



TOWN OF WINCHESTER ZONING BOARD OF APPEALS
Town OF Winchester Town Hall
338 Main Street, 2nd Floor – P. Francis Hicks Room, Winsted
October 24, 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 #23-5331 Location: 149 East Lake Street - Applicant/Owner: Daniel Roeser & Gunjan Prakash Proposal: Special Permit/ Special Exception for Addition to existing non-conforming structure, expansion of existing deck construction of rain garden and other miscellaneous site work.

David Battista of Haley Ward Engineers appeared for the applicant/owners. He stated the Public Hearing had been postponed from the Sept. meeting to wait for Inland Wetlands review. He stated that Application was approved at the IWWC October 24, 2023 meeting with one change required. Mr. Battista provided revised plans. Mr. Battista provided a letter of support from James & Sheryl Kelly of 151 East Lake Street. He confirmed the Special Exception included the expansion of a non-conforming structure to be no closer to the property lines than the existing structure. The expansion of the existing deck from 945 sq ft to 1291 sq ft. Mr. Battista reviews the criteria in the Zoning Regulations for a Special Exception and notes all criteria have been met. Mr. Marino opens to the public. Appeared Leah Muller of 139 East Lake Street. She states her concerns that the addition will block all of her lake views. Mr. Battista provides an aerial of 149 East Lake Street and states the addition is compliant with all Zoning Regulations. He explained Ms. Mullers trees provide significant obstruction to her lake views. The tenant of 139 East Lake Street, Thomas O'Brien states he enjoys the lake views and is also concerned. Mr. Battista responds that the increasing height meets all regulations and is not an item for the Special Permit, and Ms. Muller should trim or remove her trees. Mr. Marino closes the Public Hearing.

MOTION: Mr. Marino, Mr. Dew second, to approve Application ZBA #23-5331. Location: 149 East Lake Street - Applicant: Daniel Roeser & Gunjan Prakash. Proposal: Special Permit/ Special Exception for Addition to existing non-conforming structure, expansion of existing deck construction of rain garden and other miscellaneous site work, unanimously approved.

B. ZBA #23-5332 Location: 147 Shore Drive Applicant/Owner: Michael & Robin Farrell: Proposal: Variance request for addition to existing non-conforming structure, rear addition with 2.1' rear setback, right rear setback expansion of 12.3', a left rear setback of 29.3' including replace and expand front deck with a 42. Front yard setback, a 26.1 right front setback and a 16' left front setback.

Mr. Farrell states they have a 760 sq ft year-round heated fully insulated cottage with no closets and a galley kitchen. Now they have 5 children, and they would like to make this a year-round living home.

With the removal of the back deck they would like to add a 8.16' rear addition with a low pitch roof, add 6'x6' to the kitchen for a laundry area. Mr. Farrell states the front has a 22'x10' concrete patio that they would like to add 6' to create an additional 6'x22' wide single-story addition. This will create a side by side second (2nd) 9'x9' bedroom, and a small one-car garage. Request to build a 14'x10' deck. Mr. Marino notes the increase of 2.5% impervious coverage and speaks of ways to decrease that by doing pervious asphalt/pavers. Mr. Marino asks how many feet from the proposed deck to the street. Mr. Farrell notes 17' and that his car will be parked on the grass in front of the deck. Mr. Marino opens to public. Frank Oliveri of 108 Shore Drive appeared in favor of the project. Mr. Marino closes to the public. **MOTION:** Mr. Marino, Mr. English, to approve Application ZBA #23-5332 Location: 147 Shore Drive Applicant/Owner Michael & Robin Farrell: Proposal: Variance request for addition to existing non-conforming structure, rear addition with 2.1' rear setback, right rear setback expansion of 12.3', a left rear setback of 29.3' including replace and expand front deck with a 42. Front yard setback, a 26.1 right front setback and a 16' left front setback, unanimously approved.

C. ZBA #23-5333 Location: 542 West Wakefield Blvd. Applicant/Owner: Lana Stembler Proposal: Variance Request to build a garage with loft, requesting a 28.3' side yard setback.

Lana Stembler notes she is looking to remove a 10'x20' shed and build a 16'x25' garage with loft. Mr. Pollack asks why she is leaving a space in between the house and garage. Ms. Stembler responds it's the only area she has to enter into her house with large furniture. Mr. Dew asks if this is a pre-fab garage or is it being built on site. Ms. Stembler responds it's being built on site. Mr. Pollack concerned about the close proximity to the lake and the fact a concrete foundation will be required, and asks if this has been presented to Inland Wetland Commission. Mr. Marino weighs in that he would also like to see this presented to IWWC prior to ZBA approval.

MOTION: Mr. English, Ms. Gunn second, to Continue Application ZBA #22-5333 Location: 542 West Wakefield Blvd. Applicant/Owner: Lana Stembler. I Proposal: Variance Request to build a garage with loft, requesting a 28.3' side yard setback, unanimously approved.

D. ZBA #23-5334 Location: 125 Shore Drive Applicant: Priscila Podesta Owner: Adriana Podesta. Proposal: Reconstruct and add to existing deck requesting a 5.7' rear yard setback.

Michael Mirsky, husband of the property owner appeared. He stated they currently have a 216 sq ft deck and would like add another 69 sq ft where a pool was previously located. Mr. Marino commented that the additions have been sketched in by the owner and were not certified, that an as-built will need to meet site plan measurements. Mr. Marino opens Public Hearing. Michael Farrell of 147 Shore Drive states the applicants are great neighbors and he supports the application. Mr. Marino closed the Public Hearing.

MOTION: Mr. Marino, Mr. Dew second, to approve Application ZBA #23-5333 Location: 125 Shore Drive Applicant: Priscila Podesta Owner: Adriana Podesta. Proposal: Reconstruct and add to existing deck requesting a 5.7' rear yard setback; unanimously approved.

4. APPROVAL OF MINUTES.

A. August 29, 2023 Regular Meeting

Mr. English, Mr. Dew second

Apposed Unanimous

B. July 24, 2023 Regular Meeting

Mr. English, Ms. Gunn second

Apposed Unanimous

5. CORRESPONDENCE.

None.

6. ADJOURNMENT.

The meeting adjourned at 8:25 PM.

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