



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, February 27, 2024
Public Meeting Started: 6:00 P.M. Ended: 7:20 P.M.

Members Present:

James Ezzes – Chairman
Elizabeth Wong – Vice Chair
Joseph Scordato - Secretary
Josh Newman

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

I. Work Session

· Interview potential Alternate member

J. Ezzes made a motion to accept RB as Republican alternate. E. Wong seconded the motion. (4-0)

II. Public Hearing

1. GRANTED: 52 Marion Road: Application #ZBA-23-00729 by Andy Soumelidis, LANDTECH, for property owned by Douglas and Samantha Debono, for variance of the Zoning Regulations: §12-4 (Setbacks), to construct a two story addition partially within the Setback, located in Residence AA District, PID# B08051000.

Opened with testimony taken. Hearing closed. J. Newman motioned to grant and E. Wong seconded. (4-0)

Hardships:

A. Wetland/Pond

Approximately 5,508 SF, approximately 5%, of the lot contains Wetlands. 52 Marion Road has a gross Lot Area of approx. 1.004 acres, or 43,738 SF, but after the mandatory deduction is taken for the wetlands, a base Lot Area of 0.89 acres, or 39,067 SF, remains.

The Wetlands/Pond on the property leaves little remaining property for additions.

B. Road

Approximately 265 SF, approximately 5%, of the lot contains Marion Road. The road on the property leaves little remaining property for the addition.

C. Reducing Non-Conformity

The Total Coverage will be reduced from 13.8% to 13.7%

2. **43 Bermuda Road:** Application #ZBA-23-00697 by Philip H. Cerrone, for property owned by Brian and Renata Senatore, for variance of the Zoning Regulations: §6-2.1.6 (New Construction), and §6-3.1 (Non-Conforming Lot Setbacks), §13-4 (Setbacks), §13-6 (Building and Total Coverage), to construct a new FEMA compliant single-family residence, over Building and Total coverage with front entry partially in the front Setback, located in Residence A District, PID# B02047000. *(Must open by 4/20/24 w/ 65 day extension)*

Opened w/o testimony taken and continued to 3/26/24.

3. **346 Compo Road South:** Application #ZBA-23-00704 by Eric D. Bernheim, Esq., FLB Law, PLLC, for property owned by Susan P. Cooper, for variance of the Zoning Regulation: §13-6 (Building and Total Coverage), to lift an existing house to be FEMA compliant, demolish and rebuild existing garage, replace existing front porch, add a balcony over rear patio, and legalize driveway expansion over Total coverage, located in Residence A District, PID# D03073000. *(Must open by 2/28/24 w/13 day extension)*

Opened with testimony and continued to 3/26/24 for modified driveway so don't have to back out of driveway and Engineering Department concerns.

4. **150 Easton Road:** Application #ZBA-23-00733 by Linda Gilleran, for property owned by Linda Gilleran, for variance of the Zoning Regulations: §6-3.1 (Non-Conforming Setbacks), and §11-4 (Setbacks), to authorize existing shed within front Setback, located in Residence AAA District, PID# E18043000. *(Must open by 3/14/24)*

Opened w/o testimony taken and continued to 3/26/24.

5. **GRANTED: 171 Roseville Road:** Application #ZBA-24-00013 by Justin Giorlando, PE, Force Engineering, for property owned by Jonathon and Emily Clare Cafasso, for variance of the Zoning Regulations: §32-8.3.2 (grading greater than 20% and within 5' of lot line), to conduct grading within 5' of the lot line and grades greater than 20% in order to replace failing septic system, located in Residence AA District, PID# E12013000.

Opened with testimony taken. Hearing closed. J. Ezzes made a motion to grant and E. Wong seconded. (4-0)

Hardships

A. Small Non-Conforming Lot

The lot is located in a Residence AA district that has a 1 acre, or 43,560 sf, minimum lot area requirement, and the property is approximately 47% of the minimum lot size at 0.47 acres, or 20,503 SF.

B. Public Health and Safety

The septic system is failing and must be replaced.

C. Ledge/Wetlands

The ledge/wetlands off-site affect location of septic system.

D. Pre-Existing Location of House

The pre-existing location of the house prohibits alternate location for septic.

E. High Water Table

The high water table requires fill for septic system.

Respectively submitted by James Ezzes, Chairman, February 28, 2024