

# THE BOROUGH OF BANTAM PLANNING AND ZONING COMMISSION

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P.O. BOX 416

BANTAM 06750

INCORPORATED 1915

## MINUTES TUESDAY, September 2, 2025 REGULAR MONTHLY MEETING Bantam Borough Town Hall 7.00 pm

Present: Adam Yarrish, Chair  
Pete Donohue, Vice Chair  
John Buonaiuto  
Sally Tornow

Public: Kim Griffen  
Paul Griffen

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

### 1. PREVIOUS MINUTES

Motion made by Mr. Buonaiuto to approve the regular meeting minutes of August 5, 2025. Motion seconded by Ms. Tornow and carried unanimously.

### 2. PERMITS

- A. 827 Bantam Road. No one was present.
- B. Bantam Cinema, 115 Bantam Lake Road. Chairman Yarrish stated that he signed off on Permit #82425A for the Cinema to have 4 tables with chairs outside for use by the theater patrons after receipt of Fire Marshal approval.
- C. 14 West Morris Road. Chairman Yarrish stated that he signed off on Permit #082025A for a steel chimney liner.
- D. 700 Bantam LLC, 700 Bantam Road. Attorney Mark Branse of Halloran & Sage LLP was present to discuss the application. Attorney Branse reviewed with the Commission a brief history of the property including the original denial earlier this year. Attorney Branse stated that his applicant was seeking to continue the use of the single-family zoned property as a six-family based on Section 609 of the Zoning Regulations which allows for the re-establishment of a multi-family home.

Section 609 is included below, *in italics*, for reference:

*Regulations. Section 609 - Conversion of Prior Multi - Family Housing*

*The orderly and regulated reconversion of housing originally constructed and used for multifamily housing may be permitted by the commission subject to the following specific intent, standards and requirements.*

- a. The intent of this section is to provide additional housing opportunities and the option to reestablish the use and appearance of old large structures which were originally designed for multi-family housing use.*
- b. The conversion shall be for residential use only.*
- c. The applicant shall document that the structure proposed for conversion was originally designed and used as a multi-family residence. For the purpose of this subsection multifamily shall mean 3 or more dwelling units within a single structure.*
- d. The applicant shall show that the proposed reconversion is compatible with the original interior design, especially in terms of the number and size of dwelling units. Wherever possible, the conversion shall be compatible with the original exterior appearance of the multifamily structure.*
- e. The multi-family dwelling shall be served by the public sewer system.*
- f. Parking shall be provided in compliance with Section 440 of these Regulations.*

Chairman Yarrish presented an email from Attorney Steven Byrne in which he states, in pertinent part, "Sec. 609 addresses the conversion of a building once used for residential use back to a residential use. Implied is that the building, for a period of time, was used for a nonresidential purpose. There is no conversion if the property was always used for residential purposes." There was no disagreement that the property has always been occupied as residential use.

Attorney Branse stated that the Commission has 65 days to set a public hearing and he provided a 30-day extension to set the hearing to allow for Chairman Yarrish to discuss further with Attorney Byrne. In closing he noted that most likely the special exception application would be withdrawn and a remedy sought through the courts under State Statute 8-30g.

- E. William Prewitt, 129 Bantam Lake Road. Mr. Prewitt presented an application for a 14' x 12' deck in the R-40 zone. He presented a hand drawn map to show the location with setbacks as well as the pool for which he received a permit for last month. Once it was determined that the deck met the setback requirements Chairman Yarrish accepted a check for the permit fees and signed off on permit #090225A.

3. PUBLIC COMMENT –

Paul Griffen addressed the Commission to express concern for the Bantam Cinema outdoor seating. His concern stems from the limited site lines for traffic. Chairman Yarrish stated that he would contact the Cinema to discuss it with them.

Kim Griffen was present to discuss two items:

- A. She brought to the Commission's attention that a deck was constructed on the rear of the Dream House property. Chairman Yarrish stated that he would visit the site. If there is an illegal deck the Litchfield Building Official will be notified.
- B. She brought up that Point Software August 21<sup>st</sup> meeting was cancelled and that she will give the Commission the contact information so that they may contact Point Software directly to set up a new meeting date. Vice-Chair Donohue will take the lead on the permitting software.

#### 4. OLD BUSINESS

- A. Review of Commission By-laws – Mr. Donohue reviewed his suggestions which were to standardize the language. The Commission was satisfied with what Mr. Donohue discussed and he will prepare a full document for the next regular meeting.

#### 5. NEW BUSINESS –

- A. Zoning Regulations and Zoning Map changes

A motion was made by Mr. Donohue to set a public hearing on Tuesday, October 7<sup>th</sup> at 7 p.m. to amend the Zoning Regulations and Zoning Map to add the proposed Bantam Municipal Use district. The motion was seconded by Mr. Buonaiuto and carried unanimously.

#### 6. CORRESPONDENCE

- A. WRITTEN FORMAL CORRESPONDENCE –

Chairman Yarrish noted that he had email correspondence with Attorney Byrne regarding 700 Bantam Road as discussed earlier, two email requests for file permit information as well as emails from Bantam Cinema, 14 W. Morris Road and Attorney Branse.

- B. CONVERSATIONAL NOTES WITH PEOPLE –

Chairman Yarrish noted that he spoke with both Attorney Branse and property owner Yishaya Marks regarding 700 Bantam Road.

#### 7. COMMISSION DISCUSSION –

- A. Online Permitting – This item was briefly discussed during Public Participation and Mr. Donohue will update the Commission once he reaches out to the software representative.

#### 8. ANY OTHER BUSINESS WHICH COMES BEFORE THE COMMISSION - None

#### 9. ADJOURNMENT

Mr. Buonaiuto moved to adjourn the meeting at 8:00 p.m. Motion seconded by Ms. Tornow and carried unanimously.

Respectfully Submitted,



Valerie L. Douglass, Commission Clerk