



TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor - P. Francis Hicks Room
November 14, 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: George Closson, Jerry Martinez, and Art Melycher; Alternate Lee Thomsen.

Absent excused was Barbara Wilkes and Alternate Peter Marchand.

Also present were Board of Selectmen Liaison Jack Bourque.

Mr. Thomsen was seated for Ms. Wilkes.

3. AGENDA REVIEW:

It was agreed that Agenda Item *7C PZC #16-21 Site Plan – 734 Main Street, Map 106, Block 047, Lot 013 Applicant: Beardsley & Memorial Library Owner: Beardsley & Memorial Library Proposal: Expand Current Parking Lot* would be discussed ahead of *6.A. Proposed New Zoning Regulations and Proposed New Zoning Maps*.

4. APPROVAL OF MINUTES:

A. October 24, 2016

MOTION: Mr. Closson, Mr. Melycher second, to approve the October 24, 2016 Minutes; unanimously approved.

5. PUBLIC HEARING:

None.

6. NEW BUSINESS:

A. PZC #16-21 Site Plan – 734 Main Street, Map 106, Block 047, Lot 013 Applicant: Beardsley & Memorial Library Owner: Beardsley & Memorial Library Proposal: Expand Current Parking Lot. Beardsley & Memorial Library Vice President Bob Geiger appeared before the Commission on behalf of the applicant.

Mr. Geiger explained that the Library has purchased the property adjacent to the Library and has demolished the house that had previously existed at the site. He explained that the Library now seeks to expand their parking lot due to the increased demand. It was noted that they will just tie into the existing catch basin in order to add the sixteen parking spaces on the .14-acre parcel.

Mr. Closson noted that while the application is lacking a survey, the applicant is not creating any new curb cuts.

MOTION: Mr. Melycher, Mr. Thomsen second, to approve PZC #16-21 Site Plan – 734 Main Street, Map 106, Block 047, Lot 013 Applicant: Beardsley & Memorial Library Owner: Beardsley & Memorial Library Proposal: Expand Current Parking Lot and subject to the condition that the Applicant submit a site plan within a six-month period by a licensed land surveyor; Motion passed with Mr. Sanden, Mr. Closson, Mr. Melycher and Mr. Thomsen voting aye while Mr. Martinez was opposed.

B. PZC #16-19 Special Permit – 820 East Wakefield Boulevard, Map 044, Block 108, Lot 069 & 070 Applicant: Dawn Vanyo Owner: Dawn Vanyo Proposal: To Enclose Existing Porch.

MOTION: Mr. Melycher, Mr. Closson second, to accept the application in the matter of PZC #16-19 Special Permit – 820 East Wakefield Boulevard, Map 044, Block 108, Lot 069 & 070 Applicant: Dawn Vanyo Owner: Dawn Vanyo Proposal: To Enclose Existing Porch and schedule for a public hearing for the next regular meeting of the Planning and Zoning Commission; unanimously approved.

C. PZC #16-20 Site Plan – 200 Price Road, Map 011, Block 150, Lot 046 Applicant: Master’s Construction Corp. Owner: BNB Properties, LLC Proposal: Construction of 100’ x 120’ Steel Building Addition & 39 Space Parking Lot to Replace Parking Lot Taken Up by New Addition.

Ron Dymicki of Master’s Construction Corp. appeared before the Commission regarding this application. He noted that he was accompanied also by Rob Durbois of Master’s Construction Corp.

Mr. Sadlowski noted that he visited the site and his only concern with the dip on the right will be addressed through the applicant installing guard rails in that location. It was noted that Police Chief William Fitzgerald had no issues with the application but that his comments were the only staff review comments returned thus far.

Mr. Closson noted his observation of the inclusion of some LID considerations. Mr. Sadlowski confirmed, noting that they are using sheet flow and a couple of dry swales.

Mr. Closson questioned what was to be included for a lighting plan. Mr. Dymicki indicated that there are lights on corners of the building as well as parking lot standards. He noted the location of a set of stairs where there are plans to install one bollard light for the stairs. Mr. Closson questioned how high the parking lot lights are. Mr. Dymicki noted that he would have to obtain that information as he was unsure. Mr. Sadlowski explained that they need to be full cut-off.

It was noted that the total parking lot is increasing by thirty-nine spots. Mr. Melycher questioned the number of handicap spots. Mr. Dymicki reported that there is one new handicap space near the building along with additional ones out in front of the building.

