



TOWN OF WINCHESTER ZONING BOARD OF APPEALS
Town of Winchester Town Hall
338 Main Street – 2nd Floor, P. Francis Hicks Room – Winsted
September 28, 2021 – 7:00PM
Regular Meeting Minutes

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

1. ROLL CALL:

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

Mr. Wilkes was absent. Mr. Dew was seated in his stead.

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.

MOTION: Mr. English, Mr. Marino second, to continue Application ZBA #21-5275 – Variance Location: 362 West Wakefield Boulevard Applicant/Owner: Brian Godin Proposal: Setback Variance for Deck to the next regular meeting; unanimously approved.

It was noted that the next regular meeting of this Board was scheduled for October 26, 2021 at 7PM in the P. Francis Hicks Room of the Winchester Town Hall.

B. ZBA#21-5276 – Special Exception Location: 657 East Wakefield Boulevard Applicant: George Nash and Laura Nash Owner: Laura W. Nash Proposal: Demolish Existing Cabin; Construct New Single-Family Residence.

Laura Nash and George Nash, accompanied by their architect/designer Fred Jones, appeared before the Board regarding this application. Ms. Nash noted that she had inherited the property from her grandparents. She noted that the structure is very rustic and had sat empty for 40 years.

Ms. Nash explained the proposal was to increase the size of the dwelling, noting that they would be using it seasonally. She indicated that they had attempted to center the structure more.

Mr. Marino questioned whether this would be a variance. Mr. Melanson indicated that this proposal would be a Special Exception because it was a voluntary demolition, and that with a non-conforming structure, the new building could be moved to reduce a non-conformity. Mr.

Pollack questioned whether there was substantial ledge at this location. Mr. Nash confirmed that there was in the front of the parcel but explained that some test holes in the proposed location appear to be just large rocks. Mr. Pollack questioned the driveway location. Ms. Nash reported that there were no changes to the existing driveway.

The hearing was open to the public.

Steve Marcus of 653 East Wakefield Boulevard indicated that he was interested in viewing the proposed plans for the house. Mr. Melanson showed the site plan and answered several questions about the proximity to Mr. Marcus' house. Mr. Marcus questioned the current cobblestone driveway. Mr. Allen noted that the applicant had indicated that the driveway would stay in its current location and not be expanded. Mr. Nash explained that the driveway might be upgraded to pavement.

Renee Marcus of 653 East Wakefield Boulevard questioned whether the house was being pushed back. It was noted that the house was being moved back 12' from the road. Mrs. Marcus noted her primary concern with the driveway being so close to her own property. She also questioned whether the house, at its proposed size, was okay for that lot. Mr. Allen explained that most of the lots at Highland Lake are non-conforming.

Mr. Marino shared his observation that the house was only one bedroom.

Ms. Marcus questioned whether a septic system would be added. Ms. Nash explained that they would have to connect to the sewer system.

The hearing was closed to the public.

MOTION: Mr. Marino, Mr. Dew second, to grant a Special Exception for Application #21-5276 to allow the demolition of an existing residence and rebuild a new 20'x20' one-story residence with a walkout basement and a 20'x8' deck on the front, per the drawings submitted, for the property located at 657 East Wakefield Boulevard; unanimously approved.

C. ZBA#21-5277 – Variance Location: 104 Shore Drive Applicant/Owner: Richard Josefek Proposal: 18'x23.9' Addition; 12.5'x8' Shed to Replace Existing Shed; Permit Existing Deck Near Lakefront and Deck to Rear of Property.

Richard Josefek, accompanied by his contractor Zac Neville of ZN Construction, appeared before the Board regarding this application. Mr. Josefek explained that he had only recently purchased the property just before the COVID-19 pandemic started. He noted that he and his wife began working from home and doing so simultaneously was difficult. He explained that they would like to expand the structure to provide more room for their grandchildren.

Mr. Josefek explained that the request for the shed expansion has been withdrawn. Mr. Pollack questioned the size of the existing house. Mr. Josefek noted that it was 24'x20' and the proposal was for an 18'x24' addition. Mr. Pollack questioned whether there were any changes to the proposed elevation drawings. It was noted that there was a slight change with the proposed upper deck that being removed from the proposal. Mr. Pollack questioned the height being proposed. It was noted that it would be 26.2'. Mr. Allen noted that a variance was not necessary for that height.

