



TOWN OF WINCHESTER ZONING BOARD OF APPEALS
Town of Winchester Town Hall
338 Main Street – 2nd Floor, P. Francis Hicks Room – Winsted
July 27, 2021 – 7:00PM
Regular Meeting Minutes

Vice Chairman Paul Marino called the meeting to order at 7:17PM.

1. ROLL CALL:

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

Mr. Allen was absent excused. Mr. Wilkes was absent. Mr. Carter and Mr. Dew were seated for the meeting.

2. EXPLANATION OF PROCEDURE:

Mr. Marino explained that approvals from this Board require four affirmative votes. He explained that the applicant will present their proposal and the Board has a chance to ask questions.

He noted that Application #21-5261 would likely have one member recuse himself as he owned the neighboring property and that the Board's newest member had not viewed the record.

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

The agenda was modified as the Board delayed discussion of Application ZBA#21-5261 to allow the deliberations on the other applications to be completed prior to the Board reviewing the record on 404 East Wakefield Boulevard.

A. ZBA #21-5270 – Variance Location: 404 East Wakefield Boulevard Applicant/Owner: Greg and Annie Simard Proposal: Add Habitable Space to an Accessory Structure.

Greg and Annie Simard appeared before the Board regarding this application. Mr. Simard noted that they had purchased this property two years ago, explaining that they only had two closets and have their belongings in totes in the garage. After consulting with a contractor, Mr. Simard reported receipt of the suggestion that a dormer be added to the garage. He noted that the roof will need to be added so that a support beam will need to be added. Additionally, the garage will need to be heated so that the mechanical equipment for the well that services the house. Mr. Simard noted that windows and ventilation will also need to be added to the garage.

Mr. Marino questioned whether any bathrooms were to be added to the house. Mr. Simard indicated that there would not be. Mr. Marino questioned whether there was already a loft in the garage. Mr. Simard confirmed.

The hearing was open to the public. No comments were made. The hearing was closed.

MOTION: Mr. Marino, Mr. English second, to approve ZBA Application #21-5270, from Section II.G.a.i to add a second floor to an existing garage and allow habitable space in an accessory structure, for the purposes of adding a second floor on the garage for storage and a workout area, as per the drawings submitted, for the property located at 404 East Wakefield Boulevard; unanimously approved.

B. ZBA #21-5271 - Special Exception Location: 240 Perch Rock Trail Applicant: Peter D’Addeo Owner: Sandy Drive Three, LLC Proposal: Modification of Site Plan for Demolition of Cottage/Reconstruction of Single-Family Residence.

Peter D’Addeo appeared before the Board regarding this application. Mr. D’Addeo reminded the Board that he was before them recently regarding an application concerning the fence. He noted that staff advised him that he needed to get approval for a modification of the site plan.

Mr. D’Addeo reviewed and responded to each point raised in Zoning Enforcement Officer Marc Melanson’s plan review. He explained that the original approval allowed the grade to be raised but that the house height must be below 29’. He referred to his professional engineer’s letter regarding height. He noted that a letter from his architect also confirmed that 11” was shaved from the height.

Mr. D’Addeo reviewed the elevation plan. Mr. D’Addeo noted the house has taken over ten years to construct. Mr. Marino questioned whether a height variance was being sought. Mr. Melanson explained that the house was approved through a site plan approval from the Planning and Zoning Commission. Mr. D’Addeo indicated that there were no plans between what was approved and what was constructed except for the rain gardens. He reported that the grades were not changed and that after measuring only the week before, the average grade was 502.8’.

Mr. D’Addeo noted that he had received approval from the former planner in 2018 for his pervious pavers in his drive and had recently also received approval from the Inland Wetlands and Watercourses Commission.

Mr. Carter questioned the differences. Mr. Melanson noted that the firepit near the water had not been included as part of the 2010 survey, the pervious pavers in the parking area, and the change in location of the raingardens. Mr. Melanson also noted that the peninsula extending out into the lake was not shown on the plans. He explained that the peninsula should be handled by the Inland Wetlands and Watercourses Commission.

In reviewing the driveway, Mr. Marino questioned whether the original plans had shown gravel or stone. Mr. Melanson noted that there was no driveway/parking area reflected on the approved plans. Mr. Marino questioned whether the pavers function as they should Mr. D’Addeo indicated that his engineer has confirmed.

Mr. D’Addeo then reviewed the raingardens and the changes made with those. He noted that with regards to the trees that had been on his property, he had done what was part of the approval: if the trees were cut down, to replace them with better trees. Mr. D’Addeo indicated that he had done that.

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 Application #21-5271 to modify the site plan that was originally approved in 2009 with a modification in 2010, per

the drawings submitted, for the property located at 240 Perch Rock Trail; unanimously approved.

