

WINDHAM PLANNING & ZONING COMMISSION

Regular Meeting

DATE: *Thursday* March 25, 2010

TIME: 7:00 PM

PLACE: Windham Town Hall, 979 Main St., Willimantic

A G E N D A

Revised

- I. **Call to Order**
- II. **Approval of Minutes** - January 28, 2010 & February 25, 2010
- III. **Public Hearing** – **Autotote Enterprises Inc. - 600 Main St.**– application for a Special Permit on proposed new Off Track Betting Facility within an M-3 Industrial District.
- IV. **New Business** – *DISCUSSION/POSSIBLE ACTION*
 1. **Autotote Enterprises Inc. - 600 Main St.**– application for a Special Permit and Site Plan Review for proposed new Off Track Betting Facility within an M-3 Industrial District.
 2. Application for Open Space Grant to improve and restore parcel of land acquired from Windham Mills abutting REC Park.
 3. Possible application for technical assistance for promoting agricultural uses through an AGvocate program
- V. **Other Business** – *DISCUSSION/POSSIBLE ACTION*
 - a. **Martie Krohn – 10 Jerusalem Rd., Windham Center** – request for extension to file maps in Town land records for a four lot Subdivision
 - b. PZC by-laws
 - c. Update on Magnet School
 - d. Process to revise zoning regulations and maps
 - e. **Update on Incentive Housing Zone Study by Jana Butts*
- VI. **Routine Business** - *DISCUSSION/POSSIBLE ACTION*
 1. Correspondence
 2. Miscellaneous
- VII. **Adjourn**

Paula Stahl Chair

Town of Windham

MEMORANDUM

TO: Planning & Zoning Commission
FROM: James Finger, Town Planner
DATE: March 18, 2010
SUBJ: Planner's Report for next meeting

New Business

Autotote - 600 Main St.– This is a public hearing on a proposed new Off Track Betting Facility. The Town Council recently approved the use for this location, and now it is up to the PZC to consider the applicable compliance with zoning regulations. The Property is located in an M-3 Industrial District, but it also allows for other Commercial uses. In fact, the former Zoning Commission approved the establishment of a restaurant with live entertainment at this property last summer.

43.3 **SPECIAL USES:** Under certain conditions, the Commission will permit the following uses by Special Permit in accordance with Section 62 of these Regulations, unless existing, then Section 61 shall apply. (amended 11/22/02; 8/5/09)

43.3.1 Full Service Restaurants including establishments serving alcoholic beverages; Theatre, Assembly, or Auditorium uses with live Entertainment; conference center.

43.3.2 ***Other commercial or industrial uses*** of a similar nature provided they are not otherwise expressly prohibited and are in keeping with the spirit and intent of the district.

In review of the proposal as outlined by their attorney, it appears that the application address many of the concerns that would normally arise with a Special Permit use, and the Site Plan.

Application for Open Space Grant

The Town is planning to submit an application for funding to improve and restore parcel of land acquired from Windham Mills abutting REC Park. The property is a little over five acres but most of the land is the riverbed. According to Scott Clairmont at Public Works, there are quite a few hazards that would need to be addressed before the public is allowed access the property. There are numerous areas where the riverbank is too steep or rocky for safe passage to the river. There are remnants of the old hydroelectric equipment scattered through the area such as manholes, valves, a large vault of some kind, and a sluiceway. These areas would require extensive fencing to limit public access. Also, the idea of providing public access to the river is of concern because the water flows at a high rate of speed for most of the year and has created some dangerous areas. So, in consideration of these issues, the Public Works Dept. feels that the best use of the area would be to replace the existing fence that separates REC Park with the new property. They would then thin out the underbrush and invasive plants in the area to make the river and the hydroelectric equipment visible from the park, and continue to maintain parcel 2B as an urban forest. The estimated cost of this work is just under \$60,000, for which we hope to get 65% grant funding, and the Town's share would be in-kind, or donations of materials.

AGvocate program The Town is considering submitting a request for technical assistance for promoting agricultural uses through a program sponsored by the Department of Agriculture. The Town of Windham has 3294.38 classified as forestry, and 1236.17 acres in active farmland,

which accounts for nearly 28% of the land in the Town. In addition, the Town has a farmer's market in Willimantic to provide space for local farmers to sell their produce, and baked goods. Given the general decline in the economy at the State and Nationwide, local officials recognize that we need to provide assistance to local business people including rural home based businesses and farmers. Among the many hurdles in promoting agriculture is to include provisions in the Town's Plan of Conservation and Development. Our plan identifies prime agricultural farmland, and it is specifically included in the Open Space section of the Plan:

***FARMLAND:** Preserve farmland, forest land, other agricultural lands and the rural character of the Windham villages; Windham's active and historic farmland, although part of our cultural resources, was called out as a separate category due to the large quantity of farmland areas and the significant contribution these areas have on our rural character, both economically and visually (the unique view-sheds agricultural fields offer).*

As part of any application for technical assistance the Planning and Zoning Commission Chair would need to sign the application.

Other Business

Martie Krohn – 10 Jerusalem Rd., Windham Center – due to the long delays in completing the paperwork, they have exceeded the 90 day limit to file the subdivision map, and therefore are requesting an extension to file maps in Town land records.

Proposed by-laws

A draft of proposed by-laws to guide the Commission has been distributed, and hopefully, you have had time to review these and to formalize them.

Update on Magnet School – The Town Manager said that he had received a call from Bruce at OPM about our request to modify the state plan for conservation and development to allow Town sewer to serve the Magnet School at Tuckie Road. The Town Manager explained that based on conversations with Town staff and Magnet School officials that we would not allow anyone else to tap into the sewer extension; it is only for the Magnet School. The OPM Official said this may mean we don't have to go through the OPM change process – thus with the assurance that the sewer line will *not* serve anyone other than the Magnet School -- that OPM could possibly write a letter to DEP that this extension *is consistent* with the state C&D plan and that no amendment is necessary. We have yet to hear any confirmation on this yet.

Process to revise zoning regulations and maps Now that the Planning and Zoning Commission is combined, changes to the zoning regulations and maps will be simpler by reducing the step to refer the matter to a separate Planning Commission for a report. The PZC should outline its priorities for amendments, and proceed with the language changes it wishes to make. Then we would need to refer any changes to the two Regional Planning Commissions for comments, and schedule a public hearing on the proposed changes.