



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor – P. Francis Hicks Room
February 25, 2019 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

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

2. ROLL CALL:

Mr. Sanden conducted the roll call, noting that the following individuals were present: George Closson, Jerry Martinez, Pete Marchand, Art Melycher and Alternate Lee Thomsen.

It was noted that Alternate Barbara Wilkes was absent excused.

3. AGENDA REVIEW:

No changes were made to the agenda.

4. PUBLIC HEARINGS.

A. PZC#19-02 – Special Permit – 655 Main Street Owner: Winsted Ambulance Association Applicant: Writeway Signs Proposal: 25 Sq Ft Electronic Message Board w/ 17 Sq Ft Identification Signage on 90”x120” Monument.

MOTION: Mr. Closson, Mr. Marchand second, to reopen the public hearing; unanimously approved.

Jeremy Schaller of Writeway Signs appeared before the Commission regarding this application. Mr. Schaller reported that the Winsted Ambulance Association would like to install an electronic message board for the purposes of announcing CPR programs and other public service announcements. He noted that the Ambulance Association may advertise other community related items such as traffic issues coming into town, information on the pet parade and similar things.

Mr. Closson questioned whether the messages would be flashing. Mr. Schaller indicated that they would not, explaining that the message will change but will do so immediately without transitions, flashing or rolling. He noted that there will be five-second intervals between different messages. Mr. Schaller also confirmed that the message board would not be used for any type of third-party advertising and will only be used for town related items.

The hearing was open to the public. No comment was received.

MOTION: Mr. Closson, Mr. Melycher second, to close the public hearing; unanimously approved.

B. PZC#19-03 – Special Permit – 200 Litchfield Avenue - Owner/Applicant: W.L. Gilbert Trust Corporation Proposal: Modification of Special Permit – Remediation of Failing Retaining Wall.

The legal ad was read into the record with it noted as having been advertised the requisite two times, February 13, 2019 and February 18, 2019, in the Republican American. It was also noted that receipts had been received for the Certificates of Mailing, evidencing copies of the notice of the public hearing had been sent to the abutting properties.

Professional Engineer Todd Parsons of Lenard Engineering appeared before the Commission regarding this application. Mr. Parsons noted that a modification of the Special Permit, received March 8, 1999, was being sought.

Mr. Parsons reviewed the existing conditions at the site, noting the proposed work is focused on the area around the east driveway and the area around the practice field. He noted the stream corridor flowing below the existing retaining wall near the bus loop. Mr. Parsons noted that the current stone retaining wall ranges from eight to sixteen feet tall. He noted that there are four different areas that have collapsed. Mr. Parsons explained that the proposal is to remove most of the retaining wall, down to a height of four (4') feet except for the area where the bridge will be preserved. Mr. Parsons explained that there will be quite a bit of fill removed and relocated to the practice field. He noted that drains will be installed in that area. The 6700 yards of material will result in raising the practice field by four feet.

Mr. Melycher questioned whether the size of the practice field will increase. Mr. Parsons indicated that it would remain basically the same size but will be higher in elevation and will maybe gain a little bit of area, with approximately the same slope.

Mr. Parsons reviewed the erosion control measures that will be employed including filter fabric and silt socks. He also briefly reviewed alternative plans that were considered, explaining why each had been eliminated.

Mr. Parsons reported having had a site meeting with the State of Connecticut Department of Energy and Environmental Protection and the US Army Corp of Engineers. He noted that neither required a permit for this work. Mr. Parsons indicated that DEEP's Fisheries Division was also consulted who had made recommendations regarding the timing of the work. He indicated that those recommendations have been incorporated into the design.

The cross-section of the profile of the new construction was reviewed. Mr. Parsons estimated the expected duration of time to complete the work at two to four months.

The hearing was open to the public. No comment was received.

MOTION: Mr. Closson, Mr. Melycher second, to close the public hearing; unanimously approved.

**C. PZC#19-04 – Special Permit – 562 Main Street – Owner/Applicant: SLP Contractors, LLC
Proposal: Mixed Use Building: Restaurant on First Floor with Two Apartments Above.**

The legal ad was read into the record with it noted as having been advertised the requisite two times, February 13, 2019 and February 18, 2019, in the Republican American.

