



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor – P. Francis Hicks Room
June 10, 2019 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

Chairman Craig Sanden called the meeting to order at 7:00PM.

2. ROLL CALL:

Mr. Sanden conducted the roll call, noting that the following individuals were present: George Closson, Pete Marchand, Jerry Martinez, and Alternate Lee Thomsen.

It was noted that Art Melycher was absent. Mr. Thomsen was seated for Mr. Melycher.

3. AGENDA REVIEW:

No changes were made to the agenda.

4. PUBLIC HEARINGS.

None.

5. OLD BUSINESS:

None.

6. NEW BUSINESS:

A. CGS Section 8-24 Referral – 189 Rowley Street – Action Requested: Relocation of Eversource Easement Recommendation to the Board of Selectmen.

Mr. Sanden recalled this Commission reviewing this proposed work on more than one occasion.

MOTION: Mr. Closson, Mr. Marchand second, to approve Application #18-16 CGS 8-24 Referral Applicant/Owner: Town of Winchester Location: 189 Rowley Street Proposal: CGS 8-24 Referral Map: 034 Block: 158 Lot(s): 036 Zone: TG and to forward a positive referral in reference to the relocation of the Eversource easement, salt shed and police department impound facility improvements to be located at 189 Rowley Street, pursuant to the Special Permit of September 10, 2018, in accordance with C.G.S. 8-24; unanimously approved.

7. APPROVAL OF MINUTES: May 20, 2019

MOTION, Mr. Closson, Mr. Marchand second, to approve the May 20, 2019 Minutes; unanimously approved.

8. COMMUNICATIONS:

It was noted that the Minutes from the most recent Zoning Board of Appeals had been provided to the Commission. Staff indicated that each board would be provided with copies of Minutes from the other board so as to keep both land use boards informed of the types of applications that are being received.

9. TOWN PLANNER'S REPORT:

Commissioners discussed the recent ground-breaking ceremony at 80 South Main Street, the location of the future Winsted Medical Office buildings. Mr. Sanden, Mr. Martinez, and Mr. Marchand shared their observations from the site visit.

Staff reported that Little Red Barn Brewery will likely have soft openings prior to "Pitch Night" scheduled for Tuesday, June 25th. Pitch Night is a collaborative event sponsored by Torrington Savings Bank, Northwest Connecticut Community College, and The Entrepreneurial Center of Northwest Connecticut where local start-ups can network and practice their pitch with seasoned business owners and mentors.

Mr. Closson questioned whether the full cut-off lighting at the Little Red Barn Brewery has been installed. He reminded the Commission that what had been installed had not met the Zoning Regulations. It was relayed that Zoning Enforcement Officer Marc Melanson had noted the lighting in his inspection earlier this same date. Mr. Closson questioned what assurance there was that Parker Benjamin, the developer of the site, would comply. Staff noted an update would be provided at the next regular meeting.

10. OTHER BUSINESS:

A. Discussion of Unresolved Issues at Marina.

Jordan Moore and Eric Richards were present to address open items from their site plan that were included as conditions to their Special Permit approval. The Commission had been provided with an Interoffice Memorandum, dated June 6, 2019, from Fire Marshal Steve Williams indicating that, "...the marina was in compliance with the requirements set forth in the February 11, 2019 meeting as it pertains to Connecticut State Fire Codes...".

The Commission also reviewed a memorandum from Department of Public Works Director Jim Rollins, dated June 6, 2019, regarding the latest status of compliance with the conditions. Mr. Moore and Mr. Richards were provided with copies of these memorandums just prior to this meeting.

Additionally, the Commission was provided with a copy of an Inspection Report prepared by Building Official/Zoning Enforcement Officer Marc Melanson dated June 4, 2019. Mr. Moore and Mr. Richards had been previously provided with a copy of this report on that date.

Mr. Moore reported that in the week leading up to Memorial Day a list of eight to ten items had been provided to them, by Mr. Melanson, that were part of their site plan approval. He explained that with the Grand Opening only three days away, they scrambled to complete all the items that were included on that list as best as they could. At that time, Mr. Melanson had communicated to them that they were okay for now. After the opening of the marina, Mr. Melanson returned to inspect the completed work early last week and had a few issues with some of the previously completed work and also added new items that were not on the initial list, according to Mr. Moore.

Mr. Moore indicated that as they had no time to complete the handicap parking spot, they installed one themselves and had it striped. He reported that Mr. Melanson had noted that the parking spot was too bumpy and that the spot required a flatter grade to meet Building Code. Mr. Moore reported that Fragale Paving had been contacted to do the corrective work as soon as possible.

With regards to the handicapped parking sign, Mr. Moore explained that he was unaware that the sign was required to be of a specific kind. He noted that this would be swapped out as soon as possible.

Mr. Moore reported that they were unaware that the dumpster enclosure required gates in order to be considered complete. He explained that the necessary striping on the other side of the road should be accomplished easily. Mr. Marchand questioned whether there would be a sidewalk installed in that location. Mr. Moore noted that they did not add one. Mr. Marchand questioned whether it would be at the same elevation of the road. Mr. Moore confirmed. He noted that Mr. Melanson indicated that it merely needed to be striped, with a simple line depicted to indicate that it is not the road.

Mr. Moore explained that the approved site plan had reflected that the lake side of the property was shown as all wooden decking. However, as they began doing concrete work in that area, he and Mr. Richards determined that it made more sense to pour concrete over the existing slab.

