

**TOWN OF WINCHESTER**

**PLANNING AND ZONING COMMISSION**

**Town Hall – 338 Main Street**

**2nd Floor – P. Francis Hicks Room Monday, April 24, 2023, at 7:00PM**

**REGULAR MEETING AGENDA**

1. **ROLL CALL.**

Planning and Zoning Chair, Mr. George Closson called the meeting to order at 7:00 p.m.

Closson noted that the following individuals were present: George Closson, Chairman; Peter Marchand, Vice Chair; John Cooney, Secretary; Craig Sanden, Willard Platt, and Alternates: Charlene LaVoie, Troy Lamere and Adam Quagliaroli.

Also in attendance: Lance Hansen, Town Planner.

1. **PUBLIC COMMENT.**

Resident: Christina Spann, 11 Finn Street: awaiting decision permit for previously filed chicken coop on the Open.Gov permitting software. Mr. Hansen will reassign the permit for his inland wetlands and zoning review and contact Ms. Spann for follow-up.

1. **AGENDA REVIEW.**

None.

1. **PUBLIC HEARINGS.**

 **A. *PZC#23-1 – Special Permit***

 ***Applicant: Wendy Scanlon***

 ***Owner: Impetus Properties***

 ***Location: 398 Main Street***

 ***Proposal: Mixed Use – Retail, Small Shop to Recreation and Entertainment Facility, Indoor Private.***

 Hansen: submitted that the original application was submitted on January 4, 2023, received January 9, 2023, with the public hearing scheduled for February 27, 2023. The February 27th Planning and Zoning meeting was cancelled due to weather and the Monday March 13th meeting due to legal noticing deadlines. Public hearing was rescheduled again but applicant did not contact the abutters regarding the public hearing date change so was continued.

Public hearing must be opened by final deadline of May 19, 2023 was communicated with the applicant, but because the applicant had not requested an extension from the original approval 65 day deadline:

 Motion to deny without prejudice: Marchand

 Second: Cooney

 Unanimous

1. **OLD BUSINESS.**

 **A. *PZC#23-1 – Special Permit***

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 ***Owner: Impetus Properties***

 ***Location: 398 Main Street***

 ***Proposal: Mixed Use – Retail, Small Shop to Recreation and Entertainment Facility, Indoor Private.***

No motion.

1. **NEW BUSINESS.**

None.

1. **OTHER BUSINESS.**
2. ***Set Public Hearing for Formal Adoption of Revised PZC Regulations per General Code Recommendations.***

Clossen: discussion: review proposed regulation changes. Marchard: Discussion: requested updates; none submitted. Terminology, commercial recreation, golf courses, marina parking.

Closson: Questions: lack of introduction or summary of proposal.

LaVoie: Questions authority: Regulations: law of Planning and Zoning and request for senate for public hearing; requires consultation with P&Z.

Sanden: questions proposed changes to regulations.

Platt: questions: commercial stable, parking requirements.

Closson: communicated with Town Manager, Josh Kelly and require: response, consultation with committee: clarification, etc.

Lavoie: questions initiative of proposal.

Closson: update to Board of Selectman ordinances; questions: proposal to update Land Use regulations.

Cooney: No urgency.

Discussion continues review process. LaVoie: Planning and zoning: committee and subcommittee initiatives in place.

Marchand: steep slopes, marijuana parking; questions: driveway ordinances Town Attorney.

Lamere: importance of direct communication with commission.

Purpose of proposal discussed: Hansen: proposed changes a mechanism for search engine on town website.

Discussion: commision involvement with changes to statutes and updates to language.

Hansen: advises communication with Selectmen.

Lamere: language may mislead citizens.

Platt: questions: added ordinances: campsites: recreational community.

LaVoie: Other than Planning and Zoning Commission: no one has right to propose changes to Planning and Zoning regulations.

No motion.

1. ***8-24 Referral on Sale of Batcheller Elementary School to Northwest Senior Housing Corporation.***

Representatives: Packet received: Larry Hannifin, President, Susan B Perry, 115 Spencer Street, and David Berto, Northwest Senior Housing Corporation, consultant. Hannifin: additional housing needs.

David Berto seven months ago: worked with Northwest Senior Housing Corpoation for the RFP response for converting school to housing, per Board of Selectman. proposal: Organization disposition of town property.

Discussion: Entire building will be used for housing: apartments and common space; existing developed area will be improved. Property up hill will remain wooded and proposed for either a conservation easement or will be retained by Town of Winchester: to be determined.

Proposal focus: Housing Development restricted to existing developed area. Require Town meeting for final approval, additional funding pending, application process with details, input from neighbors received.

Closson: questions process should Planning, and Zoning recommend; back to Board of Selectmen, then town meeting. David Berto agrees and adds approval of plan for Town property, and development process through Planning and Zoning.

LaMere: questions: net zero building? David Berto roof and roof line, trees, energy efficient, possible solar funding.

LaVoie: questions number of units, affordable housing, senior housing. David Berto: 30 units, affordable housing, not restricted to elderly.

Closson: questions: how to repurpose gymnasium. David Berto: excess common space continue talks; as of today, no definitive answer. Lots of possibilities.

LaVoie: questions: numbers: affordable housing. David Berto: 30 units, shows progress.

