



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester**

**Held Remotely (Via Zoom) and livestreamed on YouTube.
March 8, 2021 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

Chairman George Closson called the meeting to order at 7:07PM.

Mr. Closson noted that the following individuals were present: Peter Marchand, Jerry Martinez, Craig Sanden, and Alternates John Cooney(7:06PM) and Will Platt.

Art Melycher was absent. Mr. Platt was seated in his stead.

2. PUBLIC COMMENT:

No comment was received.

3. AGENDA REVIEW.

The agenda was modified to add *Outdoor Dining* under *New Business*. Additionally, *Resolution Regarding Local Control of Zoning* was added under *New Business*.

4. PUBLIC HEARINGS:

A. PZC#20-30 – Special Permit Location: 149 Newfield Road Applicant/Owner: East Coast Assistance Dogs (ECAD) Proposal: Special Permit for Phase III of Training Kennel and Modify Approved Site Plan.

It was noted that a request had been received from the applicant's engineer to continue the application to the March 22, 2021 regular meeting.

MOTION: Mr. Closson, Mr. Sanden second, to continue the public hearing in the matter of PZC#20-30 – Special Permit Location: 149 Newfield Road Applicant/Owner: East Coast Assistance Dogs (ECAD) Proposal: Special Permit for Phase III of Training Kennel and Modify Approved Site Plan to the March 22, 2021 regular meeting at 7PM; unanimously approved.

5. OLD BUSINESS:

A. PZC#20-30 – Special Permit Location: 149 Newfield Road Applicant/Owner: East Coast Assistance Dogs (ECAD) Proposal: Special Permit for Phase III of Training Kennel and Modify Approved Site Plan.
No business was discussed.

B. PZC#21-01 – Special Permit Location: 100 New Hartford Road Applicant/Owner: James Kloczko Proposal: Special Permit for Landscape and Construction Yard/Mini Mix Concrete.

James Kloczko, accompanied by Professional Engineer Bob Greene, appeared before the Commission regarding this application. It was noted that a public hearing is necessary for this application and will be scheduled once the site plan has been completed. Mr. Kloczko reported the holdup was with the snow cover which prevented the wetlands delineation. Mr. Greene noted that some survey work has been completed. He noted that his client would be seeking a 65-day continuance.

C. PZC#21-04 – Excavation Renewal Location: 192 Torrington Road Applicant/Owner: Pieritalo Bauchiero Proposal: Excavation Renewal.

Neither the applicant nor a designated representative appeared before the Commission regarding this application. The Commission reviewed the updated site plan included with the application. Mr. Sanden noted

that in the past, the Commission has requested an inventory of the equipment located at the site. Mr. Closson recalled a tank and crushing equipment being located on the site.

MOTION: Mr. Closson, Mr. Sanden second, to grant the renewal of the excavation permit for Application PZC#21-04 192 Torrington Road Applicant/Owner: Pieritalo Bauchiero for a two-year extension, subject to the condition that the applicant update the current map to show any equipment that is stored on the site; unanimously approved.

6. NEW BUSINESS.

A. Outdoor Dining.

Mr. Marchand questioned whether the permits for outdoor dining issued last spring pursuant to the authority granted in the Governor's Executive Order could be extended through the summer. Mr. Closson indicated that he would reach out to his contact at the Governor's office to inquire.

B. Resolution Regarding Local Control of Zoning.

Mr. Martinez reminded the Commission that legislation was being considered that would in effect take away rights of local zoning and had forwarded a proposed Resolution earlier that afternoon to Mr. Closson.

MOTION: Mr. Martinez, Mr. Marchand second, to review and sign off on the resolution, as prepared, *A Resolution in Support of "Home Rule" in Municipal Zoning Decision Making*; unanimously approved.

The Commission reviewed and voted unanimously on the following resolution. As the Commission reviewed the resolution, Mr. Martinez noted that the Commission takes great care in how they review each application and decide on approvals. He indicated that each application is reviewed carefully. The consensus of the commission was that the resolution ought to be adopted and forwarded on to the legislature.

