



TOWN OF WINCHESTER PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall, 338 Main Street
P. Francis Hicks Room – 2nd Floor
December 11, 2017 – 7:00PM
Regular Meeting Minutes

1. CALL TO ORDER:

Chairman Craig Sanden called the meeting to order at 7:00PM.

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, Art Melycher, Barbara Wilkes, and Alternate Pete Marchand.

Jerry Martinez and Lee Thomsen were absent excused.

Mr. Marchand was seated for Mr. Martinez.

3. AGENDA REVIEW:

No changes were made to the agenda.

4. PUBLIC HEARINGS:

A. PZC#17-19 Special Permit – 2 East Lake Street, Map 114, Block 083, Lot 001F
Applicant: Ron LaPointe Owner: LaPointe's Floor Covering & Design, LLC Proposal:
Add Second Floor to Existing Building to Change into Mixed-use. Add Six 1-Bedroom
Apartments. New Exterior Finishes, Entrance and Landscaping. Requesting Shared
Parking for mixed-uses per III.E.1.e.

Mr. Sadlowski reported that the applicant has requested additional time to work through the handicap accessibility issues and to complete modifications to his proposed site plan. He noted that an extension of time has been granted from the applicant. Mr. Sadlowski reported that the addition of the garage for this application will cause a legal ad to be republished in the newspaper as well as new notices to Mr. LaPointe's neighbors.

MOTION: Mr. Closson, Mr. Melycher second, to continue the Public Hearing in the matter of PZC#17-19 Special Permit – 2 East Lake Street, Map 114, Block 083, Lot 001F Applicant: Ron LaPointe Owner: LaPointe's Floor Covering & Design, LLC Proposal: Add Second Floor to Existing Building to Change into Mixed-use. Add Six 1-Bedroom Apartments. New Exterior Finishes, Entrance and Landscaping. Requesting Shared Parking for mixed-uses per III.E.1.e; unanimously approved.

B. PZC#17-20 Special Permit – 10 Bridge Street, Map 110, Block 054, Lot 003A
Applicant: Marty Goldin Owner: XKL Capital, LLC Proposal: Installation of Projection
Video Display on 10 Bridge Street. (Application Accepted 11/13/2017, Public Hearing
must be Scheduled by 01/18/2018).

MOTION: Mr. Closson, Mr. Melycher second, to open the public hearing on Application PZC#17-20 Special Permit – 10 Bridge Street, Map 110, Block 054, Lot 003A Applicant: Marty

Goldin Owner: XKL Capital, LLC Proposal: Installation of Projection Video Display on 10 Bridge Street; unanimously approved.

The legal notice for the public hearing was read into the record with it being noted as having been advertised the requisite two times, November 30, 2017 and December 4, 2017, in the Republican American. It was noted that the applicant had submitted the Certificate of Mailings reflecting that notice of the application and hearing had been submitted to the neighbors.

Marty Goldin, accompanied by his employee/subcontractor Connor Ryan, appeared before the Commission regarding this application. Mr. Goldin reviewed his proposal, explaining that he is seeking to display the interesting things going on in town and that his project will serve to connect the art community. The Commission confirmed that they had the opportunity to view a sampling of a video of the proposed project.

It was noted that the Police Chief and Director of Public Works had provided written comments regarding the proposal.

The hearing was open to the public for comment.

Willard Platt of 113 West Wakefield Boulevard spoke in support of the application, noting that the proposed lights from the proposal are not much different than what people do at Christmas time. He noted that people now are projecting lights from outside onto their home.

Mr. Goldin noted that he envisions doing something like this as an annual festival with several buildings doing the same type of thing. He noted that the display would only be subtle. Mr. Sanden questioned whether this would generate any type of revenue and if he would be charging. Mr. Goldin indicated that he is looking to have tenants rent the available space within his building known as Mad River Lofts and to attract people to town.

Mr. Melycher questioned whether the windows in the building would be fixed. Mr. Goldin confirmed, noting that he would be fixing the ones that are falling out.

Mr. Sadlowski reported that the Architectural Review Committee had provided comments. He indicated that they liked the project and that their only concerns were the broken windows be repaired from both a safety and aesthetic perspective.

Mr. Sanden questioned the speed of the message. Mr. Goldin explained that they will not be fast-moving and reiterated that he would really like to get the arts community involved in this.

Mr. Ryan reviewed the mapping aspects of the video display that will be projected onto the building. This was a video presentation viewed through Mr. Goldin's laptop.

The Commission reviewed page 48 of the Zoning Regulations wherein Mr. Sadlowski noted that this section addresses the various types of signs that are not permitted. He pointed to the language within this section wherein the Commission can except video displays that are an accessory to another use. Whether this display would include advertising was discussed. In response to a question regarding brightness of the projector, Mr. Goldin explained that the intention is to use a 12,000 lumen projector.

Mr. Goldin noted that he has had an opportunity to review the draft motion and had no problem with the proposed conditions put forth.

MOTION: Mr. Closson, Mr. Melycher second, to close the public hearing in the matter of Application PZC#17-20; unanimously approved.

