



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor – Lee Ann LeClaire Room (aka Blue Room)
October 9, 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, Barbara Wilkes and Alternate Pete Marchand.

Lee Thomsen was absent excused.

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, Ms. Wilkes second, to open the public hearing; unanimously approved.

The legal notice for the hearing was read into the record with it noted as having run the requisite two times on September 27, 2018 and October 2, 2018 in the Republican American newspaper.

Mr. Sadlowski reported that the owner had received three variances from the Zoning Board of Appeals: a five-foot variance for the canopy, a variance for coverage allowing it to be expanded to 54%, and the front-yard landscape buffer variance. He explained that the Zoning Regulations call for a ten (10') foot landscape buffer between the street and the beginning of the project. Mr. Sadlowski noted that there was no room for the buffer because of the brook to the rear of the property and the flood plain. A landscape buffer will still be part of the project, but it will be located on the State property, according to Mr. Sadlowski. He reported that the proposal has been reviewed by the Architecture Review Committee who provided a positive referral but had suggested that the canopy have a hip roof with crown molding around it. Mr. Sadlowski noted that the applicant had agreed to that suggestion. Additionally, the signage was noted as being reverse-lit. Finally, Mr. Sadlowski reminded the Commission that the application is currently still before the Inland Wetlands and Watercourses Commission.

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 reviewed the plans for the complete renovation of the existing gas station located between CVS and McDonald's on Main Street. He noted that the number of pumps will remain at four but will be located in a different direction with a convenient store. Mr. Fortune reviewed the architecture, noting the hip roof on the pump canopy. Mr. Fortune reviewed the free-standing sign at a height of 21' with a total area of 50 square feet and reviewed the wall sign. Elevation drawings were reviewed. Mr. Fortune noted that the bottom half of the building is a medium brown cultured stone and the top half is a very pale-yellow vinyl siding. He explained that the roof shingles are a very light white area. Referring to a provided rendering, Ms. Wilkes questioned whether it was indicative of what will be

constructed. Mercury Fuel Construction and Environmental Compliance Officer Harold Zinno noted that the sample submitted was from their Newington location and that the Winchester store would not be brick like that. He presented with a picture of their East Windsor store contained on his phone that he noted depicted what was proposed for Winchester.

Mr. Cao noted that plans for trucks entering the site as well as a photometric plan has been added to their application. Mr. Sanden questioned whether permission has been gained from the State relative to locating the landscaping greenery on their property. Mr. Cao noted that the existing lot has none but did not foresee a problem as the site is being improved. Mr. Closson noted that an approval from this board would likely be subject to approval from the State for that portion of the development. Mr. Sadlowski noted that the State DOT typically prefers the driveways defined so will likely approve the plan.

Mr. Cao reviewed the stormwater management, noting that the existing site has none with all the runoff sheetflowing directly into the Mad River. He explained that the proposal includes improvements including two catch basins in the middle as well as an oil/grit separator which will discharge into a bioretention swale which slows down the water.

Mr. Cao reviewed the proposed lighting for the site which included three wall lights, six pole lights and sixteen ceiling lights on the canopy. He noted that the photometric study indicated that the proposed lighting was similar to the lighting of typical gas stations and that the dots on the plan equaled one foot-candle. The proposed lighting will not spill excess light to neighboring properties, according to Mr. Cao. Mr. Closson questioned whether the lighting under the canopy would be flush or would protrude. Mr. Cao indicated that the lights will be recessed into the ceiling. Mr. Fortune noted that the lighting that will be used is LED with the light dispersed in a downward directional. The total foot-candles for the site is 40, according to Mr. Cao.

Mr. Fortune reported that the signage on the Canopy Plan is indicated as back-lit MERCURY design. He noted that they are researching the best way to represent the company. Mr. Fortune noted that the price sign is indicated as an LED. Mr. Melycher questioned whether propane would be sold. Mr. Zinno noted that disposable tanks will be sold but not a filling station. Mr. Sadlowski noted that the location for this should be reflected on the site plan, including bollards in front of them. Mr. Cao confirmed the location of the dumpster on the eastern side of the building will be fenced along with a gate.

The planting plan includes five sugar maple trees and the swale will be grassy, according to Mr. Cao. He confirmed that the sidewalk is consistent with the Zoning Regulations.

The hearing was open to the public. No comments were received.

MOTION: Mr. Closson, Mr. Melycher second, to continue the public hearing until the next regular meeting scheduled for October 22, 2018; 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.
The public hearing in this matter had been continued. No business was discussed.

6. NEW BUSINESS:

A. 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.

Mr. Sadlowski reminded the Commission that an approval for the health center had been reached through a settlement agreement. He noted that they will be occupying the rear portion of this address and that the final façade plans for the development varied from what had been approved through the settlement. It was noted that the stone façade has been left off the submitted proposal, an entrance has changed, the ramp has been replaced with stairs and two handicapped spots by the building rather than one. A strip of LED lighting is proposed rather than the gooseneck lights above the signage, too.

Mr. Sadlowski reported that this application has already been before Architecture Review Committee who has provided a positive referral with the recommendation that the IGA Super Saver sign be removed.

MOTION: Mr. Closson, Mr. Melycher second, to schedule a public hearing for October 22, 2018; unanimously approved.

7. APPROVAL OF MINUTES – SEPTEMBER 10, 2018:

The September 10, 2018 Minutes should be amended to reflect Mr. Melycher as absent excused.

MOTION: Mr. Sanden, Mr. Martinez second, to approve the September 10, 2018 Minutes as amended; Mr. Sanden, Mr. Martinez and Mr. Marchand voting aye while Ms. Wilkes and Mr. Melycher abstained.

8. COMMUNICATIONS:

Mr. Sanden questioned what became of the letter he had forwarded from FEMA. Mr. Sadlowski reported that Department of Public Works Director Jim Rollins took care of this as he had attended the meeting.

9. TOWN PLANNER'S REPORT:

Noting that an update on the cows in Winchester has been provided in the Planner's report that he had distributed, Mr. Sadlowski reported that the Sunoco station has been torn down. He provided updates on the American Mural Project and Winsted Edgeworks. Mr. Sadlowski noted that this past Friday, October 5, 2018, he had attempted to hand deliver the municipal citation to the operator of the Tarringford Road site, with two Winchester police officers accompanying him, but the violator refused to accept the citations.

The failure of the diversionary waterway at the Sucker Brook flood control dam was discussed.

10. OTHER BUSINESS:

A. 2019 Regular Meeting Schedule.

MOTION: Mr. Closson, Ms. Wilkes second, to approve the 2019 Regular Meeting Schedule; unanimously approved.

B. Discussion/Possible Action: Short Term Rentals.

Discussion occurred regarding proposed language for regulating short term rentals. Mr. Martinez noted that he has discovered how some communities restrict rentals to one rental per period, in the sense that a four-bedroom home could not be rented to four different parties thereby protecting the practice from being similar to a boarding house situation. He noted that other restrictions he observed were prohibiting rentals to persons under the age of 25 like and not permitting events that do not include sleeping such as part of short-term rentals such as a wedding or a bachelor party. Again, the method of enforcement was reviewed.

Whether to regulate short-term rentals through Zoning Regulations, ordinances or a combination of force was discussed.

The consensus of the commission was to handle the regulating of short-term rentals through the Board of Selectmen in terms of an ordinance, with that board likely appointing this commission to function as the group to review the applications. They agreed to discuss this again in the beginning of November.

11. ADJOURNMENT:

MOTION: Mr. Closson, Mr. Melycher second, to adjourn at 8:07PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**