

LITCHFIELD PLANNING AND ZONING COMMISSION
Town Hall Annex
80 Doyle Road, Bantam, CT
REGULAR MEETING MINUTES
July 18, 2016 7:01 p.m.

Call to Order: Chairman Waterhouse called the regular meeting to order at 7:01 pm.

Members Present: Guy Baldwin, Carol Bramley, Abby Conroy, Peter Losee, Denise Schlesinger, Thomas Waterhouse

Members Absent: None

Alternate Members Present: William Conti, Mitchell Samal, Nancy Tarascio-Latour

Also Present: Dennis Tobin, PhD

1. Appointment of Alternates: Mitchell Samal
2. Commissioners' requests: None

3. Land Use complaint #16-01 – Deering 110 McBride Rd concerning Northfield Preserve Land Trust, 58 McBride Rd.

Attorney James P. Steck, Ebersol, McCormick & Steck, LLC., and Mr. Deering, Attorney James P. Steck presented the Commission with several items:

- A. Attorney Steck presented the Commission with a packet dated July 18, 2016, Re: Request for Enforcement of Cease and Desist Order Gun Club / Shooting Range at 58 McBride Road, Litchfield, CT 06778, Property Owner: Northfield Preserve Land Trust. Items are on file. His client is requesting an injunction.

The Commission stated this is a fact finding meeting to review the items and statements presented to them.

Questions from the Commission to Attorney Steck:

1. When did the Gun club end? 2006.
 2. Changed to Happy Acres Farm – what did the farm produce? A farm permit was granted as 490.
 3. Subdivision – what happened to the application? It was withdrawn.
 4. What types of guns are being used? Semi-automatic, round clips, machine gun, no spitting targets. Police have been to the property. Police have check licenses and no one is illegal.
- B. Mr. Stack, Sr. and Mr. Stack, Jr. stated to the Commission they feel they are being harassed. Mr. Stack, Sr., stated they have been shooting since 2005. In 2014, everything changed. This is not a commercial business. My son enjoys shooting. I have been accommodating to the Town and my neighbors. Mr. Stack, Sr., claimed Mr. Deering and himself have poor relations due to a pond being installed on his property. There is a very safe controlled environment as per Mr. Stack, Jr. Mr. Stack, Sr. and Mr. Stack, Jr. presented letters to the Commission.

C. Questions from Commission:

- What do you think the decision meant? Mr. Stack, Jr. stated he can shoot on his property.
- What limitations do you think you have? We are unable to have a social gun club. We are allowed to shoot only if either one of us are on the property.
- Where are the friends coming from? Local.
- Are you allowing law enforcement agencies to shoot on the property? Only one law enforcement person has continued to shoot.
- What type of weapons do you shoot? Pistols and automatic weapons.
- Were there any large explosions on the property, any hand grenades? No.
- What prevented you from moving forward with the subdivision? Would you entertain the subdivision? Mr. Stack, Sr. stated he would. Would you turn your ponds into a water source? I have a 100 ft. and 75 ft. well. I do not have a problem with the water.
- Has any resident either together or individually considered buying your land? No.
- How many friends have visited to shoot on the property? Mr. Stack, Jr. states about 15.
- Would you consider or agree to a set schedule for shooting? No.

4. 8-24 application – White Memorial Foundation, Bantam River Corporate Park Eversouce – Removing old jambs, designing and reconstructing new jambs on the Bantam River.

Raz Alexe, Town Engineer provided an overview to the Commission. Once the 8-24 is recorded, the process will begin. Mr. Alexe provided documentation to the Commission.

Carol Bramley made a favorable recommendation for 8-24 application regarding The Town of Litchfield and The Town of Morris for the White Memorial Foundation, Bantam River Corporate Park Eversouce – Removing old jambs, designing and reconstructing new jambs on the Bantam River. Denise Schlesinger. Vote: 7:0. All in favor.

APPLICATION RECEPTIONS

Mitchell Samal is now seated as an Alternative Member.

William Conti is now seated as a Regular Member.

5. 82 South St. – Burlington Construction Co. (Tapping Reeve House & Law School) – Minor modification to Site Plan for constructing a 14’x20’ open pavilion and grape arbor.

Rod Oneglia from Burlington Construction Co. presented the Commission with an overview.

William Conti made a motion to waive a public hearing for 82 South St. – Burlington Construction Co. (Tapping Reeve House & Law School) – Minor modification to Site Plan for constructing a 14’x20’ open pavilion and grape arbor. Abby Conroy seconded. Vote: 7:0. All in favor.

Carol moved to approve 82 South St. – Burlington Construction Co. (Tapping Reeve House & Law School) – Minor modification to Site Plan for constructing a 14’x20’ open pavilion and grape arbor. William Conti seconded. Vote: 7:1. All in favor.

William Conti is now seated as an Alternative Member.

Mitchell Samal is now seated as a Regular Member.

PUBLIC HEARINGS

Carol Bramley made a motion to change agenda item 7 to item 6. Guy Baldwin seconded. Vote: 7:0. All in favor.

6. Doyle – 308 Norfolk Rd. – Special Exception for Interior lot for 3 lot re-subdivision.

Dave Wilson presented the Commission a list from the Assessor’s Office regarding addresses. Mr. Wilson presented the Commission with an overview of the plans.

Public Comment:

- a. Danielle McKernan stated she did not receive notice regarding the Public Hearing. She requested a privacy wall.
- b. Sue Kennedy – Requested a privacy wall. Also asked if there an easement along the river.

Carol Bramley made a motion to close the public hearing. Peter Losee seconded. Vote: 7:0. All in favor.

Carol Bramley made a motion to approve Doyle – 308 Norfolk Rd. – Special Exception for Interior lot for 3 lot re-subdivision with the following exceptions; the final map of record state the owner of the conservation easement and the two walls be reconstructed to original status as close as possible. Abby Conroy seconded. Vote: 7:0. All in favor.

7. Doyle – 308 Norfolk Rd. – Special Exception for three lot re-subdivision with interior lot.

Dave Wilson presented the Commission with an overview. The Commission is requesting a completed map.

Public Comment: Robert W. Doyle, Sr. stated he would like the Commission not to table this item to August.

Chairman Waterhouse stated Doyle – 308 Norfolk Rd. – Special Exception for three lot re-subdivision with interior lot will reconvene on August 15, 2016.

8. **Approval of Minutes of July 5, 2016**

Carol Bramley made a motion to approve the minutes of July 5, 2016 with the following corrections: Peter Losse seconded. Vote: 7:0. All in favor.

- a. Change: Denise Schlesinger made a motion to change item 7 to Enforcement Land Use Complaint.
- b. Change: The Memo states The Litchfield Public Works Department is approving this development plan.
- c. Change: Permanent conservation easement to be presented by Berkshire Engineering and Surveying on map, dated 05/06/16 and as delineated by Dennis McMorro as of 07/05/16.

- 9. Public Comment None
- 10. Old Business None
- 11. New Business None

12. Possible Executive Session to discuss pending litigation: None

13. Correspondence None

Carol Bramley made a motion to close the meeting. Peter Losee seconded. Vote of 7:0. All in favor.

Meeting ended at 9:38 pm.

Respectfully Submitted,



Nancy Latour, Recording Secretary

Recording Date 07/ 18 /16

Thomas Waterhouse, Chairman

Date 07/ /16