With regards to the flood control wall, Mr. Moore reported that Mr. Rollins had originally relayed that it need only be a hard-faced wall, constructed with 6"x6" timbers or cement blocks. Following the approval they gained from the Inland Wetlands and Watercourses Commission, they returned to Mr. Rollins to review their choice for materials, according to Mr. Moore. At that time, Mr. Rollins had advised them to confirm with the Department of Energy and Environmental Protection to be certain that the wall replacement proposal met their specifications. Mr. Moore noted that upon speaking with DEEP, they were advised that an engineer must sign off on the proposal. He explained that he contacted Professional Engineer Dave Battista at Lenard Engineering, who after contacting DEEP, noted the approval process for a permit would likely take six months. Mr. Richards reported that they had recently obtained a copy of the 1968 flood control wall prints to gather information on exactly what was required at that time. Mr. Richards noted that Mr. Battista had advised that the cost for Lenard to engineer the plans would be substantial and that they may want to seek alternatives for that reason. Mr. Richards reported that they had now contacted Professional Engineer Mike Sherman of Laurel Engineering to provide a plan. Mr. Sherman was the one who had advised them that they may be able to use the old plans from the original construction, according to Mr. Richards. Mr. Closson questioned the timing for this process. Mr. Moore explained that Mr. Battista had advised that it was a six-month process. It was clarified that it likely takes six months to gain approval once an application is filed with DEEP. Mr. Richards reported that the dam had just been inspected this past year and that the next inspection would likely not occur again for two more years. He noted that Mr. Rollins had indicated that they would need something in process by then.

With regards to all of the lighting for the docks not being installed, Mr. Moore explained that it was completed the day following Mr. Melanson's last inspection.

Mr. Moore addressed the discrepancy noted in the landscape buffer. He noted that what was planted was 5' tall but had received an email from Mr. Melanson explaining that they needed to be at least 6' tall. Mr. Moore explained that the arborvitae that had been installed to form a buffer would likely be that tall by Labor Day. He also agreed with Mr. Melanson's advisement that there should be area between those trees and any boats or equipment store in their vicinity.

The discussion of the Commission circled back to the concrete pad over by the lake. The consensus of the Commission was that the concrete used for the decking rather than the wood was a minor modification and did not necessitate a formal modification of the Special Permit.

Mr. Moore and Mr. Richards agreed to correct the following items within two weeks, by June 24, 2019: the grade of the handicapped parking spot, the correct sign for the handicapped parking spot, the gates for the dump enclosure, proper spacing in the landscape buffer, and the striping for the property entrance. Mr. Richards explained that Mr. Melanson had indicated that the driveway access points needed to be delineated.

Mr. Richards questioned the sign that was previously installed on the shed that reflected, "Gas Dock". The Commission agreed that this was not an advertising sign and was instead a directional sign and therefore appropriate.

Mr. Rollins had arrived at the meeting and communicated that with respect to the flood wall, he was seeking confirmation from DEEP that what was being proposed by the marina operators is acceptable to them. Mr. Rollins disagreed that the item could remain outstanding for two years. Discussion ensued.

MOTION: Mr. Marchand, Mr. Closson second, that Jordan Moore and Eric Richards return in two weeks with a plan and a timeline of when the flood wall will be complete along with a copy of their application to DEEP; unanimously approved.

The remaining outstanding items contained within Mr. Rollins' memorandum were then reviewed. Mr. Rollins questioned whether there was a cut sheet on the crosswalk and stop bar that were installed. Mr. Richards indicated that Northeast Line Striping had completed the work. Mr. Rollins shared that as he has only observed it during the day, it did not appear at that time to be reflective. He noted that epoxy is the preferred medium rather than a water-based product which is the reason he had requested a cut sheet ahead of the work.

With respect to a needed variance from the Board of Selectmen relative to the Driveway Ordinance, Mr. Richards explained that he was unaware that one was necessary. Mr. Richards agreed that an application would be submitted to the Town Manager's office to be added to the BOS agenda in this regard prior to this Commission's next regular meeting.

Regarding the in-street crosswalk sign, Mr. Richards agreed to contact Superintendent of Streets Dennis Millard for his approval on the specifications for it.

The upper driveway was discussed with it being noted in the memorandum, that it appears to still be located closer than twenty feet from the intersection. Mr. Rollins suggested saw cutting the driveway and the area between the stop sign and twenty feet to the driveway be converted to stone. He noted that it should match what was included on the site plan. Mr. Richards questioned whether it could be striped. Mr. Rollins noted that if their patrons cut the corner, a more substantial concrete curbing may be necessary.

B. Continued Discussion of Zoning Regulations.

It was noted that a public hearing has been scheduled on two of the proposed changes to the Zoning Regulations for the next meeting, the Commission will likely want to schedule a public hearing for the other changes.

Mr. Closson suggested that Parking Lot be added as a use in the zones that make sense. He also noted that charging stations need not be included as a specific use in the Zoning Regulations and ought to be recognized as being allowed wherever a parking lot exists currently.

The Subdivision Regulations were noted as a good source of what standards should be used for parking lots and sidewalks.

11. ADJOURNMENT:

MOTION: Mr. Sanden, Mr. Martinez second, to adjourn at 8:14PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**