



TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall 338 Main Street - 2nd Floor – P. Francis Hicks
April 11, 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, and Alternates Troy LaMere and Charlene LaVoie. Alternate Feliks Viner was absent excused.

2. PUBLIC COMMENT:

Don Lapointe of BNJ Real Estate, LLC appeared before the commission regarding this application. He reported receiving a zoning violation for his property at 102 Groppo Drive. Mr. Lapointe distributed a copy of the site plan that was approved in 2016. Mr. Closson questioned whether there were any conditions that affected the property, noting that it was located within the Town Industrial Park. Mr. Lapointe did not think so, explaining that the site needed a lot of work. Mr. Closson questioned the number of yards that were involved. Mr. LaPointe noted the engineer had indicated that it was 5000 yards but estimated it to be more than 5000. He reported the State of Connecticut had installed a catch basin at the corner of the property, having raised that area about 8'. He indicated that the former planner and the current Director of Public Works was involved with this. Mr. LaPointe explained that the State of Connecticut and he had installed 80' of 24" pipe that went through it.

Mr. Closson questioned whether Mr. LaPointe had received a Cease and Desist Order. Mr. Lapointe did not think he had received a Cease and Desist but had merely received a violation notice.

Mr. Closson suggested Mr. LaPointe meet with Zoning Enforcement Officer/Wetlands Agent Michael Stankov. Mr. Lapointe retrieved the copies that he had previously distributed.

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 (PUBLIC HEARING SCHEDULED FOR 5/9/2022)
Applicant/Owner: Steven Heffer and Heena Sultan Proposal: Modification to Section III(D)(5)(c) of Zoning Regulations – Other Generally Applicable Development Regulations : Steep Slope Regulations.
The commission was reminded that a public hearing had been scheduled for the May 9, 2022 regular meeting.

7. NEW BUSINESS:

None.

8. APPROVAL OF MINUTES: March 28, 2022

The March 28, 2022 Minutes should be corrected to reflect John Cooney as being absent excused for that meeting.

MOTION: Mr. Marchand, Mr. Sanden second, to approve the March 28, 2022 Minutes as amended; unanimously approved.

9. COMMUNICATIONS:

No communications reported.

10. STAFF REPORT:

Staff updated the commission on increased enforcement related to sand and gravel operations and violations of the *Home Farming* regulation. Staff reported a roof permit had been issued for 35 Willow Street and a zoning permit for a second location of LIVE at 58 Main Street, LIVE AT HOME, a gift shop to include home furnishings.

11. OTHER BUSINESS:

A. Review Town Manager's Proposed Capital Improvement Budget Per Sec. 1106D of Town Charter.

Town Manager Joshua Kelly appeared before the commission regarding the FY23 proposed capital improvement plan (CIP). Mr. Kelly distributed supplemental material to a package containing CIP Project Information Sheets that had been provided ahead of this meeting. He reminded the commission that the CIP does not include the items included in the previously discussed \$18.3M Infrastructure Investment Plan.

Mr. Kelly noted that a five-year plan had been drafted for the first time in the Town's recent history and included 39 total projects along with the additional one project distributed at this meeting. Mr. Kelly explained that the one additional project was related to the Communities Challenge Grant, an award of \$1.8M, recently announced as having been awarded to the Town from the State. Mr. Kelly noted that in order to qualify and receive those funds, the Town was required to provide 25% matching funds of the total amount to be allocated by the State. He reported the Town was partnering with the owner of 35 Willow Street, Joe Miller, explaining that some of the Communities Challenge Grant will be used to remediate the lower level of his brownfield site. However, the Town was still responsible for \$200K in matching funds.

Mr. Kelly noted the remainder of the CIP included \$2.1M in value for projects. He reported \$87K would be received through the State's LoCIP (Local Capital Improvement Program) with the remainder funded through a mix of town investment and unassigned fund balance from the general fund. Mr. Kelly indicated the majority of it would be funded through the next year's tax levy.

Noting the \$60K allocation for a roof replacement at the Department of Public Works, Mr. Closson questioned why the Public Works Facility Upgrade was scheduled for so many years out and why the Town would want to wait so long. Mr. Kelly explained the rationale, noting that currently when it rains outdoors, it rains inside, too, referring to the leaky roof. He noted the necessary improvements are estimated at \$4M.

Referring to both the DPW and the planned equipment purchases for the Fire Department, Mr. Closson shared his concern with having the appropriate facilities to house them and take care of them. Mr. Kelly assured the commission that every grant opportunity will be sought from the federal and state governments as well as private sources.

Mr. Closson questioned how the amount of equipment necessary for road maintenance is projected. He questioned whether Mr. LaMere had an opportunity to review what has been put forth for calculating useable life. Mr. LaMere explained that his projections have typically been based on a ten-year plan.

Mr. LaMere questioned what was wrong with the Town's Fire's ladder truck. Mr. Marchand explained that after ten years, the maintenance cost is compounded. He noted that the ladder truck is currently twenty or twenty-two years old with chronic electrical problems and has been out of service for several weeks. Trying to diagnose the problem by the dealer has not proved fruitful, according to Mr. Marchand. Mr. LaMere questioned whether it might be feasible for the Town to not have a ladder truck, noting that one could reach the town from Torrington within 15 minutes. Mr. Marchand strongly opined that it was not an option, explaining that a death could occur within that span of time. He noted that it is used for chimney fires and river rescues.

Mr. LaMere opined the ladder trunk also be a pumper truck. Mr. Marchand shared the challenges with that in terms of cost and fitting out the chassis.

Mr. Cooney questioned the allocation for Computer Replacement Program and whether the project details notation that, "...*Funding also supports the replacement and upgrade of switches and other essential system and/or server related costs to maintain a working network for all town departments...*" included software and licensing. Mr. Kelly indicated that it did not, explaining those items are included in the operating budget. Mr. Kelly noted that there are increases in software and licensing for the FY23 operating budget. He explained that there are increased costs due to new software associated with the State mandate requiring body cameras for the police officers. He noted that there are also increased efforts to be more customer friendly with planning and zoning and will be accomplished through online permitting. The CIP does not include those ongoing costs and are instead true capital upgrades including hardware such as switches on the server and computers and monitors.

Mr. Marchand questioned the reason behind the Recreation Department increasing the size of the tractor. Mr. Kelly assured Mr. Marchand he would get back to him on this matter.

MOTION: Mr. Marchand, Mr. Sanden second, to approve the Town Manager's Capital Improvement Plan pursuant to Section 1106(d) of the Town Charter; unanimously approved.

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

The commission reviewed regulations of other towns that have added retail cannabis as an approved use in their zoning regulations. It was noted that the matter of distances between an establishment or a school had already been discussed as being measured door to door.

Limiting the signage was discussed. The consensus of the commission was to add the definitions as presented at this meeting. It was also agreed to add the language from Meriden's regulation regarding visibility as well as the lead from Newington's regulation regarding a limit to the size of a sign. It was noted that the language should include the proposal being subject to the regulations on signs but limiting it to no greater than 24"x48".

Mr. LaMere exited the meeting at 8:01PM.

12. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Platt second, to adjourn; unanimously approved. The Commission adjourned at 8:12PM.

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