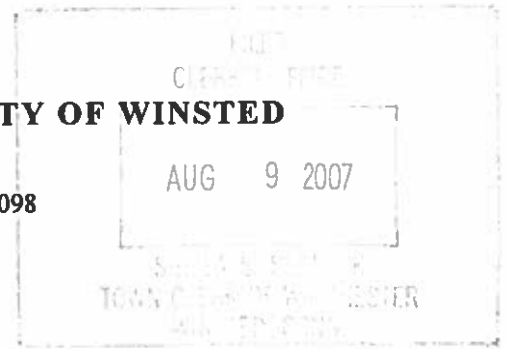




TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street
WINSTED, CONNECTICUT 06098



Minutes of Meeting Zoning Board of Appeals July 24, 2007

The Zoning Board of Appeals met in the P. Francis Hicks Room. The meeting was called to order by Chairman Richard Nalette at 7:08 p.m. The following members answered the roll call: Richard Nalette – Chairman, Susan Lange, Ronald Dew, Alternates Michael Fox and Michael DeClement and Zoning Enforcement Officer Marc Melanson. Ray Winn and Alternate Ernie Wolff were absent excused. John Massicotte was not present.

Chairman Nalette reviewed the procedures of the Zoning Board of Appeals.

Chairman Nalette seated alternates M. Fox and M. DeClement as voting members.

Item 3 Public Hearings – Variance Applications & Decisions

- #07-4996 Request for a Variance for section 4a.2 front yard set back, 4a.2 north side yard set back, 4a.2 south side yard set back, 4a.2 rear yard set back and 4a.2 lot coverage at 315 East Wakefield Blvd. for Richard & Barbara Mella (*continued from the June Zoning Board of Appeals meeting*). Letter was submitted from the applicant requesting to withdraw the application. Motion by **R. Nalette to accept the letter of withdrawal**. Second by M. Fox. Vote: all in favor – **motion carried unanimous. Application withdrawn**

J. Massicotte arrived at 7:12 p.m. unseating M. DeClement.

- #07-5003 Request for Variance for section 4a.2 North side yard set back, 4a2.2 (d) structure within 20' of Lake and 4a.2 Lot Coverage at 608 West Wakefield Blvd. for Samuel & Rebecca Sciacca. M. Melanson noted the rear yard and lot coverage numbers have been changed. Mr. Sciacca explained they would like to build a deck; the present property has a lot of impervious property; would like to restore the property to it's natural state; a good portion of the deck on the east side goes over an existing concrete pad that leads to the stairs; area "A" was intended for recreation and is relatively level but there is a culvert there so would like to restore that area to prevent sand and water from washing in; have no interest in enclosing that; the impact is for piers and is relatively minor. S. Lange asked if any concrete will be removed. Mr. Sciacca explained they will be removing the pavers but will have someone look at the existing concrete below. Chairman Nalette asked if the side deck encroaches on the front yard. M. Melanson said yes, everything's non-conforming but Section 4a2.2 doesn't say anything about front yard setbacks. M. Fox said 4a2.2 adds extra requirements on to decks, but doesn't contemplate the other setbacks; doesn't alleviate the responsibility. Chairman Nalette noted the lot line is 45' on that side; even the deck in the rear is in the front yard. M. Fox asked what the hardship is. Mr. Sciacca said the slope of the lot makes it difficult for older people to access the area below; the stairs are

TOWN OF WINCHESTER - CITY OF WINSTED

Board of Selectmen
Town of Winchester



Meeting of the Board of Selectmen
Town of Winchester
June 12, 2007

The Board of Selectmen of the Town of Winchester, Vermont, is pleased to announce that the following property has been approved for a Conditional Use Permit for a... (text is mirrored and difficult to read)

Conditional Use Permit for the... (text is mirrored and difficult to read)

Item 2
Public Hearing - Variance Application & Decision
Request for a variance to... (text is mirrored and difficult to read)

The Board of Selectmen of the Town of Winchester, Vermont, is pleased to announce that the following property has been approved for a Conditional Use Permit for a... (text is mirrored and difficult to read)

quite steep; will be less of a hardship to leave the paved area on the north side of the house as it is, but would like to restore it to its natural state to prevent run-off and sediment going to the Lake. M. Fox asked about the side deck. Mr. Sciacca explained the house was built in stages and that was enclosed at some point. M. Fox asked what guarantee can be given that this won't be enclosed. Mr. Sciacca said can provide whatever the board would like.

No public comment. Mr. Sciacca explained they purchased the house in 2004 and are very cognizant of the preservation of the Lake. J. Massicotte verified the concrete under the deck will be removed. Mr. Sciacca explained the concrete under the deck will be removed; noted they will have someone look at the concrete to the right of the house. J. Massicotte asked if the removal was a condition on the variance, would that be a problem. Mr. Sciacca said they haven't had an engineer look at it yet. J. Massicotte verified the access to the Lake is down the existing stairs on the North side; the hardship is the steep stairs. Mr. Sciacca explained people would have to go through the house. J. Massicotte verified will be going right out to the stairs with the deck. Mr. Sciacca said it's the same profile as the concrete pad shown on the photo which goes all the way to that point. J. Massicotte asked about the lot coverage. M. Melanson said the plan calls for 32.8% lot coverage. Mr. Sciacca said he believes that is from the addition of the piece on the southern side of the building. J. Massicotte asked what that piece is for. Mr. Sciacca explained to make that area useable and compensate for the removal of the pavers. Brief discussion regarding the existing coverage versus the proposed coverage. Public hearing closed.

Decision: Motion by R. Dew to grant variance #07-5003 from Section 4a.2 for a north side yard setback variance of 10', a south side yard setback variance of 7.5', a rear yard setback variance of 31' and lot coverage variance of 17.8% for the purpose of building a deck on the side and rear of the house as per the drawings submitted for the property located at 608 West Wakefield Boulevard for Samuel and Rebecca Sciacca. Second by S. Lange. Discussion: R. Nalette noted the house sits 12' off the water; the deck will be within 4' of the water; the environmental trade-off is welcomed, but the deck is far too big. M. Fox noted this may not pass the Inland Wetland Commission and expressed concern of an encroachment issue. S. Lange said she would feel more comfortable knowing the concrete would be removed as the deck is not taking away from that. **Vote: all opposed – motion denied. Reason: no hardship.**

#07-5004 Request for a Variance for section 4.2 Front yard set back at 133 Ridge Street for Barbara J. Soldan. Mrs. Soldan explained they would like to replace the front porch and make it a little larger to 16' X 10'; will combine with the house roof-line. M. Fox asked what the prior porch is. Mr. Soldan said steps with a roof and pillars; 4' X 6'. S. Lange verified this will not be screened. Mrs. Soldan said it will be an open porch.

No public comment. M. Fox asked what the hardship is; explained what a hardship is. Mr. Soldan said it goes into the setback. Chairman Nalette noted the whole house is in the setback. M. Fox asked why 10' X 16' as opposed to another

...the house will be built on a foundation of concrete and the walls will be of brick. The house will be built on a foundation of concrete and the walls will be of brick. The house will be built on a foundation of concrete and the walls will be of brick.

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size. Mr. Soldan said any other size would look off-center. Mrs. Solden added also the angle of the roof. Public hearing closed.

Decision: Motion by J. Massicotte to grant variance #07-5004 from Section 4.2 for a front yard setback variance of 14.5' for the purpose of building an enclosed front porch as per drawings submitted for the property located at 133 Ridge Street for Barbara J. Soldan. Second by M. Fox.
Discussion: J. Massicotte was concerned this is an open porch. Brief discussion followed. **Vote:** all in favor except M. Fox (opposed) – **motion granted.** Reason: reasonable request.

#07-5005 Request Variance for section 4a.2 East front yard set back, 4a.2 South front yard set back, 4a.2 Side yard set back and 4a.2 Lot coverage at 111 Shore Drive for Anthony R. Zacchio & Carol B. Zacchio. Letter submitted asked for postponement due to attorney's illness. **Postponed**

#07-5006 Request for a Modification of Variance #2442 at 182 Shore Drive for Steven Guarino. **Postponed**

Brief discussion regarding required notification of neighbors for this application and the timely posting of the sign.

Item 4 Approval of Minutes of June 26, 2007 meeting
Motion by R. Dew to approve the minutes of June 26, 2007. Second by S. Lange. All in favor – **motion carried unanimous.**

Item 5 Old Business
♦ Application Rates – nothing new to report

Item 6 New Business - none

Item 7 Bills Presented – Motion by R. Nalette to pay secretary hours of 2.0 for the June meeting. Second by M. Fox. **Vote:** all in favor – **motion carried unanimous.**

Item 8 Correspondence – none

Item 9 Discussion with ZEO - none

Item 10 Motion to adjourn at 7:55 p.m. by R. Nalette. Second by M. Fox. All in favor - **motion carried unanimous.**

Respectfully Submitted,



Laurie Bessette

Minutes Secretary, Zoning Board of Appeals

ZBA 7/24/07

Call to order 7:08

Dick seated & Michael's

Welcomed new Mike

Reviewed procedures for ZBA

07-4996 - letter & applicant to withdraw
Motion by REN to accept letter
Mike Fox 2nd
Unanimous

John M arrived 7:12 - unseated Mike DeClement

Appv of min
Ron D } Unanim
See

Appv of his secretary REN
MF } Unanim

Motion to adj 7:55 p REN
MF

FU/DE/E. AAD

ADP with 24 hrs

checked solution for

of ADP with 24 hrs

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