



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall 338 Main Street - 2nd Floor – P. Francis Hicks
April 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 and Charlene LaVoie.

Alternate Feliks Viner was absent excused.

2. PUBLIC COMMENT:

None.

3. AGENDA REVIEW:

No changes were made to the agenda.

4. OTHER BUSINESS:

None.

5. PUBLIC HEARINGS:

None.

6. OLD BUSINESS:

A. PZC#22-3 – Zoning Regulation Change Applicant/Owner: Steven Heffer and Heena Sultan Proposal: Modification to Section III(D)(5)(c).

It was noted that this application had been continued to a public hearing scheduled for May 9, 2022.

7. NEW BUSINESS:

None.

8. APPROVAL OF MINUTES – April 11, 2022:

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

9. COMMUNICATIONS:

None.

10. STAFF REPORT:

Staff noted that a report had been provided on the zoning enforcement undertaken since the beginning of January. The report included a list of properties that had had been cited with violations as well as properties that would likely be receiving an order between this meeting and the next regular meeting of the commission. Additionally, the commission had been provided with a copy of the town manager's recent press release detailing the properties that had been awarded either a Business Start-up Grant or a Façade Improvement Grant, funded through the American Rescue Plan Act (ARPA). Staff noted that many of these proposals would likely be reviewed and heard by this commission. It was noted that a nutritional smoothie shop would be joining LIVE AT HOME in occupying space at 58 Main Street, the corner building at the corner of Main and Park.

Additionally, a zoning permit was issued for the new bar, TIPI, located in the former spot of the Red Rooster, according to staff. It was also noted that a variance was being sought for the gas station at 954 Main Street as the owner plans to enlarge the canopy there.

11. OTHER BUSINESS:

A. 8-24 Referral: Repairs and Improvements to Town Roadways identified in “Initial Selection of Roads for 5 Year Capital Plan”.

Town Manager Josh Kelly, along with Department of Public Works Director Jim Rollins, appeared before the commission regarding the Town’s application for an 8-24 referral. He presented information on a request for a \$24.7M authorization, noting that \$18.3M will be used from Town money and the remaining \$6.3M to be used from state funds. Mr. Kelly indicated that with a positive referral from this group, if rendered at this meeting, would be followed by a Special Town Meeting on May 24th, where a panel of town staff including Mr. Rollins, Fire Department Chief Jamie Lagassie, and himself will be available to speak to the public. A vote on this by the town would likely be included with the budget referendum scheduled for May 28th, according to Mr. Kelly.

Mr. Kelly explained that this project had been discussed from his first day of work in Winchester and that he understood that former Town Manager Bob Geiger had discussed it for four years prior to that.

Mr. Kelly reported \$8.7M had been expended on roadways and bridges since 2016, with state and federal grants having covered around 51% of that and the Town having covered 49% of that. He reviewed the PASER (Pavement Surface Evaluation and Rating) study’s pie chart of town roads, comparing 2016 with 2019. He noted the low-hanging fruit had been covered in that time span.

Mr. Kelly explained that reconstruction costs for roads are estimated at \$1M per mile, with the downtown streets tending to be costlier while the roads further out in more rural areas being less expensive. He noted that to get all of the town roads to either a “good” or “excellent” PASER rating would cost approximately \$60M. Mr. Kelly confirmed that the Town was looking for federal funding and state funding for all of these projects but reported that the APRA has already been reviewed. He reported that those funds are currently allocated in other areas and the original guidance received on the ARPA dollars was that they absolutely could not be used for roadways and that it would not be legally permitted. He noted that the Build Back Better grants were regionally pursued but reported that this area of the state did not choose to pursue any type of grant related to infrastructure. Finally, Mr. Kelly explained that COVID relief funds were not eligible to be used on roadways.

Mr. Kelly reported that during the past five years, the Town has invested, on average, \$716K annually in roadway work. He noted that the Holabird Avenue bridge, Case Avenue bridge, and Oakdale Avenue project would cost \$2.7M if completed on that pace and take 3.8 years to complete if attempted to handle the work in this way, if funded through the operating budget. At that rate, with the need for in excess of \$60M to bring all of the roads up to “good” or “excellent” and adjusted for inflation, it would take 83 years to complete, according to Mr. Kelly.

Mr. Kelly noted that the borrowing would be paid for by the end of twenty years, explaining that municipalities typically don’t want to continue paying on these roads after the 10-20 years estimated life span.

Mr. Rollins reviewed the list of roads included as priority projects, including the factors used in the selection process: condition of roadway, safety of roadway, grant availability and leveraging opportunities, total expense of project, geographic diversity, connectivity to essential services, traffic volume, synergies with other work, and project readiness. Mr. Rollins reported on where the planned projects are in terms of phasing with engineering. Mr. Rollins then reviewed the roads that were part of the routine and preventative maintenance for Fiscal Year 2023, noting that this was not being overlooked.

Mr. Kelly reviewed the non-roadway projects for consideration as part of the planned borrowing package including \$600K for essential sidewalks, \$1M for drainage at Highland Lake, and a ladder truck for the Winsted Fire Department.

Mr. Rollins reviewed the 4000 linear feet of the worst areas in the downtown areas that would be replaced with the combined funds from the proposed borrowing package and the \$800K from the Communities Challenge Grant. Mr. LaMere questioned where the \$800K would be used. Mr. Kelly noted that it would be invested in the

same area, explaining that the total project was estimated to run \$1.2M. Mr. LaMere questioned whether all the sidewalks would be concrete. Mr. Rollins noted that they would not necessarily be concrete, explaining that there was no specification in town for sidewalks.

