

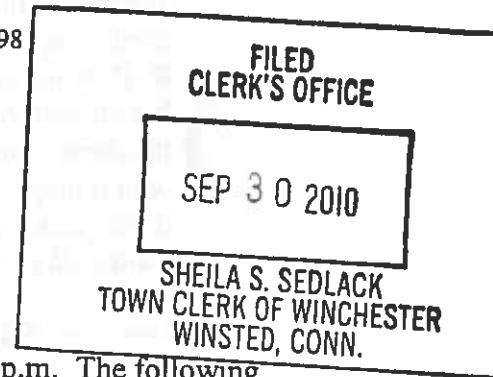


# TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

## *Minutes of Meeting Zoning Board of Appeals September 28, 2010*



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

The meeting was called to order by Chairman Richard Nalette at 7:04 p.m. The following members answered roll call: Richard Nalette – Chairman, Ronald Dew, John Massicotte, Ray Winn and Zoning Enforcement Officer Marc Melanson. Susan Lange and Alternate Michael DeClement were absent.

**Item 3. Explanation of Variance Procedure**  
Chairman Nalette explained the hearing procedures for a 4-member Zoning Board of Appeals and gave applicant the option of tabling his application to next month.

**Item 4. Public Hearings – Variance Applications & Decisions**  
#10-5083 Request for Variance from section 4a.2 Side yard set backs, 4a.2 front yard set back, 4a.2 rear yard set back and 4a.2 lot coverage at 142 Shore Drive for Donald L. Jakubiak. Mr. & Mrs. Jakubiak present. Mr. Jakubiak explained they purchased this cottage as a summer home; after talking with his builder decided it would be easier to tear down and rebuild; currently it has 2 small bedrooms; wanted to expand the house but stay as much in the footprint as possible; expanding outside 8'; basement will be the living area; house will not reach 30' high; loves Winsted.

Public comment made by Henry Clark, 140 Shore Drive, feels it will impact his view of the Lake; has letter from another neighbor. Chairman Nalette read letter from Lisa Taylor, 138 Shore Drive, into the record.

R. Winn noted the close proximities to the property lines. Mr. Jakubiak said minimum distance on that side will range from 4' to 4½'. M. Melanson said 3 ½' is what's there now but will end up 4½' after. Mr. Jakubiak noted his house is lower than Mr. Clark's house and Ms. Taylor's house is much taller and can't even see his house from her house. R. Winn noted said trying to stay as much as possible within the footprint. Mrs. Jakubiak said staying within the width. Mr. Jakubiak noted within the original footprint except the 8' toward the road so as to not obstruct views and not coming near the 30' height – only basement and 1<sup>st</sup> floor. Chairman Nalette noted it is 26'4" to the ridge. Mr. Jakubiak said the attic will be insulation. Chairman Nalette verified the print has enough information for Marc Melanson. J. Massicotte asked for clarification of the variances. Brief discussion followed regarding variances in the motion. J. Massicotte noted not showing any decks. Mr. Jakubiak said not going to have any; would be tougher to get a variance; don't

want to block the neighbor's view. R. Dew asked about the enclosed porch on the water side. Mr. Jakubiak said it's existing but not on the new house. Mrs. Jakubiak said it's included in the footprint. Mr. Jakubiak said it will not be a porch – will be part of the house. Mrs. Jakubiak said it will be a Florida room. R. Dew noted it will be a truss roof with a 10-pitch. M. Melanson noted it's big enough for storage. Mr. Jakubiak said can bring it down; may want to put the furnace up there but can put it downstairs. R. Dew felt dropping the pitch would help. J. Massicotte suggested an 8 pitch. R. Dew noted there wouldn't be too much storage up there but would help with the neighbors concerns.

**Public Hearing closed.**

**Decision: Motion by R. Nalette to grant variance #10-5083 from Section 4a.2 for a front yard setback variance of 21.1', a rear yard setback variance of 6.4', an east side yard setback variance of 23.6', a west side yard variance of 31' and a lot coverage variance of 12.9% for the purpose of building a 51'10" x 26'7" 2-story residence as per drawings submitted for the property located at 142 Shore Drive for Donald L. Jakubiak. Second by R. Winn. Vote: all in favor except R. Winn (opposed) – motion failed. Reason: Unreasonable Request.**

#10-5084 Application for Motor Vehicle Dealership License at 8 South Main Street for Ross Motor Cars of Winsted. **Motion by R. Nalette to withdraw Variance #10-5084. Second by R. Winn. Vote: all in favor – motion carried unanimous.**

**Item 5. Approval of Minutes of August 24, 2010 meeting**  
**Motion by R. Dew to approve the Minutes of August 24, 2010 meeting.**  
**Second by R. Nalette. Vote: all in favor except R. Winn (abstained) – motion carried.**

**Item 6. Old Business**

**Item 7. New Business - none**

**Item 8. Bills Presented – Motion by R. Nalette to approve 1.0 hour to the minutes secretary for the meeting of 8/24/10. Second by R. Winn. Vote: all in favor – motion carried unanimous.**

**Item 9. Correspondence – none**

**Item 10. Discussion with ZEO – none**

**Item 11. Motion to adjourn at 7:36 p.m. by R. Nalette. Second by R. Winn. All in favor - motion carried unanimous.**

Respectfully Submitted,



Laurie Bessette  
Minutes Secretary, Zoning Board of Appeals

9/28/10 ZBA

Call to order @ 7:04

4 member board - expl procedure  
Motion to ~~withdraw~~ <sup>variance</sup> 10-5084 <sup>Richard</sup> <sup>Ray</sup> } unanimous

Motion to appv 8/24/10 minutes Ron  
2nd ~~John~~ Richard

(Unanimous all exc Ray (abst))

Motion to appv sec<sup>1.9</sup> hrs for 8/24 Rich  
2nd Ron

unanimous

Adj 7:36p Rich  
Ray

1/23/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20