



**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>

May 28, 2020 – 6:00PM

Special Meeting Minutes

1. CALL TO ORDER:

Chairman George Closson called the meeting to order at 6:40PM.

2. ROLL CALL:

Mr. Closson noted that the following individuals were present: Peter Marchand, Jerry Martinez, Craig Sanden, and Alternates John Cooney (7:10PM) and Will Platt.

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

3. PUBLIC COMMENT:

No comment was received.

4. AGENDA REVIEW.

The agenda was modified to add *Discussion of Sign Request for Winsted Medical Associates/80 South Main Street* as Item *E* and *Continuing Executive Order 7MM – Legal Concerns* as Item *F* under *Other Business*. It was also modified to add *Solar Farm Project on Platt Hill Road* under *Other Business*.

5. PUBLIC HEARINGS.

None.

6. OLD BUSINESS.

None.

7. NEW BUSINESS.

A. PZC#20-08 – CGS 8-24 Referral – 8 Charles Street Applicant/Owner: Town of Winchester Proposal: Boundary Line Adjustment with Property Owner of 29 Bridge Street to Enable Road Improvement, including Conversion of Bridge Street to One-Way Traffic.

Department of Public Works Director Jim Rollins appeared before the Commission to discuss this application. Mr. Rollins reminded the Commission that a grant had been received for improvements to the Bridge Street, Willow Street and Depot Street intersection. He noted that the engineers have recommended converting Bridge Street to one-way, going up the hill. Mr. Rollins explained that to address concerns shared by emergency personnel, the Charles and Maple Street intersection will be widened. To accomplish the concerns of the owner at 29 Bridge Street, the Town is going to convey one half of 8 Charles Street, the western half, to provide him with adequate parking when Bridge Street is reduced to one-way.

Mr. Platt questioned what was planned to advise drivers of the change to Bridge Street. Mr. Rollins noted that as part of the project, the traffic will weave left and explained that the barriers will likely be vegetative in type. Mr. Marchand questioned whether the walkway reconstruction in this area will be part of the project. Mr. Rollins noted that there will definitely be work undertaken with the driveway at 29 Bridge Street but there had not yet been discussion about the sidewalks. Mr. Rollins reported that the new design will be mocked up with paint and cones to function as a trial-run prior to actual construction being undertaken.

Mr. Martinez questioned whether there would likely continue to be an ice problem in this area. Mr. Rollins opined that the conditions would be no worse than they currently are, noting that there is not a great deal of traffic that flows from Prospect Street taking a right onto Bridge Street. With the planned reconfiguration, Mr. Rollins noted that it was even less likely for traffic to travel that way.

MOTION: Mr. Closson, Mr. Sanden second, to forward a positive recommendation, pursuant to CGS 8-24, regarding PZC#20-08 – CGS 8-24 Referral – 8 Charles Street Applicant/Owner: Town of Winchester Proposal: Boundary Line Adjustment with Property Owner of 29 Bridge Street to Enable Road Improvement, including Conversion of Bridge Street to One-Way Traffic;

unanimously approved.

B. PZC#20-09 – CGS 8-24 Referral – 85 Rowley Street Applicant/Owner: Town of Winchester Proposal: Aviation Easement to Winsted Medical Associates, LLC.

Mr. Closson reported that he had conferred with Phil Doyle of LADA regarding this proposal. He noted that the heliport design had not yet been formally approved by the State. Mr. Closson explained that the request was for an easement to protect the approach which only extends 280' from the heliport, with Winsted Medical Associates, LLC owning 140' from the heliport to the property line. He noted that the easement area is for the remaining 140' on Town property. The area is cone-shaped and consists primarily of wetlands currently. However, if the land were to dry and tall trees were to grow, Winsted Medical Associates, LLC would have the right to maintain them to protect the approach through this easement.

MOTION: Mr. Sanden, Mr. Marchand second, to forward a positive recommendation, pursuant to CGS 8-24, regarding PZC#20-09 – CGS 8-24 Referral – 85 Rowley Street Applicant/Owner: Town of Winchester Proposal: Aviation Easement to Winsted Medical Associates, LLC;

unanimously approved.

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

The application was scheduled for a public hearing on June 22, 2020.

8. APPROVAL OF MINUTES: April 13, 2020 Regular Meeting.

MOTION: Mr. Marchand, Mr. Platt second, to approve the April 13, 2020 Minutes;

Motion passed with Mr. Closson, Mr. Marchand, Mr. Martinez and Mr. Platt voting aye while Mr. Sanden abstained.

9. COMMUNICATIONS.

None.

10. STAFF REPORT:

Staff updated the Commission on Outdoor Dining resulting from the first phase reopening following the declared State of Emergency during the COVID-19 pandemic. She noted that not every restaurant has taken advantage of the Outdoor Dining provisions, but contact was made with each. Staff praised the assistance received in this respect from the Economic Development Commission, particularly Jim Welton, who was instrumental in visiting the establishments to bring them special temporary permit applications.

11. OTHER BUSINESS:

The agenda was further modified to take up *Discussion of Sign Request for Winsted Medical Associates/80 South Main Street* ahead of *POCD Discussion*.

