



**TOWN OF WINCHESTER  
PLANNING AND ZONING COMMISSION  
Town of Winchester Town Hall  
338 Main Street - 2<sup>nd</sup> Floor – P. Francis Hicks Room  
February 11, 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, Jerry Martinez, Pete Marchand, Art Melycher, and Alternate Lee Thomsen.

It was noted that Barbara Wilkes was absent excused.

**3. AGENDA REVIEW:**

No changes were made to the agenda.

**4. PUBLIC HEARINGS:**

**A. PZC#18-20 – Special Permit – 173 Lake Street and 228 East Lake Street Owner: First Bay Holdings, LLC Applicant: Jordan Moore and Eric Richard Proposal: Permitting Deck and Fuel Service for Marina; Signage.**

**MOTION:** Mr. Closson, Mr. Marchand second, to reopen the public hearing in the matter of PZC#18-20 – Special Permit – 173 Lake Street and 228 East Lake Street Owner: First Bay Holdings, LLC Applicant: Jordan Moore and Eric Richard Proposal: Permitting Deck and Fuel Service for Marina; Signage; unanimously approved.

Jordan Moore and Eric Richard appeared before the Commission regarding this application. Mr. Moore noted that commissioners were provided with newer versions of their plans, last revised February 9, 2019. He reported that they had received approval for a variance from the Zoning Board of Appeals, allowing the landscape buffer to be planted at ten (10') feet from the boundary lines, rather than the required thirty-five (35') feet. He noted that this should help with parking for the marina. Mr. Moore also noted that the handicap parking spot has been moved and that the proposed crosswalk will come directly across the street to a new sidewalk for handicap access to the ramp. The marina side modifications are limited to additional lights for each of the fingers of the docks. Mr. Moore reminded the Commission that a cut sheet had already been provided and noted that they shine directly down.

Mr. Moore noted that he they had learned that the fuel tank has to be moved one (1') foot from its present proposed location. He noted that they had no objection to it. Mr. Moore reported that they had met with a design company that could assist with a standpipe after having met with both local and state fire marshals. Mr. Closson questioned how the length of the docks will impact the standpipe. Mr. Moore reviewed what will likely be involved in installing the standpipes at approximately one hundred feet down the docks. He reviewed the information that had been provided by Fire Marshal Steve Williams regarding the circumstances that will require when a standpipe needs to be installed.

Mr. Moore clarified his previous comments regarding the display of boats at the marina. He explained that while they will not have a boat dealership, there will be boats for sale there. Docks and lifts will also likely be in the area marked 'Display' on their plans.

Mr. Melycher questioned what bathrooms the customers will use. Mr. Moore indicated that although they had at one point proposed a portable toilet outside on their site plan, they had decided to remove it. He indicated that they may bring one back depending upon what the demand becomes.

The hearing was open to the public.

Will Platt of 113 West Wakefield Boulevard questioned the pole light that was proposed and whether it was going to illuminate a very large area. He noted that all new lighting is supposed to be full cutoff. Mr. Platt also shared concerns with the parking. Additionally, he questioned whether the docks out at 225' might interfere with the slalom course.

John Pollack of 502 East Wakefield Boulevard distributed a handout containing several points of concern for him regarding the proposal. Among the concerns he shared were the increasing length of boats that create larger wakes which in turn cause damage to lake walls, the number of boats that are sought in this proposal, the distance that the docks will reach when out the full 225', and the added congestion on the lake.

Mr. Closson reported having contacted the Department of Energy and Environmental Protection (DEEP) regarding this application. After speaking to several individuals, he wound up speaking to the same individual that the applicants had consulted with, Mike Payton. Mr. Closson indicated that Mr. Payton had relayed to him that should the DEEP receive a complaint filed regarding the project's potential effect on navigation and is determined by that office that the docks may cause a hazard, the marina owner could be ordered to remove or relocate the docks by the DEEP. Mr. Closson noted that the DEEP also has a limitation of 22' for a lake boat and 30' for a pontoon boat.

Mr. Closson noted that there had been a staff meeting this past week that produced recommendations regarding approval for the proposal. It was noted that the applicants had received a copy of the Minutes from that meeting. It was also noted that the applicants had been provided with a copy of the draft motion, including the conditions, in advance of this meeting and had no objections to anything contained therein.

Mr. Closson questioned how the display area would be defined. Mr. Moore indicated that it would be set off with either a chain or a rope. A member of the public, Dave Carter, indicated that the Beach Club would likely have a copy of it.

Mr. Martinez questioned whether the applicants understand their approval to be one vessel per slip. Mr. Moore confirmed.

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

**B. PZC#19-02 – Special Permit – 655 Main Street Owner: Winsted Ambulance Association Applicant: Writeway Signs Proposal: 25 Sq Ft Electronic Message Board w/ 17 Sq Ft Identification Signage on 90"x120" Monument.**

**MOTION:** Mr. Closson, Mr. Melycher second, to open the public hearing; unanimously approved.

The legal ad was read into the record with it noted as having been advertised the requisite two times, January 31, 2019 and February 4, 2019, in the Republican American. It was also noted that receipts for mailing notice of the public hearing to the abutting properties had been received.

No designated representative for the applicant was present.

The hearing was open to the public for comment. No questions or comments were received.

**MOTION:** Mr. Closson, Mr. Marchand second, to continue the public hearing to the next regular meeting on February 25, 2019 at 7PM in the P. Francis Hicks Room of Town Hall; unanimously approved.

