



**TOWN OF WINCHESTER  
PLANNING AND ZONING COMMISSION  
Town of Winchester Town Hall  
338 Main Street - 2<sup>nd</sup> Floor - P. Francis Hicks Room  
April 24, 2017 – 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: George Closson, Jerry Martinez, Art Melycher, Barbara Wilkes, Pete Marchand and Lee Thomsen.

**3. EXECUTIVE SESSION – DISCUSSION REGARDING STRATEGY AND NEGOTIATION WITH RESPECT TO A PENDING CLAIM AND POSSIBLE LITIGATION IN THE MATTER OF A SPECIAL PERMIT AND APPLICATION FILED BY COMMUNITY HEALTH AND WELLNESS CENTER OF GREATER TORRINGTON, INC:**

**MOTION:** Mr. Sanden, Mr. Closson second, to enter into Executive Session; unanimously approved.

The Commission entered into Executive Session with their counsel, Attorney Kevin Nelligan, at 7:02PM.

**MOTION:** Mr. Closson, Mr. Sanden second, to come out of Executive Session; unanimously approved.

The Commission exited Executive Session at 7:49PM.

Mr. Sanden noted that the Commission was in receipt of a letter dated April 18, 2017 from the applicant, and met with the Town Attorney and that no members feel the need to recuse themselves then or now.

**4. AGENDA REVIEW:**

Mr. Martinez requested that an item be added to the Agenda: Review the Special Permit Regulations for Approving/Denying Special Permit Applications.

**5. APPROVAL OF MINUTES – April 10, 2017:**

**MOTION:** Mr. Closson, Ms. Wilkes second, to approve the April 10, 2017 Minutes; Motion passed with Mr. Sanden, Mr. Closson, Ms. Wilkes, and Mr. Melycher voting aye while Mr. Martinez was opposed.

Prior to the vote on the aforementioned April 10, 2017 Minutes, Mr. Martinez noted that he would like to have had more of his remarks from that meeting included.

**6. PUBLIC HEARING:**

**A. PZC#17-06 Special Permit – 142 Laurel Way, Map 031, Block 153, Lot 021F Applicant: Alain Jacques and Jacqueline Jacques Owner: Alain Jacques and Jacqueline Jacques Proposal: Permit for Accessory Use.**

**MOTION:** Ms. Wilkes, Mr. Melycher second, to reopen the hearing in the matter of PZC#17-06 Special Permit – 142 Laurel Way, Map 031, Block 153, Lot 021F Applicant: Alain Jacques and Jacqueline Jacques Owner: Alain Jacques and Jacqueline Jacques Proposal: Permit for Accessory Use; unanimously approved.

Mr. Sadlowski reported that he had contacted Torrington Area Health District and they indicated that they had not received any reports from any engineer to indicate the suitability of the septic system.

**MOTION:** Mr. Closson, Mr. Melycher second, to continue the public hearing in the matter of PZC#17-06 Special Permit – 142 Laurel Way, Map 031, Block 153, Lot 021F Applicant: Alain Jacques and Jacqueline Jacques Owner: Alain Jacques and Jacqueline Jacques Proposal: Permit for Accessory; unanimously approved.

#### **7. OLD BUSINESS:**

**A. PZC#17-06 Special Permit – 142 Laurel Way, Map 031, Block 153, Lot 021F Applicant: Alain Jacques and Jacqueline Jacques Owner: Alain Jacques and Jacqueline Jacques Proposal: Permit for Accessory Use.**

It was noted that this application was continued.

#### **8. NEW BUSINESS:**

**A. PZC#17-08 Special Permit – 41 Meadow Street, Map 106, Block 095, Lot 13/14 Applicant: Iffland Industries Owner: Tom Iffland/Tim Hurrey Proposal: Used Auto Dealer and Auto Dismantler in Industrial Heritage Reuse.**

**MOTION:** Mr. Closson, Ms. Wilkes second, to accept this application and schedule a public hearing for June 12, 2017; unanimously approved.

