



**TOWN OF WINCHESTER  
BOARD OF SELECTMEN MEETING**

**Regular Meeting Agenda**

**September 05, 2023, 7:00PM**

**P. Francis Hicks Room**

**Streamed live on YouTube and Channel 194**

**FILED  
CLERK'S OFFICE**

**SEP 1 2023**

**TOWN CLERK OF WINCHESTER  
WINSTED, CT**

1. **CALL TO ORDER** (Turn your cell phones off)
2. **PLEDGE OF ALLEGIANCE**
3. **AGENDA REVIEW**
4. **APPROVAL OF MINUTES**  
A) Minutes of the Regular Meeting on August 21, 2023
5. **CITIZENS' COMMENTS**  
The Board of Selectmen welcomes public comments, speakers will be limited to three (3) minutes or less and may speak only once. Please give your name and address.
6. **TOWN MANAGER'S REPORT**
7. **CORRESPONDENCE**
8. **BOARDS AND COMMISSIONS**
9. **UNFINISHED BUSINESS**  
A) Consider and possibly act on the appointment of three Selectmen to serve on the Hiring Review Committee
10. **NEW BUSINESS**  
A) 23-57 Refunds as recommended by Collector of Revenues (Town Manager Kelly)  
B) Consider and possibly act on the approval of a bid waiver to purchase a used vehicle (Animal Control Officer) (Town Manager Kelly)  
C) 23-58 Consider and possible act on the replacement of parking signs on Main Street (Town Manager Kelly)  
D) 23-59 Consider and possible act on a resolution accepting 10 Bridge Street Brownfields Round 17 Grant Funds (Town Manager Kelly)  
E) 23-60 Consider and possibly act on the adoption of amendments to the Driveway Ordinance (1<sup>st</sup> meeting) (Town Manager Kelly)  
F) Consider and possibly act on Motion for Abatement of Nuisance at 102 Williams Avenue (Town Manager Kelly)



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**11. EXECUTIVE SESSION**

- A)** To discuss the Sale of Town-owned land.
- B)** To discuss Contract Negotiations
- C)** To Discuss Personnel Matter-Town Manager Search

**12. CITIZENS' COMMENTS**

The Board of Selectmen welcomes public comments, speakers will be limited to three (3) minutes or less and may speak only once. Please give your name and address

**13. SELECTMEN'S COMMENTS AND REPORTS**

**14. ADJOURNMENT**

# Town of Winchester

Board of Selectmen

Regular Meeting

Monday August 21, 2023

Item 1 **Call to Order**

Meeting called to order by Mayor Todd Arcelaschi at 7:02pm

|                   |                                |                               |
|-------------------|--------------------------------|-------------------------------|
| Attending Members | Todd Arcelaschi (Mayor)        | Jonathan Morhardt (Selectman) |
|                   | Candy Perez (Selectwoman)      | Linda Groppo (Selectwoman)    |
|                   | Candace Bouchard (Selectwoman) | Jack Bourque (Selectman)      |
|                   | Steve Sedlack (Selectman)      |                               |

|               |                                     |
|---------------|-------------------------------------|
| Staff Members | Josh Kelly (Town Manager)           |
|               | Glenn Albanesius (Town Clerk)       |
|               | Jim Rollins (Public Works Director) |
|               | Kevin Nelligan (Town Attorney)      |

Item 2 **Pledge of Allegiance** The Pledge was recited by all

Item 3 **Agenda Review** - None

Item 4 **Approval of Minutes**

\* Minutes of Regular Meeting on August 07, 2023

Motion - Sel. Morhardt / Second - Sel. Groppo

Vote to accept minutes - Yes (6) - Abstained (1) Sel. Sedlack

Item 5 **Citizens Comments** - None

Item 6 **New Employee Introductions** - The following recruit's introduced themselves to the Board. Each gave a summary of their work or school experience and expressed enthusiasm for their new Town position.

A) Geoff Green (Enforcement Officer - Blight / Wetlands / Zoning)

B) Shane Whynott (Land Use Administrative Assistant)

C) Jamie Duffy (Recreation Program Coordinator)

D) Don Murelli (Purchasing Agent)

E) Alexa Hinton (Communications Coordinator)

Item 7 **Town Manager's Report** - Josh Kelly reported to the Board on the following topics. . .

\* The Town will be promoting a "First Time Home Buyers" Seminar to be held on Wednesday

October 11th at 6pm. Spearheaded by Town staff and two local Real Estate agents and Mortgage Broker; the event will be recorded and posted on Winchester's You Tube channel. Anyone looking for guidance to buy a home for the first time is encouraged to attend.

- \* Winchester continues to seek new Grant opportunities. The Town Manager is wrapping up an Round 18 application for a Brownfields site at the parking lot on the corner of Lake and Meadow Streets. Two \$250,000 STEAP grant applications have been finalized for 10 Bridge Street and 44 Elm.
- \* Crucial job positions remain unfilled for both the Police Department and Public Works. The Town is prioritizing efforts to get these vacancies filled with qualified hires as soon as possible.
- \* Winchester is planning another Job Fair which will be held in October.
- \* Responses to our second RFP for Town Owned land at the Mountainside Drive development is due on September 22, 2023 at 9:00am.
- \* Suggested uses for the Deposit monies from Nipper Bottles sold in Winchester are still under discussion. Helping to fund a new composting initiative at RRDD#1 has gained support from the member town First Selectmen.
- \* Solutions for improved parking opportunities on Main Street remain under discussion. A report from the Town Manager and Chief of Police will be forthcoming.
- \* Town staff completed a Team and Trust Building Training Exercise on Friday the 11th. Thanks go out to the Board of Selectmen and general public for supporting this initiative.
- \* Negotiations for a new Police Union contract were held again on Friday August 4th. Formal exchanges will occur at a date to be determined.

Item 8 **Finance Directors Report**

- \* Finance Director Ann Marie Rheault reviewed new fiscal year General Fund, Cash Flow and CIP data....
- \* Discussion was raised regarding payments of Northwest Transit District invoices.

Item 9 **Correspondence** - None

Item 10 **Boards and Commissions** - Sel. Sedlack introduced the following actions.

- 1) John Noone (U) is submitted for Nomination as a Member of the Soldiers Monument Commission with a term expiration of 06/2027.
- 2) Esther Dew (R) is submitted for Appointment as a Member of the Soldiers Monument Commission with a term expiration of 06/2027.  
Motion - Sel. Sedlack / Second - Sel. Bourque  
Vote to approve - Unanimous (7 - 0)
- 3) A notice of Resignation was received and accepted from the following volunteer
  - \* Brian Shaughnessy (Board of Recreation)
  - Brian's volunteer time and service to the Town is acknowledged with gratitude
- \* The following groups have position openings. Interested candidates are encouraged to apply!
  - Arch. Review Committee - 1 Permanent Seats and 2 Alternate Seats
  - Board of Assessment Appeals - 1 Alternate Seat
  - Conservation Commission - 1 Permanent Seat
  - Economic Development Commission - 3 Alternate Seats
  - Laurel City Commission - 4 Permanent Seats
  - Inland Wetlands & Watercourses Commission - 2 Permanent Seats
  - Recreation Board - 1 Permanent Seats
  - Zoning Board of Appeals - 2 Alternate Seats

Item 11

**Unfinished Business**

A) Consider and Possibly Act on the issuance of a Driveway Permit at 543 E. Wakefield Bld.

Atty. David Torrey reviewed and restated his clients position that no "reconstruction" had occurred with the driveway project at 543 E. Wakefield Blvd and contended that as such no permit was required. Public Works Director Jim Rollins countered that the reshaping and adjusted pitch did indeed constitute a reconstructed drive. He felt strongly that the work completed did require a permit. After deliberation the Board took the following action.

Motion Statement - I recommend that the Board. . . . .

1) Find that the driveway was reconstructed. (Per Contractors Statement)

"I also removed portions of the previously existing gravel driveway" (Paul Sokolik from Plaintiffs Exhibit 24)

2) Acknowledge that the Serky's should have sought a permit in a timely manner.

3) Acknowledge that a Variance is now needed.

4) Grant a Variance to the Property's driveway with "no conditions"

Motion - Mayor Arcelaschi / Sel. Bourque

Vote to approve - Yes (4) / No (1) Sel. Sedlack / Abstained (1) Sel. Bouchard

Note - Sel. Perez recused herself from initial discussions and did NOT cast a vote.

B) 23-54B Consider and Possibly Act on the adoption of a new ordinance regarding the creation of a Historical Commission. (3rd discussion)

Motion Statement - "I would make a motion that we finalize the adoption of the Ordinance creating a Historical Commission with any costs said Commission incurs be funded by the State or private grants" Note - Amendment added as follows - "As codified/formatted by General Codes"

Motion - Sel. Perez / Sel. Bouchard

Vote to approve - Unanimous (7 - 0)

C) Consider and Possibly Act on the Revision of Hiring Practices

Motion Statement - "I make a motion that we adopt the amended revision of the amended hiring policies as presented by the Town Manager."

Motion - Sel. Perez / Sel. Sedlack

Vote to approve - Unanimous (7 - 0)

Item 12

**New Business -**

A) Consider and Possibly Act on approving a resolution in support of the Town submitting an Urban Garden Grant.

Motion Statement - "I move that we approve the resolution to apply for and accept the Urban Green Community Grant and any match required not come from local property taxes but from other Grant sources or private funds."

Motion - Sel. Perez / Sel. Morhardt

Vote to approve - Unanimous (7 - 0)

Item13

**Executive Session**

A) Discussion of the Sale of Town-owned Land

B) To discuss Contract Negotiations

Motion Statement - "Motion to enter Executive Session to discuss Sale of Town-owned Land and discussion of Contract Negotiations taking the Town Manager Josh Kelly to be part of the meeting at 9:03pm.

