



Town of Westport
Zoning Board of Appeals
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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, October 8, 2024

Public Meeting Started: 6:00 P.M. **Ended:** 7:53 P.M.

Members Present:

James Ezzes – Chairman

Sheri Rabiner-Gordon sat for Elizabeth Wong – Vice Chair

Joseph Scordato - Secretary

Josh Newman

Michelle Hopson only sat for 222 Hillspoint Road #ZBA-24-00496

R.B. Benson sat for Michelle Hopson for 64 Kings Hwy N #ZBA-24-00411, 7 Fairfield Ave. #ZBA-24-00478, 4 Rocky Ridge Rd #ZBA-24-00551, and 66 Harbor Rd. ZBA-24-00443

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

I. Public Hearing

1. **CONTINUED: 222 Hillspoint Road:** #ZBA-24-00496 by Joel Z. Green, Esq. on behalf of property owners 227 Hills LLC of 227 Hillspoint Road, Hillspoint Cove LLC of 223 Hillspoint Road and Ellen van Dorsten of 216 Hillspoint Road, appealing the decision of Mary Young, Planning and Zoning Director, to sign the "Liquor Permit Application: Local Official Approval Addendum" submitted by Romanacci Compo LLC providing Zoning Authority Approval for a "Café (LCA)" Liquor Permit for the business located upon the subject property, located in Residence B district, PID# E04050000.

Action: Opened without testimony on 9/24/24, continued to 10/8/24, and further continued to November 12, 2024.

Sitting Members: Ezzes; Gordon; Scordato; Newman; Hopson

2. **DENIED: 64 Kings Hwy N:** #ZBA-24-00411 submitted by owner/applicant Evangelia Tsiropoulos, to permit construction of new Accessory Dwelling Unit (ADU) in the rear setback, in Res. AA district, PID# C09055000.

Action: Opened with testimony. Hearing closed. Newman made a motion to deny the application as no hardship was proven. Gordon seconded the motion.

Vote: AYES: Unanimous 5/0/0 Ezzes; Gordon; Scordato; Newman; Benson

3. **GRANTED: 7 Fairfield Ave:** #ZBA-24-00478 applicant Don Fairbanks, on behalf of owner Ken Shubin-Stein, to raise the existing home from El 12.1 to El 13.5 and over allowable height, remove existing front porch, enlarge the side and rear staircases and construct a roof deck over allowable Building and Total Coverage, located in Residence A district, PID# D03097000.

Action: Opened with testimony. Hearing closed. Scordato made a motion to grant the application as submitted. Newman seconded the motion.

Vote: AYES: Unanimous 5/0/0 Ezzes; Gordon; Scordato; Newman; Benson

Hardships:

Small Non-conforming Lot: The lot is in a Residence A district that has a ½ acre, or 21,780 SF, minimum lot area requirement, and the property is approximately 23% of the minimum lot size at 0.229 acres, or 5,000 SF.

Flood Zone: The lot is in the AE 11' flood zone and the finished first floor will be elevated to 13.5' to prevent flood damage.

4. **GRANTED: 4 Rocky Ridge Rd:** #ZBA-24-00551 submitted by owner/applicant Stelian Epure, for grading that has taken place in excess of approved by ZBA in case #ZBA-22-00522; variances needed for fill height greater than .2 times the distance to the property line, for grading greater than 20% slope, grading within 5' of the lot line and for a variance for total coverage over 25%, associated with the construction of new single family residence located in Res. A district, PID#D07102000.

Action: Opened with testimony. Hearing closed. Ezzes made a motion to grant the application as submitted. Scordato seconded the motion.

Vote: AYES: Unanimous 5/0/0 Ezzes; Gordon; Scordato; Newman; Benson

Hardships:

Steep Slopes: 49% of the gross lot area contains steep slopes which is approximately 15,061 SF.

5. **GRANTED: 66 Harbor Rd:** #ZBA-24-00443 submitted by Curt Lowenstein, LANDTECH, on behalf of owner Thomas & Pamela O'Brien, proposing to raise the existing single-family residence to be FEMA compliant, construct additions in the Setbacks and over in Building and Total Coverage, and to find consistency with Coastal Area Management Regulations is **APPROVED WITH CONDITIONS**, located in Res. A district, PID#B0208800.

Action: Opened with testimony. Hearing closed. Newman made a motion to grant the Variance as submitted. Scordato seconded the motion.

Vote: AYES: 4, Ezzes; Scordato; Newman; Benson, NAYS: 1, Gordon

Hardships:

Small Non-conforming Lot: The lot is in a Residence A district that has a ½ acre, or 21,780 SF, minimum lot area requirement, and the property is approximately 11% of the minimum lot size at 0.11 acres, or 2,491 SF.

Corner Lot: The lot is considered a corner lot having frontage on both Harbor Road and Rowland Place having 20' Setbacks on each side.

Flood Zone: The lot is in the AE 13' flood zone and the finished first floor will be elevated to 16' to prevent flood damage.

Reduction in non-conformities: The front and side Setbacks will be in better conformance and the Total Coverage is being reduced by 190 SF.

Public Safety: The application proposes a three-car garage which will reduce the parking on Rowland Place.

Action: Newman made a motion to approve the Coastal Site Plan with Conditions. Scordato Seconded the motion.

Vote: AYES: 4, Ezzes; Scordato; Newman; Benson, NAYS: 1, Gordon

Condition: The proposed anti-tracking construction entrance and silt fencing should be installed prior to commencement of construction and remain in place until the lot is stabilized which will help to limit possible sediment movement into the coastal resources.

II. Work Session

- New Business
- Old Business
- Other ZBA Business