



**TOWN OF WINCHESTER  
PLANNING AND ZONING COMMISSION  
Town of Winchester Town Hall  
338 Main Street - 2<sup>nd</sup> Floor – P. Francis Hicks Room  
October 22, 2018 – 7:00PM  
Regular Meeting Minutes**

**1. CALL TO ORDER:**

Chairman Craig Sanden called the meeting to order at 7:02PM.

**2. ROLL CALL:**

At the request of Mr. Sanden, Mr. Sadlowski conducted the roll call, noting that the following individuals were present: George Closson, Jerry Martinez, Art Melycher and Alternates Pete Marchand and Lee Thomsen.

Barbara Wilkes was absent excused. Mr. Thomsen was seated for Ms. Wilkes.

**3. AGENDA REVIEW:**

No changes were made to the agenda.

**4. PUBLIC HEARINGS:**

**A. PZC#18-17 – Special Permit – 29 South Main Street Owner: Twenty Nine Main Applicant: Mercury Fuel Services, Inc. Proposal: Renovation of Existing Property: Relocating of Gas Pumps, Canopy, Convenience Retail; Parking and Circulation Improvements; Curb Cut and Sidewalk Improvement.**

**MOTION:** Mr. Closson, Mr. Melycher second, to reopen the hearing in the matter of PZC#18-17 – Special Permit – 29 South Main Street Owner: Twenty Nine Main Applicant: Mercury Fuel Services, Inc. Proposal: Renovation of Existing Property: Relocating of Gas Pumps, Canopy, Convenience Retail; Parking and Circulation Improvements; Curb Cut and Sidewalk Improvement; unanimously approved.

Siyaun Cao, PE, from Civil One Engineering, accompanied by Designer Ron Fortune of Consulting & Design, LLC, appeared before the Commission regarding this application. Mr. Cao reminded the Commission that the proposal included a complete renovation of the existing gas station as detailed on a site plan that also functions to improve the stormwater drainage, vehicle circulation, and supports the contemporary operation of a gas station. Mr. Cao noted that approvals have already been received from the Zoning Board of Appeals and the Inland Wetlands and Watercourses Commission. Mr. Fortune reviewed a revised rendering of the proposal, including a summary of drainage, landscaping and the canopy.

Mr. Sanden questioned whether the landscape island to be located in the front of the site along Route 44 has received approval from the State of Connecticut Department of Transportation. Mr. Cao explained that one has not yet been secured as the local approvals were sought first.

Mr. Closson questioned whether the State has been consulted about the proposed curb cuts. Mr. Cao explained that these designs are typically allowed to permit Class 2B fuel trucks to enter in and off the site and did not foresee a problem gaining approval from the State for the proposal. He confirmed that the entire vehicle configuration planned is in compliance with the DOT.

The site lighting was noted as being approximately seventeen feet high.

The hearing was open to the public.

Jack Bourque of 78 Crown Street questioned the material of the front sidewalk along Main Street. Mr. Cao explained that the sidewalk is located within the State right-of-way and that his client would use whatever material they require, to likely match what is existing. It was noted that the existing requirement would likely be concrete.

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

**B. PZC #18-18 – Special Permit – 372 Main Street (aka 10 Center Street) Owner/Applicant: Community Health and Wellness Center of Greater Torrington, Inc. Proposal: Modified Building Elevations.**

**MOTION:** Mr. Closson, Mr. Melycher second, to open the public hearing in the matter of PZC #18-18 – Special Permit – 372 Main Street (aka 10 Center Street) Owner/Applicant: Community Health and Wellness Center of Greater Torrington, Inc. Proposal: Modified Building Elevations; unanimously approved.

The legal notice for the hearing was read into the record with it noted as having run the requisite two times on October 11, 2018 and October 17, 2018 in the Republican American newspaper. The receipts for the certificate of mail were submitted, providing evidence that the abutting neighbors had been notified of the hearing.