It was noted that the notice of the public hearing had not been sent to the abutting properties.

MOTION: Mr. Melycher, Mr. Marchand second, to continue the application to the March 11, 2019 regular meeting; unanimously approved.

**D. PZC#19-05 – Special Permit – 522 Main Street – Owner/Applicant: Sean P. McGlynn Proposal:
Mixed Use Building: Restaurant on First Floor with Two Residential Units Above.**

The legal ad was read into the record with it noted as having been advertised the requisite two times, February 13, 2019 and February 18, 2019, in the Republican American.

MOTION: Mr. Closson, Mr. Melycher second, to open the public hearing; unanimously approved.

Sean McGlynn, accompanied by his partner Cheryl Heffernan, appeared before the Commission regarding this application. Mr. McGlynn reported that the proposal includes a small restaurant serving appetizers, small entrees and only beer and wine. He noted that it would be a very casual environment with books and games and local artwork. Mr. McGlynn indicated that there would be some music playing, too.

The Commission reviewed the February 21, 2019 Minutes from the Architectural Review Committee meeting. Staff reported that Mr. McGlynn had met at the site this date with Building Official/Zoning Enforcement Officer Marc Melanson and Town Manager Bob Geiger. Mr. Geiger addressed the Commission, referencing a 24"x36" rendering of a working copy of the blight initiative underway in this general area comprised of parcels on Main Street and High Street, an area he characterized as a "problem area". Mr. Geiger described the problems associated with complaints of loud music and garbage deposition from the tenants residing in the rear of the buildings on Main Street. He explained how access to these units is gained from an unpaved right-of-way off of High Street. Mr. Geiger noted that the applicant has not quite worked out where his trash receptacles will be located. He recommended that this Commission provide the applicant with time to work that out. Mr. Geiger noted that trash and debris still needs to be cleaned up at this location.

Addressing the plans for trash receptacles, Mr. McGlynn explained that there are stairs leading from Main Street that lead to the area behind the building. He noted that the steps lead to a deck followed by more steps to a concrete area. Mr. McGlynn explained that he thought it feasible to utilize large rolling trash cans. He indicated that he did not expect very much waste to be generated from the restaurant. Mr. Closson questioned whether the restaurant will be serving alcohol. Mr. McGlynn confirmed that the plans include beer and wine but no liquor. He noted that the intention is to support local breweries and local wineries.

Mr. Closson questioned whether there were already tenants in the residential rental units. Mr. McGlynn confirmed that the tenants have been residing at the apartment units for five years and had requested trash receptacles. Ms. Heffernan noted that as they had purchased the building in August, the seller had only owned the building for a short time and has not shared much information.

Mr. Melycher relayed information about historical problems with flooding at this building.

Mr. Sanden questioned whether a trash hauler would be able to get a truck down the unpaved right of way in order to empty the garbage. Mr. McGlynn indicated that he would drag the rolling cans to the access on High Street, if need be. Ms. Heffernan indicated that their property provides enough space for three parking spots but noted that they would be willing to eliminate one of the spots in order to allow room for the placement of a dumpster. It was noted that the paved parking area owned by the applicant is 27'x21'.

The proposed sign was discussed. Ms. Heffernan reported that they were meeting with a sign design company the following morning after this meeting.

The hearing was open to the public. No additional comment was received.

MOTION: Mr. Closson, Mr. Marchand second, to continue the public hearing to the March 11, 2019 regular meeting; unanimously approved.

5. OLD BUSINESS:

**A. PZC#19-02 – Special Permit – 655 Main Street Owner: Winsted Ambulance Association
Applicant: Writeway Signs Proposal: 25 Sq Ft Electronic Message Board w/ 17 Sq Ft Identification
Signage on 90"x120" Monument.**

MOTION: Mr. Closson, Mr. Melycher second, to approve Application #19-02 – Special Permit
Applicant: Writeway Signs Owner: Winsted Ambulance Association Location: 655 Main Street

Proposal: 25 Square Foot Electronic Message Board with 17 Square Foot Identification Signage on 90"x120" Monument.

