



TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
August 22, 2016 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Craig Sanden called the meeting to order at 7:00PM.

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: Ms. Barbara Wilkes, Mr. Jerry Martinez, Mr. Art Melycher, and Alternate Peter Marchand.

It was noted that Mr. Closson and Mr. Thomsen were absent excused. Mr. Marchand was seated for Mr. Closson.

Also present was Board of Selectman Liaison Steven Sedlack.

3. AGENDA REVIEW:

It was agreed that the applications under New Business would be taken up ahead of Unfinished Business.

4. APPROVAL OF MINUTES: August 8, 2016

The August 8, 2016 Minutes should be amended as follows:

Under Item 2. Roll Call, it should indicate that Ms. Barbara Wilkes was present and Mr. Jerry Martinez was absent excused. Additionally, on Page 2, tenth paragraph, the portion of text that reads "Ms. Closson" should instead reflect "Ms. Wilkes".

MOTION: Ms. Wilkes, Mr. Melycher second, **to approve the August 8, 2016 Minutes as amended; Motion approved with Mr. Sanden, Mr. Melycher, Mr. Marchand, and Ms. Wilkes voting aye while Mr. Martinez abstained.**

5. PUBLIC HEARING:

None.

6. NEW BUSINESS:

A. PZC#16-13 Site Plan – 25 Center Street (Map 110, Block 002, Lot 004) Proposal: Install Detached 48" x 54" Sign.

The size of the sign was verified as forty-eight (48") inches by fifty-four (54") inches. The commission reviewed the application, noting the picture contained within it.

MOTION: Ms. Wilkes, Mr. Melycher second, **to approve Application PZC #16-13 Site Plan Applicant: David D'Amore Owner: Geraldine Ann Bowen Location: 25 Center Street Proposal: Install Detached 48" x 54" Sign Map 110, Block 002, Lot 004 Zone CX. Based on testimony received 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 and suspended or revoked.
2. Approvals as per the submitted drawings (four pages) from Writeway Signs entitled, "Project: the D'Amore Agency, Location 25 Center Street, Winsted, CT Date: 7-5-16"; unanimously approved.

B. PZC #16-14 Special Permit – 734 Main Street (Map 106, Block 047, Lot 013) Proposal: Expand Current Parking Lot.

The application was accepted and it was noted a public hearing will occur at the next regularly scheduled meeting of September 12, 2016.

7. UNFINISHED BUSINESS:

A. PZC #16-12 Site Plan – Lot 4, Old New Hartford Road (Map 033, Block 158, Lot 038AA) Proposal: Construct Filling Station and Convenience Store on Vacant Lot.

Mr. John Cushman of Hendel's Inc. appeared before the Commission regarding this application. Mr. Cushman reported that Hendel's has been in business for seventy years, owning forty-five gas stations. He reported that the store located in the Town of Seymour is very similar to the one proposed as part of this application for the Town of Winchester.

Rob Colabella, PE, and Principal, along with Mike Sherman, PE, both of Laurel Engineering also appeared before the Commission regarding this application. Mr. Colabella reviewed the applicant's plans for a gas station/retail store. He explained that the application and plans were submitted well in advance of this meeting, explaining that his client wanted to provide ample time for the Commission as well as all the various staff members (Town Planner, Building Official, Police, Department of Public Works, Fire Marshal, and Northwest Hills Conservation District Executive Director) to review and provide comments and/or suggestions. Mr. Colabella then discussed the few review comments received and what resulting modifications, if any, were made to the plans. Among these was the addition of a buffer zone along the Old New Hartford Road, slight change to the grade of the driveway, and addition of a subsurface gravel wetland.

Mr. Colabella then reviewed how the plans will handle storm water. He noted that the plans will handle and clean 100% of the first inch of rainwater.

Mr. Colabella addressed the Town Planner's comments suggesting installing a sidewalk along Main Street. He noted that it would mean people would have to cross Route 44 twice to get to Stop and Shop. Mr. Colabella reported that he had reviewed this before on two separate occasions, one with former Town Manager Margaret Johnson and one with former Department of Public Works Director, the late Pat Hague. He explained that it was agreed at that time that it was more sensible to have the sidewalk on the opposite side of Route 44. Mr. Colabella indicated that the applicant is not interested in adding sidewalks at this location.

Mr. Colabella then briefly reviewed the proposed light plan. Additionally, he confirmed that no signage is part of this application.