Community Health and Wellness Center Facilities Manager Ron Visini, accompanied by Chief Executive Officer Joann Borduas appeared before the Commission regarding this application. Mr. Visini reviewed the proposed changes to the north elevation of the property at 372 Main Street, the Center Street side of the property. He reviewed the three primary changes to the elevations from the site plan of the previously approved Special Permit: the elimination of the faux stone along the left side of the base, the shrinking of the canopy at the entry door, and the elimination of the handicap ramp. Mr. Visini explained that the faux stone was eliminated as it was determined that the preferred EIFS had a better insulation value and was aesthetically more pleasing. The canopy was shrunk as the height of the entry way door was increased, according to Mr. Visini. He explained that the handicapped ramp was removed as it was learned that it was unnecessary and was therefore replaced with a set of stairs.

Mr. Sanden questioned whether the building height will remain the same. Mr. Visini confirmed that it will. The grade of the parking lot was reviewed. Mr. Visini noted that the pavement near the building will be saw cut and will be replaced with new asphalt so it is flush with the sidewalk. The remaining parking lot will be sealed and repainted.

The steel guard rails, as discussed among the Architecture Review Committee, were reviewed. Ms. Borduas recalled that those were owned by the Town as is the sidewalk in that area. She noted that there will likely be conversations with the Town about replacing what is currently there.

The other adjustments to the site plan were reviewed.

The former “Super Saver” sign on the Main Street side of the building was discussed. Mr. Sadlowski reported that he had taken a look at the sign and it appeared to be white aluminum letters. The Zoning Regulations would require the signage to be removed, according to Mr. Sadlowski. He noted that it may be possible to flip the letters over.

The colors to be used for the surface of the building were discussed with Mr. Visini noting the EIFS will be cotton or off-white, the color on the bottom will be Notre Dame or greenish color, and the proposed improvements will include a reddish canopy.

Referencing the site plan, Mr. Closson questioned whether there have been any changes to the curb cuts. Mr. Visini confirmed that there have not.

The planting plan was also reviewed. It was noted that the proposal includes four trees and eleven shrubs.

The hearing was open to the public.

John Riarda of 16 Superior Street questioned whether the plans include a charging station for vehicles. Mr. Visini indicated that there was not.

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

**5. OLD BUSINESS:**

**A. PZC#18-17 – Special Permit – 29 South Main Street Owner: Twenty Nine Main Applicant: Mercury Fuel Services, Inc. Proposal: Renovation of Existing Property: Relocating of Gas Pumps, Canopy, Convenience Retail; Parking and Circulation Improvements; Curb Cut and Sidewalk Improvement.**

**MOTION:** Mr. Closson, Mr. Melycher second, to approve Application #18-17 – Special Permit Applicant: Mercury Fuel Services, Inc. Owner: Twenty Nine Main Location: 29 Main Street Proposal: Special Permit Renovation to Existing Property. Relocating of Gas Pumps, Canopy, Convenience Retail; Parking and Circulation Improvements; Curb Cut and Sidewalk Improvement. Map: 111 Block: 074 Lot: 586

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. Approval is grant based on submitted plans drafted by Civil One entitled, “Mercury Fuel Service, Inc. Land Use Permitting Set Service Station & Convenience Store 29 South Main Street Winsted, Connecticut dated September 21, 2018 revised to October 8, 2018. Sheets: Cover Sheet, C1 of 1, Property & Topographic Survey, C1.1, Site Plan & Landscaping Plan, C2.1 Grading Plan, Utility Plan & Erosion Control Plan, C3.1 Detail, C4.1 Erosion Control Narrative and plans drafted by Consulting and Design, 33 Park Plaza, Lee, MA entitled, “Mercury for 29 South Main Street, Winsted, CT dated 10/1/18” Sheets: L-2 Canopy Elevation, A-2 Building Elevation, A-2 A Building Elevation, and S-1 Site Plan.
3. Approval is subject to landscape island buffer located on State right-of-way per oral testimony.
4. Subject to curb cut approval by Conn DOT.
5. Sidewalk to be removed and replaced;

*Unanimously approved.*

After the preceding motion was made but prior to a vote, the Commission reviewed the Special Permit Criteria as contained in the Zoning Regulations. It was agreed that the use was suitable for the location as the site previously included a service station and store and the property is located within the Town Gateway Zone. The improvements were deemed appropriate especially with the provisions made to allow the tankers to back off of Main Street. Mr. Closson pointed out that there are adequate public utilities at the site and also noted the improvements created in terms of stormwater management. Additionally, the review comments provided by Town staff indicated no concerns with access by the police and fire. With regards to long term viability, the consensus of the Commission was that this is a suitable location as the area has the highest traffic in the community. No conflict with the Zoning Regulations was noted regarding this application. It was also agreed that the proposal was consistent with the Plan of Conservation and Development as the proposal was included in the Gateway zone.

