



**TOWN OF WINCHESTER**  
**PLANNING AND ZONING COMMISSION**  
Town of Winchester Town Hall 338 Main Street - 2nd Floor – P. Francis Hicks  
August 22, 2022 – 7:00PM  
**Regular Meeting Minutes**

**1. ROLL CALL:**

Chairman George Closson called the meeting to order at 7:05PM.

Mr. Closson noted that the following individuals were present: John Cooney, Peter Marchand, Willy Platt, Alternates Troy Lamere, Charlene LaVoie, and Feliks Viner.

Craig Sanden was absent excused. Ms. Lavoie was seated in his stead.

**2. PUBLIC COMMENT:**

No comment was received.

**3. AGENDA REVIEW:**

**MOTION:** Mr. Marchand, Ms. LaVoie second, to move the public hearing on 175 Main Street to follow the presentation on the Affordable Housing Plan; unanimously approved.

**4. OTHER BUSINESS:**

**A. Public Information Meeting on Draft of Affordable Housing Plan.**

Planning Consultant Jocelyn Ayer appeared before the commission to provide an overview summary on the draft of the Town's Affordable Housing Plan, noting that she would like to take this commission's feedback to the Housing Steering Committee. She noted that the committee would like a finding from this commission on whether they find the housing affordability plan to be consistent with the Town's Plan of Conservation and Development.

Ms. Ayer reported that one of the core reasons for the work on the housing affordability plan is because of a new requirement by state law that every town have a housing plan that deals with how to increase affordable housing. These need to be a five-year plan, according to Ms. Ayer, and that it be updated every five years.

Ms. Ayer reported that the Housing Steering Committee had been meeting for the past nine months, as they reviewed data, created a Housing Needs Survey, and developed goals and strategies that were presented in the plan. She then reviewed several data points in the study, noting that the town had 640 households currently spending more than 50% of their household income on housing costs. She noted that this is what is considered "severely cost-burdened". Ms. LaVoie questioned the percentage of total households in town that figure represented. Ms. Ayer was unsure but noted that about 40% of the town's households earned less than 80% of the Area Median Income (AMI). She noted that when affordability is being discussed, that is what is being discussed. She referred the commission to the chart in the back of the draft plan for what that dollar figure is. Ms. Ayer reiterated that 40%, or 1,955, of the town's households would qualify for what is defined as affordable housing. Ms. LaVoie questioned how many households did in fact live in affordable housing. Ms. Ayer indicated that there were only 609 households that were benefiting from that type of housing. Ms. Ayer reported that the State's 2021 Affordable Housing Appeals listing will lose 82 units from next year's listing, leaving the total number for the town at 527.

Additionally, Ms. Ayer noted that about half of the designated affordable housing units are reserved for seniors. She explained that this results in only 20% of households that earn below 80% of AMI having access to dedicated affordable units in the town. Noting the units that will be removed from the State's Affordable Housing Appeals listing, Ms. Ayer pointed out that this will cause Winchester to dip below 10% of the town's units. Mr. Closson questioned how that compared with the rest of Litchfield County. Ms. Ayer noted that Winchester and Torrington obviously have a higher percentage of affordability than most of the other towns. She reported Litchfield's affordability to be at 4% and Salisbury's to be at 2%.

Ms. LaVoie questioned how the town was losing 82 units from the State's Affordable Housing Appeals listing. Town of Winchester Social Services Director Katie Vail explained that the loss was deriving from Litchfield Heights. Ms. Ayer explained that this was due to the affordability restriction having expired with that project. She noted the distinction included in the plan between "affordable" and "designated affordable". Ms. Ayers noted that many units are being purchased by investment companies and that there may not be restrictions to prevent the raising of rents.

Ms. Ayers reviewed the Plan's goals that included considering town-owned properties that are appropriate for housing, supporting first-time home-buyer options, preserving the long-term protection of the town's existing affordable housing units, keeping seniors living affordably in their homes, and protection against displacement. She then reviewed the timeline for the Plan.

Ms. Ayers reported receiving 292 responses to the plan from residents. She noted that there was also a survey of college students, reporting that they were interested in living in Winchester, especially downtown. Ms. Ayer noted that the average annual pay of jobs within town are less than 80% of the annual income. She indicated that the town often hears from area employers about the need for workforce housing that is affordable for their employees. Finally, Ms. Ayer reported that there were 134 seniors on a waiting list for affordable housing.

Ms. Ayer noted that there were no strategies included regarding the Planning and Zoning Commission but to reference it in the Plan of Conservation and Development (POCD). She noted that this board's zoning regulations do allow more different types of housing than most of the other communities.

Noting the pressures that are driving up costs of doing projects and with the higher demand following the COVID-19 pandemic, Mr. Closson questioned whether any of this was discussed. Ms. Ayer noted that the Town itself would not be approached to construct these units or pay to operate the units. Typically, either the Winchester Housing Authority, the Winchester Housing Development Corporation, or Northwest Senior Housing receives the funding through state or federal sources to construct those units and then are usually able to operate them through the rents, according to Ms. Ayer. She noted that what towns have done are utilize town-owned sites for housing that is affordable. Ms. Ayer explained that some are mixed-income, which is to include some that are market-rate and some that are affordable. Mr. Closson noted that the infrastructure has to be able to support more of a variety of housing. He questioned which towns had the capability for more low-income housing. Ms. Ayer explained that as she works with towns, she suggests realistic goals, providing an example of thirty units over five years. She noted that the typical hurdles are the acquisition of the land and/or challenges imposed because of zoning restrictions. She opined that this town's regulations are better especially as it relates to the allowance of different types of housing options throughout the town.

Mr. Closson observed that the likely intention of the legislation requiring each town to create a plan was at least, in part, to share the burden of the need with the larger cities that tend to have more. He questioned how the Housing Steering Committee had felt about the whole process. Ms. Vail reported that initially there were concerns with how adding more affordable housing would be funded. She noted those concerns were calmed once it was realized that it would be achieved through state and federal funding. Noting that Norfolk already had affordable housing units along with some being created in New Hartford and Barkhamsted, Ms. Vail opined that the need is greater in Winchester than in those other, smaller towns. Ms. Vail explained that what is trying to be told through the data is that there are already people living in town that need more affordable housing rather than looking to bring more people in. She noted that the committee is more interested in helping out the folks that already live here. She noted that the committee had not had many struggles in agreeing to put this plan together.

Mr. Lamere questioned whether adding more housing brings in more students. Ms. Ayer opined that none of the strategies contained within the Plan would lead to a huge number of units. She indicated that many of the elementary schools are decreasing in population so to maintain the population, more units might help. She

suggested that if thirty units are added to the inventory, the Plan could be reviewed in five years to assess the impacts to the schools.

Mr. Platt questioned how the first-time home buyer programs would work. Ms. Ayer explained that it would be centered around increasing awareness. She noted that another way of creating more first-time home buyer options is to partner with some group such as Habitat for Humanity or to have a Town entity, such as a housing trust, that continues to retain the land as the homeowner buys just the home. This aids in keeping the costs down for the buyer, according to Ms. Ayer.

Mr. Cooney questioned the earlier reference to state law superseding local zoning regulations. Ms. Ayer referred to the State's Affordable Housing Appeals Act, often referred to 8-30g, the state statute that was the impetus to that. She explained that according to C.G.S. § 8-30g, any town that does not have at least 10% of its housing stock dedicated as affordable, including residents with mortgages through Connecticut Housing Finance Authority, housing choice voucher recipients, and senior affordable housing, a developer can come forward with an application that allows for an override of the zoning regulations, so long as there are 30% affordable housing. The application could only be denied due to health and safety, and not because of other zoning regulations, according to Ms. Ayer.

