



**TOWN OF WINCHESTER ZONING BOARD OF APPEALS**  
**Town of Winchester Town Hall**  
**338 Main Street – 2<sup>nd</sup> Floor, P. Francis Hicks Room – Winsted**  
**November 23, 2021 – 7:00PM**  
**Regular Meeting Minutes**

Chairman Phillip Allen called the meeting to order at 7:00PM.

**1. ROLL CALL:**

Mr. Allen noted that the following individuals were present in addition to himself: Aubrey English, Paul Marino, John Pollack, and Alternate Ron Dew.

Mr. Wilkes and Alternate David Carter were absent. Mr. Dew was seated for Mr. Wilkes.

**2. EXPLANATION OF PROCEDURE:**

Mr. Allen explained that approvals from this Board require four affirmative votes. He noted that five members are seated and that an application needs a vote of approval from four. Mr. Allen outlined the process of the meeting including the opportunity for the applicant to present their proposal, a chance for the Board to ask questions followed by the same opportunity for any member of the public that might be present wishing to do so.

**3. PUBLIC HEARINGS – VARIANCE APPLICATIONS & DECISIONS; APPEALS:**

**A. ZBA #21-5275 – Variance Location: 362 West Wakefield Boulevard Applicant/Owner: Brian Godin Proposal: Setback Variance for Deck.**

Matthew Closson, accompanied by the applicant Brian Godin, appeared before the Board regarding this application. Noting the size of the current deck, Mr. Closson explained that his client was seeking to extend the deck to the size of the house. He noted that the proposed deck was able to meet the 9' setback, as required by the Zoning Regulations for decks, but that it would not meet the required distance from the lake. Mr. Closson indicated that the reason for expanding the deck was so that his client could add an umbrella and be able to utilize the deck. Mr. Closson reported having already received the approval from the Inland Wetlands and Watercourses Commission for the sonotubes. He noted that the project would not increase the impervious surface coverage.

Mr. Marino questioned whether the existing stairs would be utilized. Mr. Closson confirmed.

The hearing was open to the public.

Mr. Allen read aloud an email from Ron Bilodeau, of 349 East Wakefield Boulevard, opposing the application. He also read aloud a letter from Thomas Callahan of 353 West Wakefield Boulevard, opposing the application. Given the chance to respond to some of the concerns shared by the neighbors, Mr. Closson noted that the improvements described by Mr. Bilodeau as undertaken by his client, had since been permitted and inspected. Regarding the comments shared by Mr. Callahan, Mr. Closson noted that the zoning regulations have loosened some since the time that Mr. Callahan sought to do his own improvements.

As Mr. Bilodeau was present, he shared his concerns with whether a second story deck might also be added as there was a door on the second floor. It was noted that a second story deck would need to be approved by this board through an application if one is later planned.

Mr. Allen questioned what the hardship was related to the land. Mr. Closson indicated the hardship was the irregular size of the lot.

The hearing was closed.

**MOTION:** Mr. Marino, Mr. Allen second, to grant a variance from Section II.G.b.ii. of the Zoning Regulations for Application #21-5281, a 27.5' rear yard variance for a 20.5'x16' deck per the drawings submitted, for the property located at 352 West Wakefield Boulevard; Motion failed with Mr. Allen, Mr. English, Mr. Marino, Mr. Pollack, and Mr. Dew opposed.

Following the motion and prior to the vote, the board members discussed the points of the application. The consensus was that there was no hardship demonstrated.

**B. ZBA#21-5284 – Variance Location: 205 Perch Rock Trail Applicant/Owner: Ingrid A. Pierce Proposal: Rear Yard Setback and Side Yard Setback Variance and Impervious Surface Variance for Deck and Addition to Back of Dwelling; Front Yard Setback and Side Yard Setback Variance and Impervious Surface Variance for Addition to Front of Dwelling.**

It was noted that the applicant was seeking a continuance and that it would be taken up at the December 28, 2021 regular meeting at 7PM in the P. Francis Hicks Room at Town Hall.

**MOTION:** Mr. Allen, Mr. English second, to continue Application #21-5284; unanimously approved.

**C. ZBA#21-5285 – Variance Location: East Lake Street (Resha Beach Map 114, Block 124, Lot 001A) Applicant/Owner: Town of Winchester Proposal: Impervious Surface Variance for Proposed Roofed Pavilion.**

It was noted that the sign, providing notice of the public hearing, had not been installed for the full fourteen days and that it would be taken up at the December 28, 2021 regular meeting at 7PM in the P. Francis Hicks Room at Town Hall.

