

LITCHFIELD PLANNING AND ZONING COMMISSION

MEETING MINUTES

Tuesday September 2, 2025, 7:00 p.m.

Town Hall Annex, 80 Doyle Rd. Bantam

In Person Meeting

1. Call to Order - Appointment of Alternates

C. Bramley called the meeting to order at 7:00 pm.

Members Present: C. Bramley, P. Losee, P. Dauten, J. Cox, S. Simonin, G. Fuessenich, R. Lupo, C. Bunnell, Land Use Administrator Spencer Musselman.

Members Absent: B. Gibney, M. Eucalitto.

Appointment of Alternates: C. Bunell, R. Lupo.

2. Commissioner's Requests: None.

3. Public Hearing

- a. **73 North Street** – Special Exception for the creation of a 4.23-acre interior lot in the HR-30 district. (Existing lot to be reduced from 6.55 acres to 1.95 acres) MBL# 206-046-078. Received 7/21/25.

Before discussion began C. Bramley acknowledged for the record that family members have engaged the legal services of Attorney Neal White and that she has no direct or indirect personal or financial interests with regard to Attorney White.

Public hearing is continued from 8/18. The legal notice for the public hearing was read at the 8/18 meeting and was published in the Republican American on 8/6 & 8/11. Before discussion began C. Bramley acknowledged for the record that family members have engaged the legal services of Attorney Neal White and that she has no direct or indirect personal or financial interests with regard to Attorney White. Attorneys Neal White and Joseph Mortelleti of Cramer & Anderson were present on behalf of the applicant. C. Bramley informed the applicants that a \$2000 legal review was required for the Commission's Attorney to review the various easements associated with the application.

N. White gave an overview of the application and emphasized that the Commission's concern with the appearance of the streetscape is understood. Photos taken by N. White of the property, including from across the street, were submitted into the record. The driveway to access the proposed rear lot will be screened with trees and most of the existing vegetation along the southern boundary will remain. C. Bramley requested that the 12' driveway and 40' deeded accessway be staked out prior to any site walk so that Commissioners can understand what landscaping will be affected. Commissioners requested that opportunities for site walks be provided with one-hour windows where Commissioners could independently walk the site. M. Mortelleti will organize the site walk windows with the Land Use Office.

C. Bramley then requested that engineered plans be submitted that show the sewer / water connections, drainage, and the size of the unencumbered buildable area. Approvals from Aquarion and the WPCA were also requested. J. Mortelleti's letter, dated 9/2, was read into the record by C. Bramley which criticized some of the comments made by the public at the 8/18 public hearing and stated that the Commission cannot take speculative evidence into account when making their decision on applications. N. White then stated

that it should assuage the concerns of the neighbors that there is no possible way to access the rear of the lot from Spencer Street. C. Bunnell shared his concerns with the condition of the existing landscaping on the south side of the property. J. Cox calculated that the area of the proposed interior lot, that is unencumbered by the conservation easement, to be 0.79 acres. C. Bramley requested that language transferring the conservation easement to the new lot be submitted. N. White stated that language for the transfer will be obtained and that it will state that the existing easement will remain as is.

Before opening the hearing to the public for comment C. Bramley read a letter, dated 9/2, from Dean Birdsall Executive Director of the Litchfield Land Trust into the record that states the land trust's opposition to the application.

- Renate McKnight – Objects to the application as she believes there is a responsibility of property owners on North and South Street to maintain the historic integrity of the town. As an Austrian immigrant, she feels that she shouldn't be the one who needs to tell the Commission that this will ruin the town.
- Joanne Moore – As a neighbor and former teacher she feels that the open space of the property has historic and educational value. She also requested clarification on whether the property will be developed.
- Hillary Barhydt – Is the neighbor on Spencer Street directly behind the conservation easement and is concerned with runoff from any future potential development of the proposed interior lot and believes it will lead to the creation of a wetland on her property. She stated the applicant has done a nice job with the restorations thus far.
- Tammy Knox – Also a neighbor on Spencer Street and is concerned with drainage as she has had problems historically with the construction of the municipal skating rink next to her property.

