



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
July 25, 2016 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

Chairman Craig Sanden called the meeting to order at 7:03PM.

2. ROLL CALL:

At the request of Mr. Sanden, roll call was completed by Director of Planning and Community Development Steve Sadlowski. Present at the meeting in addition to Mr. Sanden were: Mr. George Closson, Mr. Jerry Martinez, Mr. Art Melycher, and Alternate Peter Marchand.

It was noted that Ms. Wilkes was absent excused. Mr. Marchand was seated in her stead.

Also present was Board of Selectman Liaison Jack Bourque.

3. AGENDA REVIEW:

No modification was made to the agenda.

4. APPROVAL OF MINUTES: July 11, 2016

MOTION: Mr. Closson, Mr. Melycher second, **to approve the July 11, 2016 Minutes as amended; unanimously approved.**

Prior to the vote on the preceding motion, Mr. Martinez noted that these Minutes had indicated that Mr. Sadlowski mentioned that there would be a new form of 10.6 in the Regulations and questioned why this was not put forth as a remedy to 10.6. Mr. Martinez questioned why it required a total removal instead of applying the actual new regulation as it pertains to 10.6 now.

Mr. Sanden reminded the Commission that the town attorney had indicated that 10.6 was indefensible because of the way it was written. He reminded that Mr. Sadlowski had reviewed the new regulations and the various areas within it that will address 10.6. He noted that Mr. Martinez has had the draft of the proposed revised regulations. Mr. Sanden remarked that Mr. Martinez has likely had the opportunity to review what is included for the Highland Lake District in these revised regulations and can confirm that it is covered, and that the flexibility and the means to move on the property, are adequately included. Mr. Martinez noted that it will be covered in approximately six weeks once the new regulations are approved but that the language that will be used in place of 10.6 could have been applied in the meantime. Mr. Closson noted that the Zoning Board of Appeals is available for applicants in the meantime.

Mr. Melycher explained that under the new regulations, applicants will not need to even appear before this Commission nor the Zoning Board of Appeals and can instead seek a permit directly from Zoning Enforcement Officer Marc Melanson. With this in mind, Mr. Closson noted, this Commission ought to expeditiously review the proposed regulations, schedule a public hearing, and invite the consultant from Graydon Land Use to come out from Cincinnati in order to provide a full presentation. Mr. Closson noted that he wants to be sure that people are

pleased with these regulations, and will see them as enhancing their property values because of the resulting predictability. He noted his support for the open discussion that will ensue as people will be coming forward to participate.

Mr. Marchand questioned Mr. Sadlowski as to whether there have been any inquiries made since action was taken on 10.6. Mr. Sadlowski reported that he has only spoken with one local gentleman who had been at the last meeting and that he believes the Town Manager has spoken to one other local gentleman regarding this. In response to a follow-up question regarding whether any applications have been submitted, Mr. Sadlowski indicated that there have been none regarding this.

5. PUBLIC HEARING:

None.

6. UNFINISHED BUSINESS:

None.

7. NEW BUSINESS:

A. PZC #16-11 Site Plan – 90 Torrington Road (Map 033, Block 158, Lot 038AA) Proposal: Additional Storage – Addition to Match Existing.

Mr. Peter Gauthier addressed the Commission regarding this application. He noted that he is seeking approximately 800 square feet of additional storage to his existing building which has approximately 1800 square feet presently. This additional space would be utilized for storage, according to Mr. Gauthier. Mr. Sadlowski noted that his review of the site revealed that it is currently very well kept.

Mr. Sanden questioned the distance from the proposed addition to the retaining wall. Mr. Gauthier indicated that there would be about fifteen (15') feet in between the two, allowing for adequate access to pull behind the building.

MOTION: Mr. Melycher, Mr. Closson second, to approve PZC #16-11 Site Plan Applicant: Peter J. Gauthier Owner: Peter J. Gauthier Location: 90 Torrington Road Proposal: Site Plan for Additional Storage – Addition to Match Existing Map 033, Block 158, Lot 038AA1 Zone: IB-1.