5. OLD BUSINESS:

**A. PZC#17-19 Special Permit – 2 East Lake Street, Map 114, Block 083, Lot 001F
Applicant: Ron LaPointe Owner: LaPointe’s Floor Covering & Design, LLC Proposal:
Add Second Floor to Existing Building to Change into Mixed-use. Add Six 1-Bedroom
Apartments. New Exterior Finishes, Entrance and Landscaping. Requesting Shared
Parking for mixed-uses per III.E.1.e.**

No business discussed.

**B. PZC#17-20 Special Permit – 10 Bridge Street, Map 110, Block 054, Lot 003A
Applicant: Marty Goldin Owner: XKL Capital, LLC Proposal: Installation of Projection
Video Display on 10 Bridge Street. (Application Accepted 11/13/2017, Public Hearing
must be Scheduled by 01/18/2018).**

MOTION: Mr. Melycher, Mr. Closson second, to approve Application PZC#17-20 Special Permit – 10 Bridge Street, Map 110, Block 054, Lot 003A Applicant: Marty Goldin Owner: XKL Capital, LLC Proposal: Installation of Projection Video Display on 10 Bridge Street with 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. The approval allows for the use of a projector, with a maximum of 12000 lumens, to project art on the Main Street side of the front section of 10 Bridge Street, as shown in the application. Both buildings must be in common ownership, XPK Capital, LLC or XKL Capital, LLC.
3. The projector is to be located inside 398 Main Street, across the street, inside the building, projecting through a window on the third floor, where it is not visible from the street to cause distractions.
4. The projected image shall consist of artistic renderings and pictures projected on the wall. Images promoting the Town of Winchester, its people, non-profit groups or holiday celebrations are also allowed.
5. Any advertising shall be incidental to the art and consist of a small portion of the presentation. Such advertising shall not be for hire but for general promotion of businesses. The Planner or Zoning Enforcement Officer shall be able to order a Cease and Desist for excessive advertising use.
6. The building shall remain the natural brick color that it is today.
7. The designer of the video show shall take into consideration the safety of the traffic going by and shall limit flashing or rapid movements which could cause driver distraction, utilizing blending when possible in the video presentation. The Planner or Zoning Enforcement Officer shall be able to order a Cease and Desist if the presentation proves to be distracting.
8. The windows in the building that are broken or loose in the building must be repaired or replaced, within six months, as this is a safety issue. The highest priority should be in the area over the sidewalk and other areas where people might walk by. There shall be

a six-month deadline for this work from date of approval with extensions possible by the Building Official for window repair if progress is being made.

9. There is to be no sound associated with this display broadcasted outside. If this is desired in the future, it can be allowed through a modification of this permit. However, the Zoning Enforcement Officer can authorize up to two (2) trial runs using sound for no more than two hours over two nights for evaluation purposes.
10. The Planner or Zoning Enforcement Officer has the right to order other reasonable measures as requested by the Police Chief or other official, that may be necessary to protect the public, including temporary signs or similar traffic warning measures if it is determined that they are warranted.
11. Hours of operation shall be sunset to 12:00AM, seven days per week;

unanimously approved.

**C. PZC# 17-21 Site Plan – 103 Colebrook River Road, Map 18, Block 150, Lot 045
Applicant: Robin Glover and Deborah Minard Proposal: Gift Shop - Small Retail; Store will be 18'x27', 432 sq. ft., 2 Parking Spaces Required: 2 Parking Spaces + 1 Handicap Space Provided Plus Plenty More Spaces for House.**

Mr. Sadlowski reported that he had conversed with the applicants who indicated positive progress in the required permissions being sought from the State but that they have not yet received anything in writing.

MOTION: Mr. Closson, Mr. Marchand second, to continue Application PZC#17-21 to the January 8, 2018 regular meeting; unanimously approved.

6. NEW BUSINESS:

None.

7. APPROVAL OF MINUTES:

MOTION: Mr. Closson, Mr. Melycher second, to approve the November 27, 2017 Minutes; unanimously approved.

8. COMMUNICATIONS:

Mr. Sadlowski noted that the Commission has received the new Plan of Conservation and Development (POCD) from the Northwest Hills Council of Government. Some of the trends included in this POCD were reviewed. It was noted that the Town's POCD will need to be reviewed and updated again in 2021.

9. TOWN PLANNER'S REPORT:

Mr. Sadlowski noted that the Commission had received sample folders, printed and provided by the Economic Development Commission, and the informational inserts he drafted that they contain. Mr. Sadlowski requested that the Commission review these drafts and provide feedback.

10. OTHER BUSINESS:

A. Election of Officers.

MOTION: Mr. Melycher, Ms. Wilkes second, to nominate Craig Sanden as Chairman; unanimously approved.

MOTION: Ms. Wilkes, Mr. Melycher second, to nominate George Closson as Vice Chairman; unanimously approved.

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MOTION: Mr. Melycher, Mr. Marchand second, to nominate Barbara Wilkes as Secretary; unanimously approved.

Mr. Closson suggested that the Commission ought to review the Zoning Regulations with respect to what is allowed by Special Permit and by Site Plan in the Town Center Zone at the first meeting in January of 2018.

11. ADJOURNMENT:

MOTION: Mr. Martinez, Mr. Melycher second, to adjourn at 8:12PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk