



**TOWN OF WINCHESTER  
PLANNING AND ZONING COMMISSION  
Town of Winchester Town Hall  
338 Main Street - 2<sup>nd</sup> Floor - P. Francis Hicks Room  
September 10, 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: Jerry Martinez and Alternates Pete Marchand and Lee Thomsen.

George Closson and Barbara Wilkes were absent excused. Art Melycher was absent. Mr. Marchand and Mr. Thomsen were seated as regular members.

**3. AGENDA REVIEW:**

No changes were made to the agenda.

**4. PUBLIC HEARINGS:**

**A. PZC#18-15 – Special Permit – 177 Danbury Quarter Road Owner: Judith Ehrman-Shapiro  
Applicant: Judith Ehrman-Shapiro Proposal: Home Occupation.**

**MOTION:** Mr. Martinez, Mr. Marchand second, to open the public hearing; unanimously approved.

The legal ad for the public hearing was read into the record. It was confirmed as having run the requisite two times in the Republican American: once on August 27, 2018 and again on September 3, 2018. Mr. Sadlowski confirmed that proof of notice to the abutting properties had been received.

Judith Ehrman-Shapiro appeared before the Commission regarding this application. She noted that she has been a practicing psychotherapist in this area, having worked at Waterbury Hospital for the past thirty years and has had a small private practice for the past five years in the West Street Yard in Litchfield. Ms. Ehrman-Shapiro explained that she and her husband recently purchased the property in Winchester that has two driveways, with one leading to parking near a barn. She noted that this driveway provides direct access to the finished basement area intended for the proposed home occupation. She explained that she currently does not see many patients, estimating approximately eight per week, as she is in the process of finishing her doctorate degree.

Ms. Ehrman-Shapiro reported that the traffic would be negligible as she sees generally only one patient per hour. She noted that the Evolving Center, her private practice, would not be visible from the road and provides an ideal setting for patients seeking support with mental health issues in a rural setting. She also noted that there is no sign proposed for this use.

Mr. Sanden questioned whether the applicant anticipates an increase in the level of activity with her practice. Ms. Ehrman-Shapiro indicated that she might but noted that she may not instead focusing her time with teaching at a university. She noted that the nature of her work is individual work although even small-group work would not likely be more than four patients at a time.

The plan review comments provided by Building Official Marc Melanson relative to handicapped access was discussed. Ms. Ehrman-Shapiro indicated that it was her intention to construct a path out of pavers wide enough for a wheelchair. She also described the process for using the bathroom facilities at the site, in which she may allow the access from the first floor of the main residence or possibly installing a composting toilet.

The Commission noted receiving the recommendations of the Architectural Review Committee. The unresolved matter of the necessary building permits for the finished lower level were also noted. Mr. Sanden suggested that this was something that could be handled through the conditions of approval.

Mr. Sadlowski noted that the practice would need to be restricted to the applicant only and that other therapists would not be allowed to practice from her home.

The hearing was open to the public. No comment was received

**MOTION:** Mr. Martinez, Mr. Thomsen second, to close the public hearing; unanimously approved.

**B. PZC#18-16 – Special Permit – 189 Rowley Street Owner/Applicant: Town of Winchester Proposal: Salt Shed & Police Department Impound Yard.**

The public hearing in this matter was open.

The legal ad for the public hearing was read into the record. It was confirmed as having run the requisite two times in the Republican American: once on August 27, 2018 and again on September 3, 2018. Mr. Sadlowski confirmed that proof of notice to the abutting properties.

Department of Public Works Director Jim Rollins appeared before the Commission regarding this application. He explained that the Town of Winchester salt shed is currently located 25' from the Still River and the Department of Energy and Environmental Protection is pressing for the Town to relocate it from that spot. He explained that the DPW continues to fail their stormwater monitoring. Mr. Rollins noted that the proposal is to relocate the shed as far away from the river as possible which is the northern most property line and to raise the elevation just out of the flood plain.

Mr. Rollins reported that the flood level is 693.7' and the floor level of the shed is 700' or higher. He noted that the proposed police 80'x50' impound yard, however, is not above the flood plain. Mr. Rollins explained that the police are proposing a 32'x26' building to store vehicles from fatal crashes in an indoor space.

Mr. Rollins explained that the material displaced from the area excavated for the building within a flood zone has to be mitigated by relocating it somewhere else on the site. Mr. Rollins questioned what type of flexibility there is with the site plan in locating the canvassed structure away from the river but as far back as it can go. He noted that the sandpile when relocated from the river will be stockpiled as close to the salt shed utilizing large concrete blocks along a row.