With no further public comment Attorneys N. White and J. Mortelliti returned to the table to follow up on a couple of comments with the Commission. J. Mortelliti stated that this application is only for the establishment of the interior lot and that he has no knowledge of his client's plans for the development of the property further than establishment of the interior lot. N. White responded to the 9/2 Land Trust letter that at the time of the establishment of the conservation easement there was no concern given to future development of the rear of the lot outside of the easement. The property owner could currently construct accessory buildings at the rear of the property with a zoning permit. N. White also stated that the conservation easement is for perpetuity and that no building can legally be constructed within it. All potential development will be within the regulations of the Litchfield Historic District and the Zoning Regulations and as such no "ultra-modern" buildings will be constructed. D. Birdsall then spoke on behalf of the Land Trust noting that the lack of restrictions outside of the conservation easement was an oversight at the time of its establishment, that the oversight shouldn't result in the stated purpose of the easement being invalidated.

With no further discussion the Commission continued the hearing to 9/15 to allow time for the applicant to provide the requested information.

4. Planning Workshop

- a. Review of proposed housing amendments to include consolidation of terms for types of multifamily housing Sec. 1-2, updating / clarification of Sec 5.3 and 5.22 and new standards for Access Management and Landscaping Sec. 6.7. Public hearing to reconvene on 10/6/25.

C. Bramley read through the updates to the proposed housing amendments with the Commission. S. Musselman will re-draft language for Sec. 5.20.7 (utility infrastructure) along with Sec. 6.7.d.3 (interconnection of adjacent sites). S. Simonin shared his concerns with the changes to Sec. 5.3 (Non-Profit Affordable Housing) that remove the requirement of public water supply. On-site water service is currently permitted subject to conditions. J. Cox then moved to approve the updated amendments as presented and continue them to the scheduled public hearing on 10/6. P. Losee seconded and the motion carried with all voting in the affirmative except for S. Simonin voting no.

- b. Review of proposed amendments to Sec. 6 – “Permits, Approvals, and Exceptions” for modifications to Site Plan and Special Exception approvals. Public hearing to reconvene on 10/6/25.

Discussion on the proposed amendments to Sec. 6 were continued to the public hearing on 10/6 as there have been no changes.

5. Other Business

- a. **370 Marsh Road – Saltourides** – Re-subdivision map filing extension request to allow time for the posting of a performance bond.

Attorney George Seabourne was present along with site contractor Tim Bobrowski on behalf of the property owner. G. Seabourne explained the need for the filing extension request as the design of the fire tank hasn't been finalized. Questions also remain as to who will maintain the fire tank after installation, particularly if there is a local fire outside of the subdivision and the tank water is needed who will refill the tank? S. Musselman will schedule a meeting with the Fire Marshal, Town Engineer, and Attorney Seabourne to determine this. Another issue they've faced is that Eversource won't meet with them until plans are finalized and filed so a quote for the utility trenching and conduit can't be exactly ascertained for the performance bond. Once the meeting is held between the Town Officials and G. Seabourne the fire tank can be finalized and the plans filed and deemed approved. Upon approval, the applicant will have 45 days to file, and an additional 45 days could be granted should an extension be needed. P. Losee then moved to extend the filing deadline for 45 more days beyond the date of approval for a total of 90 days. J. Cox seconded and the motion to approve the filing extension request carried unanimously.

6. **Land Use Administrator's Report:** It was decided to table the LUA report to the next meeting.

7. Approval of Minutes – August 18, 2025.

S. Simonin moved to approve the 8/18 minutes. P. Losee seconded and the motion to approve the minutes carried unanimously.

8. Correspondence: None.

9. Adjournment

J. Cox moved to adjourn at 9:00 p.m. C. Bramley seconded and the motion to adjourn carried unanimously.

Respectfully submitted,

April Blasavage,
Land Use Administrative Assistant