

**LITCHFIELD PLANNING AND ZONING COMMISSION
MEETING MINUTES**

October 5, 2020, 7:00 p.m.

Remote Meeting by Live Internet Video Stream and Telephone

Call to Order – Chairman Carol Bramley called the meeting to order at 7:00 p.m.

Members Present: Max McIntyre, Robert Lupo, John Cox, Stephen Simonin, Jordan Richards, Peter Losee

Members Absent: William Conti, Guy Baldwin, Abby Conroy

Appointment of Alternates – Jordan Richards for Guy Baldwin

Commissioners' requests – None

BOND RELEASE

PAC Group - Indian Knolls Condominium Association – Indian Knolls Rd. - Request for Certificate of Zoning Compliance and final bond release. (letter of credit \$112,336.00)

Continued to November 2, 2020.

PUBLIC HEARING

The Hubbell Difference Foundation, Inc. (Chanticleer workshops & seminars) – **47, 51, 55 Parcels 20A & 20B Hutchinson Parkway** – Special Exception Philanthropic, Instructional and Education Institutions (P.I.E.) in RR District. (Litchfield Zoning Regulations Glossary of Terms and Phrases and Permits, Approvals and Exceptions #6)

Attorney Johnathon Meter was present for the application. He reiterated the vision for the property as a sustainable farming learning center. He directed the commission to his "PIEI Application Restrictions" listing submitted, offering 14 proposed restrictions the applicant would be willing to impose to gain approval for this application. He reviewed the revised Site Layout Plan revised to October 1, 2020 pointing out the specific areas for the core activities. The handicap ramp will be changed to an earthen ramp. The "Example of Typical Permaculture Seminar Schedule" was reviewed as well as the Suburban Sanitation letter dated September 24, 2020. A Site Analysis of the property prepared by Grannan Appraisals, LLC was reviewed.

He addressed concerns listed in Attorney Grimes letter dated October 2 and Attorney Steven Byrnes letter dated October 2, 2020. M. McIntyre read, in its entirety, Attorney Byrnes letter into the record.

Attorney Perley Grimes was present for his clients, Dr. & Mrs. Sawula. He reviewed his "Memo" submitted for this hearing dated October 2, 2020. He reiterated his clients, and neighbors, concerns saying the institutional nature of this proposal would generate unwanted traffic and noise as well as have a detrimental effect on property values.

He made note of his submission for the record from the Secretary of the State listing the businesses currently run on the Hubbell property which include Captured Time Productions, LLC, a domestic Limited Liability Company.

He took exception to the "Site Analysis" submitted today from Grannan Appraisals as being a last minute submission and the fact that he cannot cross examine the author this evening.

Chairman Bramley made note of two public letters submitted for the file.

Bill Burgess stated that many neighbors, including himself, are in favor of the application. He said the concerns expressed by the neighbors' amount to "fear mongering". He stated that many concerns

expressed by the opposition are disingenuous. He urged PZ members to apply their own reasoning and judgment in considering this application.

Attorney Meter explained that Mr. Hubbell is in the process of clarifying the various organizations and entities being run on the property (Hubbell Difference Foundation, Chanticleer Acres, Captured Time Productions, etc.) to clarify the organization status.

Harvey Hubbell explained that many farms in Litchfield are disappearing and his hope is to allow this farm to continue and allow them to teach people how to sustainably farm and raise livestock. He stated that there will be no conference center, no kitchen, and no dormitories. He doesn't think they are doing anything bad and feels that the opposition is declaring war on farms. He is afraid that this farm will not remain a viable working farm if he is not given this chance. He offered to leave the area if the neighbors want him to.

M. McIntyre expressed support of farming, but also expressed concerns regarding the mixed uses on the property.

Chairman Bramley expressed frustration with the process of reviewing applications that don't squarely fit into the allowable uses in the zoning regulations. She said it's like fitting a square peg into a round hole. The Commission has had to deny applications because the regulations are not keeping up with the changing world. The lack of funding for a town planner to update and monitor the regulations, as has been done in the past, is a detriment to Litchfield. If we want to attract and keep businesses and residents we need to keep up with changing times.

Nancy Wolfson-Moche spoke in support of the application

Stephanie Weaver stated that the farm is growing lots of vegetables and is working with the food hub. They are currently in conversations with the schools to begin working with them.

P. Losee moved to close the hearing at 8:42, J. Cox seconded and the motion passed unanimously.

Approval of Minutes September 21, 2020

P. Losee moved to approve the minutes, J. Cox seconded and the motion passed unanimously.

Old Business – None

New Business – Design Review Advisory Committee appointment

Chairman Bramley explained that a new resident in town is interested in volunteering time and her expertise on the Design Review Advisory Committee. Members received her resume and would like her to come to the Nov. 2 meeting.

The Commission discussed filling the vacancy created by Guy Baldwin's resignation. Jordan Richards expressed interest in filling the seat. Chairman Bramley explained the procedure.

Correspondence – None

Possible Executive Session: Pending Litigation- Matthew Burger et al v. Planning and Zoning Commission Town of Litchfield LLI-CV-20-6024893

M. McIntyre moved to go into executive session at 8:59, J. Cox seconded and the motion passed unanimously with Chairman Bramley recusing herself.

McIntyre moved to come out of Executive Session, S. Simonin seconded at 9:05 the motion passed unanimously.

M. McIntyre move to approve a settlement of this appeal, with the docket number LLI-CV-20-6024893 currently pending in the Superior Court, Judicial District of Litchfield after due notice of this matter appeared on the Commission's meeting agenda for October 5, 2020 under the terms and conditions contained in the proposed Stipulated Judgment and the Commission authorized its attorney, Steven Byrne, to take whatever steps are necessary to settle this appeal in accordance with the stipulated judgment as presented, J. Cox seconded and the motion passed. Voting in favor were P. Losee, J. Cox, M. McIntyre, S. Simonin, R. Lupo and J. Richards. No votes against.

Adjournment

J. Cox moved, S. Simonin second at 9:07

Carol Bramley, Chairman

Date

DRAFT