



SUBJECT TO APPROVAL

**TOWN OF WINCHESTER
ZONING BOARD OF APPEALS
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
January 26, 2016 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

Chairman David Villa called the meeting to order at 7:03PM.

2. ROLL CALL:

Mr. Villa reported that a quorum of the board was present: Mr. Neil Hunt, Mr. Michael DeClement, Mr. John Masciotte, Mr. Philip Allen and Mr. Hal Wilkes.

Additionally, Mr. Villa noted that Mr. Richard Nalette and Mr. John Pollack were absent excused.

Mr. Allen was seated for Mr. Pollack.

3. EXPLANATION OF PROCEDURE:

Mr. Villa explained that a previously adjourned hearing regarding Variance Application #15-5166 Request for Variance from Section 4a.2 Lot Coverage for the property located at 325 East Wakefield Boulevard will be held, noting that the board typically must render a decision within sixty-five (65) days from the initial hearing.

4. 7:00 PM PUBLIC HEARINGS – VARIANCE APPLICATIONS & DECISIONS:

A. #15-5166 Request for Variance from Section 4a.2 Lot Coverage for the property located at 325 East Wakefield Boulevard for Michael & Jennifer Rindflesh.

The applicants appeared before the board and presented board members with copies of a correspondence from Samuel Demonstranti regarding the fact that their retaining wall is located on his property. Mr. Villa confirmed with the applicants that their issue with the Demonstranti's have been resolved.

Mr. Villa canvassed the board for any inquiries. None were asked. Mr. Villa closed the public hearing at 7:07PM.

MOTION: Mr. Hunt, Mr. Allen second, to grant the Variance #15-5166 from Section 4a.2 for Lot Coverage variance of 1% for a total lot coverage of 30% for the purpose of making the driveway larger as per drawings submitted for the property located at 325 East Wakefield Boulevard deeming the request reasonable given the topography; Motion passed with Mr. Villa, Mr. Hunt, Mr. Masciotte, and Mr. Allen voting aye while Mr. DeClement abstained.

Prior to the vote on the aforementioned motion, Mr. DeClement requested a review, noting the application was originally submitted in November, 2015. Mr. Villa characterized the application as, "...one of the typical Highland Lake Deals, meaning work was done without a permit and that it kind of stalled." He noted that as a result of an enforcement action, work was stopped. Mr. Villa noted that the application does have an A-2 survey that was presented on the property and that he is familiar with the property. He explained that the property originally belonged to Mr. Demonstranti, has transferred to a series of others, and characterized this property, "as a mess, meaning that there's work that's been done up there without the benefit of building permits, zoning permits, and other things."

Board members then discussed the property and the work that has already been conducted at the site. They deliberated for a time, weighing the pros and cons to the Town and the impact of the request to the immediate area in terms of approving or denying the application.

5. APPROVAL OF MINUTES: October 28, 2014 (pending), October 27, 2015, November 24, 2015 and December 22, 2015.

MOTION: Mr. Hunt, Mr. Allen second **to continue approval of the Minutes until the next regularly scheduled meeting; unanimously approved.**

6. OLD BUSINESS:

Mr. Villa reported that the revisions to the Zoning Regulations have been submitted to the attorney for review.

7. NEW BUSINESS:

Mr. DeClement congratulated Mr. Massicotte on his reappointment to the board.

8. BILLS PRESENTED:

None.

9. CORRESPONDENCE:

None.

10. DISCUSSION WITH ZONING ENFORCEMENT OFFICER, IF ANY:

No business discussed.

11. ADJOURNMENT:

MOTION: Mr. DeClement, Mr. Wilkes second, **to adjourn at 7:35PM; unanimously approved.**

Respectfully submitted,

**Pamela A. Colombie
Land Use Assistant**