Motion - Sel. Sedlack / Second - Sel. Morhardt

Vote to approve - Unanimous (7 - 0)

The Board returned from Executive Session at 10:34pm with no action taken.

Item 14

**Citizens Comments** - None

Item 15

**Selectmen's Comments and Reports** -

\* Sel. Perez - Announced that the 4 new Light poles at Walker Field would be installed on Tuesday.

\* Sel. Bouchard - Informed the Board that the last Concert in the Park was this week and that the annual Fall River Cleanup is scheduled for September 23rd and the Fall Festival would once again be held on September 30th and include a car and motorcycle show.

\* Sel. Bourque - Soldiers Monument will be holding a Sept 911 event with a band and picnic

\* Mayor Arcelaschi - Reminded everyone that the Firemen's Carnival will be held this week.

Item 16

**Adjournment**

\* Motion - Sel. Sedlack / Second - Sel. Morhardt

To adjourn the meeting at 10:37pm

Vote to approve - Unanimous (7 - 0)

ATTEST:

Glenn Albanesius, Town Clerk

These Minutes are subject to formal approval at the next scheduled meeting. Any amendments, corrections or revisions will be noted in the next Meeting Minutes.



## TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

TO: Board of Selectmen  
FROM: Josh Kelly, Town Manager  
SUBJECT: Manager's Report  
MEETING DATE: September 5, 2023

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Below you will find a list of updates that highlight activities occurring around town since the Board last met and some reminders of activities that occurred in the prior month or that are coming soon. If you have any questions about these items or items that do not appear on this list, please email me at [townmanager@townofwinchester.org](mailto:townmanager@townofwinchester.org).

- **Town Manager Departure:** As has been reported in the paper, I have submitted my 60 day notice with my last day as Winchester's Town Manager being Friday, October 20, 2023. I am actively in the office and busily working to wrap up projects in the meantime. I will be succeeded by Bob Geiger, who will be an Interim Town Manager. A search is underway to find Winchester's next permanent Town Manager; please see the Town's website for more information. I certainly have more to say about this wonderful town between now and October 20<sup>th</sup>, but please know that deciding to put in my notice was a very hard decision for me, and I will greatly miss the people of this town as well as the place itself. It has been the honor of my life serving as Winchester's Town Manager.
- **Citizens' Academy:** The Town's Citizens' Academy begins on Wednesday, October 13<sup>th</sup>! There are still spaces available, and all interested must register on or before Tuesday, October 12<sup>th</sup>. The Citizens' Academy is a great, free way to learn more about the Town's operations and get to know Town staff and officials in a fun and interactive environment.
- **Cultural District:** There are several volunteers from around town that have come together in an effort to try and have a portion of downtown Winsted designated as a "Cultural District" under state definitions. This would provide Winsted with increased access to the State's resources to market the various cultural offerings we have in downtown Winsted. Stay tuned for more information in the coming meetings.
- **Economic Development:** The Town is in the midst of planning its next job fair, to be held in October. The Mountainside Drive development RFP has been reposted. Responses are due back to the Town by 9:00 AM on September 22, 2023. The Town is currently in the process of finalizing a Brownfields (Round 18) grant application, which will focus on improvements at the parking lot on the corner of Lake and



Meadow Streets. The Town will also be reapplying to the federal Reconnecting Communities grant for the purpose of receiving grant dollars to fund a study required to change parking and traffic flows on Main Street. Parking remains a top concern for business owners on certain stretches of Main Street, as individuals that live along Main Street and park there overnight are taking parking spots from individuals who would otherwise choose to park there and patronize the businesses in those areas. The Chief of Police and I have a proposal to share with you at tonight's meeting.

- **First-Time Home Buyers Seminar:** Town Staff has partnered with two local real estate agents and a mortgage broker to put together a First-Time Homebuyer Seminar, to be held on Wednesday, October 11<sup>th</sup> at 6pm. All are invited to attend, and the seminar will be recorded and posted on the Town's YouTube channel for future reference by anyone looking to buy a home for the first time.
- **Historic District:** The Board of Selectmen adopted an ordinance creating a Historic Commission at their last meeting. That group needs volunteers! Please submit an application to serve to my office if you are interested.
- **Human Resources:** The Town is seeking police officers, a Utilityman III, a Utilityman IV, and a Maintainer III. The Town is also seeking candidates for the position of Town Manager. Please see our website for details on the job itself and how to apply!
- **Nipper Bottle Deposit Town Earnings:** As you likely know, there is a new \$0.05 tax on each "nipper" bottle sold in the State of Connecticut, and earnings from that new fee are given to the towns based on where the bottles were sold. Money earned by the Town in this manner is generally supposed to be used to improve solid waste disposal systems and/or improve environmental quality in some manner. One of the ways we may be able to use this money is by using it to create new composting opportunities at RRDD1. The municipal CEOs covered by RRDD1 have spoken about this briefly and may bring forward proposals for funding in the near future.
- **Trainings:** Since the Board last met, all members of the Town staff and Board of Selectmen have been invited to participate in Excel training and training on the maintenance of our website. Both were very well attended and well received.
- **Unions:** Negotiations with the Police Union progressed on Friday, August 4<sup>th</sup>. The union has indicated that it is unable to meet in the entire month of September. October dates are now being considered.

**Here are a few upcoming events to mark on your calendars:**

- Monday, September 18, 2023 (7pm): Regular Board of Selectmen meeting.
- Monday, October 2, 2023 (7pm): Regular Board of Selectmen meeting.
- Monday, October 9, 2023: Town offices closed in observance of Indigenous Peoples' Day.



Respectfully submitted,

Joshua Steele Kelly  
Town Manager & CEO



## TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

TO: Board of Selectmen

FROM: Tom Heuschkel, Grants Manager/Budget Analyst  
Josh Kelly, Town Manager

SUBJECT: Grant Report

MEETING DATE: August 28, 2023

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Below you will find a list of the Town's recent grant activity categorized by status. If you have any questions about these items or items that do not appear on these several lists, please email me at [townmanager@townofwinchester.org](mailto:townmanager@townofwinchester.org).

### **Glossary of Funding Agency Abbreviations:**

BHCF: Building Healthier Communities Fund

CT DADS: Connecticut Department of Aging and Disability Services

CT DAS: Connecticut Department of Administrative Services

CT DECD: Connecticut Department of Economic Community Development

CT DOH: Connecticut Department of Housing

CT DOT: Connecticut Department of Transportation

CT DPH: Connecticut Department of Public Health

CT OPM: Connecticut Office of Policy & Management

DEEP: Department of Energy & Environmental Protection (CT)

DEMHS: Division of Emergency Management and Homeland Security (CT)

DESPP: Department of Emergency Services & Public Protection (CT)

Draper: The Draper Fund, a subset of the NWCCF. It's a private foundation, applications accepted on an invite-only basis.

EPA: U.S. Environmental Protection Agency

NWCBF: Northwest Community Bank Foundation

NWCCF: Northwest Connecticut Community Foundation

SHPO: State Historic Preservation Office (CT)

USDA: U.S. Department of Agriculture

US DOC: U.S. Department of Commerce

US DOI: U.S. Department of the Interior

US DOJ: U.S. Department of Justice

US DOT: U.S. Department of Transportation

### Grants Closed since January 1<sup>st</sup>, 2023 (No Further Eligible Spending)

|                             |                 |   |                |            | Eligible Expenditures |             |
|-----------------------------|-----------------|---|----------------|------------|-----------------------|-------------|
| Grant Name                  | Awarding Agency | Project Funded  | Amount Awarded | Award Date | Amount Spent          | Cutoff Date |
| Hinsdale Renovation         | CT DAS          | School Renovation   | \$11,055,660   | 10/2/20    | \$15,677,488          | 6/30/23     |
| Sucker Brook Bridge         | CT DOT          | Engineering & Construction  | \$770,160      | 7/12/13    | \$701,535             | 7/12/23     |
| Drinking Water Improvements | CT DPH          | Replace water mains on Case, Center, Greenwoods, Thibault, Holabird | \$946,685      | 5/1/22     | \$1,997,469           | 4/30/23     |

### Active Grants (Grant Awarded & Activity Permitted to Take Place)

|  |                 |   |                                       | Eligible Expenditures       |             |
|--|-----------------|---|---------------------------------------|-----------------------------|-------------|
| Grant Name                               | Awarding Agency | Project Funded                                  | Amount Awarded (excluding town match) | Award Notification Received | Cutoff Date |
| Building Healthier Communities 1         | BHCF            | Social Services                                 | \$140,250                             | 12/11/19                    | Ongoing     |
| Building Healthier Communities 2         | BHCF            | Economic Development                            | \$306,500                             | 12/12/19                    | Ongoing     |
| Building Healthier Communities 3         | BHCF            | Social Services – Full Time Director            | \$50,000                              | 4/27/23                     | Ongoing     |
| American Rescue Plan Act (ARPA)          | US DOC          | Economic support from COVID-19                  | \$3,138,260                           | 6/30/21                     | 12/31/24    |
| Citizens Emergency Response Team (CERT)  | DEMHS           | Trailer modification                            | \$1,000                               | 3/3/22                      | 9/30/23     |
| Communities Challenge Grant Round 1      | CT DECD         | Main Street Pedestrian Experience Grant         | \$1,748,354                           | 4/6/22                      | 4/6/27      |
| Emergency Rural Healthcare Grant         | USDA            | First Responder Vehicle and Equipment, AM Radio | \$52,200                              | 6/9/22                      | 6/9/24      |
| Volkswagen Settlement Fund (VW EVSE ZIP) | DEEP            | 75 Rowley Street EV Charger Installation        | \$11,700                              | 6/26/23                     | 11/30/24    |
| Aquatic Invasive Species Grant           | DEEP            | Highland Lake Invasive Species Management       | \$14,952                              | 3/3/23                      | Ongoing     |

