



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION**

**Town of Winchester Town Hall
Held Remotely (Via Zoom)**

and was streamed live on YouTube:

<https://www.youtube.com/channel/UCT1ffiBjMTBQM5OEXSgKlqg/videos>

June 22, 2020 – 7:00PM

Special Meeting Minutes

1. CALL TO ORDER:

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

2. ROLL CALL:

Mr. Closson noted that the following individuals were present: Peter Marchand, Craig Sanden, and Alternates John Cooney and Will Platt.

Jerry Martinez and Art Melycher were absent excused. Mr. Cooney and Mr. Platt were seated for the meeting.

3. PUBLIC COMMENT:

No comment was received.

4. AGENDA REVIEW.

No changes were made to the agenda.

5. PUBLIC HEARINGS.

**A. PZC#20-10 – Special Permit Location: 787 Main Street Applicant/Owner: Ahmed Ali One, LLC
Proposal: Filling Station/Convenience Store.**

The legal ad was read into the record with it noted as having been run the requisite two times in the Republican American on June 9, 2020 and June 15, 2020. It was also noted that the receipts for the Certificate(s) of Mail had been received.

Staff reported that a variance had been granted from the Zoning Board of Appeals for this site plan. It was also reported that approval had been received from the Inland Wetlands and Watercourses Commission, too.

Professional Engineer Rob Colabella, Principal from Laurel Engineering, appeared before the Commission regarding this application. Mr. Colabella noted the location of the site as being the current *Twin Stop*, across the street from Dunkin and the library. He explained that the proposal includes razing the convenience store and converting the existing garage to the new convenience store and making other improvements to the lot. The existing condenser units located in the back of the building on the banks of the Mad River will be relocated to a pad on the side of the building, according to Mr. Colabella. Additionally, the storm water will be tied into drains on Route 44, he noted. Mr. Colabella confirmed that this had been reviewed and approved by Department of Public Works Director Jim Rollins. Mr. Colabella reported that the size of the convenience store will be increased with its new location within the footprint of the existing garage. He also noted the lot will be restriped and the water will be handled better than it currently is.

Mr. Closson noted that the amount of impervious surface on the site was not being changed. He noted the corner plantings on the south side of the parcel. Referring to the landscaping plan, Mr. Colabella noted that the plantings are increasing quite a bit. He noted that it was a priority to keep as much development as possible away from the Mad River as possible. Mr. Colabella noted that the pad around the dispensers will have grooves added as a precaution for spill protection. Mr. Closson noted that there was no identification to

the plant types. Mr. Colabella indicated that he would modify the plans to include those details. Mr. Closson questioned whether there were any plans for modifications to the canopy. Mr. Colabella indicated that the canopy would remain unchanged. He also noted that the only change to lighting is to add 90° cutoff around the building.

Mr. Closson questioned how the roof water coming off the building would be handled. He noted that there is not enough room to add a raingarden but indicated that the roof leaders could be tied in over to the basin.

Mr. Closson questioned the hours of operation. Mr. Colabella was unsure of the exact hours of operation but confirmed that the station is not open twenty-fours per day. He noted that they currently open at 6AM and close at either 10PM or 11PM.

Mr. Marchand questioned the height of the proposed shrubs. Mr. Colabella indicated that the plans call for 15-20" tall at 4' on center. He noted that different plants should be included to be above the condenser units. Mr. Colabella noted that the dumpsters will be screened and gated. He noted that the condenser unit is likely to be 36" so plants 4' or higher should function well as a screen.

Mr. Marchand questioned whether the dumpster enclosure has four sides. Mr. Colabella confirmed.

Mr. Platt questioned whether the building would have a sign. Mr. Colabella confirmed that his client had indicated that there would be, but that signage had not been included as part of this application. Mr. Platt shared his observations on the roof leaders, too. Regarding Mr. Platt's question on topography, Mr. Colabella explained that there are very little elevation variations on the site in the area of development.

Mr. Cooney questioned whether the pumps would remain where they sit currently. Mr. Colabella confirmed. Regarding the lighting, Mr. Colabella noted that there will be lighting on at least two sides of the building. Mr. Cooney questioned whether any changes would be made to the landscape islands. Mr. Colabella indicated that there would not be.

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

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

B. PZC#20-11 – Commission Initiated Zone Change Application Location: Various Properties on Beach Street, Walnut Street, Wetmore Avenue, Holabird Avenue, North Main Street, Strong Terrace, Old New Hartford Road, Main Street, Coe Street, Norfolk Road.

