

LITCHFIELD PLANNING AND ZONING COMMISSION

Town Hall Annex, 80 Doyle Rd.
Bantam, CT

REGULAR MEETING MINUTES- DRAFT

July 20, 2015, 2015 - 7:00 p.m.

Call to Order: Chairman Waterhouse called the regular meeting to order at 7:00 pm.

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

Members Absent: David Morgan

Alternate Members Present: William Conti

Also Present: Land Use Administrator, Dennis Tobin, PhD

1. Appointment of Alternates: William Conti
2. Public Comment: None
3. Commissioners' requests: Chairman Waterhouse requested to add two items to the Agenda, Items 5A, and Items 5B.

Curtis Barrows made a motion to add Items 5A, E. Kellogg, 1971 Weed Road and 5 B, B. Skinner, 51 Camp Hill Road to the agenda. Carol Bramley seconded. Vote of 5:0, with all in favor.

- William Conti at 7:02 pm is now seated as a regular member.
- Peter Losee at 7:02 pm is now seated as a regular member.
- Dr. Susan Lowenthal at 7:06 pm is now seated as a regular member.

MINOR SITE PLAN MODIFICATION REVIEWS

1. **Kateri Peaches 'n Cream – 632 Torrington Rd., July 20, 2015** – Minor site plan modification to add additional outdoor seating.

Michael Boe, Architect is representing Ms. Kateri. Mr. Boe presented an overview of the parking, light fixtures and planting area. Dr. Tobin stated the Fire Marshal is aware of the plans. The Commission questioned the traffic flow, number of employees, signage and property line.

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

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.

APPLICATION RECEPTIONS

2. **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.

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. Mr. Greenberg provided an overview of the deconstruction of the buildings that need to come down by October 1, 2015. One concern is China Rainbow Restaurant which is located in C Building. China Rainbow Restaurant has rights which enable Mr. Zheng not to move. Mr. Greenberg stated Mr. De An Zheng is willing to sign an agreement to move next to Litchfield Cleaners. The space is approximately 850 square feet. Mr. Greenberg stated all other tenants have moved.

Mr. Greenberg is requesting a site plan accommodation. The original site plan stated office space only at the former “Poncho Gringos” restaurant. Mr. Greenberg presented the Commission with several documents. Mr. Greenberg discussed parking spaces, former applications, and approved parking.

Mr. Conti has been removed at an appointed alternate at 7:26 pm, due to a full Commission.

Carol Bramley 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 – Carol Bramley withdrew her motion.

Mr. Greenberg acknowledges he is not in compliance and suggested to the Commission if they will be moving forward with an advisor. Dr. Tobin states this is an application that does not meet our regulations. The Commission is requesting three thousand (\$3,000) for reviewing site plans.

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.

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.

4. **De An Zheng DBA China Rainbow Restaurant – Village Green Dr., July 20, 2015** – Receive and set public hearing for Special Exception Restaurant Use in Building A., Unit 2B –850 sq. ft.

The Commission requested a letter from Mr. De An Zheng approving Mr. Greenberg to speak on his behalf.

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.

Dr. Susan 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.

5. Approval of Minutes of July 6, 2015

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.

From:

Carol Bramley made a motion to approve the Minutes of June 15, 2015. William Conti seconded. Vote of 5:2, Curtis Barrows and David Pavlick Abstained.

To:

Carol Bramley made a motion to approve the Minutes of June 15, 2015. William Conti seconded. Vote of 5:0, Curtis Barrows and David Pavlick Abstained.

6. Old Business - South Lake St. & Whites Woods Rd. – Friends of Litchfield Community Greenway, July 20, 2015 – Clarification of October 20, 2014, Special Exception approval for recreational trail.

Mr. Jeff Pratt, Board of Director and Mr. John Clark, Board of Director spoke about signage and bollards. Mr. Pratt stated when the trail is upgraded, the goal is to have bollards/gates on both ends, a spill way and upgrading the surface for riding bikes as per the map presented. As of now a barricade is stationed at each end.

Dr. Tobin asked why they are here. Mr. Pratt stated it was due to signage. Dr. Tobin stated the signage should be placed as per the site plan. Mr. Pratt asked the Commission regarding bollards/gates. Dr. Tobin stated the bollards were removed and placed by a sign. The signs were to be at the beginning of the trail. Dr. Tobin stated it would be helpful to add the bollards/gates to the site plans.

Mr. Pratt stated Eversource will enter into the Litchfield Community Greenway for access to the electric poles. Dr. Tobin stated that Litchfield Community Greenway was approved for a bike trail without vehicles. Mr. Pratt agreed to put the bollards/gates by the road.

Mr. Clark asked if he can continue the work without the bollards/gates up for now. Dr. Tobin stated we need to see a site plan showing the bollards/gates. Dr. Tobin is requesting a correction to the October 20, 2014 site plan. The site plan is to be delivered within two weeks. Dr. Tobin and the Fire Marshal will review the site plan also.

Dennis McMorrow, Berkshire Engineering & Surveying requested additional information regarding the bollards/gate. Mr. McMorrow reviewed the Site Plan. The Commission requested the bollards/gates to be 25 feet off the edge of the road.

5. A E. Kellogg, 1971 Weed Road, July 20, 2015 – Existing dwelling with attached garage -Accessory Apt. over garage.

Dennis McMorrow, Berkshire Engineering & Surveying presented the Commission an overview. The site is in Litchfield on the town line bordering the Town of Torrington. Mr. McMorrow presented an overview of the kitchen, bathroom, square feet and parking.

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.

5. B B. Skinner, 51 Camp Hill Road, July 20, 2015 – Existing dwelling with accessory apartment.

Robert D’Andrea, represented Mr. Skinner and Dennis McMorrow, Berkshire Engineering & Surveying presented the Commission with an overview. Mr. McMorrow reviewed the site plan, kitchen, entry, parking, garage and stairway access.

The Commission questioned the basement and safety concerns and requested the Fire Marshall review the site plan. The Commission also requested a legal opinion.

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.

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.

- 7. New Business None
- 8. Possible Executive Session to discuss pending litigation. None
- 9. Correspondence: None

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

Meeting ended at 8:24 pm

Respectfully Submitted,



Nancy Latour, Recording Secretary
Recording Date 07/21/15

Thomas Waterhouse, Chairman
Date 07/ /15