**B. PZC#17-09 Zone Change – 41 Meadow Street, Map 107, Block 095, Lot 13/14 Applicant: Iffland Industries Owner: Tom Iffland/Tim Hurrey Proposal: Change to Zone to PI (Production and Innovation).**

**MOTION:** Mr. Closson, Ms. Wilkes second, to accept this application and schedule a public hearing for June 12, 2017; unanimously approved.

**C. Modification of PZC#16-12 – Lot 4 Old New Hartford Road, Map 122, Block 078, Lot 004 Applicant: Hendel's Inc. Owner: Hendel's Winsted, LLC Proposal: Site Plan Modification to Relocate Utilities, Add a 24'x10' Cooler Area to Back of Building, Relocate Generator Pad, Relocate Condenser Pads, and Increase Sign Size for Drive Up Window Shop.**

Mr. Sadlowski noted that this application had been submitted very recently and that Zoning Enforcement Officer/Building Inspector Marc Melanson has not had a chance to review and comment on it.

Robert Colabella, PE, of Laurel Engineering appeared before the Commission regarding this application. He explained that the applicant is looking for a site plan modification. He explained that they are looking to increase the sign out front. Additionally, Mr. Colabella explained that the project manager met with Eversource who indicated that they would like the transformer to be located in the spot that the generator was supposed to be. Therefore, the applicant would like to move the generator nearer to the building. Mr. Colabella explained that the owner has a potential tenant in Dunkin Donuts who may need a cooler. He explained that the applicant would like to install a pad for a potential cooler.

Mike Sherman, PE, of Laurel Engineering also appeared before the Commission regarding this application. He explained that while the previous application contained a proposed sign of eleven square feet but are now seeking to gain approval for what they can under the Zoning Regulations and are seeking approval for eighteen square feet.

As the Commission reviewed the drawings, Mr. Colabella noted that the thickness of the pad can be added to the plans.

**MOTION:** Mr. Closson, Mr. Melycher second, to approve Modification of PZC#16-12 Applicant: Hendel's Inc. Owner: Hendel's Winsted, LLC Location: Lot 4 Old New Hartford Road, Map 122, Block 078, Lot 004 Proposal: Site Plan Modification to Relocate Utilities, Add a 24'x10' Cooler Area to Back of Building, Relocate Generator Pad, Relocate Condenser Pads, and Increase Sign Size for Drive Up Window Shop. 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. Approval is granted based on submitted plans drafted by Laurel Engineering, LLC, entitled, "Filling Station and Convenience Store Utility Plan Lot 4 Old New Hartford Road Prepared for Hendel's Inc. Winsted Connecticut Sheet 5 Date 06/06/16 Revised 07/13/16, 08/16/16, 08/22/16, 04/20/17 Scale 1"=30' ";
3. Pad details to be provided to the Planning Office; and
4. Subject to the modifications as prescribed by Zoning Enforcement Officer Marc Melanson; unanimously approved.

**9. COMMUNICATIONS:**

None.

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

Mr. Sadlowski provided updates on various building projects in town including the American Mural Project, 10 Bridge Street, and Lambert Kay.

**11. OTHER BUSINESS:**

**A. Zoning Regulations.**

Mr. Sadlowski noted that he had just received Attorney Mark Branse's comments regarding the proposed revisions to the Zoning Regulations on Friday but had a few questions for him.

**B. Special Permit**

Mr. Martinez explained that he realized that there is quite a bit of latitude with considerations of Special Permits, especially with considering the Plan of Conservation and Development. He questioned what weight should be given to each of the various considerations.

Mr. Closson opined that while the POCD is indeed just a plan, the State of Connecticut recognizes the plan as important as they mandate that it is updated every ten years. Mr. Sadlowski explained that the Commission has a lot of leeway in deciding Special Permit. Mr. Sanden opined that it would be difficult to assign a specific weight to the POCD.

**12. ADJOURNMENT:**

**MOTION:** Mr. Closson, Ms. Wilkes second, **to adjourn at 8:27PM; unanimously approved.**

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