MOTION: Mr. Closson, Mr. Melycher second, to approve PZC #16-20 Site Plan – 200 Price Road, Map 011, Block 150, Lot 046 Applicant: Master’s Construction Corp. Owner: BNB Properties, LLC Proposal: Construction of 100’ x 120’ Steel Building Addition & 39 Space Parking Lot to Replace Parking Lot Taken Up by New Addition subject to additional details of the site lighting and lighting at the stairway going down off the northwest corner of the building to a review by the Zoning Enforcement Officer as well as an evaluation of the handicap parking and appropriate sizes of the parking spaces; unanimously approved.

7. COMMUNICATIONS:

None reported.

8. TOWN PLANNER’S REPORT:

Mr. Sadlowski reported that the grant is all set for the Still River Greenway. He noted that the engineering contracts will be signed soon and that the permitting process will begin this winter. He explained that there were

plans but noted that they are ten years old at this point. He also noted that the permitting work had never been completed and will now need to be done.

Mr. Sadlowski reported that a visioning session will be occurring at Town Hall on December 13, 2016. He explained that this will aid in a non-motorized transportation grant to repair and/or install new sidewalks along Willow Street, left up to Batcheller Elementary School and then cut over to the lake. He noted it will connect the trail to these points as well as the Riverwalk, opening Main Street to that trail. Mr. Sadlowski noted that an effort has been made to use leftover funding from another grant to try to get a sidewalk put in between Route 8 and Stop and Shop.

9. OTHER BUSINESS:

A. 139 West Wakefield Boulevard

Mr. Melycher reported that the owner of 139 West Wakefield Boulevard is currently renting her boat slips, noting that she has advertised in a real estate section of a newspaper. He explained that she has been doing this for a couple of years which is against Zoning Regulations. He also reported that there is a very old portable toilet at this location within ten (10') feet of the lake. Mr. Melycher opined that some type of enforcement should be occurring with this property.

Mr. Sadlowski noted that he recalls mention of this, believing that it has been going on for years and that he will have to check into the matter.

Nancy Connole addressed the Commission, noting that she owns property very near this location. She explained that there are parties at this location which interfere with her ability to enjoy her property.

Mr. Sadlowski questioned how long this has been occurring. Ms. Connole reported that it has been occurring for ten years. Mr. Closson noted that this matter should be brought before the Town's legal counsel for a legal opinion, noting that the Commission would likely not want to see more properties handled in the same manner.

B. Ledgebrook Plaza Signage Discussion – PetValu.

Mr. Sadlowski explained that the former Zoning Regulations allowed two square feet of building mounted sign per foot of building frontage for either street or parking lot but that the new Zoning Regulations only indicate one square foot related only to street frontage. He noted how this poses a problem for the Ledgebrook Plaza because majority of frontage affronts parking lot. Mr. Sadlowski noted that PetValu wants to replace their signs and opined that this could be allowed as basically a replacement.

MOTION: Mr. Closson, Mr. Sanden second, to appoint Steve Sadlowski as an additional zoning enforcement officer; unanimously approved.

C. 41 Meadow Street – Discuss Existing Non-Conforming Use List for Building.

Mr. Sadlowski referred Commissioners to a proposed Statement of Use contained in their packages regarding the former Son-Chief building at 41 Meadow Street. Mr. Sadlowski explained that there are several different uses contained within this building presently and noted that the owner wants to be sure that he could continue using it as he is currently. Mr. Sadlowski noted that by law, the owner would be able to continue these uses but was nervous about the status. Thus, Mr. Sadlowski prepared the Statement of Use document on the owner's behalf. The uses listed within the document included machine shops, metalworking, grinding, manufacturing, assembly, welding, fabrication, small scale foundry, injection molding; warehouse including shipping, receiving and storage; woodworking; recycling within building; printing; and HVAC sheet metal shop. He explained that if the Commission were to approve, Mr. Sanden would sign the Statement of Use formally noting the uses that would be allowed within the building. Mr. Sadlowski noted that there is a clause at the end of the document indicating that should the owner add onto the building or builds a new building, the new space would be subject to the provisions contained within the new recently adopted Zoning Regulations.

Discussion ensued regarding work existing outside the building that should not be occurring and whether this is another example of a zoning enforcement issue. Mr. Closson, Mr. Sanden, and Mr. Melycher recalled that conditions of approvals granted for this location contained limitations regarding what can be housed outside the perimeter of the property. Mr. Sadlowski noted that the recycling is supposed to be occurring only inside the building.

Mr. Sadlowski noted that what this document allows beyond what would be as a right through the Connecticut General Statutes, is the ability to move the uses around within the building. It was noted that this property might possibly fall onto the blight list. Mr. Closson noted that this space has been used as incubator space for start-up businesses which is a good thing but not when it compromises surrounding property values.