### Grants Awarded (Notification Received, Work Not Begun)

| <b>Grant Name</b>                              | <b>Awarding Agency</b> | <b>Project Funded</b>                          | <b>Amount Requested</b> | <b>Amount Awarded</b> | <b>Town Match</b> | <b>Award Notification Received</b> |
|--|------------------------|--|-------------------------|-----------------------|-------------------|------------------------------------|
| Small Town Economic Assistance Program (STEAP) | CT OPM                 | Elm Street Repaving                            | \$500,000               | \$500,000             | \$1,063,000       | 9/19/22                            |
| ARPA Rural Road Enforcement                    | DESPP                  | Police overtime related to speed enforcement   | \$49,933                | \$50,000              | N/A               | 1/24/23                            |
| Congressionally-Directed Spending              | US Congress            | 800-Band Radios                                | \$850,000               | \$850,000             | N/A               | 12/23/22 (Earmark)                 |
| Congressionally-Directed Spending              | US Congress            | DPW Building                                   | \$2,530,000             | \$2,530,000           | \$2,070,000       | 12/23/22 (Earmark)                 |
| CT Trails Grant                                | DEEP                   | Trail development at Mad River Recreation Area | \$400,000               | \$60,000              | 20%, reportedly.  | 4/12/23                            |
| DECD Brownfields Round 17                      | CT DECD                | Assistance with 10 Bridge Street               | \$124,000               | \$128,500             | N/A               | 8/11/23                            |

### **Grants Denied since January 1, 2023 (*Denial Notification Received*)**

| <b>Grant Name</b>                    | <b>Awarding Agency</b> | <b>Proposed Project</b>                         | <b>Amount Requested</b> | <b>App Submitted</b> | <b>Denial Notification Received</b> |
|--------------------------------------|------------------------|---|-------------------------|----------------------|-------------------------------------|
| Reconnecting Communities Pilot       | US DOT                 | Main Street Corridor Study                      | \$320,000               | 10/12/2022           | 2/28/23                             |
| Draper Fund Letter of Intent         | NWCCF                  | Improvements to 44 Elm Street                   | \$248,400               | 2/10/23              | 3/31/23                             |
| Community Investment Fund 2030       | CT DECD                | 44 Elm Street Improvements                      | \$1,299,000             | 1/4/23               | 4/3/23                              |
| Rotary Club Rolling Grant Fund       | Rotary Club            | "Welcome to Winsted" Sign                       | \$5,000                 | 1/17/23              | 4/20/23                             |
| Brownfield Community-Wide Assessment | EPA                    | Winchester Community-Wide Brownfield Assessment | \$500,000               | 11/22/22             | 5/22/23                             |
| Draper Foundation Fund 2023          | NWCCF                  | Benches and tables for walking paths            | \$15,300                | 4/28/23              | 5/25/23                             |
| Northwest                            | NWCBF                  | Assistance with 10                              | \$40,000                | 4/1/2023             | 5/8/23                              |

|                                   |             |   |             |            |             |
|-----------------------------------|-------------|---|-------------|------------|-------------|
| Community Bank Foundation 2023    |             | Bridge Street   |             |            |             |
| Congressionally-Directed Spending | US Congress | Digitalization of Records                               | \$96,000    | April 2023 | August 2023 |
| Congressionally-Directed Spending | US Congress | Raw Water Pumps, Step Screen, Septage Receiving Station | \$1,960,000 | April 2023 | August 2023 |
| Congressionally-Directed Spending | US Congress | Rowley Street Sewer Line Extension                      | \$640,000   | April 2023 | August 2023 |
| Congressionally-Directed Spending | US Congress | 44 Elm St Improvements                                  | \$952,000   | April 2023 | August 2023 |
| Congressionally-Directed Spending | US Congress | Tatros Pond Park Improvements                           | \$1,860,000 | April 2023 | August 2023 |

### **Grants Pending Approval/Denial (*Applications Recently Submitted*)**

| <b>Grant Name</b>                          | <b>Awarding Agency</b> | <b>Project to be Funded</b>                        | <b>Amount Requested</b> | <b>Town/ Local Match</b> | <b>App Due Date</b> | <b>App Submitted</b> |
|--|------------------------|--|-------------------------|--------------------------|---------------------|----------------------|
| Emergency Management Planning Grant (EMPG) | DEMHS                  | Emergency planning maintenance                     | ~\$11,000               | All other EMD costs.     | TBD                 | Jan. 2023            |
| Assistance for Firefighters Grant          | FEMA                   | Purchasing of SCBA equipment                       | \$497,454               | \$26,181 (5%)            | 2/10/23             | 2/10/23              |
| Congressionally-Directed Spending          | US DOJ                 | 800-Band Radios – Authorization to Proceed         | \$850,000               | \$850,000                | 4/28/23             | 4/25/23              |
| Congressionally-Directed Spending          | US Congress            | Elm Street Firehouse Expansion                     | \$1,980,000             | \$1,620,000 (45%)        | 3/19/23             | 3/17/23              |
| Congressionally-Directed Spending          | US Congress            | Sue Grossman Greenway                              | \$2,000,000             | N/A                      | 3/19/23             | 3/17/23              |
| Survey & Planning Grants                   | SHPO                   | Creation of Bridge/Willow Street Historic District | \$20,000                | N/A                      | Rolling             | 3/30/23              |
| COPS Accreditation Program                 | US DOJ                 | Accreditation of Winchester Police Department      | \$21,515                | N/A                      | 5/15/23             | 5/3/23               |
| Community Connectivity Grant Program       | CT DOT                 | Repaving of Platt Hill State Park                  | \$210,000               | N/A                      | 7/21/23             | 7/21/23              |
| Safe Streets for All (SS4A)                | US DOT                 | Creation of a Transportation                       | \$250,000               | \$50,000 (20%)           | 7/10/23             | 7/7/23               |

|  |        |  |           |     |         |         |
|--|--------|--|-----------|-----|---------|---------|
|  |        | Action Plan                                |           |     |         |         |
| Small Town Economic Assistance Program (STEAP) | CT OPM | Emergency roof repairs at 10 Bridge Street | \$250,000 | N/A | 8/18/23 | 8/18/23 |
| Small Town Economic Assistance Program (STEAP) | CT OPM | Roof and HVAC repairs at 44 Elm Street     | \$250,000 | N/A | 8/18/23 | 8/18/23 |

### **Grants in Consideration (*Application Expected to be Submitted*)**

| <b>Grant Name</b>                                 | <b>Awarding Agency</b> | <b>Project to be Funded</b>  | <b>Amount to be Requested</b> | <b>Town Match</b>                  | <b>App Due Date</b>    |
|---|------------------------|--|-------------------------------|------------------------------------|------------------------|
| FY 23 Congressionally Directed Spending Follow-up | USDA                   | DPW Facility (while Congressional earmark was awarded, we still need to submit a formal application to have funds released). | \$2,530,000                   | 45% of total project cost          | As soon as it's ready. |
| DECD Brownfields Round 18                         | CT DECD                | Capping and paving of municipal parking lot at 3 Meadow Street   | TBD                           | N/A                                | 9/22/23                |
| Reconnecting Communities and Neighborhoods Pilot  | US DOT                 | Main Street Corridor Study and Redesign  | \$400,000                     | \$80,000 (20%)                     | 9/28/23                |
| Urban Green & Community Gardens                   | DEEP                   | Renovation of Wallens Hill Community Garden and benches at Tatro Pond  | \$20,000                      | \$10,000 (50% through fundraising) | 10/2/23                |
| State Unit on Aging ARPA Funding                  | CT DADS                | Senior center solar panels   | \$37,475                      | N/A                                | 6/28/24                |
| Historic Restoration Fund                         | CT DECD                | Carriages for Soldiers Monument cannons  | TBD                           | 50%                                | Oct. 2024              |
| Save America's Treasures                          | US DOI                 | Carriages for Soldiers Monument cannons  | TBD                           | 50%                                | TBD                    |

Respectfully submitted,

Tom Heuschkel  
Grants Manager/Budget Analyst

Joshua Steele Kelly  
Town Manager & CEO

# Boards & Commissions

## 1 CONSIDERATION

*(STEP 1 FOR NEW APPOINTMENTS - TO BE RECOGNIZED AT TONIGHT'S MEETING)*

| Date       | Name        | Board/Commission        | Party | Permanent/<br>Alternate | Term<br>Ends |
|------------|-------------|-------------------------|-------|-------------------------|--------------|
| 09/05/2023 | Ryan Horvay | Zoning Board of Appeals | R     | Alternate               | 12/2027      |

## NOMINATIONS

*(STEP 2 FOR NEW APPOINTMENTS - TO BE VOTED INTO NOMINATION AT TONIGHT'S MEETING)*

| Date | Name | Board/Commission | Party | Permanent/<br>Alternate | Term<br>Ends |
|------|------|------------------|-------|-------------------------|--------------|
|      |      |                  |       |                         |              |

## APPOINTMENTS

*(FINAL STEP FOR NEW APPOINTMENTS - TO BE VOTED ON FOR APPOINTMENT AT TONIGHT'S MEETING)*

| Date       | Name            | Board/Commission    | Party | Permanent/<br>Alternate | Term<br>Ends |
|------------|-----------------|---------------------|-------|-------------------------|--------------|
| 09/05/2023 | John Noone      | Soldiers Monument   | U     | Member                  | 6/2027       |
| 09/05/2023 | Lynn Kessler    | Historic Commission | R     | Member                  |              |
| 09/05/2023 | Deborah Kessler | Historic Commission | IT    | Member                  |              |

## RE-APPOINTMENT

*(TO BE VOTED ON FOR RE-APPOINTMENT AT TONIGHT'S MEETING)*

| Date | Name | Board/Commission | Party | Permanent/<br>Alternate | Term<br>Ends |
|------|------|------------------|-------|-------------------------|--------------|
|      |      |                  |       |                         |              |

