



TOWN OF WINCHESTER ZONING BOARD OF APPEALS
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
June 26, 2018 – 7:00PM
Regular Meeting Minutes

Chairman Phillip Allen called the meeting to order at 7:01PM.

1. ROLL CALL:

Mr. Allen noted that the following individuals were present in addition to himself: Neil Hunt, John Massicotte, John Pollack and Hal Wilkes and Alternates Aubrey English and Paul Marino.

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. Accordingly, Mr. Allen also explained that the applicants were entitled to a vote before five seated members. He noted that applicants usually receive a disposition on the application the same evening of the meeting. Mr. Pollack 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 #18-5195 Variance Location: 1 Stowe Road Owner/Applicant: Sarah Ransford Proposal: Request for Variance from Section II.F.b.ii South Side Yard Setback of 18 feet, Front Yard Setback of 16 feet.

It was noted that the Certificate of Mailings, providing evidence that notice of the public hearing had been mailed to the abutting neighbors, was received.

Sarah Ransford appeared before the Board regarding this application. She explained that approval of a variance was necessary in order to construct a set of stairs outside of her garage. Ms. Ransford explained that her garage is currently being rebuilt after having been lost due in a fire. She noted that in order to meet the current Building Code, the stairs are necessary for access to the storage/bonus room there.

The hearing was open to the public for comment. None was received. The public hearing was closed at 7:07PM.

MOTION: Mr. Hunt, Mr. Wilkes second, to grant Variance Application #18-5195 for a front yard setback variance of sixteen feet and a south sideyard setback variance of eighteen feet; unanimously approved.

It was noted that the variance was granted as it was deemed a reasonable request.

B. ZBA #18-5196 Variance Location: 674 East Wakefield Boulevard Owner/Applicant: Peggy Neal Proposal: Request for Variance from Section II.B.2.ii for an Impervious Surface Variance of 8.2%, Request for Variance from Section II.B.ii for a Front Yard Variance of 27.7 feet, and Request for Variance from Section II.B.ii for a Side Yard Variance of 26.1 feet.

Noting that the applicant was his next-door neighbor, Mr. Marino recused himself from this application and stepped out of the room at 7:11PM.

Peggy Neal appeared before the Board regarding this application. The Board took a few minutes to read through reference materials provided subsequent to Ms. Neal's original application that related to pervious materials.

Ms. Neal described her proposed garage project to correct a drainage problem. She described what she currently experiences in terms of runoff that flows towards her front door. Ms. Neal explained that she has a hand-dug well and noted that the sump pump she has does not fix the water problem. With her basement always being wet, there is no area for dry storage, according to Ms. Neal.

Ms. Neal noted that she also needs a new set of stairs to access her second-floor bedrooms. She noted that those stairs will be located within the oversized one-car garage.

Ms. Neal opined that the building will block the water and will also stop it from going into her basement. She reviewed how her impervious coverage will improve as her current asphalt driveway will be replaced with pervious pavers.

The modifications made to her proposed plans from her previous application were reviewed, noting that the plans have been scaled down from a 24'x30' garage to a 24'x24' garage. She also noted that one dormer had been removed and the other dormer had been scaled back from 14' to 8'.

Ms. Neal reviewed how pervious pavers work, providing a sample paver as reference. She also passed around two catalogs relative to pavers.

Mr. Hunt questioned how the neighbor (who had expressed concern with her previous application) felt about this application. Ms. Neal indicated that the proposal is no higher than the April application and noted that it is six feet shorter. Mr. Wilkes questioned the height of the second floor. Ms. Neal indicated that it is ten feet.

Mr. Pollack questioned the easement in favor of the Town of Winchester. Ms. Neal noted the location of the culvert easement and the sewer easement. He questioned whether there is something different that could be done to address the water problem rather than build a garage. Ms. Neal explained that it would not solve her storage problem. Mr. Allen questioned whether Ms. Neal had ever researched a curtain drain.

Mr. Pollack questioned why a one-car garage needs to be sized at 24'x24', noting that a 20'x10' is typical. Ms. Neal explained that the planned stairs take up eight feet of the space. Mr. Neal questioned the pitch of the roof of the proposed garage. Ms. Neal indicated it was 12 10.

The hearing was open to the public at 7:38PM. No comment was received.

MOTION: Mr. Hunt, Mr. Massicotte second, to grant Variance Application #18-5196 for an impervious surface variance of 8.2%, a Front Yard Variance of 27.7 feet, and a Side Yard Variance of 26.1 feet; Motion passed with Mr. Hunt, Mr. Massicotte, Mr. Allen, and Mr. Wilkes voting aye while Mr. Pollack was opposed.

Prior to the vote on the preceding motion, Mr. Pollack noted that the water problem could likely be solved by other means than building a garage. He also opined that it was too much for the parcel and that the garage will likely block the view of the lake for folks driving or walking past. Mr. Wilkes noted that no neighbors had objected. Mr. Pollack noted that while the current owners might not object, future residents might. Mr. Wilkes indicated that he, too, has had problems with water flow on the property.

Mr. Marino rejoined the meeting, after the vote on the motion, at 7:43PM.

4. APPROVAL OF MINUTES – May 22, 2018:

MOTION: Mr. Massicotte, Mr. Pollack second, to approve the May 22, 2018 Minutes; unanimously approved.

5. BILLS PRESENTED:

None.

6. CORRESPONDENCE:

None.

7. OTHER BUSINESS:

None.

8. DISCUSSION WITH ZONING ENFORCEMENT OFFICER:

Mr. Allen introduced the newest members to the Board, Aubrey English and Paul Marino, who were recently appointed by the Board of Selectmen as alternates.

Additionally, it was noted that local Land Surveyor John DiCara has offered to provide an introductory course to site plan reading in the next couple of months, likely to be held on a Tuesday or Wednesday evening.

9. ADJOURNMENT:

MOTION: Mr. Hunt, Mr. Massicotte second, to adjourn at 7:55PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**