

**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
WEDNESDAY
MARCH 20, 2024**

RECEIVED

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WESTPORT ZONING
BOARD OF APPEALS

Members Present: Roger Menard, Chair
Gerald Coutinho, Vice-Chair
Constance Gee
Barbara Pontolilo
Raymond Elias
Cynthia Kozakiewicz
George Stelljes

Chair Menard called the meeting of the Zoning Board of Appeals meeting to order at 6:30 p.m. with the reciting of the Pledge of Allegiance.

Chair's Announcement - Under MGL Chapter 30A, Section 20(f) - Meeting being recorded. Chair Menard announced that due to medical reasons, he recuses himself from voting on the petitions unless the board objected. The board did not object.

1. The first matter on the agenda was the continued hearing on the application of Timothy Gillespie, Applicant, and Julia Krapf, Owner, for a Special Permit to convert a portion of the existing garage into a detached accessory apartment, containing 375 square feet, pursuant to Zoning Bylaw Article 9, Section 9.5.4. The property is located at 10 Hillside Road, Westport, MA and is shown on Assessor's Map 88, Lots 169 and 170.

Chair Menard said that the Applicant would address the Board; the Board would hear from any audience members for comment; and the Board would deliberate to render a decision.

Chair Menard stated that Ms. Kozakiewicz, an Alternate Member of the Board, had voted previously on this matter. He noted that, pursuant to the Zoning Rules and Procedures, the five regular members of the Board should vote; however, a unanimous vote would be required to allow Ms. Kozakiewicz to vote on this matter at this time. Accordingly, Vice-Chair Coutinho made a motion to allow Ms. Kozakiewicz to vote. Ms. Pontolilo seconded the motion which was voted unanimously.

Therefore, the members voting on this matter would be Gerald Coutinho, Constance Gee, Barbara Pontolilo, Ray Elias and Cynthia Kozakiewicz.

Tim Gillespie, 137 Horseneck Road, Westport, MA, the Applicant, addressed the Board. He said that the Board of Health has not yet approved the septic system because there is an issue with the well as it may be below standards set by the State. Water testing is being conducted and, if necessary, a new well will be dug. The neighbors will be asked to contribute well water for further testing. Therefore, he is requesting a further continuance to a date in a couple of months to allow the Board of Health to approve the septic system.

Ms. Pontolilo noted that the Applicant has shown valid reasons for a further continuance.

Ms. Kozakiewicz and Vice-Chair Coutinho agreed.

Ms. Pontolilo made a motion to grant the request to continue the hearing to Wednesday, May 29, 2024 at 6:30 p.m. Ms. Gee seconded the motion, which was voted unanimously.

Administrative Items:

1. Approval of the minutes of the regular meeting of February 7, 2024. Ms. Gee made a motion to approve the minutes of the regular meeting of February 7, 2024. Mr. Elias seconded the motion, which was voted unanimously to approve the minutes of the February 7, 2024 regular meeting.

2. Chair Menard addressed the proposed Zoning Bylaws that will be presented at Town Meeting for approval. The proposed Short-Term Rental Bylaw was drafted by a sub-committee that included members of the Zoning Board, Planning Board and Health Department. Chair Menard explained the process for drafting a bylaw, namely, the Planning Board holds public hearings, draft a bylaw that is then submitted to the Select Board, who then makes suggestions for revisions to the draft bylaw. Originally, the Health Department would be assigned to oversee the short-term rentals. The Building Department will be processing the applications for short-term rentals. The Board discussed the requirements that must be complied with by the owner of the property to be approved. Chair Menard asked the Board to review the proposed language and he will also further discuss with the Town Administrator.

3. Vice-Chair Coutinho said that he had been asked by the Town Clerk to discuss with the Board the issue of a kennel license as mandated by the State and by the Town. He stated that the condition that the dogs be "licensed" should be eliminated from any future decision because, when a kennel license is issued, each dog is not individually licensed. The Board further discussed that the Zoning Board issues Special Permits not kennel licenses. Vice-Chair

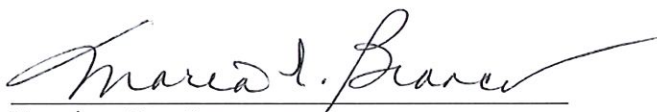
Coutinho suggested that, perhaps, the language reflect that the owner must comply with State laws and Town Bylaws.

The next meeting is scheduled for Wednesday, April 10, 2024.

Ms. Pontolilo made a motion to adjourn at 7:06 p.m. Ms. Gee seconded the motion, which was voted unanimously.

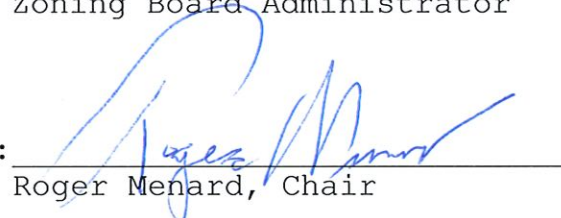
Adjournment.

Respectfully submitted,



Maria I. Branco
Zoning Board Administrator

APPROVED:


Roger Menard, Chair