## RESIGNATION

*(TO BE MENTIONED AT TONIGHT'S MEETING)*

| Date | Name | Board/Commission | Party | Permanent/<br>Alternate | Term<br>Ends |
|------|------|------------------|-------|-------------------------|--------------|
|      |      |                  |       |                         |              |

## APPOINTMENTS BY OTHER APPOINTING AUTHORITIES

*(TO BE MENTIONED AT TONIGHT'S MEETING)*



## Boards & Commissions

| Date | Name | Board/Commission | Party | Permanent/<br>Alternate | Term<br>Ends | Appointing<br>Authority |
|------|------|------------------|-------|-------------------------|--------------|-------------------------|
|      |      |                  |       |                         |              |                         |

### CURRENT VACANCIES

*(TO BE MENTIONED AT TONIGHT'S MEETING)*

| Board/Commission                                     | Position           | Openings         | Meets On                                | Appointing Authority           |
|--|--------------------|------------------|---|--------------------------------|
| <u>Architectural Review Committee</u>                | Member & Alternate | 1 & 2 Alternates | As needed                               | Planning and Zoning Commission |
| <u>Board of Assessment Appeals</u>                   | Alternate Member   | 1                | TBD March/September                     | Board of Selectmen             |
| <u>Conservation Commission</u>                       | Member             | 1                | 2 <sup>nd</sup> Thursday of each month  | Board of Selectmen             |
| <u>Economic Development Commission</u>               | Member & Alternate | 3 Alternates     | 1 <sup>st</sup> & 3 <sup>rd</sup>       | Board of Selectmen             |
| <u>Laurel City Commission</u>                        | Regular            | 4                | TBD January-June                        | Board of Selectmen             |
| <u>Inland Wetlands &amp; Watercourses Commission</u> | Member             | 2                | 3 <sup>rd</sup> Wednesday of each month | Board of Selectmen             |
| <u>Recreation Board</u>                              | Member             | 1                | 1 <sup>st</sup> Wednesday of each month | Board of Selectmen             |
| <u>Zoning Board of Appeals</u>                       | Member & Alternate | 2 Alternates     | 4 <sup>th</sup> Tuesday of each month   | Board of Selectmen             |

## APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION WINCHESTER, CONNECTICUT

338 Main St. Winsted CT 06098 860 379-2713

[www.townofwinchester.org](http://www.townofwinchester.org)

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for Board/Commission vacancies.

**LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:** Zoning Board of Appeals

**NAME:** Ryan Horvay

**ADDRESS:** 545 East Wakefield Blvd. Winsted, CT 06098

**HOME PHONE #:** \_\_\_\_\_ **CELL PHONE #:** 860-480-0357 **E-MAIL:** ryanhorvay@gmail.com

**ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER?** Yes

**PRIOR CIVIC INVOLVEMENT:** None

**SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST:** 20+ years real estate experience with knowledge in multiple facets of the industry.

**Have you contacted any current members or attended any meetings on the Board/Commission that interests you?** Yes **Name:** Paul Marino

**Signature:** 

**Date:** 08/30/2023

**Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy**

**Please Return To:**

**Town Manager**

**338 Main St.**

**Winsted CT 06098**

**[townmanager@townofwinchester.org](mailto:townmanager@townofwinchester.org)**

**APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION**  
**WINCHESTER, CONNECTICUT**

338 Main St. Winsted CT 06098 860 379-2713

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you

This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for

**LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:**

Commission of The Soldiers Monument  $\frac{1}{2}$  Memorial Park

NAME: John Naone

ADDRESS: 21 Fairview Ave, Winsted, CT 06098

HOME PHONE #: NA CELL PHONE #: 203-733-1736 E-MAIL: ja.naone@yahoo.com

ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER? Yes

PRIOR CIVIC INVOLVEMENT: none

SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST: Served in both the CT Army National Guard and NY Air National Guard for 42 years. Retired a Master Sergeant in 2021  
I feel I can be a positive force for the Soldiers Monument Commission

Have you contacted any current members or attended any meetings on the Board/Commission that interests you? yes Name: Steve Dew, Debbie & Lynn Kessler

Signature:  Date: July 16, 2023

Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy.

Please Return To:  
Town Manager  
338 Main St.  
Winsted CT 06098  
townmanager@townofwinchester.org

John Noone  
21 Fairview Ave.  
Winsted, CT 06098

Mr. Steve Dew  
Soldiers Monument and Memorial Park  
84 Crown St.  
Winsted, CT. 06098

Dear Steve,

I would like to be considered for an open position on the commission that you head up in Winchester, namely The Soldiers Monument Commission. I like the many functions your Commission supports and the enthusiasm that your events generate for the Town of Winchester.

Given that the main focus of your commission is to maintain and bring awareness to the monument dedicated to Soldiers from Winchester that fought and sometimes died in all the wars since the Civil War, I feel I can be a positive addition to your dedicated team of Commissioners. My military service spans 42 years to our CT Army National Guard, and the NY Air National Guard. During my military service to these two organizations I've acquired a good amount of knowledge of military related operations and procedures, as well as Soldiering. I feel I may be able to be an asset to your commission, and help to further its goals and aspirations.

Please consider me for the position that currently exists within your commission. Thank you for your time.

Sincerely,

 6-16-2023  
John Noone  
MSG CTARNG (retired)

# APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION

## WINCHESTER, CONNECTICUT

338 Main St. Winsted CT 06098 860 379-2713

[www.townofwinchester.org](http://www.townofwinchester.org)

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for most Board/Commission vacancies.

### LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:

Historic Commission

NAME: Lynn Kessler

ADDRESS: 272 Gilbert Avenue, Winsted, CT 06098

HOME PHONE #: 2013884673 CELL PHONE #: Same E-MAIL: lynnkessler@att.net

ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER? Yes

PRIOR CIVIC INVOLVEMENT: Winsted Soldiers' Monument Commission/Ethics Commission

### SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST:

Lifelong historian and cultural enthusiast

Have you contacted any current members or attended any meetings on the Board/Commission that interests you? Commission is new Name: \_\_\_\_\_

Signature:  Date: 8/28/23

Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy

Please Return To:

Town Manager

338 Main St.

Winsted CT 06098

[townmanager@townofwinchester.org](mailto:townmanager@townofwinchester.org)

**APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION**  
**WINCHESTER, CONNECTICUT**

338 Main St. Winsted CT 06098 860 379-2713

[www.townofwinchester.org](http://www.townofwinchester.org)

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for most Board/Commission vacancies.

**LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:**

Historic Commission

**NAME:** Deborah Kessler

**ADDRESS:** 272 Gilbert Avenue, Winsted, CT 06098

**HOME PHONE #:** 2013885912 **CELL PHONE #:** Same **E-MAIL:** debkessler1944@gmail.com

**ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER?** Yes

**PRIOR CIVIC INVOLVEMENT:** Winsted Soldiers' Monument Commission

**SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST:**

Lifelong historian and cultural enthusiast; understanding of historic preservation topics and concerns

**Have you contacted any current members or attended any meetings on the Board/Commission that interests you?** Commission is new **Name:** \_\_\_\_\_

**Signature:** Deborah M. Kessler **Date:** 8/28/23

**Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy**

**Please Return To:**

**Town Manager**

**338 Main St.**

**Winsted CT 06098**

**[townmanager@townofwinchester.org](mailto:townmanager@townofwinchester.org)**

## BOARD OF SELECTMEN ACTION REQUEST

**No.:** 23-57

**Date:** September 05, 2023

**Topic:** New Business (A)- Refunds as Recommended by the Collector of Revenue (with attachments)

**From:** Josh Kelly, Town Manager

---

**Background:** The Town Collector of Revenue has recommended that the refunds described in the attached correspondence be authorized in accordance with Connecticut General Statutes Section 12-129.

**Requested Action:** The Board of Selectmen should authorize the Town Manager to approve the described refunds.

**Fiscal Implications:** The described refunds total \$941.79

**Manager's Recommendation:** I recommend that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue.

**Recommended Motion:** *I move that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue in the amount of \$941.79.*

**Attachment:**

Grand List 2021 Refunds

Grand List 2022 Refunds





The attached list represents taxes that have been corrected by authority of the provision of Section 12-129 of the General Statutes, and by the Assessor or Public Works Director of the Town of Winchester. The taxes/water and/or sewer amounts shown below have been paid and requests received for refunds of the same.

| LIST #/GL YR                    | TAX TYPE | TAXPAYER   | AMOUNT OF REFUND/REASON       |
|---------------------------------|----------|--|-------------------------------|
| 55589                           | 2022 MV  | LITCHFIELD COUNTY 241 TORRINGFORD ST<br>WINSTED, CT 06098  | \$95.69<br>C OF C             |
| 55989                           | 2021 MV  | JOSEPH 7 ROYER RD<br>WINSTED, CT 06098                     | \$317.69<br>C OF C            |
| 56108                           | 2021 MV  | RACHEL 77 PRATT ST<br>WINSTED, CT 06098                    | \$196.03<br>OVERPAYMENT       |
| 56390                           | 2022 MV  | RICK 315 E. WAKEFIELD BLVD<br>WINSTED, CT 06098            | \$62.28<br>C OFC              |
| 81059                           | 2021 MV  | JACQUELINE 446 EAST WAKEFIELD BLVD<br>WINSTED, CT 06098    | \$90.92<br>C OF C             |
| 56849                           | 2022 MV  | NATURES OWN TREE PO BOX 191<br>WINCHESTER CENTER, CT 06094 | \$34.31<br>C OF C             |
| 57189                           | 2021 MV  | ABIGAIL 416 PLATT HILL RD<br>WINSTED, CT 06098             | \$131.17<br>C OF C            |
| 57483                           | 2022 MV  | JANET 8 WOODLAND AVE<br>WINSTED, CT 06098                  | \$13.70<br>C OF C             |
| <b>MV TOTAL REFUNDS BY TYPE</b> |          |  | <b>\$941.79</b>               |
| <b>NUMBER OF REFUNDS</b>        |          | <b>8</b>   | <b>TOTAL REFUNDS \$941.79</b> |

It is recommended that refunds in the amount as stated above be made to the taxpayers listed, in accordance with the provisions of said General Statutes, Section 12-129.