Based on testimony and subject to the following conditions:

1. In evaluating this application, the Planning and Zoning Commission has relied upon information provided by the applicant, and, if such information subsequently proves to be false, deceptive, incomplete, and/or inaccurate, this permit shall be modified, suspended, or revoked;
2. Approvals as per the submitted plans entitled, "Proposed Addition: M.L.G. Property of Litchfield County, LLC #90 Torrington Road (Route 800) Winchester, Connecticut Date Jan., 2106 Scale 1"=40', Drawings 08933-16" and Proposed Demolition Plan entitled, "RCG Drilling & Blasting Route 800 - Rowley Street Winsted, CT Proposed Garage Addition 01/06/2015 Job No. Gauthier; unanimously approved.

8. COMMUNICATIONS:

None.

9. TOWN PLANNER'S REPORT:

Mr. Sanden noted that a copy of the Town Planner's monthly staff report had been included in their packets.

10: OTHER BUSINESS:

A. Review Draft of Zoning Regulations.

Mr. Sadlowski reported that he had corrected the draft of the revised Zoning Regulations to include all the previously noted changes in addition to the recommendations made by Attorney Mark Branse. He noted that

copies of only those twenty to thirty pages that were part of the latest changes have been extracted and distributed to Commissioners for this review.

Mr. Sadlowski reported that in the previous draft, two-family and single-family dwellings had been allowed in the Town Center Zone. He explained that these were removed as the Commission likely did not intend to have these type of dwellings as permitted uses, noting that essentially none exist currently. Mr. Sadlowski pointed out that they are also allowed in Town Gateway Zone in the draft. He explained that there are currently some but the Board may want to consider whether they want to allow additional two-family and/or single-family dwellings in this zone.

Mr. Sadlowski proposed eliminating junk yards from the Industrial Park but added "Recycling Facility", and included a definition for one.

Pursuant to Attorney Branse's recommendation of limiting one principal building per lot in Town Single Family Zone, Town Center Residential Zone, and the other residential districts, Mr. Sadlowski noted that he made this change which he explained restricts people from having more than one house on a lot. He explained that accessory buildings are not restricted through this change. Mr. Sadlowski noted that he did not do this in the Commercial Zones, noting that Attorney Branse had not made this recommendation either.

Mr. Sadlowski explained that based on the recommendations of Attorney Branse and the discussions from last meeting, he went ahead and moved the "by-right" uses over to Special Permit. He urged the Commission to review these. With regards to professional offices as an example, Mr. Closson questioned whether there ought to possibly be a differentiation depending on building size. Mr. Sadlowski noted that this is already done for groceries and retail. It was agreed that an office building over 5,000 square feet would trigger a Special Permit.

Mr. Sadlowski then reviewed the changes made in the Highland Lake Business District, noting that all of the uses were brought down to Special Permit. He noted that the setbacks along the water were brought down to zero feet in this district because that is what it is currently. Hotel should be added to this district, too, according to Mr. Closson.

Mr. Sadlowski reported that pursuant to the recommendation of Attorney Branse, Architectural Review was added to non-residential uses in the residential zones.

Whether or not to include second floor additions over existing first floor additions in the Highland Lake District was another consideration that Attorney Branse had recommended, according to Mr. Sadlowski. Mr. Sadlowski proposed allowing this by right so long as it is under the height limit. He explained that the horizontal expansion may be done with staff approval.

Mr. Sadlowski noted the inclusion of banquet facilities, along with a definition, and had added that to Rural Residential, Gateway, and Highland Lake Business District.

Mr. Sadlowski noted that while ground mount solar and wind were included in the Regulations, he added roof top solar.

Mr. Closson addressed signage, specifically block letters and the method used to calculate the square footage of the area. He suggested that the rectangle, that would be created outside of the letters in this style if one were to draw a line, be calculated for this.

Mr. Closson questioned whether methadone clinics could be restricted to one location designated for a medical clinic. Mr. Sadlowski noted that he would contact Attorney Branse regarding this.

The Commission noted their plan to finalize the Regulations at their August 8, 2016 meeting and plan to schedule the public hearing for September 20, 2016 so long as Graydon Land Use Attorney Sean Suder has the date available.

11. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Marchand second, **to adjourn at 8:06PM; unanimously approved.**

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**