Mr. Rollins noted that the drainage improvements planned for Highland Lake were targeted in the first bay area. He noted that a grit separator is planned along with hoods and oil separators. Additionally, grass swales would be included, according to Mr. Rollins.

Mr. Kelly explained that the town had three-story buildings in town that would necessitate a ladder truck in the event of a fire. He noted that the town's ladder truck is over twenty years old and at the end of its useful life. He indicated that it had been out of commission in the last couple of weeks due to electrical failures.

In summary, Mr. Kelly reminded the commission the borrowing package included \$15.3M for roads and \$3M in the non-road projects. He explained that the Town expects to receive several million dollars from the state and federal governments, for a total amount to be put forward, including an adjustment for inflation, was \$24.7M.

Ms. LaVoie questioned the Town's position for borrowing, in terms of bond ratings. Mr. Kelly reported that the bond advisors have used conservative estimates in projecting the annual bond payments. He noted that 3% was the expected rate carried with a plan to go to market in October.

Mr. Cooney questioned the reference to a "funding event". Mr. Kelly noted that the phrasing refers to the borrowing and payback over twenty years. He noted that the last time the Town borrowed money was 2008. He further explained that borrowing money comes with expenses such as attorneys' fees, bond advisors, and the general issuance costs.

Mr. Kelly noted that there had been \$400K included in the budget towards this bond, when the expectation that the Town will likely only have to make a payment of \$190K, explaining that there is already capacity being built to pay off this bond. The hope is to have as little mill rate impact as possible, according to Mr. Kelly. He indicated that with no grand list growth, the impact would be a little over a mill. However, this past grand list grew by 5.9%, according to Mr. Kelly. He noted that there was an increase to the debt service planned with no mill rate increase. After having consulted with the bond advisors, Mr. Kelly estimated a one-half total mill rate increase over the next five years.

Mr. Platt questioned whether the Sucker Brook repairs would require the road to be shut down. Mr. Rollins confirmed, explaining that it was a box culvert and could be installed quickly necessitating little maintenance. Mr. Platt questioned whether there was any chance that with the dramatic increases in cost of materials and labor, there were contingencies baked into the budgeting which would otherwise only allow the first four years of planned work to be completed. Mr. Rollins indicated that only time would tell. Mr. Kelly explained that a lot of these projects are scalable. Mr. Platt questioned whether it probable that Mr. Rollins would be hiring employees. Mr. Rollins confirmed he may, especially a Clerk of the Works.

Mr. LaMere questioned the likely mill rate increase for Fiscal Year 2027, noting the \$1.4M on the roads and the \$470K for Hinsdale School due from the Town. Mr. Kelly noted that principal plus interest, \$415,447, is included in the FY2023 budget, explaining that bond is going to expire in FY2024. He noted that figure, however, will remain in the budget and will go towards the \$1.8M due in FY2027. Additionally, there is \$400K included in FY2023, reducing the sum due in FY2027 to just over \$1M, according to Mr. Kelly. He noted that the Board of Selectmen have agreed to reallocate \$150K from one area to another in order to be put into a debt service fund which can be carried in the budget, too, bringing the FY2027 payment down further to \$850K. Mr. LaMere recalled from the Board of Selectmen meeting that one mill, in Winchester, was the equivalent of \$800K. Mr. Kelly noted that there were four years to grow the grand list enough to cover this \$800K line. He reminded the board that the 10/1/2022 grand list grew by 9%.

MOTION: Mr. Marchand, Mr. Sanden second, to approve the following resolution as part of an 8-24 referral: RESOLVED, that the Planning and Zoning Commission of the Town of Winchester hereby approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut, Revision of 1958, as amended:

Repairs and improvements to various Town roadways, identified in the "Initial Selection of Roads for 5 Year Capital Plan" dated January 18, 2022, prepared by the Public Works Department and on file in the office of the Public Works Department, consisting of milling and removal of waste materials, paving and materials, installation of manholes and drainage risers, traffic protection, including signage and police and flag personnel, and related costs; (2) repairs and improvements to various sidewalks, consisting of demolition and removal of waste materials, installation of new materials, and related costs; and (3) repairs and improvements to the drainage system along Highland Lake, consisting of demolition and removal of waste materials, acquisition and installation of piping, collection basins and other materials, traffic protection, including signage and police and flag personnel, and related costs;

provide that this resolution is for approval of conceptual plans only. The project is subject to and shall comply with all applicable zoning, site plan, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals;

unanimously approved.

B. Planning Workshop: Proposed Zoning Regulation Change: Adding Retail Cannabis.

The commission again reviewed the draft of a regulation change, one that would add retail cannabis as a permitted use.

As the commission reviewed dates for a public hearing, it was noted that the consensus of the commission was to seek legal review of the proposed text amendment following the public hearing. Accordingly, it was noted that the public hearing for this would likely last at least two meetings.

It was noted that the May 9, 2022 regular meeting would be canceled as it conflicted with the Town Annual Budget Meeting held at Gilbert School.

MOTION: Mr. Closson, Mr. Marchand second, to cancel the May 9, 2022 regular meeting; unanimously approved.

MOTION: Mr. Marchand, Mr. Sanden second, to schedule a public hearing for the June 13, 2022 regular meeting for the purposes of Adding Retail Cannabis as an amendment to the Zoning Regulations; unanimously approved.

Mr. Marchand noted that despite a Certificate of Occupancy having been issued for the solar farm on Platt Hill Road, the project did not appear to be done in terms of the road not being completed, the landscape being completed, and no lock box being available for the Fire Department, pursuant to the approvals that were given. Additionally, it was noted that there were piles of earth around the site, too.

12. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Platt second, to adjourn; unanimously approved. The Commission adjourned at 8:29PM.

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