8/30/2023

Date of Report

Ashley Kelsey  
Ashley Kelsey, Collector of Revenue

APPROVED FOR PAYMENT:

DATED: \_\_\_\_\_

\_\_\_\_\_  
Town Manager

I have received from Town Accountant the above checks to cover the refunds as stated above.

Date: \_\_\_\_\_

\_\_\_\_\_  
Collector of Revenue

# WINCHESTER POLICE DEPARTMENT

*Chief of Police • Christopher C. Ciuci*

Date: August 28, 2023  
To: Josh Kelly, Town Manager  
From: Chief Christopher C. Ciuci  
Subject: Agenda Item 9/5 BOS Meeting – Bid waiver for ACO vehicle purchase

## **Summary of Agenda Item:**

The Police Department requests permission to contract with Lombard Ford of Winsted, Connecticut for the purchase of a used Ford Transit Connect XL van to be used as our animal control vehicle. The quoted price is \$22,988.00 + \$639.00 fees, minus \$1000.00 for a trade-in. The trade-in vehicle is currently used by our Animal Control officer and is a 2014 Ford Interceptor SUV, Vin # 1FM5K8AR6EGA76229 with over 132,000 miles. Funds for this purpose were allocated in the approved FY24 budget and are available in the Police Department's Animal Control Vehicle Account # 179-000-0210-100-2402-000.

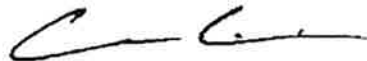
## **Action Needed:**

Move to waive the Town's bidding procedures and approve issuing a purchase order in the amount of \$22,627.00 for the purchase of a 2020 Ford Transit Connect XL van, as this is in the best interest of the Town.

## **Attachments: (1)**

Quote

Prepared By:



Christopher C. Ciuci  
Chief of Police

Recommended motion: "I move that the Board of Selectmen authorize a bid waiver to allow for the Police Department to purchase a used vehicle to serve as the Animal Control vehicle, up to a total cost not to exceed the allotted \$25,000 as approved in our Capital Improvement Plan."



Route 44 \* P.O. Box 709 \* Winsted, CT 06098  
Tel: (860) 379-3301 \* Fax: (860) 379-2473  
www.lombardford.com

Stock #: 23UT115T

VIN NM0LS7E2XL1459736

Deal#: 0024183

August 28, 2023

## 2020 FORD TRANSIT CONNECT TOWN OF WINCHESTER POLICE DEPT.

Phone: 8603792721

Salesperson: GEORGE RODRIGUEZ

Email: acampbell@townofwinchester.org

### Sale Information

|                  |             |
|------------------|-------------|
| Selling Price    | \$22,988.00 |
| Accessories      | \$0.00      |
| Rebates          | \$0.00      |
| Service Contract | \$0.00      |
| Gap              | \$0.00      |
| Net Trade        | \$1,000.00  |
| Fees             | \$639.00    |

### Trade Information

|                 |            |
|-----------------|------------|
| Trade Allowance | \$1,000.00 |
| Trade Payoff    | \$0.00     |
| Net Trade       | \$1,000.00 |

### Cash Option

Sales Tax

\$0.00

Balance Due Of

\$22,627.00

### Finance Option

Initial Investment

### Lease Option

Initial Investment

Please submit this worksheet to management for review. I understand 1) This worksheet is neither an offer nor a contract and is not binding on the customer or the dealership. 2) No offer to purchase any vehicle is binding until accepted in writing by an authorized sales manager and 3) Sales consultants cannot obligate or bind the customer or the dealership.

I hereby authorize the dealership to conduct an investigation of my credit and employment history and release such information to banks, lenders and credit agencies.

Customer signature: \_\_\_\_\_

Dealership Approval: \_\_\_\_\_

## BOARD OF SELECTMEN ACTION REQUEST

No.: 23-58

Date: September 5, 2023

**Topic:** New Business (C ) – Consider and possibly act on the replacement of Parking Signs on Main Street.

**From:** Joshua Kelly, Town Manager

---

**Background:** Currently, most of Main Street is covered by 1 hour or 2-hour parking signs. These parking regulations are sparsely able to be enforced due to the limited staffing of our police department and are not effective at promoting a healthy environment for our Main Street businesses. Many individuals living in the area of Main Street park on Main Street after work and keep their cars parked on Main Street overnight, taking parking spaces that could have otherwise been used by business patrons; on the other hand, the harsh, strict enforcement of 1 and 2 hour parking limits would not effectively allow individuals to adequately patronize our businesses.

In an effort to resolve some of these issues, the Chief of Police and I are proposing that all 1 hour and 2-hour parking signs on Main Street be removed and replaced with signs that state "No Parking between 2am and 5am." This change would do the following:

- Members of the police department would be more easily able to enforce the parking regulations.
- Individuals that live near Main Street would be required to park in the correct location overnight, off the street, and would be unlikely to take business patron parking along the street when they come home from work.
- The street would be clear for three hours a day year-round, allowing for more effective snow clearing and street cleaning and maintenance in general.
- Main Street visitors would not be limited to only visiting businesses for 1 or 2 hours.

Please note that CT DOT has NOT completed their review of this proposal. Their review of the proposal will take 30-60 days, and they recommended that we seek your authorization to proceed concurrently rather than consecutively so as to best expedite the process. In the event that the Board of Selectmen approves of the change, and they do not, the change will not occur. In the event that the Board of Selectmen votes against supporting this transition, we will withdraw the request to CT DOT. Both agencies must indicate their support for the transition in order for it to occur.

**Requested Action:** I ask that the Board of Selectmen please indicate their support for the new parking regulations on Main Street, as described above.

**Fiscal Implications:** None. If approved, all new signs will be printed and installed by CT DOT, at their cost.

**Recommended Motion:** *"I move that the Board of Selectmen authorize the Town Manager and Chief of Police to proceed with the replacement of all 1- and 2-Hour Parking signs on Main Street with "No Parking from 2am to 5am" signs upon the approval of CT DOT."*

**Attachments:** None.

## BOARD OF SELECTMEN ACTION REQUEST

**No.: 23-59**

**Date:** September 5, 2023

**Topic:** New Business (D) – Consider and possibly act on a resolution accepting 10 Bridge Street Brownfields Round 17 Grant Funds.

**From:** Joshua Kelly, Town Manager

---

**Background:** The Town of Winchester, in partnership with private partners, has been awarded a \$128,500 grant by the CT Department of Economic & Community Development. In order to proceed, DECD requires the Board of Selectmen to pass a resolution authorizing the acceptance of the funds. The funds will be used to complete environmental and other planning reviews on the site to get the site ready for redevelopment. There is no Town financial match required for these funds. The work will be completed by the private redevelopment agency and their subcontractors in accordance with State bidding requirements.

**Requested Action:** I ask that the Board of Selectmen please authorize the attached resolution.

**Fiscal Implications:** The Town will receive a grant totaling \$128,500 if the Board of Selectmen authorizes the attached resolution. Approval will not cost the Town a cent.

**Recommended Motion:** *"I move that the Board of Selectmen approve the attached resolution as presented."*

**Attachments:** Resolution authorizing acceptance of DECD Brownfields Round 17 Grant Funds.



## **TOWN OF WINCHESTER – CITY OF WINSTED**

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

### **RESOLUTION**

#### **Supporting the Acceptance of DECD Brownfields Round 17 Grant Funding**

WHEREAS, the State of Connecticut has offered the Town of Winchester a grant totaling \$128,500 for the purposes of completing environmental planning and reviews at the site of 10 Bridge Street, Building #1, alongside a private partner; and

WHEREAS, the Winchester Board of Selectmen aims to support sustainable redevelopment on the site of 10 Bridge Street that will grow the Town's economy and bring new vitality to the site; and

WHEREAS, the Town of Winchester understands that it is not obligated to contribute any matching funds to this project; therefore be it

RESOLVED, by the Board of Selectmen of the Town of Winchester, that the Town Manager is hereby empowered to accept these funds on behalf of the Town and put them to use in the effort to revitalize the site at 10 Bridge Street, Building #1.

SS: \_\_\_\_\_

Date: \_\_\_\_\_

## BOARD OF SELECTMEN ACTION REQUEST

**No.:** 23-60

**Date:** September 5, 2023

**Topic:** New Business (E) – Consider and possibly act on the proposed removal of Ordinance #222 (1<sup>st</sup> Meeting of 3).

**From:** Joshua Kelly, Town Manager

---

**Background:** The Town of Winchester currently has a driveway ordinance that is lacking in several ways. In addition to being deficient in certain ways, the ordinance also relies on the Board of Selectmen's oversight for variances to the ordinance. Town Staff hereby proposes that Ordinance #222 be removed in favor of the Planning & Zoning Commission adding a new, refined regulation to their books that will require that agency to provide oversight to the approval and variance process.

**Requested Action:** I ask that the Board of Selectmen please consider formally recognizing this as "Meeting #1" of 3 that are needed to remove the ordinance and that the Board of Selectmen make their next subsequent meeting #2 of 3 in the ordinance revision process.

