

**ZONING BOARD OF APPEALS  
REGULAR MEETING MINUTES  
WEDNESDAY  
NOVEMBER 15, 2023**

RECEIVED

FEB 7

WESTPORT ZONING  
BOARD OF APPEALS

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

Also present was Ralph Souza, Building Commissioner/Zoning Enforcement Officer.

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. He stated that the meeting is being conducted with a quorum present.

**Chair's Announcement** - Under MGL Chapter 30A, Section 20(f) - Meeting being recorded.

1. The first matter before the Board was a 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 advised the process that would be followed, in that, the Board would address any documents or information submitted by the Applicant, discuss the matter, open up the discussion to the audience, and vote on the application. Voting on this matter would be Gerald Coutinho, Constance Gee, Barbara Pontolilo, Ray Elias and Cynthia Kozakiewicz.

Timothy Gillespie, 137 Horseneck Road, Westport, MA addressed the Board. He said that:

1. He is the contractor for the project.
2. The accessory apartment will be located in the garage that currently has a kitchen, bedroom and bath.

3. A new denitrification septic system will be installed to accommodate the extra bedroom.

4. Leonard Potter will be handling the installation of the new septic system.

5. He will be asking for a continuance to allow installation of the new septic system and get approval from the Board of Health.

6. The exterior will be renovated with reshingling and new windows.

7. The apartment will contain 375 square feet with a Murphy bed.

8. No setback requirements will be affected.

Chair Menard reviewed all the requirements of the Bylaw, specifically (a) through (j) and Mr. Gillespie answered in the affirmative to comply with all the requirements. Mr. Gillespie also noted that the owner would be residing in the main house.

Vice-Chair Coutinho said that, if the Applicant is requesting a continuance, the deadline for making a decision by the Board must be extended as well. Mr. Gillespie agreed.

Mr. Gillespie submitted a request to continue the hearing until Wednesday, February 7, 2024 and agreed to extend the deadline within which the Board has to make a decision on this matter.

Ms. Pontolilo made a motion to grant the Applicant's request to continue this hearing to Wednesday, February 7, 2024. Ms. Gee seconded the motion and the Board voted unanimously to grant the continuance.

2. The next matter on the agenda was a hearing on the application of Tammy Therrien, Applicant, and Tammy Therrien and Keith Therrien, Owners, for a special permit to convert the second floor of the existing garage into a detached accessory apartment, containing 800 square feet, pursuant to Zoning Bylaw Article 9, Section 9.5.4. The property is located at 18 McKinley Street, Westport, MA and is shown on Assessor's Map 11, Lots 557-594.

Chair Menard stated that the members voting on this petition would be Gerald Coutinho, Constance Gee, Barbara Pontolilo, Raymond Elias and George Stelljes. A supermajority vote is required to grant the special permit.

Tammy Therrien and Keith Therrien, the Applicants, addressed the Board. Ms. Therrien stated that:

1. She spoke with the Board of Health about getting approval for the septic system to accommodate the extra bedroom.

2. Health Agent Joseph Reis visited the property and advised that the Applicants would need to eliminate one of the bedrooms in the house if no new septic system was to be installed. Once that was done, Mr. Reis would re-visit the property to approve the septic system.

3. There is a driveway up and around the house behind the gazebo to the garage.

Chair Menard asked whether the Applicants had read the Zoning Bylaw, in particular subsections (a) through (i) of Section 9.5.4.

The Applicants agreed to comply with all the requirements.

The Applicants submitted a motion to continue the hearing to December 6, 2023, with the decision deadline extended, to give them an opportunity to obtain the septic system approval from the Board of Health.

Vice-Chair Coutinho made a motion to grant the continuance of the hearing to December 6, 2023, with the Applicants agreeing to the decision deadline. Ms. Pontolilo seconded the motion and the Board voted unanimously to grant the continuance.

#### **Administrative Items:**

1. The Board discussed the process for notifying abutters of decisions. The Zoning Board Administrator stated that, typically, a full copy of the decision is mailed to abutters and the cost of supplies, postage and wages were expensive and that other Towns mail out postcards notifying abutters of the filing of the decisions with the Town Clerk, a link where abutters may access a copy of the decision, the appeal deadline, and contact information if they have any questions. Chair Menard made a motion to approve the new process of notifying abutters with the postcard information. Vice-Chair Coutinho seconded the motion, which was voted unanimously by the Board.

2. The Board discussed the meetings that have been held by the Short-Term Rental Committee and that a public hearing will be held


in the near future so that a bylaw can be finalized and presented at Town Meeting for approval.

The next meeting is scheduled for Wednesday, December 6, 2023.

Chair Menard stated that the Board would resume in Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss and approve the minutes of the Executive Session of November 1, 2023 and the Chair so declares. Chair Menard made a motion to go into Executive Session at 7:25 p.m. and not return to regular session. Vice-Chair seconded the motion. The roll call vote was as follows: Gerald Coutinho, aye; Barbara Pontolilo, aye; Roger Menard, aye; Constance Gee, aye; Ray Elias, aye; Cynthia Kozakiewicz, aye; and George Stelljes, aye. The Board voted unanimously to go into Executive Session at 7:25 p.m.

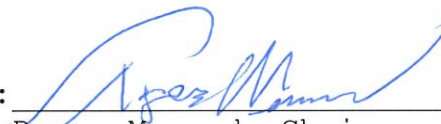
**Adjournment.**

Respectfully submitted,



Maria I. Branco  
Zoning Board Administrator

APPROVED:



Roger Menard, Chair