



TOWN OF WINCHESTER ZONING BOARD OF APPEALS
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
February 5, 2019 – 7:00PM
Regular Meeting Minutes

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: Neil Hunt, John Massicotte, John Pollack, and Alternates Aubrey English and Paul Marino.

It was noted that Hal Wilkes was absent. Mr. Marino was seated for Mr. Wilkes.

Also, present for this meeting was Zoning Enforcement Officer/Building Official Marc Melanson.

2. EXPLANATION OF PROCEDURE:

Mr. Allen explained that an approval from this Board requires four affirmative votes. He noted that applicants usually receive a disposition on the application the same evening of the meeting. Mr. Allen explained that the proceedings include the applicant's opportunity to provide information regarding the application, a chance for the Board to question the applicant and/or representative as well as closing comments by the applicant.

3. PUBLIC HEARINGS – VARIANCE APPLICATIONS & DECISIONS:

A. ZBA #19-5204 Variance Location: 173 Lake Street Applicant/Owner: First Bay Holdings Proposal: Relief from 35' Landscaped Buffer as Required in Zoning Regulations Section III.E.4.b.i – Buffering Single-Family Uses.

The legal ad was noted as having run the requisite two times, January 22, 2019 and January 29, 2019, in the Republican American newspaper. Additionally, the receipts for the Certificate of Mail were provided for the record, serving as evidence that the abutting property owners had received notice of the public hearing.

Eric Richard appeared before the Board regarding this application. Mr. Richard provided photographs of the site. He explained that two of the back-property boundary lines abut a residential zone which requires a landscape buffer. Mr. Richard noted that one of those property lines abuts a factory. He provided a letter from the factory owner, Roland Royer, indicating that he had no objection to the variance request. Mr. Richard reported that he owns the property along the other boundary line.

Mr. Richard explained that the site has been previously used for a marina and that he and his partners intend to also operate a marina. He noted that he needs the space for parking for the proposed forty boat slips. Mr. Richard explained that the previous owner had patrons parking on the street but that they intend to use the lot for parking. He explained that they need that back property for additional overflow parking. Mr. Richard explained that rather than a landscape buffer at thirty-five (35') feet, they are seeking relief, in order to install landscaping at

a ten (10') foot buffer. Mr. Richard distributed photographs of a stone wall along the residences and the fence along the factory.

Mr. Pollack questioned where the customers will be coming from that will be utilizing the marina. Mr. Richard explained that they are unsure. Mr. Pollack noted that he never recalled forty slips being at the marina. He indicated that the property on Lake Street appears to be very small to serve a marina with forty slips.

Mr. Richard explained that the marina patrons will come in the summer but will not be leaving their trailers at the marina. Mr. Marino questioned what the yard will be used for during the winter. Mr. Richard explained that it may be utilized for shrink wrapped boats but that it isn't likely because most people want indoor storage. Mr. Marino questioned whether it will have half-dozen or a dozen boats back there in the winter. Mr. Richard explained the docks will be stored back there during the winter but that they will also be repairing boats so there may be some.

Mr. Allen questioned what the applicant perceives as a hardship. Mr. Richard explained that they are trying to prevent congestion out in the street. The Board discussed how many vehicles the applicants are likely to fit in the lot. Mr. Richard noted that he and his partners will be on site to help with the flow of traffic and the parking.

The hearing was open to the public.

Jack Bourque of 78 Crown Street questioned how many additional cars will be fit into the site for parking should the relief from the landscape buffer be granted.

Mr. Massicotte noted that if the buffer is granted, it appears that fifteen cars will fit into the back of the site. Without the variance to the landscape buffer, it appears that only seven cars may fit in that area, according to Mr. Massicotte.

Mike DeClement of Winsted questioned whether the Planning and Zoning Commission has approved the proposal. It was noted that the application is pending. He opined that there was no hardship with this application and that a variance should not be granted.

The hearing was closed at 7:27PM.

MOTION: Mr. Hunt, Mr. Massicotte second, to approve Application 19-5204 for a variance from Section III.e.4.b.i. Buffer for Single Family Use for a variance of twenty-five (25') feet on the northeast property line and the east property line that abuts a Single-Family zone as per the drawings submitted for the property located at 173 Lake Street;

Motion passed with Mr. Allen, Mr. Hunt, Mr. Marino, and Mr. Massicotte voting aye while Mr. Pollack abstained.

The reason cited for the variance was reasonable request.

4. OLD BUSINESS:

None.

5. APPROVAL OF MINUTES – NOVEMBER 27, 2018:

MOTION: Mr. Marino, Mr. Hunt second, to approve the November 27, 2018 Minutes; unanimously approved.

5. BILLS PRESENTED:

None.

6. CORRESPONDENCE:

The registration form for the land use seminar sponsored by the Connecticut Bar Association scheduled for Saturday, March 23, 2019 at Wesleyan University was provided to board members.

7. OTHER BUSINESS:

None.

8. DISCUSSION WITH ZONING ENFORCEMENT OFFICER:

Mr. Melanson noted that a draft FY20 budget was forwarded to the Town Manager's office on behalf of this board.

9. ADJOURNMENT:

MOTION: Mr. Allen, Mr. Hunt second, to adjourn at 7:40PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**