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. Approval is granted based on the following submitted plans and drawings:
 - Site Plan prepared by Lenard Engineering, Inc. entitled, "Facility Expansion Winsted Ambulance Assoc. 655 Main Street Winsted, Connecticut " dated August 19, 2011, as submitted with location of sign depicted.
3. This application is consistent with the Town's Plan of Conservation and Development.
4. This application meets the criteria and standards of *III.J. Common Regulations: Special Permits/Special Exceptions*.
5. Messages shall be limited to public service announcements.
6. Advertising of any kind is prohibited. The Zoning Enforcement Officer shall be able to order a Cease and Desist for any advertising use.
7. Minimum of five second intervals between messages;

unanimously approved.

B. PZC#19-03 – Special Permit – 200 Litchfield Avenue - Owner/Applicant: W.L. Gilbert Trust Corporation Proposal: Modification of Special Permit – Remediation of Failing Retaining Wall.

MOTION: Mr. Marchand, Mr. Closson second, to approve Application #19-03 – Special Permit Applicant/Owner: W.L. Gilbert Trust Location: 200 Litchfield Avenue Proposal: Modification of Special Permit – Remediation of Failing Retaining Wall.

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. Approval is granted based on the following submitted plans and drawings:
 - Site Plan prepared by Lenard Engineering, Inc. entitled, "Retaining Wall and Slope Remediation The Gilbert School 200 Litchfield Avenue Winsted, CT" dated November 20, 2018.
3. This application is consistent with the Town's Plan of Conservation and Development.
4. This application meets the criteria and standards of *III.J. Common Regulations: Special Permits/Special Exceptions*;

unanimously approved.

C. PZC#19-04 – Special Permit – 562 Main Street – Owner/Applicant: SLP Contractors, LLC Proposal: Mixed Use Building: Restaurant on First Floor with Two Apartments Above.

No business discussed.

D. PZC#19-05 – Special Permit – 522 Main Street – Owner/Applicant: Sean P. McGlynn Proposal: Mixed Use Building: Restaurant on First Floor with Two Residential Units Above.

No business discussed.

6. NEW BUSINESS:

A. PZC#19-06 – Excavation Renewal – 182 Torrington Road - Owner/Applicant: Pieritalo Bauchiero.

Pieritalo Bauchiero appeared before the Commission regarding this application. It was noted that it appeared that only approximately 1000 yards had been removed since the last permit was received.

MOTION: Mr. Closson, Mr. Marchand second, to approve Application #19-06 Excavation Renewal Applicant/Owner: Pieritalo Bauchiero Location: 182 Torrington Road Proposal: Earth Excavation Renewal Map: 039 Block: 158 Lot(s): 019B

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. Approval is granted based on submitted plans drafted by Robert Green Associates entitled, "Topographic Survey Land Owned by Pieritalo Bauchiero 182 Torrington Road (CT Route 800) Winchester, Connecticut Scale 1"=30' dated 05/30/2014 revised 11/10/2015, revised 11/30/2018. "
3. Renewal to expire two years from the date of this permit;

unanimously approved.

7. APPROVAL OF MINUTES: February 11, 2019 and February 14, 2019.

The February 11, 2019 Minutes should include the following changes:

- The third paragraph on the second page should include Mr. Platt sharing his concern with the marina having some effect or impact to the slalom course.
- The seventh paragraph of the second page should include Mr. Closson's recommendation that Town Hall ought to also have information on the slalom course in addition to DEEP having that information.

MOTION: Mr. Closson, Mr. Marchand second, to approve the February 11, 2019 Minutes as amended; unanimously approved.

MOTION: Mr. Closson, Mr. Melycher second, to approve the February 14, 2019 Special Meeting Minutes; unanimously approved.

8. COMMUNICATIONS:

None.

9. TOWN PLANNER'S REPORT:

Discussion ensued regarding the many buildings on Main Street with Mixed Use. It was agreed that a Special Meeting would be scheduled for April 11, 2019 at 6PM to review the Zoning Regulations and invite Zoning Enforcement Officer Marc Melanson.

10. OTHER BUSINESS:

Selectman Candace Bouchard questioned whether businesses along Main Street could be compelled to have a sign to identify their business. Mr. Closson recalled this Commission discussing some time ago adopting either a requirement or a recommendation to business owners to install signs perpendicular to the buildings.

11. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Marchand second, to adjourn at 8:29PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**