Ms. LaVoie questioned what level of affordable housing the Town will be at with the elimination of Litchfield Heights. Ms. Ayer estimated it to be about 9% of the housing stock at that point. Staff questioned whether it was a lapse in the deed restriction. Ms. Vail noted that it was a 30-year tax credit, the time for which had expired. Ms. Ayer corrected, noting that it was confirmed with HUD, that it was no longer part of their inventory, explaining that their list has been wrong for some time now. Ms. LaVoie questioned how many units would be required to meet the 10% threshold. Ms. Ayer noted that to get those back on the list would involve the Town working with the property owner to again restrict them. Ms. LaVoie questioned what entity of the Town would undertake that initiative. Ms. Ayer explained that often the units have capital needs, in terms of units needing renovation, and suggesting that funding could be provided to renovate those units from some of these state programs. That funding could be tied to a requirement that the units be dedicated to remaining affordable, according to Ms. Ayer. Ms. LaVoie questioned who specifically typically initiates those discussions. Ms. Ayer noted that while it might be the Housing Authority, it typically is the town leadership.

In response to an inquiry regarding the 134 seniors on a waiting list for housing, staff questioned whether the figure was higher in 2022 versus what it might have been in 2018. Ms. Vail confirmed that the number had increased significantly due to the number of residents who have been evicted from their apartments from new owners. She noted that there are ten to fifteen who have joined the waiting list over the last couple of months. Mr. LaMere questioned whether it was illegal to deny a person from another town access to the housing in Winchester. Ms. Vail confirmed but noted that Winchester residents are given priority. Mr. LaMere noted that he was aware, anecdotally, of people from other towns who have received housing. Mr. Closson questioned who enforces that. Ms. Vail noted that it was Winchester Housing Authority's responsibility, explaining that they hold lists of applicants. She indicated that the questions include whether the applicant is a resident and/or a veteran, explaining that the questions are weighted.

With regards to whether the draft affordable housing plan was consistent with the Town's POCD, Ms. Ayer opined that it was as the POCD discusses having a diverse range of housing options for residents, and the reuse of vacant space. Additionally, the town has dedicated open space that would not be used for housing, according to Ms. Ayer. Mr. Marchand questioned whether the State has any requirements that the affordable housing plan has to be part of the POCD. Ms. Ayer noted that it does not have to be. If for a practical reason this commission did not want to reference the affordable housing plan, the commission may opt not to. Ms. LaVoie questioned whether most communities do. Ms. Ayer indicated that she is working with nine communities this year and had worked with six communities last year and it has been about a half and a half.

The consensus of the commission was that the discussion on this matter would be taken up again at the September 12, 2022 regular meeting.

**5. PUBLIC HEARINGS:**

**A. PZC#22-08 – Special Permit Applicant/Owner: Sherwood Dawson Location: 538 West Wakefield Boulevard (Map 038, Block 115, Lot 006) Proposal: Reconstruct Dwelling and Add Stairs, Retailing Walls, & Grading on Slope in Excess of 15% as per Section III.D.5.**

The agenda carried this application with it noted that the public hearing would continue at the September 12, 2022 regular meeting.

**B. PZC#22-09 – Special Permit Applicant/Owner: Sherwood Dawson Location: West Wakefield Boulevard (Map 038, Block 115, Lot 003B) Proposal: Temporary Access for Well on Slope in Excess of 15% as per Section III.D.5. and Associated Site Work Construction.**

The agenda carried this application with it noted that the public hearing would continue at the September 12, 2022 regular meeting.

**C. PZC#22-10 – Special Permit Applicant: Tom Gianni Owner: Winsted Central, LLC Location: 175 Main Street Proposal: Mixed-Use Building: Restaurant on First Floor, 4 Residential Units on 2nd and 3rd Floor.**

The legal notice for the public hearing was read into the record with it being reported as having run the requisite two times, once on August 11, 2022 and again on August 15, 2022, in the Republican American. It was also noted that receipts for the Certificates of Mail to the abutting properties, serving as evidence that notice of the public hearing was provided. Mr. Closson questioned whether there had been any review comments provided by town staff. There were none as the renovations were restricted to the interior, according to staff. She reported that the interim building official, fire marshal, and superintendent of water/sewer had convened at the site to consult with the new proprietor.

Thomas Gianni appeared before the commission regarding this application. It was noted that details on the proposed signage were included. The floor plan was reviewed and discussed.

Mr. Closson questioned whether the building needed to be sprinklered. Mr. Gianni reported that Fire Marshal Steve Williams had indicated that it did not, explaining that there was a two-hour fire separation achieved through the drop ceiling between the first and the second floor.

Mr. Platt questioned the applicant's plans for garbage. Mr. Gianni explained that a dumpster, located on the neighboring property of Gas Man, will be utilized by his business as it is also currently being used by Nollis. Mr. Marchand noted the garbage containers that are currently on the side of the building. Mr. Gianni noted that those are used by the residential tenants. Mr. Closson indicated that he would like the exits to be shown on the floor plan. Mr. Gianni described the four exit points on the first floor. Mr. Platt questioned the boarded-up door on the left hand, front side of the building. Mr. Closson noted that the Fire Marshal would likely want to review that.

**MOTION:** Mr. Marchand, Mr. Cooney second, to close the public hearing; unanimously approved.

**6. OLD BUSINESS:**

**A. PZC#22-08 – Special Permit Applicant/Owner: Sherwood Dawson Location: 538 West Wakefield Boulevard (Map 038, Block 115, Lot 006) Proposal: Reconstruct Dwelling and Add Stairs, Retailing Walls, & Grading on Slope in Excess of 15% as per Section III.D.5.**

No business discussed as it was noted that the public hearing would resume at the September 12, 2022 regular meeting.

**B. PZC#22-09 – Special Permit Applicant/Owner: Sherwood Dawson Location: West Wakefield Boulevard (Map 038, Block 115, Lot 003B) Proposal: Temporary Access for Well on Slope in Excess of 15% as per Section III.D.5. and Associated Site Work Construction.**

No business discussed as it was noted that the public hearing would resume at the September 12, 2022 regular meeting.

**C. PZC#22-10 – Special Permit Applicant: Tom Gianni Owner: Winsted Central, LLC Location: 175 Main Street Proposal: Mixed-Use Building: Restaurant on First Floor, 4 Residential Units on 2nd and 3rd Floor.**

**MOTION:** Mr. Closson, Mr. Marchand second, to approve to approve Application #22-10– Special Permit Applicant: Tom Gianni, Owner: Winsted Central, LLC, Location: 175 Main Street, Proposal: Mixed-Use Building: Restaurant on First Floor, 4 Residential Units on 2<sup>nd</sup> and 3<sup>rd</sup> Floor, subject to the following conditions:

1. In evaluating this application, the Planning and Zoning Commission has relied upon information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete, and/or inaccurate, this permit shall be modified suspended or revoked.
2. This application is consistent with the Town's Plan of Conservation and Development.
3. This application meets the criteria and standards of *III.J. Common Regulations: Special Permits/Special Exceptions*.
4. Plans to reflect all exits and fire escapes from the building.
5. Garbage cans to remain behind the façade of the building except for pick-up day as prescribed by the zoning regulations; unanimously approved.

**7. APPROVAL OF MINUTES – August 8, 2022:**

**MOTION:** Mr. Marchand, Mr. Cooney second, to approve the August 8, 2022 minutes; unanimously approved.

**8. COMMUNICATIONS:**

No communications noted.

**9. STAFF REPORT:**

Staff reported that the new full-time Assistant Building Official, Bill Pietrefase, began work the date of this meeting. One new zoning violation had been issued, according to staff.

Staff reviewed some suggestions for updates to the zoning regulations.

**10. ADJOURNMENT:**

**MOTION:** Mr. Cooney, Mr. Marchand second, to adjourn; unanimously approved. The Commission adjourned at 8:48PM.

**Respectfully submitted,  
Pamela A. Colombie  
Recording Clerk**