A. Discussion of Sign Request for Winsted Medical Associates/80 South Main Street.

Joan Pelletier, a representative from the Madison Sign Group, reviewed the sign package. Ms. Pelletier reviewed the branding planned for the front elevation as well as the EMERGENCY directional signage. She then reviewed the rear elevation, which functions as the main entrance to the building, with the Emergency and the awning signage and the mini canopy sign which was 5 square feet. The Commission was also presented with the internally illuminated, double-sided monument sign. She noted that only the copy will be illuminated. Mr. Closson questioned whether there might be additional signage possible for tenants on what was depicted as “Winsted Imaging”. Ms. Pelletier confirmed. She explained that Hartford Healthcare does not typically like to identify too many services on their signs as they usually opt for just their branding at the top of it. Mr. Closson explained that the regulating is limited to the size of signage not the content.

Mr. Marchand questioned whether a permit was required for sight line from the State of Connecticut Department of Transportation. Ms. Pelletier noted that the signs will be located on the owner’s property. She noted that the signs will meet the ten-foot setback requirements.

MOTION: Mr. Marchand, Mr. Sanden second, to find that the modifications, the signs, are minor in scope and thusly do not require a modification of the Special Permit;

unanimously approved.

B. Solar Farm Project on Platt Hill Road (Trade Winds Parcel) – Petition to Siting Council

Referring to the proposed location of a pending solar farm project, Mr. Sanden reminded the Commission that when a subdivision was being reviewed for this site, there were significant issues with the topography at this location. He noted that he had concerns with whether there would be any undergrowth under the solar panels and questioned whether there would be drainage issues there. Staff noted that there is a link on the Inland Wetlands and Watercourses Commission page of the town website to the full application before the State of Connecticut Siting Council. She reported that Attorney Marianne Barbino Dubuque, who is representing the Town in this matter, had been in contact as she was reaching out to various individuals including Mr. Closson.

Mr. Closson indicated that in speaking with Attorney Dubuque, he had suggested requiring a bond for the removal of equipment. He emphasized how critical the watershed is in his discussions with her. Mr. Closson noted that the Department of Energy and Environmental Protection will review the stormwater management plan. Mr. Marchand reported having spoken with Attorney Dubuque, too. Mr. Platt questioned whether there was still time to submit correspondence to her. Mr. Closson indicated that he would forward her contact information to him.

D. POCD Discussion.

Mr. Closson requested Mr. Martinez and Mr. Sanden submit their sections of the update to the 2011 POCD to him.

E. 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 matter via Zoom.

F. Zone Changes – 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.

Mr. Closson reminded the Commission about the earlier discussions regarding the parcels along Old New Hartford Road that had been zoned Town Gateway (TG) and the parcels on the western end of Main Street that were not zoned TG that ought to have been. He reported working with staff to identify parcels on the northern end of Route 8 that were zoned TG, including parcels along Walnut Street.

The Commission reviewed the GIS for these areas. The properties zoned as TG in the area of North Main Street and Torrington Road were reviewed. The Commission requested that the properties identified for zone changes be reviewed for whether they currently have single-family residences, two-family use, or multi-family use.

It was agreed that a public hearing would be scheduled for these zone changes for the Monday, June 22, 2020 regular meeting.

G. Executive Order - Outside Dining - Possible Extension of Permits.

Mr. Closson reported that after reviewing how the Executive Order relative to outdoor dining ends in September, he had contacted Lieutenant Governor Susan Bysiewicz who had put him in contact with their Deputy General Counsel, Doug Dalena. He had explained that an act of the legislature enables the governor to issue executive orders for a maximum period of six months. Attorney Dalena had noted that unless the legislature grants additional time, the order would expire at midnight of September 9, 2020. Mr. Closson noted that according to the email from Attorney Dalena, municipalities individually could extend the zoning approvals past that September 9th date based on the COVID-19 pandemic and if it is not extended, the establishments would need to go to Torrington Area Health District. He noted that if they had a liquor license, they would have to go to the Liquor Control Authority, too. Mr. Closson suggested that the Commission extend the temporary permits through the end of October.

The consensus of the Commission was that by extending the temporary permits, it would give the business establishments a chance to plan for a fall season outside and gives their patrons some sense of well-being if there remains concerns about being in a crowded restaurant.

MOTION: Mr. Closson, Mr. Marchand second, to authorize the temporary permits that are being issued under this Executive Order be extended through October 31, 2020;

unanimously approved.

H. Continuing Executive Order 7MM – Legal Concerns.

Mr. Martinez shared his concerns with the executive orders coming from Hartford and how they impact towns, noting that typically there is an opportunity for a hearing locally with land use matters. He noted that his research revealed that a governor is afforded the ability to grant executive orders as part of civil preparedness, such as the result of storms or natural event and public health. He noted that his review regarding the rate of deaths relative to COVID-19 is no different than the flu season of 2017-2018. Mr. Martinez noted that he had no objection to extending the provisions for outdoor dining but did have concerns when the next flu season breaks out. He shared his concerns with the viability of restaurants that are not able to function at 100%.

Mr. Martinez questioned whether the Town is protected from potential legal action that might result from a safety issue resulting from the new expanded outdoor dining approvals. Although he was not sure how the State could extend the coverage of municipalities in this regard, Mr. Closson recalled that there had been some directive in this respect. He requested staff consult with Attorney Kevin Nelligan to confirm this to be true.

12. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Marchand second, to adjourn; unanimously approved. The Commission adjourned at 7:40PM.

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