



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

May 21, 2024

## **ACTION MINUTES**

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

**ZONING BOARD OF APPEALS:** Tuesday, May 14, 2024

**Public Meeting Started:** 6:00 P.M. **Adjourned at 8:02pm.**

**Members Present:**

James Ezzes – Chairman  
Elizabeth Wong – Vice Chair  
Joseph Scordato - Secretary  
Josh Newman  
Richard Benson II  
Sheri Rabiner-Gordon

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

**Zoning Board of Appeals:** Tuesday, May 14, 2024

### **I. Public Hearing**

1. **GRANTED:** 71 Hillandale Road: Application #ZBA-24-00150 by Richard Benson, for property owned by Congregational Church of Greens Farms, for variance of the Zoning Regulations: §13-4 (Setbacks) and §13-6 (Building and Total Coverage), to reconfigure parking (with no change to number of spaces); install new play structures and construct a new half basketball court in the Setbacks and over allowable Building and Total Coverage, located in the Residence A District, PID #F08105000.

**Sitting: Ezzes, Wong, Scordato, Newman, Rabiner-Gordan**

Application was opened and testimony was taken.

Jim Ezzes made a motion to close. Liz Wong seconded the motion. (5-0)

Jim Ezzes made a motion to grant. Sheri Gordan seconded the motion. (5-0)

### Hardships:

1. **Church Predates Current Zoning Regulations**

The church was constructed in 1853 prior to the enactment of the zoning regulations in 1930.

2. **Three (3) Front Setbacks/Irregularly Shaped Lot**

The lot has frontage on Hillandale Road, Colonial Road, Church Street and the lot is irregularly shaped.

### 3. **Public Safety**

The newer play equipment is safer than what currently exists on the property.

2. **CONTINUED:** 29 Danbury Road: Application #ZBA-24-00012 by The Herold Homes, LLC, for property owned by The Herold Homes, LLC, for variance of the Zoning Regulations: §6-3.1 (Non-Conforming Setbacks); §13-4 (Setbacks); §13-6 (Building and Total Coverage), to construct a new 2 story house over Building and Total Coverage, and within the front and side Setbacks, located in Residence A district, PID#D0313000.  
**Sitting: Ezzes, Wong, Scordato, Newman, Rabiner-Gordan**

The application was opened, testimony was taken and it was continued to 5/28/24 for a second means of egress on the 1st floor.

3. **DENIED:** 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 and existing shed within the front Setback, located in Residence AAA District, PID# E18043000.

**Sitting: Ezzes, Wong, Scordato, Newman, Benson**

Application was opened on 2/27/24 and continued to 3/26/24 w/o testimony taken. 5/14/24 testimony was taken.

Jim Ezzes made a motion to close. Liz Wong seconded the motion. (5-0)

Jim Ezzes made a motion to deny. Josh Newman seconded the motion. (5-0)

No hardship since alternate locations were possible.

4. **GRANTED:** 374 Post Road East: Application #ZBA-24-00071 by Lisa Donmeyer, for property owned by Compo Acres/Equity One Realty, for variance of the Zoning Regulation: §33-8.1 (Sign Area), to permit installation of two (2) wall signs more than the size permitted for new restaurant tenant, located in General Business District/Residence A District, PID# D09122000.

**Sitting: Ezzes, Wong, Scordato, Newman, Benson**

Application was opened and testimony was taken.

Jim Ezzes made a motion to close. Josh Newman seconded the motion. (5-0)

Josh Newman made a motion to grant. Joe Scordato seconded the motion. (5-0)

### Hardship:

#### 1. **Public Safety**

The signage is required for patrons to find establishment and avoid safety hazards.

5. **GRANTED:** 1 Heron Lake Lane: Application #ZBA-24-00097 by Alexander Papp, for property owned by Jessica and Alexander Papp, for variance of the Zoning Regulations: §6-3.1 (Non-Conforming Setbacks), and §11-4 (Setbacks), to authorize an existing pool and chicken coop constructed within the side Setback, located in the Residence AAA District, PID #A13027000.

**Sitting: Ezzes, Wong, Scordato, Newman, Benson**

Application was opened and testimony was taken.

Jim Ezzes made a motion to close. Joe Scordato seconded the motion. (5-0)

Jim Ezzes made a motion to grant. Josh Newman seconded the motion. (5-0)

Hardships:

1. **Small Non-Conforming Lot**

The lot is located in a Residence AAA district that has a 2 acre, or 87,120 sf, minimum lot area requirement, and the property is approximately 46% of the minimum lot size at 0.927 acres, or 40,362 SF.

2. **Irregularly shaped lot**

The lot is triangularly shaped arrow which does not permit the required 200' x 200' rectangle, per §11-3.

6. **GRANTED:** 9 Pier Way Landing: Application #ZBA-24-00140 by Virginia Bloomquist, for property owned by Andrew Youmans, for variance of the Zoning Regulations: §12-6 (Total Coverage), to construct a new outdoor shower over the allowable Building and Total Coverage, located in the Residence AA District, PID #B03005000.

**Sitting: Ezzes, Wong, Scordato, Newman, Benson**

Application was opened and testimony was taken.

Jim Ezzes made a motion to close. Joe Scordato seconded the motion. (5-0)

Joe Scordato made a motion to grant. RB Benson seconded the motion. (5-0)

Hardships:

1. **Wetlands**

Approximately 887 SF, approximately 1.7%, of the lot contains Wetlands.

9 Pierway Landing has a gross Lot Area of approx. 1.195 acres, or 52,049 SF, but after the mandatory deduction is taken for the wetlands and accessway, a base Lot Area of 1.02 acres, or 44,394 SF, remains.

2. **Accessway**

There is an accessway of 6,945 SF reducing the base lot area to 44,394 SF.

7. **GRANTED:** 3 Horseshoe Lane: Application #ZBA-24-00137 by Angela and Garry Simpson, for property owned by Angela and Garry Simpson, for variance of the Zoning Regulations: §6-3.1 (Non-Conforming Setbacks), §13-4 (Setbacks) and §13-6 (Building and Total Coverage), to permit construction of single-story addition and screened porch addition, and entryway partially in the front, side and rear Setbacks and over allowable Building and Total Coverage, located in the Residence A District, PID #C06131000.

**Sitting: Ezzes, Wong, Scordato, Newman, Benson**

Application was opened and testimony was taken.

Jim Ezzes made a motion to close. Liz Wong seconded the motion. (5-0)

Joe Scordato made a motion to grant. Liz Wong seconded the motion. (5-0)

### Hardships:

#### 1. Small Non-Conforming Lot

The lot is located in a Residence A district that has a 0.5 acre, or 21,780 sf, minimum lot area requirement, and the property is approximately 51% of the minimum lot size at 0.254 acres, or 11,047 SF.

#### 2. Pre-Existing Location of the House

The location of the existing house leaves little room for expansion without encroaching into the setback.

## II. **Work Session**

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

A copy of the Agenda for the Zoning Board of Appeals Public Hearing on April 11, 2024, 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 21<sup>st</sup> of May 2024, James Ezzes, Chairman, Zoning Board of Appeals.