Mr. Allen questioned how the reduction in impervious surface was going to be achieved. Mr. Josefek noted that the driveway and brickway will be converted to pervious pavers.

The hearing was open to the public.

Frank Oliveri of 108 Shore Drive spoke in support of the application, opining the proposed size of the applicant's house was in line with other homes in the area. He noted that the height of the building would not obstruct any view from across the road as there were no houses that would be affected in that regard.

The hearing was closed to the public.

MOTION: Mr. Marino, Mr. English second, to approve ZBA Application #21-5277, from Section II.B.d.ii for a frontyard setback variance of 22.3', a north sideyard setback variance of 24.5', a south sideyard setback variance of 21' and from Section II.G.d.iv.b. to allow the platform to be deck and to be 2.5' from the retaining wall face, for the purposes of building a 24' x18', 2 story addition and not to allow the structure to exceed the 30' height requirement, as per the drawings submitted, for the property located at 104 Shore Drive; Motion approved with Mr. Allen, Mr. Dew, Mr. English, and Mr. Marino voting aye while Mr. Pollack abstained.

D. ZBA#21-5278 – Variance Location: 535 Wheelers Point Applicant/Owner: Gerald V. Rasmussen and Theresa M. Rasmussen Proposal: 34.2'x8' Deck.

Gerald Rasmussen, accompanied by Attorney Patsy Renzullo, appeared before the Board regarding this application. He explained that his client was seeking to repair an existing deck and expand it, too. The plans included moving the existing lower deck which was currently 8.5' x 13.3' with a new lower 8'x34' deck and replacing two sets of stairs with a central stairway, according to Attorney Renzullo. He shared photos of the existing deck pointing out the holes in it.

Attorney Renzullo provided his clients' signed certification that a sign had been properly installed regarding the pending public hearing and submitted the Certified Mail receipts, noting that the abutting property owners had received notice of the public hearing.

Attorney Renzullo noted that his clients had purchased the property in 2018 and provided copies of previous variances received by former owners.

Attorney Renzullo noted that building drawings had also been submitted. He shared a photograph depicting the size of the lower deck, explaining that his clients are merely seeking to extend the decks to the end of the house.

Mr. Pollack questioned the easement. Attorney Renzullo noted that the easement is over the drive from the house, similar to all the properties on Wheelers Point, to the boulevard.

Mr. Marino questioned whether there were three decks, and which one was being expanded. Mr. Rasmussen noted that the ground deck is being expanded.

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

MOTION: Mr. Marino, Mr. English second, to approve ZBA Application #21-5278, from Section II.B.d.ii. for a rearyard setback variance of 14.9' and an impervious surface coverage of 6.6%,

for the purposes of building an 8'x34.2' deck on the rear of the house, as per the drawings submitted, for the property located at 535 Wheelers Point; unanimously approved.

4. OLD BUSINESS:

None.

5. APPROVAL OF MINUTES:

A. August 24, 2021 Regular Meeting

MOTION: Mr. Marino, Mr. English second, to approve the August 24, 2021 Minutes; approved with Mr. Marino, Mr. English, Mr. Dew voting in favor while Mr. Allen and Mr. Pollack abstained.

6. BILLS PRESENTED:

None.

7. CORRESPONDENCE:

The Board was reminded that the Northwest Hills Council of Governments were hosting their 5th Thursdays later that week with the topic including information on protecting lakes, rivers, and watercourses. Mr. Marino requested the link to the recording of this meeting be forwarded to board members.

8. OTHER BUSINESS:

None.

9. DISCUSSION WITH ZONING ENFORCEMENT OFFICER:

Mr. Melanson shared news that he learned that Mr. Wilkes had sold his home and moved recently out of Winchester. Mr. Pollack confirmed that Mr. Wilkes had moved from town. Mr. Carter indicated that he was not interested in being appointed to a regular member at this time.

10. ADJOURNMENT:

MOTION: Mr. English, Mr. Dew second, to adjourn at 7:55PM; unanimously approved.

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