**5. OLD BUSINESS:**

**A. PZC#18-20 – Special Permit – 173 Lake Street and 228 East Lake Street Owner: First Bay Holdings, LLC Applicant: Jordan Moore and Eric Richard Proposal: Permitting Deck and Fuel Service for Marina; Signage.**

**MOTION:** Mr. Closson, Mr. Marchand second, to approve Application PZC#18-20 Special Permit Applicant: Jordan Moore and Eric Richard Owner: First Bay Holdings, LLC Location: 173 Lake Street and 228 East Lake Street Proposal: Permitting Deck and Fuel Service for Marina; Signage

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. Approval is granted based on the following submitted plans and drawings:
  - Site Plan prepared by DiCara Land Surveying entitled, "Site Plan The Marina @ Highland Lake 228 East Lake Street Winchester – Connecticut" dated October, 2018, revised January 9, 2019, January 26, 2019, and February 7, 2019.
  - Site Plan prepared by DiCara Land Surveying entitled, "Site Plan The Marina @ Highland Lake 173 Lake Street Winchester – Connecticut" dated January, 2019, revised January 16, 2019, January 26, 2019 and February 7, 2019.
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. Only owners or trained employees of the marina shall be permitted to fuel boats.
6. Flood wall to be reconstructed to the elevation of the high point of the boat ramp with final design to be approved by the Department of Public Works and/or their designated engineer. Applicant responsible for fees associated with Town's designated engineer. Applicant also responsible for Connecticut Dam Safety Division permits.
7. All lighting shall be full cut-off.
8. The Commission grants approval for a driveway access on Lake Street at a width of forty-two (42') feet, having advised the applicants that additional approval may be required from the Board of Selectmen pursuant to the Town Ordinance Section 142 Driveway Ordinance.
9. The Commission approves the lack of a paved apron for the Lake Street access.
10. Length of the two docks shall not exceed 225 feet in length.
11. Permit is limited to forty slips with one vessel per slip.
12. Applicants shall add an In-Street Pedestrian crosswalk sign. Applicants are responsible for costs associated with crosswalk as shown on site plan, In-Street Pedestrian crosswalk sign, and sidewalk on East Lake Street.
13. Approval is granted for signage as submitted.
14. Subject to any DEEP restrictions regarding length of docks from shore.
15. A standpipe system shall be installed on both docks to extend to a minimum of 150' from the road meeting NFPA standards.

*Unanimously approved.*

**B. PZC#19-02 – Special Permit – 655 Main Street Owner: Winsted Ambulance Association Applicant: Writeway Signs Proposal: 25 Sq Ft Electronic Message Board w/ 17 Sq Ft Identification Signage on 90"x120" Monument.**

No business was discussed.

**6. NEW BUSINESS:**

**A. PZC#19-03 – Special Permit – 200 Litchfield Avenue - Owner/Applicant: W.L. Gilbert Trust Corporation Proposal: Modification of Special Permit – Remediation of Failing Retaining Wall.**

**MOTION:** Mr. Marchand, Mr. Closson second, to accept the application in the matter of PZC#19-03 – Special Permit – 200 Litchfield Avenue - Owner/Applicant: W.L. Gilbert Trust Corporation Proposal: Modification of Special Permit – Remediation of Failing Retaining Wall and to schedule a public hearing for February 25, 2019; unanimously approved.

**B. PZC#19-04 – Special Permit – 562 Main Street – Owner/Applicant: SLP Contractors, LLC Proposal: Mixed Use Building: Restaurant on First Floor with Two Apartments Above.**

**MOTION:** Mr. Closson, Mr. Marchand second, to accept the application in the matter of PZC#19-04 – Special Permit – 562 Main Street – Owner/Applicant: SLP Contractors, LLC Proposal: Mixed Use Building: Restaurant on First Floor with Two Apartments Above and to schedule a public hearing for February 25, 2019; unanimously approved.

**C. PZC#19-05 – Special Permit – 522 Main Street – Owner/Applicant: Sean P. McGlynn Proposal: Mixed Use Building: Restaurant on First Floor with Two Residential Units Above.**

**MOTION:** Mr. Closson, Mr. Melycher second, to accept the application in the matter of PZC#19-05 – Special Permit – 522 Main Street – Owner/Applicant: Sean P. McGlynn Proposal: Mixed Use Building: Restaurant on First Floor with Two Residential Units Above and to schedule a public hearing for February 25, 2019; unanimously approved.

**7. APPROVAL OF MINUTES: January 28, 2019**

The January 28, 2019 Minutes should be amended as follows:

The comments contained in the last paragraph of the third page should have been contributed to Glenn Winn.

**MOTION:** Mr. Marchand, Mr. Closson second, to approve the January 28, 2019 Minutes as amended; unanimously approved.

**8. COMMUNICATIONS:**

Mr. Sanden reported receiving a communication from the State of Connecticut Siting Council regarding a Verizon cell tower on Oakdale Avenue.

**9. TOWN PLANNER’S REPORT:**

It was noted that an application had been received for an excavation renewal permit for Torrington Road that will be reviewed at the next regular meeting. Commissioners remarked how much better Meadow Street is looking, especially the progress evident with the brewery. They shared concerns with the current openness of the remaining portion of the building at the former Lambert Kay building. Staff reminded them that the building will need to be secured prior to them receiving a Certificate of Occupancy. The clearing of sidewalks in town was also discussed as was cars illegally parking on sidewalks on North Main Street.

**10. OTHER BUSINESS:**

It was agreed that the time for the Special Meeting for Thursday, February 14, 2019 should be changed from 7PM to 6PM.

**11. ADJOURNMENT:**

**MOTION:** Mr. Closson, Mr. Marchand second, to adjourn at 8:06PM; unanimously approved.

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