



Town of Westport
Zoning Board of Appeals
Town Hall, 110 Myrtle Avenue
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ACTION MINUTES

The following meeting of the Zoning Board of Appeals was held remotely using Zoom Technology

ZONING BOARD OF APPEALS: Tuesday, January 10, 2023
Public Meeting Started: 6:00 P.M. **Ended:** 7:35 P.M.

Members Present:

James Ezzes – Chairman
Elizabeth Wong – Vice Chair
Amy Wistreich
Josh Newman
Michelle Hopson
Jacqueline Masumian (for A. Wistreich on 3 Northgate)

Staff: Michelle Perillie, AICP & CFM, Deputy Planning and Zoning Director

I. PUBLIC HEARING at 6:00pm

- 1. 14 Cockenoe Drive: (Opened with testimony taken on 12/13/22, continued to 1/10/23 hearing, and further continued to 1/24/23 hearing with no testimony taken on 1/10/23)** Application #ZBA-22-00655 by Cindy Tyminski, for property owned by Bluewater Cockenoe, LLC, for variance of the Zoning Regulation: §6-2.1.6 (Non-Conforming New Construction), §6-3.1 (Setbacks for Non-Conforming lot), §13-4 (Setbacks) and §13-6 (Building Coverage), for construction of a new FEMA compliant single-family residence, over Building Coverage and located in the front Setback and to find consistency with Coastal Area Management regulations, located in Residence A district, PID# B01003000. (Must close by 2/16/23)

- 2. 16 Roosevelt Road: (Opened with testimony taken on 12/13/22 , continued to 1/10/23 and further continued to 1/24/23 hearing with no testimony taken on 1/10/23)** Application #ZBA-22-0670 by Matthew and Lauren Jumper, for property owned by Matthew and Lauren Jumper, for variance of the Zoning Regulation: §6-2.1 (Expansion of a Non-Conforming Building) and §13-6 (Building and Total Coverage), for construction of a one story addition, a 2nd story addition and authorization of driveway expansion over Building and Total Coverage, located in Residence A district, PID# D03027000. (Must close by 3/23/23)

3. **3 Northgate:** Application #ZBA-22-00791 by Tomas Botero, for property owned by Lina Ochoa and Carlos Botero, for variance of the Zoning Regulation: §12-4 (Setbacks), §6-2 (Expansion of Non-Conforming building), §32-8.3.2 (Steep slopes greater than 20% and grading within 5' of lot line) and §32-8.2.3 (Fill height in excess of 20% relative to the distance to the lot line), for authorization of two air conditioning units, entry steps expanded in the Setbacks and grading that does not comply with §32-8, located in Residence AA district, PID# E11045000.

Action: J. Ezzes made a motion to GRANT; seconded by M Hopson (5 Ezzes, Wong, Newman, Hopson, Masumian -0)

Hardships:

a) **Wetlands/Steep Slopes**

- Approximately 38% or 16,422 SF of the lot contains Inland Wetlands and Steep Slopes.

b) **Corner Lot**

- The property is located on the corner of Northgate and Roseville Road. It has two (2) front 30 foot setbacks and two (2) 25 foot setbacks.

c) **Building Predates Zoning**

- The building was constructed in 1839 prior to the adoption of zoning regulations in 1930.

4. **79 Newtown Turnpike: (Opened with testimony taken on 12/13/22 and continued to 1/10/23 hearing)** Application #ZBA-22-00753 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 the Setbacks), and §12-4 (Setbacks), to retain the relocation of the screened dumpsters in the setbacks, located in Residence AA district, PID# A14006000. (Must close by 1/17/23)

Action: J. Ezzes made a motion to GRANT; seconded by J. Newman (5 Ezzes, Wong, Wistreich, Newman, Hopson -0)

Hardships:

a) **Wetlands**

- Approximately 36% or 43,260 SF of the lot contains Inland Wetlands.

b) **Corner Lot**

- The property is located on the corner of Newtown Turnpike and Wilton Road. It has two (2) front 30 foot setbacks and two (2) 25 foot setbacks.

c) **Building Predates Zoning**

- The building was constructed in 1900 prior to the adoption of zoning regulations in 1930.

5. **191 Post Road West: (Opened with testimony taken on 12/13/22 and continued to 1/10/23 hearing)** Application #ZBA-22-00726 by Art Effects, Inc. dba ARTfx, for property owned by 191 Post Property Owner LLC, for variance of the Zoning Regulation: §32-8.2.2 (No sign shall extend above the lower sill of a second story window nor exceeds height of 20' as measured from the ground to the stop of the sign, whichever is less), to install a 48.7sf illuminated channel letter sign for "Connecticut Children's" with a logo, located in General Business District, PID# C08041000. (Must close by 1/17/23)

Withdrawn at the hearing

II. Work Session

- a. Approved 2023-2024 Calendar – J. Ezzes made a motion to approve and L. Wong second (5-0)
- **Old Business**
 - No Old Business
 - **Other ZBA Business**
 - No Other Business

Respectively submitted by James Ezzes, Chairman, January 17, 2023