Mr. Martinez questioned whether there will be any lighting on the site. Mr. Rollins confirmed that there will be inside the salt shed and on the backside shining down on the sand pile. He was unsure what would be included with the impound yard but will likely be significant. Mr. Sadlowski noted that all lighting has to full cut-off. The Commission noted that an as-built should be provided once the work is complete.

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

**MOTION:** Mr. Thomsen, Mr. Sanden second, to close the public hearing

**5. OLD BUSINESS:**

**A. PZC#18-15 – Special Permit – 177 Danbury Quarter Road Owner: Judith Ehrman-Shapiro Applicant: Judith Ehrman-Shapiro Proposal: Home Occupation.**

**MOTION:** Mr. Marchand, Mr. Thomsen second, to approve Application #18-15 – Special Permit Applicant/Owner: Judith Ehrman-Shapiro Location: 177 Danbury Quarter Road Proposal: Home Occupation Map: 008 Block: 155 Lot: 015YA

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. All permitting issues for basement work previously done be resolved.
3. Handicap parking space and walk be constructed as needed to Building Official's approval.

***Unanimously approved.***

Prior to the vote on the aforementioned motion, Mr. Martinez led the review of the criteria delineated in the Zoning Regulations relative to Special Permits including whether the site is a suitable location for use, whether the proposal included appropriate improvements in terms of landscaping and layout, whether there was suitable transportation, adequate public utilities, and adequate public services, whether there has been consideration to environmental protection and conservation, the long-term viability of the project and whether the project is consistent with the Town's Plan of Conservation and Development. The Commission deemed the project had met the criteria.

**B. PZC#18-16 – Special Permit – 189 Rowley Street Owner/Applicant: Town of Winchester Proposal: Salt Shed & Police Department Impound Yard.**

**MOTION:** Mr. Sanden, Mr. Martinez second, to open the discussion relative to this application; unanimously approved.

**MOTION:** Mr. Marchand, Mr. Martinez second, to approve Application #18-16 – Special Permit – Applicant/Owner: Town of Winchester Location: 189 Rowley Street Proposal: Salt Shed & Police Impound Yard Map: 034 Block: 158 Lot: 036

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. Approvals based on submitted plan from DiCara Land Surveying Services entitled "Plan of Merger Land of the Town of Winchester Rowley Street Route 800 Winchester, Connecticut Dated October, 2017 Notation: Salt Shed and CL&P Easement".
3. As built plans to be submitted to Building Official when completed.
4. ZEO may approve changes in location in an easterly direction of the salt shed and the rotation of the impound yard assuring the building meets the required setbacks.
5. Any lighting has to be full cut-off.

*Motion passed with Mr. Sanden, Mr. Martinez, and Mr. Marchand voting aye while Mr. Thomsen abstained.*

Prior to the vote on the aforementioned motion, Mr. Martinez led the review of the criteria delineated in the Zoning Regulations relative to Special Permits including whether the site is a suitable location for use, whether the proposal included appropriate improvements in terms of landscaping and layout, whether there was suitable transportation, adequate public utilities, adequate public services, whether there has been consideration to environmental protection and conservation, the long-term viability of the project and whether

the project is consistent with the Town's Plan of Conservation and Development. The Commission deemed the project met the criteria.

**6. NEW BUSINESS:**

None.

**7. APPROVAL OF MINUTES – AUGUST 27, 2018:**

**MOTION:** Mr. Marchand, Mr. Sanden second, to approve the August 27, 2018 Minutes; unanimously approved.

**8. COMMUNICATIONS:**

None.

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

Mr. Sadlowski reported that a variance application was received for the gas station located near McDonald's on Main Street as one will be necessary for the canopy. He reported that he continues to hear that the Hartford Hospital project is still going to happen. He noted that Mama Pho, a Vietnamese restaurant, opened. Mr. Sadlowski also reported that a roof permit was issued to Winsted Edgeworks.

Regarding the zoning violation on Tarringford Street, Mr. Sadlowski reported that he is going to forward the matter to town attorney Kevin Nelligan to pursue the matter in court. He noted that he has provided a letter to the woman in Winchester center with the illegal cows.

**10. OTHER BUSINESS:**

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

It was noted that this is still in the hands of the committee.

**11. ADJOURNMENT:**

**MOTION:** Mr. Thomsen, Mr. Marchand second, to adjourn at 7:55PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie**  
**Recording Clerk**