



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor – P. Francis Hicks Room
February 10, 2020 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

Chairman George Closson called the meeting to order at 7:00PM.

2. ROLL CALL:

Mr. Closson conducted the roll call, noting that the following individuals were present: Craig Sanden, Peter Marchand, Jerry Martinez, Art Melycher, and Alternates John Cooney and Will Platt.

3. PUBLIC COMMENT:

No comment was received.

4. AGENDA REVIEW:

The agenda was modified to add *B. Discussion of 920 Main Street* and *C. Discussion of 812 Hosley Road* under *Other Business*.

5. PUBLIC HEARINGS:

A. PZC#19-14 – Special Permit – 132 Wahnee Road – Applicant: Dave Stricker Owner: Camp Wah-nee in the Berkshires, Inc. Proposal: Commercial Recreation: Demolish Existing Cottage; Construct New 3779 Square Foot Dwelling; and 38’x38’ Addition to Fitness Center.

MOTION: Mr. Sanden, Mr. Marchand second, to open the public hearing; unanimously approved.

Neither the applicant nor a designated representative was present.

Mr. Closson noted that it was necessary to close the public hearing on this application at this meeting pursuant to timing requirements of the General Statutes. Staff had provided the Commission with copies of the Minutes as a refresher of the discussion of this application to date.

The consensus of the Commission was that the record did not contain enough information to allow them to make a determination on the application. It was noted that they have not had the opportunity to hear from or question the applicant’s engineer.

MOTION: Mr. Sanden, Mr. Melycher second, to close the public hearing; unanimously approved.

B. PZC#20-02 – Special Permit – 244 Main Street – Applicant: Marisol Nunes Owner: John Koutroumanis Proposal: Mixed Use – Convert former Two Farms Market Into Nail Salon/Future Beauty Salon (Retail, Personal Service).

Mr. Melycher recused himself from this application and exited the meeting room. Mr. Cooney was seated in his stead.

The legal ad was read into the record with it being noted as having ran the requisite two times on January 29, 2020 and February 3, 2020 in the Republican American newspaper. Certificates of mail, serving as evidence that abutting properties received notice of the application and public hearing, were noted as having been received.

Staff reported receipt of an email from Tam Tran, owner of 236 Main Street, sharing her concerns as she is an operator of an existing nail salon just down the road. Copies of the email had been distributed to both the Commission and the applicant.

Marisol Nunes, accompanied by her young son Andy, appeared before the Commission regarding this application. Her son assisted her with the presentation as English was not her first language. It was noted that she wants to open a nail salon but explained that she was not seeking to be a competition. Mr. Closson questioned whether the applicant had done this type of work before. Her son confirmed that she had and that she had taken classes for this type of work. Mr. Closson questioned whether she would occupy the entire space of the former Two Farms Market. Ms. Nunes confirmed.

It was noted that the signage would require a Zoning Permit to be ensure compliance with the regulations that govern size. Ms. Nunes confirmed that there were no proposed changes to the existing lighting. With regards to hours of operation, Ms. Nunes reported that she would be open from 10AM to 6PM and only be closed Wednesday and Sunday.

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

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

Mr. Melycher rejoined the Commission and was again seated.

6. OLD BUSINESS.

A. PZC#19-14 – Special Permit – 132 Wahnee Road – Applicant: Dave Stricker Owner: Camp Wah-nee in the Berkshires, Inc. Proposal: Commercial Recreation: Demolish Existing Cottage; Construct New 3779 Square Foot Dwelling; and 38’x38’ Addition to Fitness Center.

Discussion of the Commission centered around having an opportunity to question the plans and any modifications that could come out as a result of the wetlands review. Mr. Sanden noted that if the application is denied without prejudice, the applicant could reapply at his convenience.

MOTION: Mr. Sanden, Mr. Melycher second, to deny without prejudice Application PZC#19-14 Special Permit for 132 Wahnee Road; unanimously approved with Mr. Closson, Mr. Marchand, Mr. Martinez, Mr. Melycher, and Mr. Sanden voting to deny the application.

B. PZC#20-01 – Site Plan Modification Request – 149 Newfield Road – Applicant: East Coast Owner: ECAD Proposal: Modification of Site Plan Approved 04/11/16 and Modified 05/14/2018

It was reported that this application had been withdrawn. No discussion occurred and no action was taken.

C. PZC#20-02 – Special Permit – 244 Main Street – Applicant: Marisol Nunes Owner: John Koutroumanis Proposal: Mixed Use – Convert former Two Farms Market Into Nail Salon/Future Beauty Salon (Retail, Personal Service).

Mr. Melycher recused himself from the consideration of this application and exited the meeting room. Mr. Cooney was seated in his stead.

MOTION: Mr. Marchand, Mr. Martinez second, to approve Application PZC#20-02 Special Permit Applicant: Marisol Nunes Owner: John Koutroumanis Location: 244 Main Street Proposal: Mixed Use – Convert former Two Farms Market Into Nail Salon/Future Beauty Salon (Retail, Personal Service), based on testimony and subject to the following conditions:

1. In evaluating this 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. This plan is consistent with the town's Plan of Conservation and Development; and
3. This application meets the standards of 3.j.Common Regulations: Special Permits/Special Exceptions;
*Unanimously approved with Mr. Closson, Mr. Cooney, Mr. Marchand, Mr. Martinez,
and Mr. Sanden voting in favor.*

7. NEW BUSINESS:

None.

8. APPROVAL OF MINUTES: January 13, 2020 and January 27, 2020.

The January 13, 2020 Minutes should be amended to note Mr. Marchand as seconding the motion to open the public hearing for Application PZC#19-14, not Mr. Melycher as written.

MOTION: Mr. Sanden, Mr. Closson second, to approve the January 13, 2020 Regular Meeting Minutes as amended; Motion passed with Mr. Closson, Mr. Sanden, and Mr. Marchand voting aye while Mr. Martinez and Mr. Melycher abstained.

MOTION: Mr. Sanden, Mr. Marchand second, to approve the January 27, 2020 Regular Meeting Minutes; Motion passed with Mr. Closson, Mr. Sanden, Mr. Marchand, and Mr. Martinez voting aye while Mr. Melycher abstained.

8. COMMUNICATIONS:

No other communications besides the two included under Other Business were received.

9. STAFF REPORT:

Staff reported about an upcoming meeting with representatives from Cumberland Farms for their plans to demolish their existing convenience store and reconstruct a new one. She explained that discussion will center around the best approach to deal with setbacks in that zone as they relate to development of that site and the two abutting properties.

Additionally, staff reported on the progress of the medical office building at 80 South Main Street, noting that a building permit application had been submitted for the interior fit-out of the building. She noted that the developer had indicated a September, 2020 opening.

Mr. Closson requested that the terms of the commissioners be obtained and provided to this commission. Selectman Steve Sedlack explained that his Board is attempting to include the length of terms and expiration dates as they approve the appointments.

10. OTHER BUSINESS:

A. Rural Residential Zones/Town Gateway Zones.

The zones leading out of town along Route 44, heading to Norfolk, were discussed. Mr. Closson noted that they are currently Rural Residential but suggested that they should have been designated as Town Gateway(TG). Their being RR may have been a mistake. Mr. Closson suggested that there may be errors in other properties like this that should have been TG. He requested it be carried as an agenda item for the next regular meeting.

B. POCD Discussion.

It was agreed that the next POCD subcommittee meeting would be scheduled for March 16, 2020.

C. Discussion of 920 Main Street.

The Board was provided with a copy of the Abatement Order issued by Fire Marshal Steve Williams. It was reported that with a scheduled site visit on January 30, 2020 by Mr. Williams and Building Official/Zoning Enforcement Officer Marc Melanson, the owner did not show. Mr. Melanson had reviewed the exterior of the

site to determine whether it complied with the terms of the Special Permit. It was noted that at that time, it did not. The consensus of the Commission was to request a written report from Mr. Melanson regarding the remaining outstanding items stemming from the conditions of approval for the next regular meeting of this board. Additionally, they requested that an opinion be sought from Attorney Kevin Nelligan regarding the process for revoking the Special Permit.

D. Discussion of 812 Hosley Road.

Mr. Closson reported that a letter had been received from the owner of this property detailing her experience with obtaining the necessary land use permits from the Zoning Board of Appeals to demolish her current dwelling in the Highland Lake District and reconstruct a new one, better centered in the lot. After an initial permit was received, she then returned to the Zoning Board of Appeals with a second application after having modified her building plans, according to Mr. Closson. A new discovery with the size of her truck relative to her proposed garage will now require that she revisit the Zoning Board of Appeals with a third application. Mr. Closson spoke about administrative approvals allowed through this board when minor modifications are necessary with a site, without having to go through the Special Permit process again. It was noted that the property owner requested that the application fees for her third application be waived and that Town staff be directed to make her copies. The consensus of the Commission was that the request was outside of what was within their authority.

11. ADJOURNMENT:

MOTION: Mr. Marchand, Mr. Martinez second, to adjourn at 8:10PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk