



**TOWN OF WINCHESTER ZONING BOARD OF APPEALS**  
**Town OF Winchester Town Hall**  
**338 Main Street, 2<sup>nd</sup> Floor – P. Francis Hicks Room, Winsted**  
**August 29, 2023 – 7:00PM**  
**Regular Meeting Minutes**

**1. ROLL CALL:**

Chairman Paul Marino called the meeting to order at 7:00PM, noting that the following individuals were present in addition to himself: John Pollack, Aubrey English, Ron Dew, Ellie Gunn and Paul Mitchell as Alternate.

**2. EXPLANATION OF PROCEDURE:**

Mr. Marino explained that approvals from this Board require four affirmative votes from five seated members. Mr. Marino outlined the process of the meeting including the opportunity for the applicant to present their proposal, a chance for the Board to ask questions followed by the same opportunity for any member of the public that might be present wishing to do so.

**3. PUBLIC HEARINGS – VARIANCE APPLICATIONS & DECISIONS; APPEALS.**

**A. ZBA #23-5328 Location: 129 Shore Drive Applicant/Owner: Brigitt & Scott Rouleau Proposal: Variance request for Front, Side & Rear Yard set-backs to create Building Lot for future Single Family Dwelling.**

Brigitt & Scott Rouleau appeared before the Commission stating they have a non-conforming lot in reference to its size, yet it is one of the largest lots on the street. Mr. Marino noted there was a discrepancy in the side yard set-backs of 17' written in the agenda compared to the application of 10'. Applicants confirmed the request for side yard set back was 10'. Mr. Marino stated that the site-plan provided did not include enough information for approval. The proposed house did not show measurements and set-backs were not included. Mr. Marino requested a more detailed site-plan showing measurements, proposed driveway and pervious coverage.

**MOTION:** Mr. Marino, Mr. Pollack second, to continue Application ZBA #23-5329. Location: 129 Shore Drive

Applicant: Brigitt & Scott Rouleau. Proposal: Variance to create building lot for future single-family dwelling.

**B. ZBA #23-5329 Location: 209 Perch Rock Trail Applicant: Nancy Frink Owner: Proposal: Variance request for garage door overhang, main entrance overhang & coverage & roofing over a portion of reconstructed deck.**

Nancy Frink and Representative Rob Colabella of Haley Ward Engineering appeared before the board regarding this application. Mr. Marino questioned Lance Hansen as to what the automatic overhang allowance in the Zoning Regulations was in comparison to the variance request. The regulations state overhang for entrance with no specific dimensions. Mr. Marino questioned if there was going to be an increase in impervious coverage. Mr. Colabella stated they would be changing the asphalt walkway to pervious pavers and removing the retaining wall to sloped grass. Mr. Marino opens the Public Hearing. Emails in support of the project were read by Mr. Marino from Jeremiah & Doreen Beach of 222 East Wakefield Blvd, Kathleen Farrell of 207 Perch Rock Trail and John & Joanne Lemanquais of 211 Perch Rock Trail.

Leah Muller of 139 East Lake who was there for another application did appear in person. She questioned the height of the new front dormer and her concerns for it impairing her lake view. Mr.

Colabella confirmed the rear existing dormer was higher than the proposed front dormer. Confirming no additional lake views would be impaired. Mr. Marino closed the public hearing.

**MOTION:** Mr. Marino, Mr. Pollack second, to approve Application ZBA #23-5329 Location: 209 Perch Rock Trail Applicant: Nancy Frink Owner: Proposal: Variance request for garage door overhang, main entrance overhang & coverage & roofing over a portion of reconstructed deck, unanimously approved.

**C. ZBA #23-5330 Location: 209 Perch Rock Trail Applicant/Owner: Nancy Frink Proposal: Special Exception for pre-existing non-conforming structure for a front dormer and replacement & expansion of deck.**

Nancy Frink and Representative Rob Colabella of Haley Ward Engineering appeared before the board regarding this application. Mr. Colabella stated that the construction of the new dormer will be within the existing footprint of the house. The replacement of the original deck was granted a Variance on August 15, 1984. There will be an additional 35 sq ft added to the existing deck and will be built over grass not to add to the impervious coverage. Mr. Colabella stated Special Permits require LID improvements which will be the addition of permeable pavers and a rain garden which can handle 1" storm water. There will be minor grading and a berm built around the rain garden to divert water currently flowing toward the house. Water will now flow to the 5 catch basins at the edge of the road. The town also has a pump station with a generator. Mr. Marino opens the Public Hearing. No public appearance. Mr. Marino closed the Public Hearing.

**MOTION:** Mr. Marino, Mr. Pollack second, to approve Application ZBA #22-5330 Location: 209 Perch Rock Trail Applicant/Owner: Nancy Frink. Farrell Proposal: Front dormer, replace/expand deck; unanimously approved.

**D. ZBA #23-5331 Location: 149 East Lake Street Applicant/Owner: Daniel Roeser & Gunjan Prakash. Proposal: Addition to pre-existing non-conforming structure, expansion of an existing deck, construction of rain garden and miscellaneous site improvements.**

David Battista of Haley Ward Engineering before the board regarding this application. Mr. Battista verified this is a non-forming lot consisting of 12,260 sq ft vs the 40,000 sq ft required in Zoning Regulations. Impervious coverage of 29.8% vs 15% required in Zoning Regulations. The proposal includes a new roof top over entrance stairs and deck, reconstruct wrap around deck with addition. Proposed rain gardens at deck corners. Mr. Battista stated the deck currently 945 sq ft will be 1291 sq ft. after addition. Current impervious coverage is 29.8% after renovations will be 29.7%. Applicant has an IWWC application for soil erosion control plan for the September 20, 2023. Mr. Battista shares his concerns that per state statute IWWC application needs to be approved prior to ZBA approval, as well as his concern for a super majority requiring 3 or 4 votes. Mr. Marino opens the public hearing. Appeared in person Leah Muller of 139 East Lake Street. Her concerns were the North side roof over staircase and addition would block her lake views. Mr. Battista stated the roof height was 29.9' meeting the 30' maximum building height in the Zoning Regulations for Highland Lake District. She also stated her concern for any chemicals being used in the rain garden and the effects it could have on her property and vegetation.

Mr. Marino closed the Public Hearing. Mr. Battista requested the Public Hearing be continued to get a definitive answer on the timeline of ZBA approving this application prior to the Inland Wetland application being approved, as well as how many votes constitute a super majority.

**MOTION:** Mr. Marino, Mr. Pollack second, to continue the Public Hearing for Application ZBA #23-5330 Location: 121 Shore Drive Applicant/Owner: Timothy Quinn Sr. Proposal: Addition of new second floor dormer, install wall insulation and enclosure of small first floor porch for new proposed computer nook living space; unanimously approved.

**4. APPROVAL OF MINUTES.**

**A. June 27, 2023 Regular Meeting**

Mr. Marino, second  
Apposed Unanimous

**B. July 24, 2023 Regular Meeting**

Mr. Marino, Mr. English second  
Apposed Unanimous

No business discussed.

**5. CORRESPONDENCE.**

None.

**6. ADJOURNMENT.**

The meeting adjourned at 8:58 PM.

*Respectfully submitted,  
Shane Whynott, Land Use Assistant  
(From the You Tube Recording)*