



TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall 338 Main Street - 2nd Floor – P. Francis Hicks
July 25, 2022 – 7:00PM
Regular Meeting Minutes

1. ROLL CALL:

Chairman George Closson called the meeting to order at 7:00PM.

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

2. PUBLIC COMMENT:

William Hester of 82 Boyd Street read aloud a letter from former Planning and Zoning Commissioner Jerry Martinez, sharing his concerns with the draft Affordable Housing Plan and how it might impact with future local land use.

3. AGENDA REVIEW:

No changes were made to the agenda.

4. OTHER BUSINESS:

None.

5. PUBLIC HEARINGS:

A. PZC#22-06 – Special Permit Applicant/Owner: Town of Winchester Location: Wallens Street and Stowe Road (Map 023/Block/151/Lot 017) Proposal: Installation of New 529,000 Gallon Drinking Water Storage Tank, Water Main, & Associated Site Work Construction.

As he noted Mr. Cooney was not at the July 11, 2022 regular meeting, Mr. Closson requested to seat Mr. LaMere in his stead. Mr. Conney shared no objection. The public hearing was opened.

It was noted the application had received an approval from the Inland Wetlands and Watercourses Commission on July 11, 2022.

James Ericson, a professional engineer and vice president of Lenard Engineering, accompanied by Landscape Architect Jim Cegan from Richter and Cegan and Department of Public Works Director Jim Rollins, appeared before the commission regarding this application. Mr. Ericson recalled a concern shared at the last meeting was the possibility of bedrock. He reported that he reviewed the borings that were completed and noted three were done within what will be the footprint of the tank.

The hearing was open to the public.

Jim Hester of 82 Boyd Street, identifying as a member of the Water Sewer Commission, spoke in favor of the project, noting the completion of the project will likely result in clearer water. Mr. Hester noted that the water is safe to drink, even when it appears cloudy, explaining the amount of oversight and how regulated the water system is.

MOTION: Mr. Marchand, Mr. Sanden second, to close the public hearing; *unanimously approved with Mr. Closson, Mr. Lamere, Mr. Marchand, Mr. Platt, and Mr. Sanden voting in favor.*

B. PZC#22-07 – Special Permit Applicant/Owner: Town of Winchester Location: 338 Winchester Road Proposal: Installation of New 691,000 Gallon Drinking Water Storage Tank, Water Main, SCADA Upgrades, and Associated Site Work Construction.

James Ericson, a professional engineer and vice president of Lenard Engineering, accompanied by Landscape Architect Jim Cegan from Richter and Cegan and Department of Public Works Director Jim Rollins, appeared before the commission regarding this application.

It was noted the application had received an approval from the Inland Wetlands and Watercourses Commission on July 11, 2022.

Mr. Ericson reported that no ledge had been hit with borings going as deep as 14', noting that the footings are at -5' and -8'.

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

MOTION: Mr. Marchand, Mr. Sanden second, to close the public hearing; *unanimously approved with Mr. Closson, Mr. Lamere, Mr. Marchand, Mr. Platt, and Mr. Sanden voting in favor.*

C. 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.

Mr. Cooney resumed his role as a regular member of the commission.

The legal ad was read into the record with it being reported as having been published the requisite two times, July 14, 2022 and July 19, 2022, in the Republican American. Staff confirmed that the proposed development had received approval from the Inland Wetlands and Watercourses Commission in April of 2022. The commission was provided with copies of what the wetlands agent had provided to that board at the time they were reviewing the matter.

Professional Engineer George Cotter, accompanied by consulting Planner Martin Connors, appeared before the commission regarding this application. Mr. Cotter confirmed that the testimony provided at this public hearing should also be considered for the public hearing for Application PZC#22-09, another property with a pending application by the same owner.

Mr. Cotter noted that his client had received a special permit in 2007 from the Zoning Board of Appeals for reconstruction of the dwelling. He reported the original cottage was 15'x22' but that approval has been received for a 22'x24' house. Mr. Cotter indicated that reconstruction of the lake wall was also received in 2007.