MOTION: Mr. Melycher, Mr. Marchand second, to approve Application #16-12 Site Plan Applicant: Hendel's Inc.; Owner: Dolinsky Realty Corp; Location: Lot 4, Old New Hartford Road; Proposal: Construct Filling Station and Convenience Store on Vacant Lot; Map: 122, Block 078, Lot 004 Zone: CX; 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, "Filling Station and Convenience Store Lot 4 – Old New Hartford Road Prepared for Hendels, Inc. Winsted Connecticut Scale: As Noted Project 16-103

Dated 06/23/2016, Revised Per Town Planners Comments 07/18/16, Revised per Town Comments 08/22/16: (Sheet 1 last revision 08/22/16; Sheet 2 dated 2/6/2016; Sheet 3 last revision 8/18/2016; Sheet 4 last revision 08/16/16; Sheet 5 last revision 08/22/2016; Sheet 6 last revision 08/22/2016; Sheet 7 last revision 08/18/16; Sheet D-1 last revision 8/18/16; Sheet D-2 last revision 8/18/16; Sheet D-3 last revision 08/18/16; Sheet D-4 dated 06/28/2016; and Sheet SCS-1 dated 06/28/16.); and
3. No signage approval is part of this application/approval; unanimously approved.

8. COMMUNICATIONS:

None.

9. TOWN PLANNER'S REPORT:

Mr. Sadlowski reminded the Commission that a copy of his submitted Monthly Staff Report to the Board of Selectmen had been included in their packets. Mr. Melycher briefly reviewed a status update regarding work undertaken by his local boy scout troop on properties that have been cited for blight.

Mr. Sadlowski reminded the Commission that a link has been provided for them to experiment with the GIS system. He explained that not all the layers are available right now but explained that there are many capabilities to the system. Mr. Martinez questioned whether the properties might reflect the allowed uses of each zone through these GIS maps. Mr. Sadlowski indicated that this is something that can be reviewed.

10: OTHER BUSINESS:

A. Review Draft of Zoning Regulations.

Mr. Sadlowski reminded the Commission that the Public Hearing on the new Zoning Regulations and Map has been scheduled for September 20, 2016 in the Band Room at Pearson School.

Referencing the July 22, 2016 removal of Section 10.6 from the Town's current Zoning Regulations, Mr. Martinez shared his concern regarding how the new regulations will address the non-conforming properties around Highland Lake, noting the allowance of one change, up to eighteen (18') feet. Specifically, Mr. Martinez questioned whether this will impose a hardship on properties wherein the one allowance has been already used and whether this could affect those property values. Mr. Marchand and Mr. Sanden noted that the Zoning Board of Appeals will remain a venue for seeking variances in case of hardships. Mr. Melycher noted that the history of the property, and what may or may not have already been granted, will be revealed through a title search by their attorney at time of purchase. He noted that it would be up to the buyer to reflect on what they may or may not want to do with the property in the future. Mr. Melycher cited his own purchase as an example, explaining that it had previously had an easement basically up to his front door that he made sure to have removed prior to his taking ownership of it. It is a consideration to be made prior to buying a property like these, he explained. Still, Mr. Martinez questioned whether the means of redressing the elimination of Section 10.6 through the new Regulations could potentially diminish property values. Ms. Wilkes noted that this cannot be a consideration of this Commission, explaining that their role is to consider the law.

Mr. Melycher also noted that it is necessary to have some type of reasonable setbacks there so that repairs can be made to properties without necessitating doing so from a neighbor's property, such as setting up a ladder to gain access to a roof. Mr. Melycher also shared an example of a neighborhood in Torrington with ten (10') foot setbacks. He explained that when the sun hits some of the homes with energy efficient windows, the reflection is curling neighbors' vinyl siding.

Mr. Sadlowski explained that the elimination of Section 10.6 is a policy decision. He noted that the Subcommittee definitely wanted to allow for residents to expand their homes, and came up with the eighteen (18') feet as a fairly decent size addition, explaining that some figure had to be used. Mr. Sadlowski also pointed out that this could be done anywhere in town and not just the lake. The numbers could be tweaked within the Regulations, according to Mr. Sadlowski, before final adoption, if the Commission makes that policy decision. Mr. Sadlowski

reiterated that it is difficult to receive a Variance for an addition through the Zoning Board of Appeals when a property owner already has a functioning house or cottage. He noted that the Commission may include a provision within the Regulations to allow further additions, beyond the eighteen (18') foot currently proposed, through Special Permit. Ms. Wilkes opined that this would weaken the Regulations to include that provision. Mr. Martinez maintained his position to allow for greater flexibility. Mr. Sanden noted reluctance to do this, noting the quality of the water of the lake gets compromised as more impervious surfaces develop through expansion.

11. ADJOURNMENT:

MOTION: Mr. Sanden, Mr. Marchand second, **to adjourn at 8:17PM; unanimously approved.**

Respectfully submitted,

Pamela A. Colombie
Recording Clerk