**Fiscal Implications:** None.

**Recommended Motion:** *"I move that the Board of Selectmen recognize this as the first of three public meetings where a revision to ordinance #222 must be discussed and that the revision of this ordinance be referred to the next meeting for the second step in the revision process."*

**Attachments:** Draft Ordinance revision – redlined.  
New draft Zoning regulation.



*The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.*

## **Chapter 222**

### **Driveways**

**[HISTORY: Adopted by the Board of Selectmen of the Town of Winchester effective 2-26-1986; amended effective 8-4-1988 and 11-24-1988 (§ 142 of the prior compilation). Subsequent amendments noted where applicable.]**

#### **~~§ 222-1 Permit required.~~**

~~No driveway shall be constructed connecting to a Town road prior to the issuance of a driveway permit by the Director of Public Works or his designated representative (Superintendent of Streets). No building permit will be issued until such time as applicant secures a driveway permit.~~

#### **~~§ 222-2 Angle at edge of highway pavement.~~**

~~Every driveway shall meet the edge of the highway pavement at an angle of no less than 75° and shall adhere to this angle to a distance of 40 feet, measured from the center line of the highway.~~

#### **~~§ 222-3 Grades.~~**

~~A. Every driveway shall have an area extending from the edge of the highway pavement to a distance of 40 feet, measured from the center line of the highway, that is not more than 4% grade.~~

~~B. No driveway shall contain any portion having a grade greater than 14% along its length.~~

~~C. No driveway shall contain any portion having a grade of more than 5% across its width.~~

#### **~~§ 222-4 Drainage and culverts.~~**

~~A. No driveway shall be constructed or maintained so as to discharge water into any roadway, or gutterline of any roadway, except water which previously had drained thereon as a natural condition. Driveways entering Town roads may require a culvert, or more extensive drainage structures, depending on runoff conditions. The size, type and dimensions of culverts and drainage structures will be subject to review by the Public Works Director or his designated representative prior to the issuance of a driveway permit. All culverts required by the Public Works Director shall be a minimum of 18 feet in length or two feet wider than the driveway on each side.~~

~~B. No driveway shall be constructed or maintained so as to allow roadway water to enter the main portion of the driveway.~~

#### **~~§ 222-5 Width; apron.~~**

~~A. All driveways shall have a minimum width of at least 10 feet and shall be at least 14 feet across where joining any highway. A bituminous concrete apron at least 2 1/2 inches thick will be constructed from the edge of the adjoining Town road for a length of at least 12 feet.~~

~~B. No public or commercial driveway of over 30 feet in width shall be permitted without special approval of the Planning and Zoning Commission.~~

#### **~~§ 222-6 Sight lines.~~**

~~Adequate sight lines, as determined by the Public Works Director, shall be established and maintained.~~



**~~§ 222-7 Location near intersections and crosswalks.~~**

~~No driveway shall be located within 20 feet of an intersection or within 20 feet of a regularly constituted crosswalk.~~

**~~§ 222-8 Driveways entering state highways.~~**

~~All driveways entering state highways must conform to the current specifications as set forth by the Department of Transportation, and must be approved by the State Department of Transportation.~~

**~~§ 222-9 Sedimentation control.~~**

~~Every reasonable precaution shall be exercised by the owner throughout the construction of the driveway to prevent, control and abate siltation, sedimentation and pollution of all waters, underground water systems and inland wetlands. Unless a specific type of sedimentation control system is ordered by the Director of Public Works, the type of system will be at the contractor's option. Hay bale systems will be allowed to remain in the toe of slope areas unless ordered removed by the Director of Public Works. The permittee will immediately remove any siltation accumulating in a Town road.~~

**~~§ 222-10 Stabilization of slopes and soils.~~**

~~All earth slopes and areas of disturbed soil produced in the process of driveway construction shall be stabilized to the satisfaction of the Director of Public Works.~~

**~~§ 222-11 Permit fee.~~**

~~Applicants for driveway permits shall pay a permit fee to the Town of Winchester in an amount set from time to time by the Board of Selectmen.~~

**~~§ 222-12 Applicability.~~**

~~This chapter shall apply only to new construction of driveways and to substantial reconstruction of existing driveways. "Substantial reconstruction," for the purposes of this section, shall mean any reconstruction of 50% or more of the length of a driveway.~~

**~~§ 222-13 Variances.~~**

~~The effect of this chapter may be determined and varied as follows:~~

- ~~A. The Board of Selectmen shall serve as the board which may grant variances or determine the effect of this chapter.~~
- ~~B. It shall be the duty of the Board of Selectmen to determine and vary the application of the driveway ordinance in harmony with its general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such driveway ordinance would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.~~
- ~~C. A simple majority vote is required to grant a variance or make a determination. No public hearings are required, although variances and determinations must be made at a public meeting. No notice or publication will be necessary beyond those required for regular commissions by the Freedom of Information Commission respecting posting of meetings and filing of minutes.~~
- ~~D. An application to vary this chapter or to determine the effect of this chapter shall be made in writing at least two weeks prior to a meeting of the Board of Selectmen; this requirement may be waived by the Board of Selectmen for good cause. The application must set forth the reasons for which a variance or a determination is sought, including any hardship resulting from a literal enforcement of this chapter. The application shall provide the location of the property, the name of the owner, the name of the applicant~~

~~and any other information which may be helpful to the Board of Selectmen. The application fee shall accompany the application.~~

~~E. The application fee shall be set from time to time by the Board of Selectmen.~~

~~§ 222-14 Penalties for offenses.~~

~~Any person who violates any of the terms of this chapter shall be subject to a fine of not more than \$100, and each day that a violation thereof continues shall constitute a separate offense.~~

## **TOWN OF WINCHESTER**

### **DRIVEWAY REGULATIONS**     **Draft 8/29/2023**

#### **SECTION 1 – DEFINITIONS**

**1.1 "Town"** shall mean Town of Winchester

**1.2 "Driveway"** shall mean access and associated parking for vehicles from any road leading to, and upon, property adjacent thereto. This definition shall include the driveway apron, which is the portion of the driveway from the traveled roadway to the street line.

- A "Common Driveway" is any driveway that serves two or more parcels.

**1.3 "Person"** shall include any person, firm, corporation, association or partnership, limited liability company, trust, or other legal entity.

**1.4 "Road"** shall mean public and private roads, streets, alleys, travel ways, common driveways, or highways. This definition includes all town and state roads, all public and private roads whether existing or proposed, and roads both improved and unimproved, documented, and undocumented.

- A Road is considered "improved" if it has a durable paved surface finished with hot-mix bituminous or cement binders or another equivalent substance as determined by the Director of Public Works.
- A "Private Road" is a road that has not been formally accepted by the Town.
- A "Town Road" is a road that has been formally accepted by the Town, has not been formally abandoned/discontinued by the town, and appears on the list of town-maintained roads as updated from time to time. New roads can be accepted onto this list only by the Board of Selectmen.
- An "Undocumented Road" is a road which may appear on the list of town-maintained roads but may NOT have documentation of ever being formally accepted by the Town.

**1.5 "Property owner"** shall mean a person or persons having legal title or easement to the property. **All persons having legal title or easement to the property used for the driveway shall sign the Driveway Application.**

**1.6 "Construction entrance"** shall mean an accessway constructed of raw materials according to the General Conditions of these regulations for the purpose of ingress and egress to the property for the duration of construction.

**1.7 "Temporary access"** shall mean any entrance from a roadway to a property for the purpose of logging, construction of any type, brush clearing, well drilling, and/or septic replacements, etc. which will be removed within six (6) months.

**1.8 "Driveway apron"** shall mean that portion of a driveway from the road edge to the street line or to a distance of six (6) feet whichever is greater. The Director of Public Works may require a longer apron if site conditions require.

**1.9 "Plot plan"** shall mean a drawing of the lot, drawn to scale, and showing property lines, open spaces, structure and building areas and the location of the lot with reference to all abutting properties and



streets; At their discretion, the Planning & Zoning Commission may require any such plot plan to be prepared by a Connecticut licensed surveyor, certified to the A-2 Standard of Accuracy.

**1.10 “New driveways” shall mean a completely new construction which did not exist with adequate/significant base aggregate and/or properly paved surface.**

**1.11 “Reconstruction” shall mean activities which go above and beyond routine maintenance. Including but not limited to; paving or re-paving, remove & replace, or changing the footprint of an existing driveway, as well as removal and replacement of aggregate base material.**

**1.12 “Routine maintenance” shall mean sweeping, shoveling, snow blowing, snow plowing, etc, Crack Sealing, Chip Sealing, and Seal Coating, etc, pothole patching, shimming tire ruts, as well as shoulder maintenance, the application of new processed aggregate on existing gravel driveways, maintenance of water bars, or removing rocks heaved to the surface, etc.**

**1.13 “Site Plan” shall mean a drawing of the lot, drawn to scale, and showing property lines, open spaces, structure and building areas and the location of the lot with reference to all abutting properties and streets, existing and proposed contours, drainage, erosion controls..... At their discretion, P&Z and/or the Director of Public Works may require any such site plan to be prepared by a Connecticut licensed professional engineer.**

**1.14 “Street Line” shall mean the property line where a parcel meets the road right-of-way line.**

## **SECTION 2 – PERMITS, BONDS & INSURANCE**

**2.1 No person shall construct, reconstruct, relocate, alter the footprint of, pave, or re-pave, or modify the slope of any driveway in the Town without a Driveway Permit issued by the Planning & Zoning Commission, or other permits/authorizations from other agencies/commissions. “Routine Maintenance” of existing driveways shall not require a driveway permit. (See 1.12)**

**2.2 Application for such permit shall be made by the property owner (see 1.6) on forms furnished by the Planning & Zoning Commission and shall be accompanied by a plan showing the existing and proposed locations, dimensions, and approximate grades of the driveway, any easements that may have bearing upon the size and placement of the driveway, and any requisite work that will occur in the surrounding area. A Certificate of Insurance (define coverage minimums) shall be submitted to the Town of Winchester by the Contractor; or an affidavit akin to that of the building dept shall be signed if property owner doing own work. Affidavit needs to be created.**

**2.3 The Town shall not be liable for errors and omissions, and the results thereof, contained in any application. Omission of pertinent information shall be grounds for revocation of a permit or the denial of a permit application.**

**2.4 Permits shall be valid for a period of one (1) year from the date of issuance. If driveway construction is not completed within one year of the date of issuance, the permit shall thereupon terminate, and the property owner must reapply for a new permit. Permits are not transferable to a new owner. One six (6) month, no cost extension may be requested.**

**2.5 A minimum \$1,000 refundable cash bond shall be posted to secure completion of any paving, grading, or drainage improvements, or site restoration required by the permit. The bond amount may**

be increased by any amount determined by the Planning & Zoning Commission or the Zoning Enforcement Official to cover the cost of the improvements in the permit. The applicant may apply in writing for a refund of the cash bond at the completion of the construction and after inspection by the Public Works Director and the Zoning Enforcement Official. If construction does not conform to the provisions of these regulations the Town reserves the right to complete the necessary improvements and the bond will be forfeited and **ALL** associated costs shall be paid by the property owner.

