

LITCHFIELD PLANNING AND ZONING COMMISSION
Town Hall Annex – 80 Doyle Road, Bantam, CT
REGULAR MEETING MINUTES
April 21, 2014 7:00 p.m.

Chairman Thomas Waterhouse called the meeting to order at 7:00 p.m.

Present: Commissioners Curtis Barrows, Carol Bramley, Peter Losee, Susan Lowenthal, and Thomas Waterhouse. Alternate Commissioner William Conti and Land Use Administrator Dr. Dennis Tobin.

Absent: Commissioners Ed Doyle and David Pavlick; Alternate Commissioner Ralph White and Denise Schlesinger.

Appointment of Alternates: William Conti was appointed for Ed Doyle.

Denise Schlesinger arrived at 7:03 p.m. and was appointed for Dave Pavlick.

Approval of Minutes of April 7, 2014

C. Barrows moved to accept the minutes as corrected, P. Losee seconded and the motion carried unanimously.

Public Comment: None

Commissioners' requests: None

Public Hearings

Fairchild

55 Old Smith Rd.

4/21/14

Special Exception Accessory Apartment Article V, Section 1.

The public hearing was opened at 7:13 p.m. and the legal notice was read into the record. Green cards from property owners located within 150 feet of the property were submitted. Chairman Waterhouse read a letter from Litchfield Assessor, Kathy Brown, verifying the square footage of the house as 1553 sq.ft. with 1070 on the first floor and 483 in the basement and second floor. The house was constructed in 2001 and the accessory apartment was added in 2004 or 2005, per Mr. Fairchild. The 500 sq.ft accessory apartment is in violation without zoning approval or a CO from the building official. The house is rented at the present time and Mr. Fairchild will reside in the accessory apartment but is currently not living on the property due to the lack of approvals for the accessory apartment. C. Barrows referred to Article V, Section 1, (1) which states the owner of the property must reside in the dwelling or the accessory apartment and noted that illegal accessory apartments are popping up all over town. There was discussion as to how to proceed with the application. W. Conti noted Article V, Section 1, (9) states the special exception becomes null and void if the owner does not reside on the lot and suggested subsection 9 could be sufficient too eliminate the special permit should Mr. Fairchild not move into the accessory apartment.

With no one present to speak for or against the application, the public hearing closed at 7:37.

W. Conti moved to approve the Fairchild application, 55 Old Smith Rd. for Special Exception Accessory Apartment Article V, Section 1 with the following conditions:

1. An affidavit verifying owner occupancy be submitted to the Land Use Administrator;
2. Applicant must move into the subject apartment within 30 days of the issuance of the CO
3. Should Mr. Fairchild not move in or cease to live on the property within the 30 days, the accessory apartment will be null and void based on Article V, Section 1, (9) of the zoning regulations.

Atty. D'Andrea submitted a letter from Aquarion dated 4/11/14 to D. McMorrow noting there is sufficient water supply to meet the demand submitted. Aquarion also commented there is a relatively low margin of safety of water supply in Litchfield. D. McMorrow stated conservation measures are in place on campus with a solar array and water off roofs collected into the infiltration system where it is recharged into the East and West Branches of the Bantam River. All the new residential buildings are outfitted with low flow faucets and toilets. Student dorms are outfitted with sprinklers per the building code, the new faculty residences will not be.

Letters are in the file from Litchfield's WPCA and Fire Marshal. Arthur Oles letter dated 4/21/14 stated the proposed buildings are located where they will be obscured from the road by buildings and will not have an adverse impact on the neighborhood.

Color renderings of the houses were submitted by Atty. D'Andrea. Dr. Tobin stated he will require a zoning permit for each dwelling and each will receive its own CO. Windows without mullions were questioned. Robert Scoduri stated the windows will be double hung and have mullions per the Excel Homes sheet in the file.

With no one from the public to speak for or against the application, the public hearing was closed at 8:55 p.m. on a motion by C. Barrows, seconded W. Conti and unanimously carried.

P. Losee moved to approve the application of the Forman School, 12 Norfolk Rd. for a Special Exception with Site Plan for the construction of three faculty residences because it complies with the regulations and with the condition there be separate zoning permits for each of the three buildings. The motion was seconded by S. Lowenthal. Vote: Conti – yea, Barrows – yea, Waterhouse – yea, Bramley – yea, Lowenthal – yea, Losee – yea, Schlesinger – yea. The motion carried unanimously.

Old Business: None

New Business: Zwick – 9 Andre Dr. and 321 Prospect Mt. Rd. – Portable sawmill discussion. The portable sawmill is on wheels and is 20 feet long by 6 feet wide. It is registered as a saw rig with a plate and is moveable like a trailer. It has an 18 hp motor and is a band saw turned sideways to mill logs. Mr. Zwick is intending to build a barn on his property on Prospect Mt. Road and needs to mill a total of 20,000 sq.ft. in addition to framing. He is able to cut between 1,200 and 1,500 sq. ft./day. The sawmill is located on Andre Drive along with logs and in addition he uses 6-8 cords of wood a year that he cuts, splits and stores on the property.

The Commission requested Mr. Zwick to provide a written statement of how much wood is needed to mill the boards, how long it will take to mill them, where the boards will be located while drying, the dimensions of the stack, the hours of operation of the sawmill and where the cord wood will be stored. A site plan was requested locating everything related to the operation as well as a picture of the sawmill. The matter is continued to the Commission's workshop meeting May 5th.

Possible Executive Session: None

Correspondence: None

Adjournment: Motion to adjourn at 9:40 p.m. by W. Conti, seconded P. Losee and unanimously carried.

Thomas Waterhouse
Chairman

Date: