

**LITCHFIELD PLANNING AND ZONING COMMISSION**  
**Town Hall Annex, 80 Doyle Road, Bantam, CT**  
**REGULAR MEETING MINUTES**  
**Monday, December 19, 2011 7:00 p.m.**

Chairman Susan Lowenthal called the meeting to order at 7:00 p.m.

Present were members Curt Barrows, Carol Bramley, Peter Losee, David Pavlick, Sky Post, Susan Lowenthal and Tom Waterhouse; Alternates Edmund Doyle, Ralph White and Erin Kennedy. Peter Losee arrived at 7:03 p.m.

Also present was Land Use Administrator Dr. Dennis Tobin.

1. **Public Comment** – None
2. **Appointment of Alternates** – None
3. **Approval of Minutes of December 5, 2011**

It was noted the last motion for the election of each officer (Chairman, Vice-chairman and Secretary) the word *nominate* should read *elect*.

Motion: Sky Post to approve the minutes of December 5, 2011 as amended.

Seconded: Tom Waterhouse

Voting in favor: Curt Barrows, Carol Bramley, Peter Losee, David Pavlick, Sky Post, Susan Lowenthal and Tom Waterhouse.

Voting against: None  
Motion carried: 7-0

**4. Commissioners' requests**

Dr. Lowenthal read into the record a letter dated 12/6/2011, addressed to the Chairman and the Land Use Administrator from Carol Bramley resigning as Litchfield Planning and Zoning Commission Secretary. The Dec 5 Planning and Zoning meeting minutes were transcribed by the Land Use Secretary. The current plan is to have the Land Use Secretary transcribe minutes from taped recording of meetings and she will keep track of time required to transcribe. C. Bramley suggested the duties of the officers be an agenda item for a future workshop meeting. It was asked whether the commission was required to have a member secretary. Dr. Lowenthal asked all members to re-read the bylaws and reconsider their interest in the office of secretary to fill the current vacancy created by C Bramley's resignation. .

**APPLICATION RECEPTIONS**

<b>5. 583 Bantam Rd.</b>	<b>Northland Properties</b>	12/19/11
--------------------------	-----------------------------	----------

Site plan modification for changes to parking lot. (Article IX)

Applicant Mark Zappone was in attendance to present the application. He stated there were rotting stumps in the parking area of the Cove complex that were causing an unpleasant odor. In the process of removing the stumps, pavement in the driveway was removed. Unaware that he needed approvals, he has now received Wetland permits and is applying for the driveway modification. Dr. Lowenthal questioned the Montessori pre-school in the complex stating concern as to the safety of young children with regard to the traffic on Route 202. It was noted the school operates from the lower level of the complex in the rear and drop-off and pick-up is from access off North Shore Road. There was discussion of the Commission's requirement that a more detailed site plan to include accurate location of the fenced-in play area be submitted showing the tenants in the spaces within the complex. It was stated a gate providing access from the driveway on Route 202 to the pre-school be locked so children cannot reach the parking area.

Motion: Sky Post to approve the application for the modification of the parking area with the contingency a detailed revised site plan satisfactory to the Land Use Administrator be submitted within 90 days.

Seconded: Curt Barrows

Voting in favor: Curt Barrows, Carol Bramley, Peter Losee, David Pavlick, Sky Post, Susan Lowenthal and Tom Waterhouse. (Edmund Doyle, Ralph White and Erin Kennedy).

Voting against: 0

Motion carried: 7-0

**6. 21 Thomaston Rd.**

**La Tulipe**

12/19/11

Receive and set public hearing for Special Exception Shop & Storage Use by a Contractor or Tradesman (Article V – Section 13A, Article VIII, Article IX)

William La Tulipe was present to explain the application stating he would like to move his contracting business to the property, which is located in an R-80 zone. He would ultimately like to construct a 40' x 60' building and would make the property more attractive. It was noted there are currently 12 vehicles stored on the property. Concern was expressed regarding snow mounds in the winter and the impact on wetlands. Dr. Tobin stated the applicant has been granted approval from Wetlands and currently has a 9 year permit. It was suggested landscaping or possibly chain link fencing with fabric would improve the appearance of the parcel.

The applicant was told a more detailed site plan was required for the public hearing scheduled for 1/17/12 and the green cards needed to be mailed.

Motion: Sky Post to add 1239 Bantam Rd. – Special Exception Shop & Storage Use by a Contractor or Tradesman (Article V – Section 13A, Article VIII, Article IX) to the agenda.

Seconded: David Pavlick

Voting in favor: Curt Barrows, Carol Bramley, Peter Losee, David Pavlick, Sky Post, Susan Lowenthal and Tom Waterhouse.

Motion carried: 7-0

**7. 1239 Bantam Rd.**

**Angamarca**

**12/19/11**

Receive and set public hearing for Special Exception Shop & Storage Use by a Contractor or Tradesman (Article V – Section 13A, Article VIII, Article IX)

Applicants J. Angamarca and Emily Araboa stated the business has one employee, there are two trucks plus personal vehicles on the property. The application is scheduled for public hearing 1/17/12. A more detailed site plan will need to be submitted and the green cards mailed.

**8. Old Business**

Dr. Lowenthal stated the judgment on the Hunter's Chase law suit was received 12/17/11. The Commission will be reimbursed for its \$9,000 in legal fees. Portions of the judgment were read into the record.

**9. Correspondence**

Letter from Atty. Peter Herbst of the firm Herbst & Herbst on behalf of Jerry LaPlaca of La Placa Oil & Propane dated 12/6/11. Atty. Herbst requested a pre-hearing with the Commission for the purpose of clarifying the appropriate zoning category needed for application to the Commission for a gas storage facility. Dr. Lowenthal stated in response to the letter that the land use administrator had emailed an application which needed to be submitted and that the Commission did not entertain pre-hearings. A second letter dated 12/13/11 received from Atty. Herbst restated clarification as to whether the project falls into the category of Storage in Bulk or Personal Service Shop with Hazardous Materials stating the two categories have different site plan requirements and fee schedules. Dr. Lowenthal reiterated the need for an application to be submitted.

**10. Adjournment**

Motion: Tom Waterhouse to adjourn at 8:40p.m. Seconded: Sky Post

Voting in favor: Curt Barrows, Carol Bramley, Peter Losee, David Pavlick, Sky Post, Susan Lowenthal and Tom Waterhouse.

Motion carried: 7-0

Susan Lowenthal, Chairman

Date