**2.6 No permit will be issued without a current "Call Before You Dig" number.**

### **SECTION 3 - GENERAL CONDITIONS OF CONSTRUCTION**

**3.1** The sightline along the edge of the road shall be taken at a point 10 feet back from the edge of the existing or proposed travel way at a height of 3.5-feet, sighting a 3.5-foot-high object. The unobstructed distance in either direction shall be determined based on the attached chart. (Detail 3.1)

**3.2** The Provisions of sections 3.1 shall not apply to driveways entering a permanent dead-end turnaround ("cul-de-sac").

**3.3** Driveways shall enter roads at right angles when possible and in no case shall the angle be less than 75 degrees. This shall apply for twenty-five (25) feet from the edge of the travel way.

**3.4** The driveway apron shall be a minimum of ten (10) feet wide at the street line. It shall be a minimum of sixteen (16) feet and a maximum of twenty-four (24) feet wide at the roadway edge. No new driveway shall exceed five percent (5%) grade along its length, within twenty-five (25) feet off the edge of road. The DPW Director may grant up to eight percent (8%) with sufficient justification, more than 8% may only be granted by the Planning & Zoning Commission. When determined by the Public Works Director, driveways entering curbed roadways shall have curbing extending to the street line.

**3.5** No new driveway shall contain any portion narrower than ten (10) feet in width. No new driveway shall have a grade greater than fifteen percent (15%) along its length. A driveway grade between twelve percent (12%) and fifteen percent (15%) may not exceed a cumulative total of twenty percent (20%) of the driveway's surface area or length unless such section of the driveway is paved with an appropriate material as determined by the DPW Director & Zoning Enforcement Official.

**3.6** Not including the driveway apron or switchbacks, no driveway shall contain any portion having a grade of more than five percent (5%) across its width.

**3.7** No driveway shall be constructed or maintained as to allow roadway water to enter the driveway apron. When determined by the Public Works Director, a paved lip, berm, or swale shall be constructed and maintained by the owner of the premises to prevent road drainage from entering the driveway.

**3.8** Water from a driveway must be diverted or intercepted before reaching the roadway travel path. Ditches, catch basins, culverts, or other devices with appropriate design, location, and capacity shall be installed and maintained by the owner of the premises.

**3.9** The Public Works Director or the Zoning Enforcement Official may, at their discretion, require an Engineered Site Plan prepared by a Connecticut Licensed professional engineer for the driveway and its associated improvements.

**3.10** Water from existing gutters, ditches or swales may not be obstructed by driveway construction, modification, maintenance etc... Driveway culverts, ditches or swales must be sized and maintained appropriately for the expected flows.

**3.11** All earth slopes and areas of disturbed soil produced during the process of driveway construction shall be controlled on site during construction, and stabilized to the satisfaction of the Director of Public Works and the Zoning Enforcement Official, or an engineer licensed in CT. Erosion and sediment controls shall be consistent with the 2002 E&S Control Manual.

**3.12** The responsibility to prevent the migration of any detrimental materials (dirt, mud, sand, gravel, sediment, ice...) from any driveway onto a public right of way, belong to the property owner. If the owner fails to promptly mitigate and prevent these conditions, the Town reserves the right to complete the necessary maintenance and **ALL** associated costs shall be paid by the property owner.

**3.13** Pull-offs/Passing locations must be provided such that no portion of the driveway exceeds five-hundred (500) feet in length or sight line distance from a location where two (2) vehicles can pass. Size needs to be codified.

**3.14** Upon completion, all driveways require a final inspection by the Director of Public Works and the Zoning Enforcement Officer.

#### **SECTION 4 - PAVING PROCEDURES**

**4.1** For a minimum distance (The Director of Public Works may require more) of six (6) feet from the edge of any paved road, a paved driveway apron shall be constructed and maintained of the appropriate, type and gradation, aggregate and pavement, as determined by the design engineer or DPW Director. Where the driveway meets the road, it shall be tack coated to ensure proper pavement adhesion. (detail 4.1 needs to be created).

**4.2** Driveway surfaces exceeding fifteen percent (15%) must be paved with a durable material comprised of bituminous or Cementous binders. Millings or millings with chip seal is not considered paving. Must be 15% to avoid conflict w/ sec. 3.5

#### **SECTION 5 - STATE HIGHWAYS**

**5.1** In addition to complying with all conditions of these regulations, Driveways intersecting State Highways must comply with all requirements of the State of Connecticut, Department of Transportation and acquire all required permits from appropriate departments. In situations where conflict exists between these regulations and those of the State, the stricter regulations will take precedent.

#### **SECTION 6 – CONSTRUCTION AND TEMPORARY ACCESS REQUIREMENTS**

**6.1** Construction or temporary access driveways shall be allowed for a specific purpose only, including but not limited to well drilling, logging or septic replacements, and must include antitracking pads at a minimum. (Detail 6.1)

**6.2** Any permit for a temporary access will be issued at the discretion of the Zoning Enforcement Official for a limited period that will be specified on the permit.



**6.3** Any permit for a temporary access driveway will require a minimum one-thousand (\$1,000) refundable cash bond to secure completion and subsequent removal of the temporary access. A property owner may apply in writing for a refund of the bond after removal, restoration, and inspection by the Zoning Enforcement Official. The bond amount may be increased by any amount determined by the Planning & Zoning Commission or the Zoning Enforcement Official to cover the cost of the improvements in the permit.

**6.4** At the expiration of the permit, temporary access shall be removed. If removal does not conform to the provisions of these regulations, the Town reserves the right to complete the necessary removal and the bond will be forfeited by the property owner. If restoration costs exceed the bond amount, the owner will be invoiced for all costs.

## **SECTION 7 - PENALTIES AND ENFORCEMENT**

**7.1** The primary enforcement agency for these regulations shall be the Planning and Zoning Commission. P&Z has Primary agency of the entire driveway outside of the public right of way, the Public Works Director or its designee is the primary enforcement agency for the "Driveway Apron" area only. The Planning & Zoning Commission is authorized to cause any driveway in the Town of Winchester to be inspected and/or issue orders in writing to remedy any condition found to exist which is in violation of this Ordinance.

**7.2** When a violation of these regulations is determined to exist, the Zoning Enforcement Official shall give written notice of the violation to the property owner. If the violation persists for fourteen (14) days following the issuance of the notice, a Citation shall be issued by the Zoning Enforcement Official per Chapter 215 of the Winchester Town Code.

**7.3** In addition to any other remedies, the Zoning Enforcement Official is authorized to prohibit access to the public highway from any driveway constructed, located, or relocated in violation of this ordinance. No regular ingress or egress from any premises by any vehicle shall be provided except by an approved driveway.

**7.4** No Building Permit for new dwelling construction shall be issued by the Building Official until the driveway and any related improvements have been approved in accordance with these regulations.

**7.5** No permanent Certificate of Occupancy, shall be issued by the Building Official until the driveway and any related improvements, and paved driveway apron have been constructed in accordance with the requirements of these regulations and inspected and approved by the Zoning Enforcement Official.

**7.6** There may be "After the Fact" fees imposed upon the owner of a driveway which was constructed, reconstructed, relocated, footprint altered, paved, repaved, or had its slope modified without obtaining the appropriate permits and authorization.

**7.7** It is the responsibility of the owner to request a final inspection from the Zoning Enforcement Official promptly upon completion of the driveway, or any time that is warranted during construction.

## **SECTION 8 – NONCONFORMITIES**

Within the Town of Winchester there exist driveways which existed at the time that these regulations were adopted or amended, but which would be prohibited, regulated, or restricted under current or future provisions. Such driveways are declared non-conforming, and it is the intent of these regulations to allow these non-conformities to continue until they are discontinued/removed, but not to encourage their survival. It is also the intention of these regulations to prohibit the enlargement, expansion, or extension of these non-conformities if such a change would increase the non-conformity.

**8.1** Non-conforming driveways that existed on the date these regulations, or amendments to these regulations became effective may continue except as provided below. These regulations shall not require change in the plans, construction, or designated use of a driveway, provided that:

a. Commencement of the construction of the driveway predates the effective date of these Regulations or amendments to these Regulations.

b. All permits required for the permitting of said driveway, including any approvals necessary from any board or commission as well as any required zoning or building permits, were filed with the appropriate bodies prior to the adoption of these regulations or amendments to these regulations.

**8.2** A non-conforming driveway that is destroyed or damaged by calamity (fire, explosion, wind, flood, accident, act of God, act of the public enemy, etc.) may be reconstructed and restored, provided that:

a. The area occupied by the non-conforming driveway must be no larger than, and in the same location as, the driveway immediately prior to the calamity. Size and location of the driveway before the calamity shall be determined from the best available information on file in the Public Works Department, Town Hall, and/or via a submitted survey or plan showing the old driveway signed by a licensed surveyor, architect or engineer, **any other legitimate historical documents, or photos.**

b. If opportunities exist to improve non-conforming, or hazardous, or inappropriate features, they shall be made as part of the restoration.

c. A driveway permit is issued prior to reconstruction.

