



**TOWN OF WINCHESTER**  
**PLANNING AND ZONING COMMISSION**  
Town of Winchester Town Hall  
338 Main Street - 2<sup>nd</sup> Floor - P. Francis Hicks Room  
March 26, 2018 – 7:00PM  
**Regular Meeting Minutes**

**1. CALL TO ORDER:**

Chairman Craig Sanden called the meeting to order at 7:04PM.

**2. ROLL CALL:**

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

Lee Thomsen was absent excused.

**3. AGENDA REVIEW:**

**MOTION:** Mr. Closson, Mr. Melycher second, to amend the agenda to add *Discussion of Medical Marijuana Dispensary* under *Other Business*; unanimously approved.

**4. OLD BUSINESS:**

None.

**5. NEW BUSINESS:**

**A. PZC#18-04 Special Permit – 115 Losaw Road – Map 016, Block 152, Lot 003B, Owner: Brownley, LLC Applicant: Northwest Custom Homes Proposal: Accessory Apartment on New Single-Family Home. Apartment to be 512 Square Feet. Home on 20+ Acres.**

It was noted that the proposed apartment would occupy space on the first floor of the new dwelling.

**MOTION:** Mr. Closson, Mr. Melycher second, to accept PZC Application #18-04 Special Permit – 115 Losaw Road – Map 016, Block 152, Lot 003B, Owner: Brownley, LLC Applicant: Northwest Custom Homes Proposal: Accessory Apartment on New Single-Family Home. Apartment to be 512 Square Feet. Home on 20+ Acres and schedule a public hearing at the next regular meeting on April 9, 2018; unanimously approved.

**6. APPROVAL OF MINUTES – March 12, 2018:**

**MOTION:** Mr. Closson, Mr. Sanden second, to approve the March 12, 2018 Minutes; unanimously approved.

**7. COMMUNICATIONS:**

Mr. Sadlowski reminded commissioners that he had forwarded an email from the Northwest Council of Governments (COG) regarding their next meeting, which he noted, will include a conversation about short term rentals.

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

Mr. Sadlowski reminded the Commission that a new business, Still River Outfitters, has moved into space on Main Street near ABC Pizza. He noted that deals on the Lambert Kay and Bank of America properties are very near to completing deals.

**9. OTHER BUSINESS:**

**A. Review Permitted Uses in Zone Locations.**

The Commission reviewed various locations and discussed whether they are in the right zones. Additionally, they discussed whether to eliminate certain allowed uses, such as medical large format in Town Center. Discussion then ensued regarding whether it is the zone itself that may need to be reduced, such as limiting the Town Center Zone to the Main Street corridor only. The characteristics of the setbacks in Town Center, such as the requirement that buildings not be more than five feet off the street, were discussed. Commissioners noted that the current Cumberland Farms, located within Town Center, would fail to meet these requirements should they seek to update their facility. Mr. Sadlowski explained that the purpose of these setbacks in a downtown area is to avoid strip malls from being built in a downtown area. He noted that should a non-conforming business such as the Cumberland Farms seek to update their building, they would need to receive a Special Permit from the Zoning Board of Appeals. Mr. Closson shared his own personal experience in construction, noting that his clients have had to get a variance for being set too far back off the property.

Mr. Sadlowski explained that Attorney Mark Branse will be holding an informational meeting in late May.

Mr. Sadlowski noted that he has also included proposed language to make handicap accessibility features easier in the Highland Lake District. Additionally, he noted that he has included proposed language for setback exceptions for common architectural features which do not protrude more than two feet from a structure, such as overhangs, gutters, bay windows, and other similar style elements. He noted that chimneys will also be able to enter the required setbacks provided that they are less than thirty (30") inches in depth and seven (7') feet in width.

Mr. Sadlowski reviewed proposed new language to permit one freestanding or monument type sign to be installed, for purposes of identifying a park or open space installed by the Town, Land Trust, or other similar organization, provided they are less than twelve square feet in size.

Mr. Closson reported that the Short Term Rental Review Committee held their second meeting just prior to this meeting. He noted that the group has decided to publish an online survey to gauge the level of the problem.

**B. Medical Marijuana Dispensary Discussion.**

Reference was made to an earlier email from Mr. Martinez regarding the legality of the recent special permit approval by this Commission for a medical marijuana dispensary. Mr. Martinez noted that marijuana continues to be illegal at the federal level and that the law makes no distinction between medical or recreational use in that prohibition.

Discussion ensued with it being noted that there is legal disclaimer language contained within the Zoning Regulations laying out the assumption that permitted uses are within the law.

**10. ADJOURNMENT:**

**MOTION:** Mr. Martinez, Mr. Marchand second, to adjourn at 8:00PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Clerk**