

LITCHFIELD PLANNING AND ZONING COMMISSION
Town Hall Annex, 80 Doyle Rd.
Bantam, CT
REGULAR MEETING MINUTES- DRAFT
August 3, 2015, 2015 - 7:00 p.m.

Call to Order: Chairman Waterhouse called the regular meeting to order at 7:09 pm.

Members Present: Carol Bramley, Peter Losee, Dr. Susan Lowenthal, David Pavlick, Denise Schlesinger, Thomas Waterhouse

Members Absent: Curtis Barrows, William Conti, David Morgan

Alternate Members Present: None

Also Present: Land Use Administrator, Dennis Tobin, PhD

1. Appointment of Alternates: None

2. Public Comment:

a. Pamela Orde, Litchfield – requested a copy of the proposed revised regulations

3. Commissioners' requests: None

4. 101 Russell St. - , August 3, 2015, Town of Litchfield 8-24 Application for Public Works facility.

Jack Healy, Public Works Director, provided the Commission an overview of the current public works facility and the proposed changes in regards to salt shed, storage sheds and oil tanks. Mr. Healy presented the Commission a map outlining the new facilities. Mr. Healy stated the Town of Litchfield will purchase two above ground tanks. The Commission questioned the safety of the bollards in front of the oil tanks. The Commission questioned the difference between current and proposed buildings. Several buildings are being added on the site map, however are not going to be constructed as of now. Dr. Tobin stated site plans are good for up to five (5) years.

David Pavlick at 7:25 pm is now seated as a regular member.

Mr. Healy presented the Commission a letter dated March 26, 2014 from the Wetlands Commission regarding approval. The letter is on file.

Dr. Susan Lowenthal made a motion for a favorable report for 101 Russell St. - August 3, 2015, Town of Litchfield 8-24 Application with the understanding the site plan will be updated to show the bollards. Denise Schlesinger seconded. Vote 5:1, with David Pavlick abstaining.

5. 101 Russell St. – Town of Litchfield – Public Works – Site Plan application, August 3, 2015

Carol Bramley made a motion approve 101 Russell St. , August 3, 2015– Town of Litchfield – Public Works – Site Plan application for with the following conditions: The site plan be updated with the height and location of the bollards around the gas tanks, and subject to the approval of the ZBA variance. Peter Losee seconded. Vote: 5:1, with David Pavlick abstaining.

6. Request for Bond Release – CA Litchfield Land, LLC – Shepaug Crossing subdivision - Old Mt. Tom Rd, August 3, 2015
Phil Deleppo requested the release of the bond money being held for the placement of the conservation tags at the Shepaug Crossing Subdivision in the amount of \$12,474.00.

Carol Bramley made a motion to release the Request for Bond Release, August 3, 2015 – CA Litchfield Land, LLC – Shepaug Crossing subdivision - Old Mt. Tom Rd. in the amount of \$12,474.00 for pin and conservation tag placements. David Pavlick second. Vote 6:0, with all in favor.

PUBLIC HEARING

7. Open Public Hearing for Subdivision Regulations.

Paul Culter presented the Commission an overview via phone conference at 7:40 pm. Mr. Culter presented an overview of the subdivision regulations. Topics covered: subdivisions, process of applications, flow charts, conforming to CT State Statues, cash payments, lot development standards, open spaces, driveways, and glossary of terms.

The Commission read five (5) letters which are on file:

- A. The Town of Litchfield, Office of the Fire Marshal, dated July 31, 2015. The letter suggested changes to the Proposed Subdivision Regulations. The Commission accepted the changes as noted in the letter from the Fire Marshal.
- B. Byrne & Byrne, LLC., dated July 20, 2015. The letter suggested several changes to the Proposed Subdivision Regulations. The Commission agreed to disregard Section 4 [on page 4]. The Commission accepted the changes as noted in the letter.
- C. Byrne & Byrne, LLC., dated July 20, 2015. The letter provided a brief legal opinion regarding “Subdivision applications, rejection by staff”. The Commission accepted the legal opinion as noted in the letter.
- D. Northwest Hills - Council of Governments (NHCOG) dated July 29, 2015. The letter suggested stonewalls be added to the regulations and adopted. The Commission accepted the opinion as noted in the letter.
- E. Land Use Office Review, Subdivision Regulations draft for August 3, 2015 meeting. The letter stated ten suggestions. The Commission accepted the letter.
- F. Carol Bramley dated August 3, 2016. The letter provided several suggested corrections to be discussed / corrected. The Commission accepted the letter as presented.

Public Hearing is to remain open due to changes that will be submitted to Paul Culter. Public Hearing will be continued to September 8, 2015.

1. Barbara Putnam – Spoke about buildable land in relation to the glossary section; inland wetlands and subdivision in relations to town line roads.

REGULAR MEETING

8. Discussion of Public Hearing Draft of proposed zoning regulations.
 - a. David Pavlick discussed Article 5, Section 7 regarding Inn’s & Restaurants; Article 5, Section 9; Farms, Farm Stands; Home Enterprise; Duplex’s; and Accessory Apartments.

- b. Chairman Waterhouse requested Sean Suder to reinsert Section 5 and Section 6 to the proposed regulations.
- c. Carol Bramley discussed Article 5 and Article 6 regarding Off Street Parking and Loading; Temporary Construction; Sign Regulations; Glossary; and Table of Uses. Carol Bramley presented the Commission with a letter outlining her notes. The letter was accepted and will be sent to Sean Suder.

Dr. Susan Lowenthal left the room at 9:21 pm.

The Commission is requesting printed copies of Article 5 and Article 6. Dr. Tobin presented the Commission a flow chart regarding the proposed zoning regulations. The flow chart provided an overview of how the regulations will be outline in the new publication. Additionally, Dr. Tobin made reference to the Proposed Zoning Map dated July 6, 2015.

9. Discussion of POCAD RFP schedule.

Dr. Susan Lowenthal entered the room at 9: 35 pm.

The Commission discussed the RFP/RFQ for the POCAD Capital Project. The RFP is on file. The Commission agreed to complete POCAD Hiring by First Quarter 2016.

10. Aquifer Protection Agency voting on effective date for amended and approved regulations.

The Commission read a letter dated July 16, 2015 from Connecticut Department of Energy & Environmental Protection regarding: Approval of the Town of Litchfield's Amended Aquifer Protections Regulations.

Carol Bramley made a motion to approve the Aquifer Protection Agency amended and approved regulations established September 1, 2015. Peter Losee seconded. Vote 6:0, with all in favor.

11. Approval of Minutes of July 20, 2015

Carol Bramley made a motion to accept the Minutes of July 20, 2015 with following changes listed below. Peter Losee seconded. Vote of 6:0, with all in favor.

From:

David Pavlick at 7:14 pm is now seated as a regular member

To:

Carol Bramley made a motion to approve the Kateri Peaches 'n Cream – 632 Torrington Rd., July 20, 2015 – Minor site plan modification to add additional outdoor seating. William Conti seconded. Vote of 7:0, with all in favor.

David Pavlick at 7:14 pm is now seated as a regular member

From:

Mr. Greenberg provided an update to the Commission regarding 6645 Federal Square Realty, LLC. – Village Green Dr. Mr. Greenberg spoke about Route 202, easements, and Litchfield Land Trust.

To:

Mr. Greenberg provided an update to the Commission regarding 6645 Federal Square Realty, LLC. – Village Green Dr. Mr. Greenberg spoke about Route 202, easements, and White Memorial.

From:

Mr. Greenberg is requesting a site plan accommodation. The original site plan stated office space only at the former "Poncho Gringos" restaurant.

To:

Mr. Greenberg is requesting a site plan modification. The original site plan stated office space only at the former "Senior Poncho Gringos" restaurant.

From:

Mr. Greenberg acknowledges he is not in compliance and suggested to the Commission if they will be moving forward with an advisor.

To:

Mr. Greenberg acknowledges the current approved site plan will not be in compliance with the required parking as per the current site plan. Mr. Greenberg stated he will present the Commission with an additional proposal.

From:

Dr. Susan Lowenthal made a motion for Mr. Greenberg to present the Commission a check for Two Thousand (\$2,000.00) for Planning Review and One Thousand (\$1,000.00) for Legal Fees. David Pavlick seconded. Vote of 6:0, with all in favor.

To:

Dr. Susan Lowenthal made a motion for Mr. Greenberg to present the Commission a check for Two Thousand (\$2,000.00) for Planning Review and One Thousand (\$1,000.00) for Legal Fees. David Pavlick seconded. Vote of 7:0, with all in favor.

From:

Dr. Susan Lowenthal made a motion to set a public hearing for 6645 Federal Square Realty, LLC - Village Green Dr., July 20, 2015 – Receive site plan for conversion of 850 sq. ft. of office space to restaurant space in Bldg. A on August 17, 2015. Denise Schlesinger seconded. Vote of 6:0, with all in favor.

To:

Dr. Susan Lowenthal made a motion to set a public hearing for 6645 Federal Square Realty, LLC - Village Green Dr., July 20, 2015 – Receive site plan for conversion of 850 sq. ft. of office space to restaurant space in Bldg. A on August 17, 2015. Denise Schlesinger seconded. Vote of 7:0, with all in favor.

From:

Curtis Barros made a motion use the funds from Applications Receptions, Item # 2, De An Zheng DBA China Rainbow Restaurant – Village Green Dr., July 20, 2015 –Special Exception Restaurant Use in Building A Unit 2B – 850 sq. ft. for planning review. David Pavlick seconded. Vote of 6:0, with all in favor.

To:

Curtis Barrows made a motion use the funds from Applications Receptions, Item # 2, De An Zheng DBA China Rainbow Restaurant – Village Green Dr., July 20, 2015 –Special Exception Restaurant Use in Building A Unit 2B –850 sq. ft. for planning review. David Pavlick seconded. Vote of 7:0, with all in favor.

From:

Dr. Susan Lowenthal made a motion to set a public hearing for De An Zheng DBA China Rainbow Restaurant – Village Green Dr., July 20, 2015 –Special Exception Restaurant Use in Building A Unit 2B –850 sq. ft. on August 17, 2015. Denise Schlesinger seconded. Vote of 6:0, with all in favor.

To:

Dr. Susan Lowenthal made a motion to set a public hearing for De An Zheng DBA China Rainbow Restaurant – Village Green Dr., July 20, 2015 –Special Exception Restaurant Use in Building A Unit 2B –850 sq. ft. on August 17, 2015. Denise Schlesinger seconded. Vote of 7:0, with all in favor.

From:

Curtis Barrows made a motion to accept the Minutes of July 6, 2015 with following changes listed below. Carol Bramley seconded. Vote of 6:0, with all in favor.

To:

Curtis Barrows made a motion to accept the Minutes of July 6, 2015 with following changes listed below. Carol Bramley seconded. Vote of 7:0, with all in favor.

From:

Dr. Susan Lowenthal made a Motion to set a public hearing for E. Kellogg, 1971 Weed Road, July 20, 2015 – Existing dwelling with attached garage -Accessory Apt. over garage on August 17, 2015. Carol Bramley seconded. Vote 6:0, with all in favor.

To:

Dr. Susan Lowenthal made a Motion to set a public hearing for E. Kellogg, 1971 Weed Road, July 20, 2015 – Existing dwelling with attached garage -Accessory Apt. over garage on August 17, 2015. Carol Bramley seconded. Vote 7:0, with all in favor.

From:

Dr. Susan Lowenthal made a motion for B. Skinner, 51 Camp Hill Road – Existing dwelling with accessory apartment to present the Commission a check for Two Thousand (\$2,000.00) for Planning Review. David Pavlick seconded. Vote 6:0, with all in favor.

To:

Dr. Susan Lowenthal made a motion for B. Skinner, 51 Camp Hill Road – Existing dwelling with accessory apartment to present the Commission a check for Two Thousand (\$2,000.00) for Planning Review. David Pavlick seconded. Vote 7:0, with all in favor.

From:

David Pavlick made a motion to set a public hearing for B. Skinner, 51 Camp Hill Road – Existing dwelling with accessory apartment on August 17, 2015. Dr. Susan Lowenthal Seconded the vote. Vote 6:0, with all in favor.

To:

David Pavlick made a motion to set a public hearing for B. Skinner, 51 Camp Hill Road – Existing dwelling with accessory apartment on August 17, 2015. Dr. Susan Lowenthal Seconded the vote. Vote 7:0, with all in favor.

- 12. Old Business None
- 13. New Business None
- 14. Possible Executive Session to discuss pending litigation None
- 15. Correspondence
 - a. The Torrington Water Company, dated July 15, 2015 regarding Aquarion Water Company of Connecticut.

Carol Bramley made a motion to close the meeting. David Pavlick seconded the motion. Vote of 6:0, with all in favor.

Meeting ended at 10:06 pm

Respectfully Submitted,



Nancy Latour, Recording Secretary
Recording Date 08/ 4 /15

Thomas Waterhouse, Chairman
Date 08/ /15