



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

December 1, 2023

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

*Pursuant to State Law, 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). 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](http://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](mailto: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](http://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: 867 7450 1570

Passcode: 522513

ZOOM Link: <https://us02web.zoom.us/j/86774501570?pwd=bnVicWRpNDRscm53N3MzemQ0REhIQT09>

## **Zoning Board of Appeals** **Meeting Agenda**

**Zoning Board of Appeals: Tuesday, December 12, 2023**

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

### **I. Public Hearing**

- 1. 1 Ivanhoe Lane: (Opened with testimony taken on 11/28/23 and continued to 12/12/23)**  
Application #ZBA-23-00648 by Eymard Chitty, CLH Compo LLC, for property owned by C L H Compo LLC, for variance of the Zoning Regulations: §13-4 (Setbacks), and §6-2.1.7 (Expansion of Non-Conforming Structure), to authorize existing vertical expansion of a structure located in the front Setback and for new A/C unit within the Setback, located in Residence A District, PID# C07180000. *(Must close by 01/02/24)*
- 2. 125 Harbor Road: (Opened without testimony on 11/14/23, testimony taken on 11/28/23 and further continued to 12/12/23)** Application #ZBA-23-00568 by Eric D. Bernheim, Esq., for property owned by Angela Yeung and Dylan Tyson, for variance of the Zoning Regulations: §6-2.1.2 (Transfer of Non-Conforming Building Coverage); §13-4 (Setbacks) and §13-6 (Building and Total Coverage), to authorize existing deck and driveway constructed over allowable Building and Total Coverage, located in Residence A District, PID# B02146000. *(Must close by 12/19/23)*
- 3. 36 Riverside Avenue:** Application #ZBA-23-00481 by Cindy Tyminski, Moon Gardens LLC, for property owned by Pietro and Janine Scotti TR, for variance of the Zoning Regulations: §11-2.4.12A (d) (Accessory Apartment), §11-2.4.12A (g) (Accessory

Apartment Parking), §24-4 (Setbacks), §24-6 (Building Coverage), §24-11 (Parking), §34-5 (Parking Requirements) and §34-6.2 (Parking Required on Same Lot), for a Change of Use from mixed use to single family dwelling with Accessory Apartment over allowable size, to rebuild exterior stairs in the Setbacks, and to install new mechanical pad on a lot with no on-site parking and over allowable Building Coverage, located in General Business District, PID# C09103000. *(Must open by 12/12/23 with 26-day extension)*

4. **125 (and 139) Kings Highway N:** Application #ZBA-23-00575 by Cindy Tyminski, Moon Gardens LLC, for property owned by 728 willows LLC, WG Ocala FL LLC and Braidmax LLC, for variance of the Zoning Regulations: §35-2.2.1 (Parking in Landscape Buffer), §34-11.5 (Grading), §12-6 (Coverage), to reorganize the existing parking lot to construct eight (8) additional parking spaces at 125 Kings Highway N located in the landscape buffer and two (2) spaces of which will not meet the required grade located in Residence AA District, PID# C10039000 and C11049000. *(Must open by 12/14/23)*
5. **1076 Post Road East:** Application #ZBA-23-00580 by Frederick W. Hoag, Architect, for property owned by Post Plaza LLC, for variance of the Zoning Regulations: §6-2.1.2 (Relocation of Non-Conforming Coverage), §6-2.1.6 (Non-Conforming New Construction), §25-4 (Setbacks), and §35-2.2.1 (Landscape Buffer), to construct a new 2-story restaurant with outdoor dining and drive-in without the required landscape buffer and with relocated non-conforming Coverage, located in Highway Service District, PID# F09050000. *(Must open by 12/14/23)*

## II. Work Session

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

A copy of the Agenda for the Zoning Board of Appeals Public Hearing on December 12, 2023, 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 1<sup>st</sup> day of December 2023, James Ezzes, Chairman, Zoning Board of Appeals.