A RESOLUTION IN SUPPORT OF "HOME RULE" IN MUNICIPAL ZONING DECISION MAKING

WHEREAS Connecticut's towns and cities successfully use local zoning and planning processes to balance private property rights, the community's interests, demands on infrastructure, housing needs, and economic growth; and

WHEREAS local control and decision making empowers the residents and taxpayers of each town and city to carefully tailor zoning policies that reflect its unique geography, economy, and housing market; and

WHEREAS localized decision making ensures the greatest level of accountability while allowing affected community members the greatest level of input and the platform through a public hearing to provide specific, relevant information on potential impacts that only they would have knowledge of; and

WHEREAS local control and local input enable neighbors and the local community to provide beneficial suggestions, identify errors and maximize community buy-in on zoning proposals; and

WHEREAS proposals have been introduced in the General Assembly to strip local planning and zoning processes from towns and cities; and

WHEREAS proposals have been introduced in the General Assembly to allow BY RIGHT market value multi-family development that will not generate any new affordable housing units; and

WHEREAS proposals have been introduced in the General Assembly to allow outside Housing Authorities within 15 miles radius to develop affordable housing projects within our town; and

WHEREAS BY RIGHT multi-family development can lead to exponential market value overbuilding and can cause adverse impacts to town infrastructure; and

WHEREAS BY RIGHT development gives outsized rights to builders over all other property owners and prevents local Planning and Zoning Commissions from identifying the potential impacts of their project and imposing conditions upon a developer to address those direct impacts; and

WHEREAS, eliminating public hearings and community input on zoning matters would have unintended consequences such as increased infrastructure costs, increased local property taxes, and reduced home and business values which will be borne by the town residents; and

WHEREAS each town and city already have the choice to modify or abolish its zoning ordinances if the elected town or city government decides it best serves the community's interests; and

NOW BE IT RESOLVED the Planning and Zoning Commission of the Town of Winchester of the opposes and State Mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction on our town's Affordable Housing plan and any similar legislation that would further overrule, remove, or diminish local control and decision making related to planning and zoning or affordable housing from the Town of Winchester; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to all State Representatives and State Senators representing this town, to all members of the State Legislature's Planning and Development, Finance, and Housing Committees, and to all legislators sponsoring bills that remove local control of planning and zoning and affordable housing.

7. APPROVAL OF MINUTES: February 8, 2021 Regular Meeting.

MOTION: Mr. Marchand, Mr. Sanden second, to approve the February 8, 2021 Regular Meeting Minutes; unanimously approved.

8. COMMUNICATIONS.

No communications were received.

9. STAFF REPORT:

Staff suggested that "parking" as a principal use included in the Zoning Regulations ought to be reviewed sometime. It was noted that inquiries have been received for proposed parking areas only on otherwise undeveloped lots, especially in the Highland Lake District.

Mr. Closson questioned whether this might be a good topic to explore with the Northwest COG.

10. OTHER BUSINESS:

A. Predevelopment Discussion Regarding 170 West Lake Street with The Marina at Highland Lake.

Professional Engineer Rob Colabella of Lenard Engineering appeared before the Commission for a predevelopment discussion regarding a boat storage building. Mr. Colabella reported the owners of the marina were looking to expand the marina at the parcel across the street from their current location and to include boat storage, detailing and maintenance in a garage at that location, and a retail space.

Referring to the Zoning Regulations, Mr. Colabella noted the conflict related to maximum impervious surface in the Highland Lake Business District. He noted that while one area reflects an allowed maximum of 75%,

another area of the Zoning Regulations indicates that development must comply with the limits of 15% (and 20% when LID techniques are employed) in the Highland Lake District.

Mr. Colabella also questioned the definition of Mixed Use.

Mr. Closson indicated the Commission had intended to allow 75% in the Highland Lake Business District. Mr. Sanden recalled that to be the intention, too. Mr. Closson noted that the multiple uses being proposed would not necessarily need to be classified as a mixed use and could be permitted with the zoning regulations in their current form.

B. POCD Discussion.

Mr. Closson reminded Mr. Martinez that he was going to prepare suggestions regarding there currently being too much emphasis on conservation and Mr. Platt was going to provide direction on additional watershed protection through the small lots within the Highland Lake zone. Mr. Martinez and Mr. Platt indicated that they were continuing to work on these sections. Mr. Closson explained the timelines that are mandated relative to posting the draft of the POCD prior to it being effective. It was noted that it should be adopted by the Commission soon.

C. Short Term Rentals Regulation Workshop – POSTPONED.

No business discussed.

11. ADJOURNMENT:

MOTION: Mr. Marchand, Mr. Melycher second, to adjourn; unanimously approved. The Commission adjourned at 8:37PM.

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