Lamere: questions: property taxes. Hannifin: explains process: pay property taxes; require water and sewer, snow plowing.

Platt: questions: conservation acreage; 32-acre property. David Berto more than half will be maintained for common preserved space. Restates: proposed development restricted to current developed acreage. Marchand: discusses property: roughly eight acres, conservation concerns.

Hannifin: purchase price to town $300K; barn/shed retained for Town of Winchester Public Works; equipment storage.

Quagliaroli: issues with remediation: structures, hazardous, etc. Hannifin: town requires transfer “as is” will remediate any hazardous material found. Inspection. Discussion: water.

Closson: Planning and Zoning required to supply Board of Selectmen positive or negative recommendations.

Discussion: Quagliaroli: products services, walking score. LaVoie: property location specifics. David Berto commented opportunities within common space to provide service space to residents and neighbors: restricted due to location.

Lamere: questions: laundry facilities. Discussion.

Motion: Positive recommend; with suggested conditions: all forested property remain property Town of Winchester or Conservation Easement: Marchand.

Second: Cooney

Unanimous

1. **APPROVAL OF MINUTES: April 10, 2023.**

One correction page 2: change from Barkhamsted Fire Chief to Winsted Fire Chief.

Motion to approve: Marchand.

Second: Platt.

Unanimous.

1. **COMMUNICATIONS.**

Hansen: none written. Communicates: Pam decided to transfer to tax office. Pending. IWW ZEO candidate: pending.

Clossen: Written communication with Josh: Questions: certification process adherence.

LaVoie: Certification per laws. Hansen: ZEO: no CAZEO training. Closson: suggestion: ZEO: part time subcontractor. LaVoie: questions: historic lack of enforcement: recommendations not recognized. Closson: discusses 212 West Wakefield Boulevard: Taylor Brook culvert: lack of enforcement. Hansen: submitted packet of reports and IWW and P&Z approval conditions.

Lavoie: require enforcement officer, lack of consultation.

Lamere: proposes subcontracted ZEO: benefits: weekend availability vs. full time ZEO.

Lavoie: Planning and Zoning commission: Unhappy. Lack of enforcement in Town of Winchester. Planning and Zoning ignored. Questions process: appropriate personnel, body of legislation and lack of enforcement.

Committee provides enforcement [lack of] examples: Gianni’s Deli, Taylor Brook culvert, Quick Stop, turbidity fences proposed at Taylor Brook culvert and 212 West Wakefield Blvd. due to pending rain. Hansen: inspect and report to the board.

Marchand: [ECAD] Hansen reported approval from Inland Wetlands and Watercourses Commission after discussion regarding drainage when driveway becomes paved.

Commission: questions enforcement from Building Official. Seven conditions laid out in original unapproved temporary Certificate of Occupancy.

Marchand: Is the town allowing to proceed with no CO; suggests cease and desist.

Hansen: Attempting: temporary six-month Certificate of Occupancy (CO) with Building Official. Closson: the temporary CO should include stipulations included in original approval including buffering; witnessed: example of noncompliance: lack of buffering: small trees against stone walls, sign, et. Should comply with original approval. Refers to: 2016 minutes. Sanden: Third instance: minimal considerations to conditions of permit: width of road, fire trucks. Six – seven years later: conditions of approval: not met. Closson: paving discussed. Demands compliance. LaVoie: restates importance of Planning and Zoning representation on interview panel for [ZEO]. Platt: see legal notice for ZEO position.

Closson: Miscommunication among: Zoning Enforcement Officer / Inland Wetlands Agent hiring practices

LaVoie: revolving Town Manager. Discussion: Town Management.

Hansen: described the blight enforcement policy that had been put in place prior to Michael Stankov’s departure. Hansen: reported the inspection follow up on wetlands approvals, recent court hearing regarding 257-259 Torringford Street property. Michael Stankov’s last enforcement report was from February 2023. Discussion: Enforcement regarding 30 Mountain Avenue shed located on property line with 34 Mountain Avenue.

1. **TOWN PLANNER’S REPORT.**

Hansen: draft proposed change for steep slopes: review: discussion continued next meeting.

Winsted Health Center Project: inquiry. Marchand: changes Hansen: list of six items (driveway not included). Hansen and Closson: add to next agenda.

Closson requires summary. Marchand: summarizes sign requirements change from fourteen to ten days. Parking for marina: one per 1500 square feet to one to two available moorings. In reference to site plan: no exterior changes (protruding) no. A2 survey requirement. Parking for cannabis facility: same as convenience stores.

Clossen: requires Hansen redraft and summary for a public hearing: add agenda.

Marchand: concurs public hearing. Driveway ordinance.

LaVoie: reads: CT General statute 8-3 e1. State: …state law: Planning and Zoning adopts own regulations and can provide manner or enforcement. Hansen: Discusses applicants. Closson: weekend work. Lavoie: [ZCan] discussion. No enforcement.

Lamere: Restates: ZEO should be a subcontractor who receives a 1099: part time hourly rate to avoid weekend issues and exorbitant fees, cost saving. Lavoie: agrees. Closson: restates recommendation. Forward email to Hansen.

1. **ADJOURNMENT.**

**Motion to adjourn 8:15 p.m.: Cooney**

**Second: Sanden**

Minutes completed by Recording Clerk: Karen Hunter, with edits by Town Staff