Mr. Cotter noted the former cottage had been served by a well located in the lake. However, that would no longer be permitted by Torrington Area Health District, according to Mr. Cotter. He noted that the proposed retaining walls were included in order to raise the grade to level out the lot. A parking space is included on the left-hand side of the lot, according to Mr. Cotter. He indicated the new dwelling will be two stories above the road and will include a deck. Mr. Cotter indicated that there would be minimal excavation except for the foundation area.

Mr. Cotter noted that temporary grading rights were being requested on the 40'x50' parcel opposite the lake so that a well can be established. He explained that there will be a cut into the slope on the property opposite the lake so that a drill rig can get up there for the well. Following the well, the area will be restored to its existing grades and seeded with a grass mix. He noted that the area had been cleared before.

Mr. Closson questioned the grade change. Mr. Cotter indicated that with a steep slope, about a 15% slope will be maintained in order to get the drill rig up there which will require cutting into the first forty (40') feet of land. He

indicated that once that is done, it is adequate to get the rig up the rest of the slope. In response to an inquiry from a commissioner, Mr. Cotter reported the grade from the road to the proposed well is probably initially at 22%-23% at the road and then grades down to 12% at the remaining of the property. He anticipated grading the front of the property back to 12%. Mr. Closson questioned how far back it was. Mr. Cotter noted the right-of-way is back about 35' from the edge of the road and then another 25' to the well. Mr. LaMere questioned why the house parcel was not being utilized for the well. Mr. Cotter explained that the well had to be 75' from the sewer manhole. Mr. LaMere questioned whether the parcel opposite the lake was a buildable lot. Mr. Cotter indicated that it was not.

Mr. Platt questioned the percentage of impervious surface. Mr. Cotter indicated a variance was granted in 2014 for coverage exception, reporting it as 32.3%. On the parcel opposite the lake, Mr. Cotter indicated there was no impervious surface. Mr. Platt questioned whether there was an approved 8'x24' deck. Mr. Cotter confirmed. Mr. Platt questioned whether there would be a pervious surface under the deck. Mr. Cotter confirmed. Mr. Closson questioned whether there was a detail for what was going in under the deck. Mr. Cooney questioned what would support the deck. Mr. Cotter explained that it was a cantilever deck and that the design was submitted to the Zoning Board of Appeals for the approval at the same time as the house.

Mr. Cotter explained that the proposed retaining walls provide stairs down for access and also lessen the slope from the road down to the water. He explained that the lake wall was constructed so as to leave it 3" higher than the area below so as to ensure no runoff into the lake. Additionally, a rain garden has been included in the design to treat water, according to Mr. Cotter.

Ms. LaVoie questioned the slope on each party. Mr. Cotter indicated it to be 28% on the property planned for the well and 24% for the water side. Mr. Lamere questioned whether there was ledge that could be hit when cutting into the hill.

Mr. Connors reviewed the criteria contained within the zoning regulations that are considered as part of a special permit application. For each of those criteria, Mr. Connors explained how his client's application meets each.

Mr. Closson questioned what the slope was that needed to be attained in order to get the drill rig up to where it needs to be. Mr. Cotter indicated it should be 15% to 18%. Mr. Sanden observed that still seemed to be steep. Mr. Cotter noted the adjacent parcel had accomplished the same thing for a well. Mr. Connors noted that the applicant will need to seek the necessary permits from the Department of Public Works. Noting that Mr. Rollins was still present for the meeting, Mr. Lamere questioned whether he had an opportunity to review this project. Mr. Rollins shared his concerns, particularly with the property opposite the lake. He noted the 5' long anti-tracking pad is essentially useless and that the slopes appeared to be 33%.

The hearing was open to the public.

Jay Silver of 543 East Wakefield Boulevard, identifying as the abutting property owner, shared his concern with the temporary construction for the well. He had concerns with erosion control and the excavation being in such close proximity to his driveway. He noted it would be only 20' away from his driveway.

Mr. Cotter agreed to meet with Mr. Rollins on this application. Mr. Sanden indicated that he would like to see accurate slope figures.

MOTION: Mr. Marchand, Mr. Sanden second, to continue the public hearings for Application(s) 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, Retaining Walls, & Grading on Slope in Excess of 15% as per Section III.D.5. and 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 to the August 8, 2022 regular meeting, seeking more information on the exact slopes on both applications, the slopes of the driveway going in, and the areas of disturbance called out on a map; unanimously approved.

D. 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.

This public hearing was reviewed, discussed, and considered as part of the previous public hearing on Application PZC#22-08. It was continued to the regular meeting scheduled for August 8, 2022 at 7PM at Town Hall.

6. OLD BUSINESS:

A. PZC#22-06 – Special Permit Applicant/Owner: Town of Winchester Location: Wallens Street and Stowe Road (Map 023/Block/151/Lot 017) Proposal: Installation of New 529,000 Gallon Drinking Water Storage Tank, Water Main, & Associated Site Work Construction.

Mr. Lamere was seated for Mr. Cooney for this matter.

MOTION: Mr. Marchand, Mr. Sanden second, to approve Application PZC#22-06 – Special Permit Applicant/Owner: Town of Winchester Location: Wallens Street and Stowe Road (Map 023/Block/151/Lot 017) Proposal: Installation of New 529,000 Gallon Drinking Water Storage Tank, Water Main, & Associated Site Work Construction, 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. Approval is granted based on the following submitted plans and drawings:
 - Site Plan prepared by Lenard Engineering, Inc. entitled, “Wallens Hill Water Storage Tank” dated February 28, 2022 and revised through May 12, 2022;

Unanimously approved with Mr. Closson, Mr. LaMere, Mr. Marchand, Mr. Platt, and Mr. Sanden voting in favor.

B. PZC#22-07 – Special Permit Applicant/Owner: Town of Winchester Location: 338 Winchester Road Proposal: Installation of New 691,000 Gallon Drinking Water Storage Tank, Water Main, SCADA Upgrades, and Associated Site Work Construction.

Mr. Lamere was seated for Mr. Cooney for this matter.

MOTION: Mr. Marchand, Mr. Sanden second, to approve Application #22-7 – Special Permit, Applicant/Owner: Town of Winchester Location: 338 Winchester Road Proposal: Installation of New 691,000 Gallon Drinking Water Storage Tank, Water Main, SCADA Upgrades, and Associated Site Work Construction, 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. Approval is granted based on the following submitted plans and drawings:
 - Site Plan prepared by Lenard Engineering, Inc. entitled, “Crystal Lake Storage Tank and Treatment Plant Upgrades Prepared for Winsted Water Works” dated February 28, 2022 and revised through May 12, 2022;

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*Unanimously approved with Mr. Closson, Mr. LaMere,
Mr. Marchand, Mr. Platt, and Mr. Sanden voting in favor.*

C. 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 the public hearing was continued.

D. 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 the public hearing was continued.

Mr. Cooney resumed his role as a regular member of the commission.

8. APPROVAL OF MINUTES – July 11, 2022:

MOTION: Mr. Sanden, Mr. Platt second, to approve the July 11, 2022 Minutes; unanimously approved.

9. COMMUNICATIONS:

A copy of the newsletter from the Connecticut Zoning Federation had been provided to the commission.

10. STAFF REPORT:

Staff noted the draft of the Town's housing affordability plan had been distributed at this meeting. A survey is available to Winchester residents only. Progress, in terms of painting the building and resurfacing the parking lot, is underway at the former Primo's building at 8 South Main Street, staff reported. The former Hunny Buns location at 314 Main Street will likely be undergoing a façade improvement as it will soon be home to retail, small format. Staff also reported that two residents in town, a pair of sisters, are working with a known developer from Torrington in pursuit of the perfect location in town for an imaging center. They have identified several parcels that they are continuing to explore with their architect.

Finally, the commission was reminded that the tri-board land use commission meeting had been scheduled for Thursday, August 28th at 4PM.

11. OTHER BUSINESS:

A. Receive Draft of Affordable Housing Plan – Schedule Public Information Meeting.

12. ADJOURNMENT:

MOTION: Mr. Lamere, Mr. Platt second, to adjourn; unanimously approved. The Commission adjourned at 8:17PM.

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