**B. PZC #18-18 – Special Permit – 372 Main Street (aka 10 Center Street) Owner/Applicant: Community Health and Wellness Center of Greater Torrington, Inc. Proposal: Modified Building Elevations**

**MOTION:** Mr. Closson, Mr. Sanden second, to approve Application PZC #18-18 Special Permit 372 Main Street (aka 10 Center Street) Owner/Applicant: Community Health and Wellness Center of Greater Torrington, Inc. Proposal: Special Permit for Modified Building Elevations, Map: 110 Block: 001 Lot: 002+2A 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. Approval is granted based on submitted plans drafted by Moser Pilon Nelson Architects entitled, "Community Health and Wellness Center Winsted Expansion DWG. No. A301, AS101 Site Plan.
3. Former store signage on the Main Street side of building shall be removed within 45 days from approval date.
4. North elevation colors to be installed per discussion at October 22, 2018 PZC hearing.

*Unanimously approved.*

After the preceding motion was made but prior to a vote, it was noted that the criteria contained with the Zoning Regulations regarding approvals for Special Permits had already been reviewed during the original approval of the permit for the use and that this application was simply to modify the elevations. The consensus of the Commission was that this application was merely for some minor modifications to the elevations and to the site plan.

**6. NEW BUSINESS:**

None.

**7. APPROVAL OF MINUTES – OCTOBER 9, 2018:**

**MOTION:** Mr. Closson, Mr. Melycher second, to approve the October 9, 2018 Minutes; Motion passed with Mr. Sanden, Mr. Closson, Mr. Melycher, and Mr. Martinez voting aye while Mr. Thomsen abstained.

**8. COMMUNICATIONS:**

Mr. Sanden reported receiving a correspondence regarding the authorization from the State of Connecticut Department of Energy and Environmental Protection for repairs to the Sucker Brook Flood Control Dam. Mr. Sadlowski noted that the letter does not provide a lot of information and reported that he has emailed the individual to gain more information on the approved plans for this project.

**9. TOWN PLANNER'S REPORT:**

Mr. Sadlowski provided an update on the gas station at 60 South Main Street. He noted that the roof should be completed soon on Winsted Edgeworks.

Discussion ensued regarding Winsted Edgeworks and the brewery. Mr. Thomsen questioned whether the site will be secured. It was confirmed that it will be necessary to secure the entire building prior to the brewery opening for business.

Mr. Sadlowski indicated that the deadline has expired over the weekend for the Cease and Desist Order regarding the three cows at 101 South Road. He reported that the homeowner is expected to submit a variance application soon.

Mr. Sadlowski reported that the matter regarding the gravel operation on Tarringford Street is with Town Attorney Kevin Nelligan for litigation.

Regarding the property with the cows in Winchester Center, Mr. Martinez questioned the area in the Zoning Regulations that references Connecticut General Statutes Section 1-1(q), pertaining to agriculture. Mr. Sadlowski referred to the Home Farming definition in the regulations.

**10. OTHER BUSINESS:**

**A. Discussion/Possible Action: Short Term Rentals.**

Mr. Melycher agreed to take the ordinance that was drafted by Northwest Hills Council of Government Community & Economic Development Director Jocelyn Ayer and incorporate the subcommittee's recommendations for the next meeting. The consensus of the Commission was to eventually forward the finished draft to the Board of Selectmen before early Spring.

**11. ADJOURNMENT:**

**MOTION:** Mr. Closson, Mr. Melycher second, to adjourn at 8:30PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Clerk**