



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor – Probate Conference Room
April 11, 2019 – 6:00PM
Special Meeting Minutes**

1. CALL TO ORDER:

Chairman Craig Sanden called the meeting to order at 6:00PM.

2. ROLL CALL:

Mr. Sanden conducted the roll call, noting that the following individuals were present: George Closson, Pete Marchand, Jerry Martinez, Art Melycher, and Zoning Enforcement Officer Marc Melanson.

It was noted that Alternates Lee Thomsen and Barbara Wilkes were absent excused.

3. DISCUSS ZONING REGULATIONS:

Proposed changes to the Zoning Regulations were discussed. These included typographical errors as well as more substantive changes that have been identified and suggested by members of the Commission as well as staff from review over the past ten months.

Mr. Sanden questioned Mr. Melanson about what he thought might expedite approvals for development in the downtown area. Mr. Melanson explained that the buildings in the Town Center zone that have either restaurants or retail on the first floor, but residential units in floors above, are considered Mixed Use, a use that is approved via a Special Permit. He noted that once a Special Permit has been received from this commission, a restaurant may be switched to another restaurant through a Zoning Permit. However, if it were a restaurant to a professional office as part of a Mixed-Use Building, a modification to a Special Permit would be necessary as part of a review before the Planning and Zoning Commission. The consensus of the Commission was that so long as applications are expedited the way they have been recently, this regulation and policy is working out okay.

The pros and cons of requiring A2 surveys of properties along Main Street were discussed.

The proposed changes to the Regulations that were reviewed included:

- Removing the word 'any' from the language "... *When restrictions are imposed by any federal law, ordinance...*" under I.C. Introduction to and Using the Zoning Regulations – Interpretation;
- Adding the words 'state' and 'local' to that same paragraph so it reads, "... *When restrictions are imposed be federal and state law, local ordinance...*";
- Adding 'Tavern' as a new permitted use, via a Special Permit, under Town Center and Town Gateway;
- Changing the definition of the term Retail, Personal Services by replacing the words 'dry cleaners' with the word 'laundromat';
- Add 'Outdoor Dining' as a use under Special Permits in Town Center and Town Gateway;
- Add 'Construction or Landscaping Business' as a use under Special Permits in Town Gateway and Production and Innovation;
- Deleting the language, "... *within 365 days from the date of the calamity...*" from C.2.b.iii Non-Conforming Uses, Buildings/Structures, Lots as well as deleting the whole line, "... *Certificate of Occupancy is issued for the structure within 548 days from the date of the calamity...*" in C.2.b.iv;
- Correct E.4.b. regarding Buffering Single-Family Uses by deleting the language regarding the table and instead using E.4.b.i. as the paragraph for that section;

- Modify E.11. by replacing the word 'must' with 'shall at the discretion of the Commission'. The following language would also be added: "...Individual refuse/recycling facilities shall be stored behind the dwelling unit. Refuse/recycling containers shall not be placed at the curb more than 24 hours in advance of scheduled collection date. Furthermore, collection containers shall be removed within 24 hours of 6AM of the scheduled collection date...";
- A provision added as an additional exemption under Sign Types under G.9.k.x. with the following language, "...One freestanding monument sign installed to identify a cemetery, provided it is less than 32 square feet in size and no greater than 12 feet in height, and non-illuminated, shall be allowed through a Zoning Permit subject to the review of the Zoning Enforcement Officer...";
- Including 'storage containers' as a requirement for Site Plans under H.3.iii;
- Correcting J.10. relative to Public Notice from Certified Mail requirement to Certificate of Mail requirement; and
- Deleting the language, "...Zoning Enforcement Officer may issue a zoning permit authorizing the installation and use of an accessory apartment within an existing or new owner occupied single-family dwelling..." from IV.A.2. Accessory Apartments.

The minimum setbacks for the Town Center zone were discussed. The Commission discussed commercial parking to be added as a use. Mr. Closson agreed to work on that use and report back.

The section on Decks, Patios, Terraces, Steps Needed for Building Access and Accessibility Features in the Highland Lake District was discussed. The language pertaining to the twenty-foot and nine-foot exceptions for this section was reviewed. The consensus of the Commission was to add a caveat to this section that decks with more than four hundred square feet need a Special Exception from the Zoning Board of Appeals.

The requirement of fourteen full-sized 24"x36" drawings was discussed. Adding a requirement for submitting an electronic copy was also discussed.

The Commission also discussed whether the accessory apartment definition needs to be modified. The language about whether the installation may need to be reviewed by the Zoning Board of Appeals, the use by this commission, and whether they may in some instances have to go to both was also discussed.

4. ZONING ENFORCEMENT OFFICER'S REPORT:

Discussion with Mr. Melanson occurred as part of the review of the Zoning Regulations. Commissioners guided Mr. Melanson to hold development to the approved site plans. Mr. Melanson agreed but reminded the Commission that as he serves not only as the ZEO but also the Building Official and Blight Officer, much of the enforcement stems from reported violations rather than audits after a project has been completed.

It was suggested that Mr. Melanson review storage containers used for clothing donations. It was noted that there is a new sign at the Winchester Grange regarding one.

5. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Marchand second, to adjourn at 8:08PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk