



**TOWN OF WINCHESTER
PLANNING AND ZONING COMMISSION
Town of Winchester Town Hall
338 Main Street - 2nd Floor - P. Francis Hicks Room
November 13, 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, Jerry Martinez, Art Melycher, Barbara Wilkes, and Alternates Pete Marchand and Lee Thomsen.

3. AGENDA REVIEW:

No changes were made to the agenda.

4. EXECUTIVE SESSION:

A. Discussion on Strategy with Respect to the Pending Appeal, Community Health of Greater Torrington vs. Winchester Planning and Zoning Commission.

B. Discussion on Strategy with Respect to the Pending Appeal, Dawn Vanyo vs. Winchester Planning and Zoning Commission.

MOTION: Ms. Wilkes, Mr. Closson second, to enter into Executive Session for purposes of Discussion on Strategy with Respect to the Pending Appeal, Community Health of Greater Torrington vs. Winchester Planning and Zoning Commission and Discussion on Strategy with Respect to the Pending Appeal, Dawn Vanyo vs. Winchester Planning and Zoning Commission; unanimously approved.

Town Manager Bob Geiger was invited to stay for the Commission's discussion with Attorney Kevin Nelligan.

The Commission entered into Executive Session at 7:02PM and exited Executive Session at 8:15PM.

5. PUBLIC HEARINGS:

None.

6. OLD BUSINESS:

None.

7. NEW BUSINESS:

A. Possible Action with Respect to the Pending Appeal, Dawn Vanyo vs. Winchester Planning and Zoning Commission.

MOTION: Mr. Closson, Mr. Melycher second, to accept the legal settlement as recommended by the town attorney, Kevin Nelligan, to include the language that the Dock and Mooring Ordinance is applicable to this property; unanimously approved.

B. 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 encouraged commissioners to share questions they may want addressed by the applicant in advance of the public hearing. Mr. Melycher questioned why there was not at least one handicap accessible apartment included as part of this proposal, noting that federal law requires that at least one apartment be handicap accessible. Mr. Closson questioned the location of the dumpster and its enclosure, noting it was not called out on the plan. Ms. Wilkes questioned the lighting for the site, noting that the plans did not indicate lighting.

MOTION: Mr. Closson, Ms. Wilkes second, to schedule a public hearing for the November 27, 2017 Regular Meeting for Application 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.

C. 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.

Mr. Sadlowski reported that approval of this application will permit the applicant to do what he had done a few weeks ago: projecting on the Main Street side of the old Winsted Furniture building, with the projection being shot across Main Street from the other building, formerly known as the Old Winchester Hotel, also owned by the applicant. Mr. Sadlowski noted that he was not sure what this Commission may require in terms of reviewing this application. He explained that Mr. Goldin has a video available that reflects what he intends to do under this approval. Mr. Closson questioned which zoning regulation allows for this type of proposal. Mr. Sadlowski referred to III.G.9.I.V. Common Regulations – Sign Types (General), wherein it indicates that video boards or displays are not allowed, “...except as an accessory to a use and approved by Special Permit...” Mr. Melycher questioned whether this activity would occur daily and during what hours. Mr. Sadlowski indicated that those details remain unclear but did not believe that the applicant intended to do this every night.

Concern was expressed over traffic in this area being distracted by a flashing display. They referred to the numerous discussions that had occurred with respect to sequencing lights at gas stations.

Mr. Sadlowski noted that conditions can limit the approval to whatever the Commission deems appropriate.

Mr. Sadlowski noted that the windows are painted white so the software Mr. Goldin intends to utilize allows the images to be seen there. He noted that the building is brick and the projector is not very bright so the display is not very bright. Mr. Sanden indicated that he had the opportunity to see the example done by the applicant a few weeks ago and agreed that the display was not extremely bright.

Mr. Marchand noted that the application will receive a referral from the Police Chief. With Main Street being a state road, Mr. Martinez questioned whether the State of Connecticut Department of Transportation would likely weigh in on it, too. Mr. Sadlowski noted that the DOT does not typically regulate signage. Speed of travel on this road was noted as a concern.

While a public hearing will be necessary for this application, the consensus of the Commission was to hold off on scheduling one until comments are received from the Police Chief.

8. APPROVAL OF MINUTES – October 23, 2017:

MOTION: Mr. Closson, Ms. Wilkes second, to approve the October 23, 2017 Minutes; unanimously approved.

7. COMMUNICATIONS:

None.

8. TOWN PLANNER'S REPORT:

Mr. Sadlowski reported that the structure at Henny Penny is being built. He noted that the shell at ECAD is up and that DRT has their building up with work going on inside. Mr. Sadlowski noted that while the Lambert Kay closing has not occurred yet, progress is continuing in that regard. He noted that the concrete floor has been poured at the American Mural Project. He noted that Primo's will be operating under a new owner by an individual who also owns a Mediterranean Restaurant in Unionville. Mr. Sadlowski reported that the laundromat will be opening up on 277 North Main Street as the owner and applicant have worked out their zoning compliance issues. He reported that the marina at the lake is under contract to be sold. He noted that several parties have been looking at the nursing home at 108 East Lake Street, too.

Mr. Sadlowski reported that the Architectural Review Committee will meet on Wednesday, October 15, 2017 to review the Special Permit applications discussed this evening on 2 East Lake Street and 10 Bridge Street as well as a Site Plan application for a new little retail shop at 103 Colebrook River Road.

MOTION: Mr. Marchand, Mr. Closson second, to adjourn at 8:45PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk