



**Zoning Board of Appeals**  
Town Hall, 110 Myrtle Avenue  
Westport, CT 06880  
Tel: 203-341-1030 Fax: 203-454-6145  
www.westportct.gov

July 18, 2022

**SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:**

Pursuant to "Public Act 22-3", there will be no physical location for this meeting. This meeting will be held electronically and live streamed on [www.westportct.gov](http://www.westportct.gov). Public comments may be received PRIOR to the Public Hearing and should be sent to [ZBA@westportct.gov](mailto:ZBA@westportct.gov) by 12:00pm the day of the hearing. Public comments may also be received DURING the meeting if they: (i) presented using the provided zoom link, (ii) state your full name and address, (iii) identify the Public Hearing agenda item to which your comment relates, and (iv) are received during the public comment session on that agenda item. Comments on Public Hearing items that do not meet these requirements will be placed in the public file but will not be read aloud during the meeting. Comments not pertaining to Public Hearing items will not be read aloud during the meeting. Meeting materials are available at <https://www.westportct.gov/government/departments-a-z/planning-and-zoning-department/zba-pending-applications>.

**Instructions to Attend ZOOM Meeting**

Phone: +1 646 876 9923 US (New York)

Meeting ID: 893 2732 4636

Passcode: 732583

ZOOM Link: <https://us02web.zoom.us/j/89327324636?pwd=WE9XOTRtanRibEg4WjJuaTlOaGJnQT09>

**Zoning Board of Appeals Public Hearing**  
**Agenda**

**Zoning Board of Appeals: Tuesday, July 26, 2022**

**Zoom 6:00 P.M.**

**I. Public Hearing**

- 1. 9 Island Way (Continued with testimony taken from 7/12/22):** Application #ZBA-22-00324 by Andy Soumelidis, LANDTECH, for property owned by Eliot and Bobbi Essagof, for variance of the Zoning Regulation: §6-2.1.2 (Transfer of non-conforming building coverage), §6-2.1.3 (Alteration of non-conforming building coverage), §6-2.1.7 (Alteration of a non-conforming building in setbacks), §6-3.1 (Setbacks for a non-conforming lot), §6-3.3 (Height for a non-conforming lot), §13-4 (Setbacks), §13-5 (Height), §13-6 (Coverage) to construct a two-story front addition for an interior staircase and new front entryway in the setbacks and over Building and Total coverage; to construct a second story over the existing footprint with an elevator shaft over the allowed height; to construct an inground swimming pool over Total Coverage; and to construct a raised deck with a new staircase over Building and Total Coverage, located in Residence A district, PID #B02163000.
- 2. 11 Deerwood Road:** Application #ZBA-22-00283 by John Garment, for property owned by John Garment, for variance of the Zoning Regulation: §32-8.3.2 (Maximum Fill or Excavation Quantity), to authorize excavation and fill activities, including construction of a retaining wall, that result in fill height in excess of the maximum 0.20 ratio relative to the distance from the rear property line, located in Residence AA district, PID #E11031000.

3. **79 Newtown Turnpike:** Application #ZBA-22-00287 by Catherine Walsh, for property owned by Chabad Lubavitch of Westport, for variance of the Zoning Regulation: §6-2.1.7 (Relocation of dumpster in setback), §12-4 (Setbacks) and §32-9 (Unscreened dumpsters in setbacks), to modify ZBA #7641 to remove the condition to have dumpsters fenced in, to authorize retaining the play structures within the Setback, to relocate the dumpsters in the Setback and leave them unscreened, located in Residence AA district, PID #A14006000.
4. **52 Morningside Drive South:** Application #ZBA-22-00428 by Peter Cadoux Architects, for property owned by Jordan & Juliana Bulger, for variance of the Zoning Regulation: §11-4 (front setbacks) to extend an existing 1-story covered porch into the front setbacks, located in Residence AAA district, PID #G08006000.
5. **42 Washington Ave:** Application #ZBA-22-00445 by Matthew & Lori Lustig, for property owned by Matthew & Lori Lustig, for variance of the Zoning Regulation: §13-6 (Building and Total Coverage), to modify previously approved variance case #20-00288 for construction of a smaller one car attached garage over Building and Total Coverage, located in the Residence A district, PID #D10036000.
6. **45 Jesup Road:** Application #ZBA-22-00474 by Helen McAlindan, Homes with Hope, for property owned by the Town of Westport, for variance of the Zoning Regulation: §29-4 (Setbacks), to construct a shed dormer on existing building partially within the front setback, located in the Business Center District and Village District Overlay (BCD/VDO district), PID #C09154000.

## II. Work Session

- **Old Business**
  - No Old Business
- **Other ZBA Business**

A copy of the Agenda for the Zoning Board of Appeals Public Hearing on July 26, 2022, is available on-line at [www.westportct.gov](http://www.westportct.gov), on the Planning and Zoning Department web page under "Planning & Zoning Department".

It is the policy of the Town of Westport that all Town-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in a meeting or event due to a disability as defined under the Americans with Disabilities Act, please contact Westport's ADA Coordinator at 203-341-1043 or [eflug@westportct.gov](mailto:eflug@westportct.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Dated at Westport, Connecticut on this 18<sup>th</sup> day of July 2022, James Ezzes, Chairman, Zoning Board of Appeals.