

# LITCHFIELD PLANNING AND ZONING COMMISSION

Town Hall Annex - 80 Doyle Road, Bantam, CT

October 17, 2011, 7:00 P.M.

## MINUTES

Chairman Putnam called the meeting to order at 7:02 p.m.

Present were members Barbara Putnam, Elizabeth Jamieson, Susan Lowenthal, Michael Italiaander, Sky Post, Tom Waterhouse, Bill Burgess, and alternate James Keithan

Absent: Alternates Kelli Green and Paul Adams.

Also present was Land Use Administrator Dr. Dennis Tobin.

1. **Public Comment** – No members of the public spoke
2. **Appointment of Alternates** - No alternates needed to be appointed.
3. **Approval of Minutes of October 3, 2011.**

Motion: Susan Lowenthal moved to adopt the minutes as revised to report her time of arrival in the Members Present portion of the minutes

Second: Bill Burgess

Abstentions: None

Voting in favor: Tom Waterhouse, Susan Lowenthal, Bill Burgess, Elizabeth Jamieson

Voting against: none

Abstentions: Michael Italiaander and Sky Post

Motion carried :4-2-0

Motion: Susan Lowenthal moved to add discussion on the next workshop meeting under new business on the agenda.

Second: Sky Post

Voting in favor: Tom Waterhouse, Susan Lowenthal, Sky Post, Bill Burgess, Michael Italiaander, Elizabeth Jamieson

Voting against: None

Motion carried: 6-0

4. **Commissioners Requests** – No Commissioners had requests to discuss

### PUBLIC HEARINGS/CONSIDERATIONS

5. **Smith (Village Wine Cellar)** **189 West St.** **10/17/11**  
Expansion of Special Exception retail store.
  - a. **Open Public Hearing.**

Chairman Putnam opened the hearing at 7:08 p.m., and read the public notice into the record. The applicant submitted their certified mail receipts for the file. The applicant has a variance on file from ZBA for setback variances and a certificate of appropriateness from the Historic District for the addition which will be located in the BH zone. A statement of use was submitted and reviewed by the Commission. The Zoning Regulations state that a Special Exception lowering the amount of required parking spaces may be granted in the B202 zone. The applicant will be adding 3 spaces in addition to the 8 existing spaces. Two of the spaces will be employee spaces along the side of the building. The Commission requested that the applicant provide permission from the adjoining Derwin property for his current method of access to the proposed addition. The applicant stated that he owns the land to provide access to the back of the building that can be used in the event such permission were denied in the future. No members of the public spoke for or against the application. At 8:00 the hearing was continued until November 21<sup>st</sup>.

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6. **Dunn** **699-701 Northfield Rd.** **10/17/11**  
Special Exception Accessory Apartment (Art. V, Section 1)

**a. Open Public Hearing**

Chairman Putnam opened the hearing at 8:04 p.m. and read the legal notice into the record. Jeff Lowy and James Dunn were present for the accessory apartment application and submitted certified mail receipts into the record. The accessory apartment is a renovation/rebuilding of an existing trailer on the property. The accessory apartment will have 2 bedrooms and will be 616.77 square feet. The main dwelling is 2400 square feet for a ratio of 25% for the accessory apartment. The proposed apartment has its own septic system that has been in place since 1986. The Commission requested that a copy of the TAHD approval be added to the file. The hearing closed at 8:27 p.m.

**b. Consider**

Motion: Bill Burgess moved to approve the application with the condition that the TAHD approval be placed in the Planning and Zoning Commissions file.

Second: Sky Post

Voting in favor: Susan Lowenthal, Sky Post, Bill Burgess, Michael Italiaander, Elizabeth Jamieson

Voting against: None

Abstentions: Tom Waterhouse

Motion carried: 5-1-0

## APPLICATION RECEPTIONS

7. **Champagne** **521 South Plains Rd.** **10/17/11**

Receive and set public hearing (11/21/11) for Special Exception Accessory Apartment (Art. V, Section 1). Mr. Champagne was present. The accessory apartment exists as an illegal apartment on the property. There is existing vegetation surrounding the property that screens the apartment from the nearest neighbor on Little Pitch Road. The applicant will submit photos of the parking area for the public hearing and show the proposed parking spaces on the site plan, and be prepared to show that parking can be screened from neighbors. The hearing was set for November 21<sup>st</sup> at 7:00 p.m.

8. **Old Business** – No old business was discussed

9. **New Business** – The Commission discussed whether the next workshop meeting should be held the evening before elections.

Motion: Bill Burgess moved to cancel the next workshop meeting of November 7th

Second: Michael Italiaander

Voting in favor: Susan Lowenthal, Sky Post, Bill Burgess, Tom Waterhouse, Michael Italiaander, Elizabeth Jamieson

Voting against: None

Motion carried: 6-0

10. **Correspondence** – no correspondence was discussed

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## 11. Possible Executive Session to discuss pending litigation.

Motion: Sky Post moved to go into executive session at 8:41 p.m. Land Use Administrator Dr. Dennis Tobin was invited

Second: Bill Burgess

Voting in favor: Susan Lowenthal, Sky Post, Bill Burgess, Tom Waterhouse, Michael Italiaander, Elizabeth Jamieson

Voting against: None

Motion carried: 6-0

Motion: Sky Post moved to go come out of executive session at 8:50 p.m.

Second: Bill Burgess

Voting in favor: Susan Lowenthal, Sky Post, Bill Burgess, Tom Waterhouse, Michael Italiaander, Elizabeth Jamieson

Voting against: None

Motion carried 6-0

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Elizabeth Jamieson  
Secretary