



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor - P. Francis Hicks Room
April 23, 2018 – 7:00PM
Regular Meeting Minutes**

1. CALL TO ORDER:

Chairman Craig Sanden called the meeting to order at 7:03PM.

2. ROLL CALL:

At the request of Mr. Sanden, Mr. Sadlowski conducted the roll call, noting that the following individuals were present: Craig Sanden, George Closson, Jerry Martinez, Art Melycher and Alternate Peter Marchand.

It was noted that Mr. Thomsen was expected approximately ten minutes late. Ms. Wilkes arrived at 7:04PM.

3. AGENDA REVIEW:

The agenda was modified to include discussion about zone adjustments and section I.C (Introduction to and Using the Zoning Regulations: Interpretation).

4. OLD BUSINESS:

None.

5. NEW BUSINESS:

A. PZC#18-07 – Special Permit 19 Rowley Street, Map 116, Block 074, Lot 027, Owner: Rowley Street, LLC Applicant: Sean Kinsman Proposal: Remodel for Credit Union including Walk-Up ATM.

No one appeared on behalf of the applicant. Mr. Sadlowski explained that this site is a change in use and that the current Zoning Regulations require a Special Permit for a bank.

Mr. Sadlowski noted that the only question he could foresee the Commission might have is how to handle the issue of a dumpster, explaining that this building shares a dumpster with the Tributary, a restaurant on an abutting site. Mr. Closson indicated that a letter from the applicant clarifying the agreement with the Tributary Restaurant with respect to the dumpster should suffice.

MOTION: Mr. Closson, Mr. Melycher second, to accept Application PZC#18-07 Special Permit 19 Rowley Street, Map 116, Block 074, Lot 027, Owner: Rowley Street, LLC Applicant: Sean Kinsman Proposal: Remodel for Credit Union including Walk-Up ATM and schedule a public hearing for the May 14, 2018 regular meeting; unanimously approved.

7. APPROVAL OF MINUTES – April 9, 2018:

MOTION: Mr. Closson, Ms. Wilkes second, to approve the April 9, 2018 Minutes; unanimously approved.

8. COMMUNICATIONS:

None.

Mr. Thomsen arrived at 7:13PM.

9. TOWN PLANNER'S REPORT:

Mr. Sadlowski reported that the American Mural Project now has a roof, or will be getting a roof. He reminded the Commission that a ground-breaking will occur, from 5:00PM to 7:00PM, the next evening at 32 Lake Street,

now operated by Winsted Edgeworks. He reminded them that there will likely be Special Permit application(s) that will come before this Commission.

10. OTHER BUSINESS:

A. Zone Adjustments and Section I.C of the Zoning Regulations (*Introduction to and Using the Zoning Regulations: Interpretation*).

Mr. Martinez pointed out that under the current Zoning Regulations, hotels are allowed via Special Permit in the Rural Residential zone. Discussion ensued. The Commission agreed that it may not be a use that should be included in that zone but it was unlikely that a change to eliminate that as a permitted use could occur as part of this latest round of proposed modifications.

Mr. Martinez shared his concern with the language included in Section I.C. of the Zoning Regulations, "... *When restrictions are imposed by any law, ordinance, regulation, or private agreement, which are greater than those required by these Regulations, such greater restrictions shall not be affected by these Regulations. When one section of these Regulations imposes standards greater than those of another section, the standards of the more restrictive section shall control...*". The words, "any law", leave room for ambiguity and uncertainty, according to Mr. Martinez. Ms. Wilkes questioned whether this language is a carry-over from the former zoning regulations, prior to Graydon Land Use aiding in the rewriting of the current zoning regulations. Mr. Sadlowski noted that he was unsure and would have to look into it.

Mr. Sadlowski noted that the regulations cannot contradict state or federal law. The medical marijuana dispensary facility was noted as being an example, though, where the state is contradicting federal law and by extension, so is the Town not following federal law by allowing the use. Mr. Sadlowski suggested that this might be a good question to put forth to Attorney Mark Branse when he visits the Town for an informational session on May 30th.

Mr. Martinez noted that the Zoning Regulations also contain a typographical error in that the definitions for the terms "medical marijuana dispensary" and "medical marijuana production", in that they are switched.

Discussion turned to the development of an online survey relative to short term rentals. Mr. Sadlowski reported the concern of one of the committee members that folks could vote multiple times with the current Google forms he was utilizing. He noted that there is an alternative survey source that could be used that tracks IP addresses but costs \$400 albeit less for only a couple of months of usage. He explained that he didn't know the workaround for this problem.

The Commission again reviewed the proposed changes to the Zoning Regulations, scheduled for a public hearing for May 29, 2018. The voluntary demolition language from page 25 was reviewed.

The lack of a definition within the Zoning Regulations for landscaping yards was noted. Mr. Sadlowski suggested that the Commission consider what zones they would like to include these type of uses in and that these modifications could be part of the next revisions of the Zoning Regulations. Mr. Martinez suggested that the COG be consulted on this as they had mentioned how one of the Litchfield County towns, possibly Sharon or Salisbury, has three different levels of home business definitions.

11. ADJOURNMENT:

MOTION: Mr. Closson, Ms. Wilkes, second, to adjourn at 7:55PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**