mentioned that many of the businesses listed have received variances for signage.

Cards have been sent from the Board to George Rehberg thanking him for his years of service, and to the family of Attorney Tom Cloutier who recently passed away.

BOARD VACANCIES:

Copious discussion was had by the members concerning the Board seat left vacant by George Rehberg’s recent resignation and the filling of the vacant seat.

While it was suggested that the seat be left vacant until this November’s election when anyone could run to fill it, issue was had as to Rehberg already having run and won, and an appointment should be made now of a same party Board member for the remainder of the term should be made (2013). The electorate could then choose who it wanted at that time. What is considered courtesy and customary among Town boards and commissions regarding member replacement was discussed as well as need to maintain party balance. The Chairman was asked to check with Board counsel Wells on the matter.

A motion was made by Bonnie Hall, seconded by Eve Barakos, to adjourn. The motion carried unanimously.

The regular meeting adjourned at 9:07 p.m.

Respectfully Submitted,

Janet L. Aiken

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

recorded for the 6/22/11 Public Hearing & Regular Meeting and filed with the Town Clerk’s Office).

Janet L. Aiken
Janet L. Aiken, Administrative Secretary

6/23/11
Date Submitted