**MOTION:** Mr. Allen, Mr. English second, to continue Application #21-5285; unanimously approved.

**D. ZBA#21-5286 – Variance Location: 58 East Lake Street Applicant/Owner: Laurel Clark Proposal: Replace Deck and Add Addition, Add 6'x8' Landing; and Fence on Property Line.**

Laurel Clark and Joel Clark appeared before the board regarding this application. Ms. Clark reported that their deck was currently 7'x24'. She explained that the proposal included extending the deck out over the grassy area, to allow their family to put a deck out there as they have a very small kitchen. She noted that a deck in the rear of the home would mean more sun exposure and that she needed more shade.

Additionally, Ms. Clark explained the application also included a 6'x8' landing off their entrance area door as the current steps for access are narrow and steep. Ms. Clark noted that with her mother, she may need a ramp which requires a larger landing for that handicap access.

Finally, Ms. Clark explained the variance that was necessary for the fence in the back due to the location of the tree which prevented the required two (2') foot setback. Mr. Allen questioned whether the tree straddled the property line. Ms. Clark referred the board to the photographs.

Mr. Allen questioned whether the applicant had any discussions with the neighbor in the back about the fence. Mr. Clark confirmed, noting that the neighbor had thought that his own fence marked the boundary line but that with this survey, the neighbor's fence was about 7' in from the boundary line. Mr. Marino questioned the type of fence to be installed. Ms. Clark indicated that it would likely be a 6' high white vinyl fence. Mr. English questioned when the conversation with the neighbor had occurred. Mr. Clark recalled it taking place in May of this year.

Mr. Marino questioned the location of the footings of the landing. Ms. Clark explained that it would be just outside the walk.

The hearing was open to the public. No comment was received. The hearing was closed.

**MOTION:** Mr. Marino, Mr. English second, to grant a variance from Section II.G.B.ii. of the Zoning Regulations for Application #21-5285, a 32' front yard setback for a 4'x10' addition to deck, a 29.5' side yard setback for a 6'x8' landing, and a variance from Section II.G.d.III.g., a fence on the property line, as per the drawings submitted, for the property located at 58 East Lake Street; unanimously approved.

**E. ZBA#21-5287 – Special Exception Location: 628 East Wakefield Boulevard Applicant: Matthew Closson Owner: Geoffrey Todd Gervasini Proposal: Enlarge Four Dormers; Enclose Portion of Covered Porch.**

Matthew Closson appeared before the board regarding this application. He noted that there were two components of the application including closing in a bumpout and enlarging two of the four dormers from 4' wide to 8' wide and enlarging the other two dormers. Mr. Allen questioned whether it would impact the height of the building. Mr. Closson confirmed it wouldn't.

Mr. Closson submitted a communication from Land Surveyor Tim Wyllie confirming how the proposed building height was calculated by the difference of the average between the existing peak and the existing dormer eve by the average ground elevation.

The hearing was open to the public. No comment was received. The hearing was closed.

**MOTION:** Mr. Marino, Mr. English second, to grant a Special Exception for pursuant to III.B.b.ii. of the Zoning Regulations for Application #21-5287 to enlarge four dormers and enclose a portion of the covered porch as per drawings submitted for the property located at 628 East Wakefield Boulevard; unanimously approved.

The reason cited for the special exception was that it was a reasonable request.

**4. OLD BUSINESS:**

None.

**5. APPROVAL OF MINUTES:**

**A. October 26, 2021 Regular Meeting**

**MOTION:** Mr. Allen, Mr. English second, to table the approval of the October 26, 2021 Minutes to the December 28, 2021 meeting; unanimously approved.

**6. BILLS PRESENTED:**

None.

**7. CORRESPONDENCE:**

Staff questioned whether the special meeting originally intended for 6PM at the December meeting could be pushed to 6PM at the January regular meeting. The consensus of the board was that it could.

**8. OTHER BUSINESS:**

None.

**9. DISCUSSION WITH ZONING ENFORCEMENT OFFICER:**

None.

**10. ADJOURNMENT:**

**MOTION:** Mr. English, Mr. Dew second, to adjourn at 8:04PM; unanimously approved.

**Respectfully submitted,  
Pamela A. Colombie  
Recording Clerk**