**8.3** A non-conforming driveway may be expanded or altered, provided that no new non-conformities are created, or existing non-conformities expanded or increased. If a non-conforming driveway is modified to become conforming or more conforming, the driveway may never be modified to become non-conforming or less conforming.

## **SECTION 9 - VARIANCES**

The effect of these regulations may be determined and varied as follows:

**9.1** It shall be the duty of the Zoning Board of Appeals to determine and vary the application of the Driveway Regulations in harmony with its general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values. Such determination shall be made solely with respect to the parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such

driveway ordinance would result in exceptionally difficulty or unusual hardship so that substantial justice will be done, and the public safety and welfare secured.

**9.2** A simple majority vote is required to grant a variance of the Driveway Regulations. No public hearings are required, although variances and determinations must be made at a public meeting. No notice or publication will be necessary beyond those required for regular commission by the Freedom of Information Commission respecting posting of meetings and filing of minutes..

**9.3** An application to vary these regulations or to determine the effect of these regulations shall be made in writing at least two weeks prior to a meeting of the Zoning Board of Appeals; this requirement may be waived by the PZC for good cause. The application must set forth the reasons for which a variance or a determination is sought, including any hardship resulting from a literal enforcement of these regulations. The application shall provide the location of the property, the name of the owner, the name of the applicant and any other information which may be helpful to ZBA. The application fee shall accompany the application.

## **SECTION 10 – FEES**

**10.1** A fee of fifty dollars (\$50.00) shall accompany any application for a driveway permit.

**10.2** A fee of four-hundred-ten dollars (\$410.00) shall accompany any application to vary these regulations.

**10.3** After the fact fees one-hundred dollars per day (\$100/day).

## **SECTION 11 - NONRESPONSIBILITY**

**11.1** Nothing in these regulations shall require the Town to repair or improve any driveway, driveway apron, or culverts thereto, or shall render the Town liable to a property owner for failure to make said repair or improvement except where such repair or improvement is made necessary as a result of the widening, repair, maintenance, or relocation of a Town road.

## **SECTION 12 - EFFECTIVE DATE AND MANNER OF PUBLICATION**

**12.1** These regulations shall take effect fifteen (15) days after publication of a summary of these regulations in a newspaper having a general circulation in the Town of Winchester as provided by Connecticut General Statutes Section 7-157(b).

Adopted:

Published:

Effective:



**Town of Winchester**  
***Public Works Department***

189 Rowley Street  
Winsted, CT 06098  
Phone: (860) 379-4101  
Fax: (860) 738-3509

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## **MEMORANDUM**

Date: August 31, 2023

To: **Board of Selectmen**

338 Main St

Winsted, CT 06098

From: Jim Rollins, Director of Public Works

Re: **102 Williams Ave.**

Board of Selectmen,

In October 2020, the Town mailed a certified letter to 102 Williams Ave. notifying her that her tree was a hazard to people traveling within the public way (Curtice St. and the sidewalk), and it was her responsibility to abate the nuisance. That letter was returned "unclaimed". A week later I hand delivered a copy of the letter to the owners' son and explained the issue.

DPW just received a complaint that branches were falling onto the street and sidewalk, and upon inspection of the complaint, I noticed that this complaint was for the same tree as 2020.

I immediately sent an updated certified letter to the owner stating that the tree needs to be removed immediately and that if the nuisance wasn't abated in 14 days, \$100/day fines will be assessed, per the enclosed Ordinance #274-1.

Because of the high level of hazard to the public, and my anticipation that this letter will be ignored again, I am requesting that the BOS make and approve the following motion.

**In the event that the owner of 102 Williams Ave. does not abate the nuisance caused by the hazard tree within 14 days of notification, The Board of Selectmen orders: Public Works to cause the removal of the tree at the owners' expense, as authorized in Ordinance #274-3.**

Jim Rollins

Director of Public Works, Town of Winchester.

*Town of Winchester, CT  
Thursday, August 31, 2023*

## Chapter 274. Nuisances

[HISTORY: Adopted by the Town of Winchester effective 4-17-1906 (§ 3 of the prior compilation).  
Amendments noted where applicable.]

### § 274-1. Nuisance buildings, encumbrances and trees; penalties for offenses.

If any person or corporation shall maintain or continue within the limits of the Town of Winchester any old or dilapidated structure or edifice, or part thereof, in such manner or place as to subject other property to danger from fire, or in any manner to endanger the public health or safety, or whoever shall place or suffer any encumbrance to exist upon any sidewalk or highway, or whoever shall encroach upon any sidewalk or highway by the erection of any structure or device upon or over the same, or whoever shall permit any tree, branches or roots thereof to incommode or endanger the public travel, or whoever shall cause any excavation to be dug in or so near to any sidewalk or highway as to endanger the public thereby, or whoever shall commit or maintain any public nuisance of any kind or character within the limits of said Town shall be fined not to exceed \$100, and in the case of any continuing nuisance upon second conviction shall be fined not to exceed \$100, and each day's continuance thereof shall constitute a separate and distinct offense.

### § 274-2. Street or sidewalk encumbrances or encroachments.

Any encumbrance upon or encroachment so near to any sidewalk or street as to inconvenience the public travel, or any structure above any sidewalk or street, shall be deemed a public nuisance and may be summarily abated by any Selectman or by the Director of Public Works.

### § 274-3. Order to abate nuisance.

The Board of Selectmen may at any time order the abatement of any public nuisance existing upon private property, and upon the neglect of the person or corporation to abate the same within the time limits in said order may cause the summary abatement thereof by the Director of Public Works or by any indifferent person at the expense of the person or corporation so maintaining said nuisance and neglecting or refusing to abate the same, and the amount thereof may be collected by civil action in the name of the Town of Winchester.



**PUBLIC WORKS DEPARTMENT  
TOWN OF WINCHESTER**

189 Rowley Street  
Winsted, CT 06098  
Phone (860) 379-4070 Fax: (860) 738-3509

**Office of the Tree Warden**

August 29, 2023

Sandra Gidman  
102 Williams Avenue  
Winsted, CT 06098

**Re: Hazard Tree at 102 Williams Ave., Winsted, CT SECOND NOTICE**

Sandra,

In October 2020, this office mailed a certified letter to you regarding a hazard tree on your property. That letter was returned to us UNCLAIMED. The following week I hand delivered the same letter and associated documentation to your son Keith and communicated the responsibility to "make safe" the sidewalk and Curtice St. from falling branches.

Word just got back to this office that the tree removal was never completed and that branches have been falling on the sidewalk and the road. I understand that a car was recently damaged by a falling branch. This is a very dangerous situation, and you need to get this tree removed immediately.

Enclosed with this letter are copies of what was sent in 2020 along with a highlighted printout of Town Ordinance 274-1 which clearly states that you are responsible for removing the hazard tree. Also note that you will be fined \$100. If this nuisance continues for fourteen (14) days, the Town may assess fines of \$100/day until the nuisance is abated. A lien will be placed upon the property for any fines that go unpaid.

There is no time to waste, this tree needs to be removed immediately!

NOTE: Please contact me [jrollins@townofwinchester.org](mailto:jrollins@townofwinchester.org) or (860) 379-4070 when you have a plan to resolve this issue or if you have any questions or require additional information.

Best regards,

Jim Rollins

*Director of Public Works/Tree Warden*



**PUBLIC WORKS DEPARTMENT  
TOWN OF WINCHESTER**

189 Rowley Street  
Winsted, CT 06098  
Phone (860) 379-4070 Fax: (860) 738-3509

**Office of the Tree Warden**

July 16, 2020

Sandra Gidman  
102 Williams Avenue  
Winsted, CT 06098

**Re: Hazard Tree at 102 Williams Ave., Winsted, CT**

Dear Sandra,

On July 16, 2020, this office became aware of a "hazard tree" on your property. A hazard tree is a tree which is reasonably likely to cause a hazardous condition to a public way in the relatively near future. In this case, there is a large dead Ash tree on the southeast corner of your lot which is very likely to drop branches onto the public sidewalk or Curtice Street, endangering the public. See the enclosed pictures.

It is your responsibility to "make safe" any tree on your property that has a reasonable likelihood of causing harm to people or property in a public way. Please take immediate action and properly address this hazardous tree to avoid the liability of serious injury or property damage.

NOTE: Please contact me [jrollins@townofwinchester.org](mailto:jrollins@townofwinchester.org) or (860) 379-4070 when you have a plan to resolve this issue or if you have any questions or require additional information.

Best regards,

Jim Rollins

*Director of Public Works/Tree Warden*

Enc.

JR/sp







§ 274-1 Nuisance buildings, encumbrances and trees; penalties for offenses.

If any person or corporation shall maintain or continue within the limits of the Town of Winchester any old or dilapidated structure or edifice, or part thereof, in such manner or place as to subject other property to danger from fire, or in any manner to endanger the public health or safety, or whoever shall place or suffer any encumbrance to exist upon any sidewalk or highway, or whoever shall encroach upon any sidewalk or highway by the erection of any structure or device upon or over the same, or whoever shall permit any tree, branches or roots thereof to incommode or endanger the public travel, or whoever shall cause any excavation to be dug in or so near to any sidewalk or highway as to endanger the public thereby, or whoever shall commit or maintain any public nuisance of any kind or character within the limits of said Town shall be fined not to exceed \$100, and in the case of any continuing nuisance upon second conviction shall be fined not to exceed \$100, and each day's continuance thereof shall constitute a separate and distinct offense.



Parcel

**102 WILLIAMS AVE**

**Owner:** GIDMAN SANDRA

**Property ID:** 106 040 008A

**Acreage:** 0.29

**Zoning:** TSF

**Show Adjainers**

**More Details**

[Zoom to](#)