Commissioners recalled that the three garage doors at the site were supposed to be the access points for which batteries, metal, and architectural wood would be accepted. Mr. Sanden indicated that the Commission was relaying to Mr. Sadlowski, as head of the department, that these matters at this location should be enforced.

MOTION: Mr. Melycher, Mr. Closson second, to authorize Mr. Sanden to sign the Statement of Use regarding 41 Meadow Street; unanimously approved.

E. Architecture Review Committee.

Mr. Sadlowski explained that the Commission needs to appoint an Architecture Review Committee. He noted that an architect, a landscape architect, and a person familiar with historic preservation should be included. Mr. Sadlowski noted that the Commission should begin thinking about names, and may include regular town folks, too. The Committee will consist of six individuals. It was noted that Commissioners should check the willingness of potential people to serve on the Committee, one that would meet on an as-needed basis, and then forward the names to Mr. Sanden. This will be included as a future agenda item, too, according to Mr. Sadlowski.

10. UNFINISHED BUSINESS:

A. PZC 16-17 Zoning Regulation Change Proposal: Return Section 10.6 of the Town of Winchester's Zoning Regulations.

Mr. Sadlowski reported that there was a word that was changed or altered from the language of the former Section 10.6 of the old Zoning Regulations from what was forwarded to the Northwest Council of Governments.

Mr. Sanden explained his opposition to the return of Section 10.6, noting that he was likely the most outspoken Commissioner regarding the removal of Section 10.6 from the former Zoning Regulations, mostly as a result of his meeting with the town attorney. The language contained within that section resulted in the rest of the Zoning Regulations ineffective according to the town attorney, Mr. Sanden explained. He opined that the language contained in the current, recently approved and adopted Zoning Regulations, provide adequate and ample opportunity for people to best utilize their property in the Highland Lake area as well as all other areas within Town.

Mr. Closson explained his opposition, opining that the biggest responsibility of this land use commission is to protect the resources of the Town, not just the lake but all the resources. Additionally, he opined that expansions occurring on small lots should be done under the expanded review, done so by the Zoning Board of Appeals through an application for a Special Permit. Mr. Closson reminded the Commission that a Special Permit does not require the presence of a hardship but does have a requirement for neighbors to be notified and a submission of an A2 survey.

Mr. Martinez agreed that through the course of discussion of the proposed Regulations and series of revisions, the end result is a better product. Through the removal of the hardship requirement for some of the proposals, people with non-conforming properties will benefit from the revisions made, according to Mr. Martinez.

Mr. Melycher concurred, recalling the proposal for a home within 1.6 feet of another property line and the challenges that Section 10.6 presented.

MOTION: Mr. Closson, Mr. Sanden second, to approve the application in the matter of PZC#16-17 Zoning Regulation Change Proposal: Return Section 10.6 of the Town of Winchester's Zoning Regulations; Motion failed with Mr. Sanden, Mr. Closson, Mr. Melycher, Mr. Martinez, and Mr. Thomsen opposed.

Northwest Hills Council of Governments – Plan of Conservation and Development.

Jocelyn Ayer, Northwest Hills Council of Governments Community and Economic Development Director, appeared before the Commission to speak about a regional Plan of Conservation and Development.

She explained that it will address land use issues like housing, local food & agriculture, jobs and vibrant main streets, land conservation and recreation. She noted that the point of the plan is how the twenty-one towns can work together more effectively than individually. Ms. Ayer noted that many are already collaborating and that the COG is seeking to support those efforts at the local and regional effort.

In an effort to establish what is important to residents in the member towns, she is visiting all twenty-one towns to gather this type of information. Ms. Ayer reported that a lot of data was collected on housing trends and economic trends for the region.

Ms. Ayer reported that the Regional Profile Report, issued last week, addresses trends happening in the Region which should serve the area towns. She noted that the website toolkit will have case studies, example regulations, and initiatives that other towns have undertaken, all to serve as a resource.

Ms. Ayer shared some of the recent findings, noting that one trend that has come out of the analysis is that over the next ten years, by 2025, the region is not likely to increase or decrease in population but the demographics within the population is likely to change. For example, people over 65 are projected to increase by 17% while school age population expected to decrease by 17%, according to Ms. Ayer.

Ms. Ayer reported that the COG is conducting a web-based survey and hopes that all residents will take the survey. She noted that the hope is to have the Regional POCD ready by Spring, 2017. All those present were provided with a clicker to participate in the on-line survey.

11. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Melycher second, **to adjourn at 8:52PM; unanimously approved.**

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**