C. ZBA #21-5272 – Variance Location: 272 Perch Rock Trail Applicant/Owner: Construct Garage and Covered Sidewalk; Add Deck.

Jim and Lynn Brandolini appeared before the Board regarding this application. Mr. Brandolini explained that their lot has many trees and they plan to keep them. He explained that they would like to be able to park in their garage and have a little more additional living space. Mr. Brandolini noted the proposed living space would be constructed over the new garage. Mr. and Mrs. Brandolini noted their growing family, explaining that they had twelve grandchildren. He noted that when they visit, they stay as they do not live in state.

Mr. Brandolini noted that they will also be constructing a deck on the lake-side of the home. Mr. Melanson explained that no variance or special exception approval was necessary for the deck.

Mr. Marino questioned whether the impervious surface was actually being reduced. Mr. Brandolini confirmed.

Mr. Melanson distributed copies of the variances already received on this property. He noted that there was one granted for the house and one granted for the garage. Mr. Marino questioned whether the garage was ever built. Mr. Melanson confirmed, explaining that the current request was to add one in front of the former one. It was surmised that some of the formal garage must have been converted to living space.

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

MOTION: Mr. Marino, Mr. English second, to approve ZBA Application #21-5272, to modify Variance #2618 and #2627 for a total north side yard setback variance of 24.2 feet, a total south side yard setback variance of 18.6 feet, for the purposes of building a 24'x22' two-story garage with a 5'x24' covered walkway on the north side of the garage and adding a 22'x22' two-story over the existing garage, as per the drawings submitted, for the property located at 404 East Wakefield Boulevard; unanimously approved.

Mr. Pollack recused himself from the following application and exited the meeting room.

D. ZBA#21-5261 - Variance Location: 504 East Wakefield Boulevard Applicant/Owner: Shawn Stanziale Proposal: Variance for Addition to Cottage, Covered Porch, and Deck.

The audio from the March 23, 2021 regular meeting was played back for the benefit of all commissioners.

Brooke and Shawn Stanziale, accompanied by Professional Engineer Michael Sherman, appeared before the Board regarding this application. Ms. Stanziale explained that their initial intentions were to expand their residence by going up. After consulting with their neighbor and considering how close both homes were to the common boundary line, the current proposal was preferred. Ms. Stanziale noted that this proposal decreases the amount of impervious surface.

Ms. Stanziale reviewed the limitations of the home, noting that the home's one bathroom is 32 square feet and that one cannot sit on the toilet without touching the sink. She noted that access to the basement is gained through a very narrow spiral staircase. Ms. Stanziale explained that each child's bedroom is lacking closet with one of them being 48 square feet and the other being 52 square feet. She noted that the kitchen is very small, too, explaining that the

refrigerator is turned so that it does not hit the cabinets. She explained that her son has had two major leg surgeries, which had necessitated at times both a wheelchair and crutch. She noted her own hip dysplasia which present challenges.

Mr. Sherman noted that the zoning table had been corrected after the March meeting. He noted that the lot shape presents a hardship for his client’s development.

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

MOTION: Mr. Marino, Mr. English second, to approve ZBA application #21-5261, from Section II.G.b.ii. for a south sideyard setback variance of 26 feet, a north sideyard setback variance of 32.9 feet, a rear yard setback variance of 4 feet, from Section II.G.d.ii. for an impervious lot coverage variance of 15% using LID per the regulations and from Section II.G.d.iv.a to allow the deck on the garage to be closer to the property line than the Principal Building, for the purposes of building a 25’6” x 22’ two-story addition with an 8’x25’6” covered porch in the front and a 13’x55’5” deck with stairs on the rear and a 30’x3’4” deck on the south, as per the drawings submitted, for the property located at 504 East Wakefield Boulevard; unanimously approved with Mr. Marino, Mr. English, Mr. Carter, and Mr. Dew voting aye.

4. OLD BUSINESS:

None.

5. APPROVAL OF MINUTES:

A. June 22, 2021 Regular Meeting

MOTION: Mr. Carter, Mr. Dew second, to approve the June 22, 2021 Minutes as amended; unanimously approved with Mr. Marino, Mr. English, Mr. Carter, and Mr. Dew voting aye.

6. BILLS PRESENTED:

None.

7. CORRESPONDENCE:

None.

8. OTHER BUSINESS:

None.

9. DISCUSSION WITH ZONING ENFORCEMENT OFFICER:

Mr. Melanson reported an emergency appointment had been made for an individual charged with wetlands, zoning, and blight enforcement.

10. ADJOURNMENT:

MOTION: Mr. English, Mr. Carter second, to adjourn at 8:57PM; unanimously approved.

Respectfully submitted,
Pamela A. Colombie
Recording Clerk