TOWN OF WINCHESTER
ZONING BOARD OF APPEALS
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
October 25, 2016 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:
Chairman David Villa called the meeting to order at 7:00PM.

2. ROLL CALL:
Mr. Villa reported that a quorum of the board was present: Michael DeClement, John Massicotte, Neil Hunt, John Pollack and Alternate Hal Wilkes.

Additionally, Mr. Villa noted that Phillip Allen and Richard Nalette were absent.

Also, present for this meeting were Director of Planning and Community Development Steve Sadlowski and Zoning Enforcement Officer Marc Melanson.

3. EXPLANATION OF PROCEDURE:
Mr. Villa gave a brief overview of the procedure, explaining that approval of a variance requires four affirmative votes by the Board. He noted that the applicant will likely receive a disposition on the application this evening. Mr. Villa explained that the proceedings shall include the applicant's opportunity to provide information regarding the application, a chance for the Board to question the applicant, a chance for members of the public to question the applicant, as well as closing comments by the applicant. Mr. Villa also explained that either the Board or the applicant may request that the hearing remain open for four weeks until the next meeting should there be additional or supplemental documents to the application.

4. PUBLIC HEARINGS – VARIANCE APPLICATIONS & DECISIONS
A. ZBA #16-5172 Request for Variance from Section 4a.2 Frontyard Setback, from Section 4a.2 Sideyard North Setback, from Section 4a.2 Sideyard South Setback, from 4a.2 Rearyard Setback. And from Section 4a2.2 for a Lot Coverage Variance at 342 East Wakefield Boulevard for Arnold Govain, Jr. and Doreen Govain.
The applicant, Arnold Govain, Jr., appeared before the Board regarding this application. He explained that he and his wife are seeking to make Winsted their permanent home. Mr. Govain explained that they would like to convert this three-season residence to a year-round home and expand it so as to allow family members to visit. He indicated that the proposed renovations would include staying within the existing footprint, as they would like to add a second floor to the home. Mr. Govain noted that the plans include removing the shed located on the premises. Mr. Govain provided details regarding why a variance is needed for the setbacks.

Mr. DeClement questioned the existing footprint and what is being proposed. Mr. Govain explained that the existing rearyard, or lakeside, north side and south side setbacks would not change. He noted that the frontyard setback is proposed to change by 1.7'.

Mr. Pollack had questions regarding the proposed length and height of the home. Mr. Govain noted that the existing home is 15.8'. It was noted by Mr. Melanson that the proposed height is 25' to the midline of the roof and 28' to the ridge.

Chuck Cusson of 338 East Wakefield Boulevard, noting that he is the abutting neighbor to the north, reported that he had the opportunity to review these plans and opined that the general appearance of what Mr. and Mrs. Govain propose does not pose any character problems to the neighborhood. He recommended that the proposal be approved.

Richard Cussen of 336 East Wakefield Boulevard, noting that he is a neighbor from two buildings down the road, spoke in favor of the application. He explained that not only does he support the applicant's proposal to renovate the dwelling so as to be more in character with other area dwellings, he also is in favor of the applicant being permitted to construct a garage in order to store lawn equipment from plain sight.

Mr. Govain concluded by characterizing the proposed renovations as a modest request based on other projects he has seen in the area and explained that he and his wife are trying to get the best use out of their property and become Winsted residents.

The public hearing was closed at 7:23PM.

MOTION: Mr. Hunt, Mr. DeClement second, to grant Variance Application #16-5172, from Section 4a.2 for a frontyard setback variance of 1.7 feet, a north side yard setback variance of 18.2 feet, a south side yard setback variance of 17.6 feet, a rearyard setback variance of 3 feet and a lot coverage variance of 17.1%, for the purpose of building a 58'x21', two-story residence with a 20.5' x 12.1' deck with stairs, as per the drawings submitted, for the property located at 342 East Wakefield Boulevard; Motion passed with Mr. Villa, Mr. Hunt, Mr. DeClement, and Mr. Massicotte voting aye while Mr. Pollack was opposed.

It was noted that this approval was granted as it was deemed to be consistent with existing neighboring residences.

B. ZBA #16-5174 Request for Variance from Section 10.4 Non-Conforming Structure at 157 Danbury Quarter Road for Joe Nichols.

Joe Nichols appeared before the Board regarding this application. In response to a question with how the new Zoning Regulations, when effective in November, would handle this proposal, Mr. Sadlowski explained that this would be allowed by right.

Mr. Nichols reminded the Board that at the last meeting, Mr. Villa suggested that the subject property get surveyed. He explained that he has a permit to construct a building, a building which does not require an A2 survey. Mr. Nichols explained that while he can construct an "A" pitch, his wife prefers the gambrel roof.

Mr. Villa explained that under the new Zoning Regulations, all reviews will only be done with an A2 survey. Mr. Hunt questioned whether Mr. Nichols was constructing on the existing foundation.

Noting that he had visited the site, Mr. Pollack questioned for what purposes the space will be used for and whether it would be commercial. Mr. Nichols explained that the bottom will be used for two of his three automobiles and that the upstairs will be utilized for additional storage. Mr. Nichols confirmed that the added space in the second floor of this barn would not be utilized for residential purposes.

The public hearing was closed at 7:38PM.

MOTION: Mr. Hunt, Mr. Pollack second, to grant Variance Application #16-5174, from Section 10.4, Non-Conforming Structures, for the purpose of adding a second story on the barn/garage, as per the drawings submitted, for the property located at 157 Danbury Quarter Road; unanimously approved.

It was noted that this approval was granted as it was deemed to be a reasonable request as the change in Zoning Regulations permit this request.

5. APPROVAL OF MINUTES: September 27, 2016
Motion: Mr. Hunt, Mr. John Massicotte to approve the September 27, 2016 Minutes; Motion passed with Mr. Villa, Mr. Hunt, Mr. Pollack, and Mr. Massicotte voting aye while Mr. DeClement abstained.

6. OLD BUSINESS:
None.

7. NEW BUSINESS:
A. 2017 Meeting Schedule.
MOTION: Mr. Hunt, Mr. DeClement second, to approve the proposed 2017 Meeting Schedule; unanimously approved.

8. BILLS PRESENTED:
None.

9. CORRESPONDENCE:
None.

10. DISCUSSION WITH ZONING ENFORCEMENT OFFICER, IF ANY:
Mr. Sadlowski reviewed the recently adopted new Zoning Regulations. He explained that this Board is likely to receive fewer variance applications but will now be reviewing special permit applications. The difference between a variance and a special permit is that there is no hardship required with a special permit, according to Mr. Sadlowski. The criteria that will be used in the review of the special permit applications was briefly reviewed. Mr. Sadlowski explained that if a special permit is denied, the reason why the application fails to meet one of the criteria and which one(s) must be noted on record.

The provisions contained in the new Zoning Regulations that will address the former Section 10.6 of the current Zoning Regulations was briefly discussed.

Mr. Sadlowski noted that the Board may hold pre-development meetings on bigger applications, explaining that the Board would not give a determination at that point but through those meetings, would have the ability to make suggestions.

Changes in coverage requirements within the new Zoning Regulations was then discussed, with Mr. Sadlowski noting that what will be looked at is the amount of impervious surface.

11. ADJUOURNMENT:
MOTION: Mr. Hunt, Mr. Pollack second, to adjourn at 8:21PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk