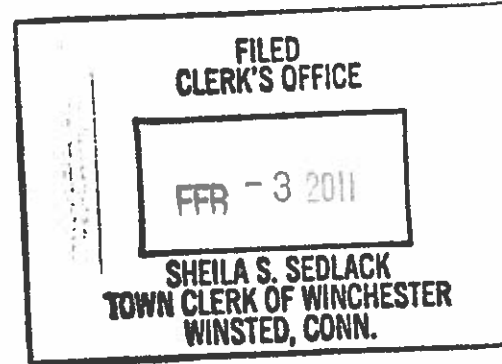




TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street
WINSTED, CONNECTICUT 06098

Minutes of Meeting Zoning Board of Appeals JANUARY 25, 2011



The Zoning Board of Appeals met in the P. Francis Hicks Room.

The meeting was called to order by Chairman Richard Nalette at 7:03 p.m. The following members answered roll call: Richard Nalette – Chairman, Ronald Dew, John Massicotte and Alternate Michael DeClement. Susan Lange and Ray Winn were absent. Zoning Enforcement Officer Marc Melanson was present.

Chairman R Nalette seated Michael DeClement as a regular member.

Item 3. Explanation of Variance Procedure
No explanation necessary.

Item 4. Public Hearings – Variance Applications & Decisions

Discussion: Chairman indicates that there are only four members present tonight and a variance has to have four positive votes and if anyone here who votes no will defeat your variance. Chairman R. Nalette asked each variance applicant how they would like to proceed through tonight's meeting. Their decision is either to continue with tonight's meeting or table their application to next months meeting.

Item 5. New applications

- #11-5090 Motor Vehicle Used Dealers license approval for 6 Willow St.

Applicant: Brian Hogan & Joseph Capuano present: Brian Hogan sold to J. Capuano and J. Capuano would like to continue the license. Ownership prior to B. Hogan was a repair license and he switched it to a dealer license. DMV requires a signature from ZBA in order to obtain a dealers license.

Motion: By R. Nalette to approve application #11-5090, for a site location for a Used Car Dealership and Repairers License, and have the Chairman sign the site plan, for the property located at 6 Willow St. with the following restrictions, only allowed no more than 7 used cars for display along the street and no junk cars on the lot, Second by R. Dew. **Vote:** all in favor – *motion carried unanimous.*

- #11-5087 Request for Variance from section 4a.2 minimum lot area, 4a.2 minimum lot width, 4a.2 front yard setback, 4a.2 north side yard set back, southwest side yard setback and 4a.2 lot coverage for 304 Row 1 or 304 East Wakefield Blvd.
 - **Applicant: Requested to table application to next month's meeting.**

- #11-5088 Request for Variance from section 4a.2 lot area and 4a.2 side yard setback for 200 Perch Rock Trail and 204 Perch Rock Trail.
 - **Applicant: Sally Cadrain (200 Perch Rock Trail) represented by attorney Mark Jones with a very unusual joint application with abutting property 204 Perch Rock Trail. He was advised by the Zoning Officer that this should be brought before the commission. This property has had boundary disputes in the past, which required surveys from each of the property owners which have been recorded in the land records and are inconsistent. Currently S. Cadrain is under contract as a result of the process a title search which was done on her property revealed that the mortgage on property 204 Perch Rock Trail encumbered a small sliver of land which had previously been Lachance/Raboin which is now part of the S. Cadrain property in result of the boundary line agreement. In order for S. Cadrain to sell free and clear of that mortgage we need a partial release from Wells Fargo the bank in which holds the mortgage. Wells Fargo will not release that partial release until it receives certification form the Town that the reconfigure lot satisfies the Zoning Regulations of the Town and that there is no Zoning issue resulting from the boundary line agreement. It's the request for a partial release and there was a need to clarify this situation and to get a variance.**
 - **Chairman referred to M. Melanson motion: M. Melanson indicated that instead of giving the actual variance of the amount I reduced the size of the lots, see attached motion.**
 - **H. Lachance and D. Raboin joint applicants were both in favor of approval, they would like to see S. Cadrain sell her house.**
 - **Public Hearing closed at 7:25 p.m.**

Motion: By R. Dew grant variance application number 11-5088, from section 4a.2, for 200 Perch Rock Trail, to reduce the lot size by .01 Acres and to reduce the West side yard setback to 13.4 feet and from section 4a.2, for 204 Perch Rock Trail to reduce the lot size by .02 Acres and reduce the East side yard setback to 5.1 feet, for the purpose of settling a property line dispute, for the property located at 200 & 204 Perch Rock Trail. Second by M. Declement, **Vote: all in favor-*motion carries unanimous.***

- #11-5089 Request for variance from section 4a.2 front yard set back, 4a.2 north side yard set back, 4a.2 south side yard set back, 4a.2 bldg & Driveway Coverage and 4a.2 total coverage description for 168 Shore Drive.
 - **Applicant: requested to table application to next months meeting.**

Item 6. Approval of Minutes of November 30, 2010 meeting

Motion by R. Dew to approve the Minutes of November 30, 2010 meeting. Second by M. DeClement. Vote: all in favor – motion carried unanimous.

Item 7. Old Business - none

Item 8. New Business - none

Item 9. Bills Presented –Clerks’ hours

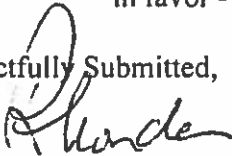
Motion by J. Massicotte to approve 3.0 hour to the minutes secretary for the meeting of 11/30/10. Second by R. Dew. Vote: all in favor – *motion carried unanimous.*

Item 10. Correspondence – none

Item 11. Discussion with ZEO – none

Item 12. Motion to adjourn at 7:30 p.m. by R. Nalette. Second by J. Massicotte. Vote: all in favor - *motion carried unanimous.*

Respectfully Submitted,



Rhonda Roy
Minutes Secretary, Zoning Board of Appeals

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