The legal ad was read into the record with it noted as having been run the requisite two times in the Republican American on June 9, 2020 and June 15, 2020. It was also noted that each effected property owner, of the parcels with proposed zone changes, had been sent a letter advising them of the zone that they are currently along with the excerpt from the Zoning Regulations with listed permitted uses for the proposed zone. Staff noted that approximately five or six residents had phoned with questions but were satisfied once they understood that their current use would not be impacted. Additionally, staff reported receiving comments from the COG who indicated that they found no apparent conflict with the application.

Mr. Closson questioned whether the other abutting Towns, who were also notified of the application, had shared any concerns, or had any questions. Staff indicated that the other towns had not contacted the office and confirmed that the return post card from the certified mail had been received from all the towns.

Mr. Platt questioned whether two properties on Old New Hartford Road may have been missed in this application. The GIS mapping was reviewed, and it did appear as if one property was not included in the identified properties. Mr. Closson noted that it should be included in a future change.

The hearing was open to the public.

Attorney Timothy Fetzter, owner of 76 Coe Street and a larger tract of land on Norfolk Road, questioned whether these zone changes, that for many years has been classified as forest land, would be effected and whether that classification would be subject to change. It was relayed to him that it would not.

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

6. OLD BUSINESS.

A. PZC#20-10 – Special Permit Location: 787 Main Street Applicant/Owner: Ahmed Ali One, LLC Proposal: Filling Station/Convenience Store.

MOTION: Mr. Closson, Mr. Marchand second, to approve Application PZC#20-10 Special Permit Applicant/Owner: Ahmed Ali One, LLC Location: 787 Main Street Proposal: Filling Station/Convenience Store, subject to the following:

1. In evaluating the 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. Approval is granted based on the following submitted plans and drawings:
Site plan prepared by Laurel Engineering, LLC Filling Station and Convenience Store Prepared for Ahmed Ali One, LLC dated April 8, 2020 revised through May 21, 2020, Sheets 1, 2, 3, D1, and SCS-1, and Architectural Plans of John Martin and Associates, Plans A1-A4, dated 3-10-2020.
3. This application is consistent with the Town's Plan of Conservation and Development.
4. This application meets the criteria and standards of III.J. Common Regulations – Special Permits/Special Exceptions.
5. Engineer to add landscape details, specifically the Division Street side, with the type and height of plans so they in fact cover the proposed condenser units.
6. Engineer to provide cut sheet to show exterior lighting to be used including wattage and 90° cutoff.
7. Dumpster enclosure to be gated and enclosed with black fence and black slats with a minimum of one foot higher than dumpster located within.
8. Final plan to be submitted by engineer to reflect tying in roof drains into stormwater system. Architectural drawing to note HVAC to be designed by HVAC company;

unanimously approved.

B. PZC#20-11 – Commission Initiated Zone Change Application Location: Various Properties on Beach Street, Walnut Street, Wetmore Avenue, Holabird Avenue, North Main Street, Strong Terrace, Old New Hartford Road, Main Street, Coe Street, Norfolk Road.

MOTION: Mr. Closson, Mr. Platt second, to approve the proposed zone changes as presented with an effective date of June 25, 2020, noting that the changes are in harmony with the Plan of Conservation and Development;

unanimously approved.

7. NEW BUSINESS.

None.

8. APPROVAL OF MINUTES: May 28, 2020 Regular Meeting.

MOTION: Mr. Marchand, Mr. Cooney second, to approve the May 28, 2020 Minutes;

unanimously approved.

9. COMMUNICATIONS.

None.

10. STAFF REPORT:

Staff updated the Commission on pending Zoning enforcement matters.

11. OTHER BUSINESS:

A. POCD Discussion.

Mr. Closson noted that he has not yet received the POCD sections from Mr. Martinez and Mr. Sanden on the 2011 POCD update.

B. Short Term Rentals Regulation Workshop – POSTPONED.

As it was agreed that discussions would resume on regulating Short Term Rentals, Mr. Closson indicated that it should continue to be carried as an agenda item but that a workshop would be delayed until the Commission could meet in person rather than have the public try to participate on this via Zoom.

12. ADJOURNMENT:

MOTION: Mr. Marchand, Mr. Platt second, to adjourn; unanimously approved. The Commission adjourned at 8:10PM.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**