



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

February 17, 2023

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to 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. This meeting will also be shown on Optimum Government Access Channel 79 and Frontier Channel 6020. The public may attend using the link to be published on the agenda prior to the meeting. The meeting agenda is available at www.westportct.gov on the "Meeting List and Calendar" web page. Public testimony may be offered during a Public Hearing by joining the meeting. Written comments may also be received prior to any Public Hearing and should be sent to ZBA@westportct.gov by 12:00pm on the day of the meeting if intended to be distributed for consideration by members of the Zoning Board of Appeals. Written comments received after 12:00pm on the day of the meeting will be entered into the record. Meeting materials submitted are available at www.westportct.gov, on the Zoning Board of Appeals Department web page under "[ZBA Pending Applications & Recent Approvals](#)".*

Instructions to Attend ZOOM Meeting

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

Meeting ID: 811 4638 1259

Passcode: 096972

ZOOM Link: <https://us02web.zoom.us/j/81146381259?pwd=bXhFOGVhREtXREZH3pZT3FSajN3dz09>

Zoning Board of Appeals **Meeting Agenda**

Zoning Board of Appeals: Tuesday, February 28, 2023

Zoom 6:00 P.M.

I. Public Hearing

- 1. 4 Charcoal Lane: (Opened with no testimony taken on 1/24/23, continued to 2/14/23 and further continued to 2/28/23 hearing)** Application #ZBA-22-00630 by Phil Cerrone, Architect, for property owned by Carolyn and Robert Jumper, for variance of the Zoning Regulation: §6-2.1.78 (Non-Conforming Setbacks), §11-4 (Setbacks), §32-8.2.3 (Maximum Fill or Excavation Quantity) and §32.8.3.2 (Grading within 5ft of a property line and creation of Steep Slopes), to authorize grading within 5 feet of a property line, creation of steep slopes, reconfiguration of a patio, construction of a spa and a new fire pit, all within the Setbacks, and constructing a driveway expansion, located in Residence AAA district, PID# E15037000. *(Must close by 2/28/23)*
- 2. 37 Spicer Road: (To be opened with no testimony taken on 2/14/23 and continued to 2/28/23)** Application #ZBA-22-00804 by Cindy Tyminski, for property owned by Spicer37Westport, LLC, c/o Nate Gibbons, for variance of the Zoning Regulations: §6-2.1.7 (Expansion of a Non-Conforming Building in the Setbacks), and §13-4 (Setbacks), to modify variance #ZBA-20-00381 to construct a second-floor addition in the setbacks, located in Residence A district, PID# E09029000. *(Must close by 3/21/23)*

3. **46 Compo Mill Cove:** Application #ZBA-22-00686 by Steven Lotz, for property owned by Summer and Spring LLC, for variance of the Zoning Regulation: §6-3-1 (Non-Conforming Setbacks), §13-4 (Setbacks), and §13-6 (Coverage), to construct a buried bulkhead, rebuild and extend existing timber deck and construct new beach access stairs partially in the rear setbacks, located in Residence A district, PID# E04093000.

4. **29 Owenoke Park:** Application #ZBA-22-00712 by Lucien Vita, Vita Design Group, for property owned by David and Betsey Lebow, for variance of the Zoning Regulations: §13-6 (Total Coverage), and §6-2.1.6 (New Construction), to construct a FEMA compliant two-story single-family house and to find consistency with Coastal Area Management Regulations, located in Residence A district, PID #C03005000.

5. **4 Wheeler Gate:** Application #ZBA-23-00013 by Erion Cano, for property owned by Iris Isufi and Erion Cano, for variance of the Zoning Regulation: §13-6 (Total Coverage), to install an inground pool over Total Coverage with existing rear deck and portion of driveway to be removed, located in Residence A district, PID# C08103000.

6. **312 Bayberry Lane:** Application #ZBA-23-00032 by Brain Carey, LANDTECH, for property owned by David and Anna Herling, for variance of the Zoning Regulations: §32-8.2.3 (Fill within 5' of property line), §32-8.3.2 (Fill height exceeding 0.2 relative to the distance to property line), and §11-4 (Setbacks), to authorize existing grading that does not conform to §32-8 and construct a pool patio, located in Residence AAA district, PID #E18025001.

II. Work Session

- **New Business**
- **Old Business**
- **Other ZBA Business**

A copy of the Agenda for the Zoning Board of Appeals Public Hearing on February 28, 2023, is available on-line at 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 at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Dated at Westport, Connecticut on this 17th day of February 2023, James Ezzes, Chairman, Zoning Board of Appeals.