

**LITCHFIELD PLANNING AND ZONING COMMISSION
MINUTES**

**Monday February 6, 2023, 7:00 p.m.
Town Hall Annex, 80 Doyle Rd. Bantam
In Person Meeting**

1. Call to order/appointment of alternates

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

Members present – C. Bramley, J. Cox, P. Dauten, B. Gibney, P. Losee, N. Sauer, S. Simonin. Land Use Administrator S. Musselman.

Members absent - A. Conroy, G. Cunningham.

Appointment of Alternates – N. Sauer.

2. Commissioners requests

C, Bramley requested the addition of **5a. Fedorovich 63 Fern Ave** for two 90 (90 x 2) day extensions to record Subdivision Map approved at the 11/07/22 PZC meeting with the town and **14a. Appointment of Max McIntyre as Alternate Member** to the agenda. P. Losee moved to add items 5a. and 14a. to the agenda, J. Cox seconded, there was no discussion and motion was unanimously approved.

PUBLIC HEARING

3. Amendment to Specific Standards and Requirements: T. Shop and Storage Use by a Contractor or Tradesman Regulations– Received on December 15, 2023. Public hearing set for February 6, 2023.

C. Bramley read the legal notice published on 01/23 & 01/30 and the Shop & Storage regulation. Regulation was introduced around 1995 and modified in 2017. Commission is reinstating some of the language eliminated during the modification that has resulted in confusion. After discussion, it was determined the words “and where light fabrication may occur” were problematic and would be removed from the third line of the second paragraph. Public comment – no one from the public spoke. J. Cox moved to close the public hearing. P. Losee seconded. There was no discussion and the motion was unanimously approved. B. Gibney moved to adopt the amendment to Specific Standards and Requirements: T. Shop and Storage Use by a Contractor or Tradesman Regulations with the deletion of “where light fabrication may occur” from the first sentence, second paragraph as amended on 02/06/23 and with a 03/01/23 effective date. N. Sauer seconded, there was no discussion and motion approval was unanimous.

4. Amendment to General Standards and Requirements: I. 8-24 Referrals – Received on December 15, 2023. Public hearing set for February 6, 2023.

C. Bramley read the proposed regulation into the record. Commission discussed that 8-24 referrals don’t always come in with site plans and regulation would have been helpful on previous 8-24 projects. Public comment – no one from the public spoke. J. Cox moved to close the public hearing, S. Simonin seconded, there was no discussion and the motion to close was unanimously approved. S. Simonin moved to adopt the new regulation to General Standards and Requirements: I. 8-24 Referrals as amended on 02/06/23 with an effective date of 03/01/23. J. Cox seconded, there was no discussion and the motion was unanimously approved.

REGULAR MEETING

5. 587 Northfield Road – Stronk – Receive Special Exception for a 54 foot tower for amateur radio use in the RR District. Refer to CC. Special Structures: Communications Facilities regulation.

L. Stronk was present to give an overview of the application. C. Bramley commented that application was previously submitted in 2022 but was withdrawn. S. Musselman gave L. Stronk a letter of violation for constructing the tower prior to receiving Zoning Special Exception approval. L. Stronk gave a summary of the power point he has prepared for the public hearing. Tower is 22' high when retracted, 54' high when extended, 36' to the closest room in his house and 105' from the road. TAHD approval has already been received. Tower is mostly used mid-morning to early afternoon but he has used it at all times of the day and night. C. Bramley explained the requirements for the public hearing and commission wants to see GIS parcel map, road, where house/neighbors are, tower location and scaled distance to side yards. B. Gibney moved to set the public hearing for the Special Exception 54 foot amateur radio tower in the RR District for March 20, 2023, S. Simonin seconded, there was no discussion and approval vote was unanimous.

5a. Fedorovich - 63 Fern Ave for two 90 (90 x 2) day extensions to record Subdivision Map

C. Bramley read Mr. Fedorovich's letter received in the Land Use office on 02/01/23. Letter is requesting two 90 day extensions to file the Record Subdivision Mylar Map with the town. P. Losee motioned to approve the two 90 (90 x 2) day extensions request, N. Sauer seconded, there was no discussion and vote was unanimous.

6. Accept Carol Bramley's resignation as Alternate Member of DRAC. Appoint as Regular Member.

C. Bramley submitted a letter resigning as an alternate DRAC member. Her intent is to become a regular member due to the unexpected passing of DRAC chairman, Jeff Savage. A brief history of Mr. Savage's involvement with the origin and an appreciation of his long term commitment to the DRAC was shared. S. Simonin moved to appoint C. Bramley as a regular DRAC member, J. Cox seconded and vote was unanimous.

7. Land Use Administrator Report – Permits, enforcement, budget, and office. Update on mandatory commissioner training and discussion of regulation format process.

S. Musselman continues to work on updating and formatting changes to the zoning regulations. Once completed, commissioners will receive new regulation books. Since the Access program has become obsolete, new zoning permit application were designed using Excel. New permit has been posted on the website and is available at the Land Use office. Excel will track types of issued permits.

8. Budget Fund Transfer Request #1 2022-2023

Due to a recalculation, the budget request of \$16,000 approved at previous 01/17/23 PZC meeting must be modified to \$19,500. Department is over budget for professional legal services required for zoning regulation changes, staff training and state mandated CAZEO certification. Transfer is on the BOS agenda for 01/07/23 and BOF for 01/13/23. N. Sauer moved to approve the budget transfer and change \$19,500, B. Gibney seconded and vote was unanimous.

9. Old Business – None.

10. New Business – None.

11. Approval of Minutes January 17, 2023

J. Cox moved to approve the 01/17/23 minutes as written. N. Sauer seconded and the vote was unanimous.

12. Correspondence - LUA letter to Robison & Cole: Mason Hill Cell Tower.

a. An email received from Emily Hultquist of the NHCOC provided information regarding CT's 2023 PA 21-29 training requirements for PZC and ZBA Commissioners. Email read by C. Bramley states NHCOC's 2023 5th Thursday events will be training opportunities. Their first event is on March 30, time and location TBD.

b. C. Bramley received a mailed pamphlet from the CT Bar Assoc for a P&Z training Webinar event on March 11 from 9:00 – 4:30 pm. Cost of \$45 includes course materials.

c. K. Baldwin of Robinson + Cole submitted a letter with answers to the committee's questions regarding the proposed Verizon Wireless Telecommunications Facility on Mason Hill Road. C. Bramley read the correspondence into the record. Letter states "maximum MPE percentage anywhere around the proposed tower site would be 10.2% of the FCC maximum permissible levels (approximately 10 times below the FCC safety standard)". A copy of the correspondence will be emailed to commissioners.

d. C. Bramley read a letter hand delivered to the Land Use office today from 342 Bantam Road property owner, G. Copeland. Correspondence is an informal notice to the commission regarding a parking and trespassing dispute with the adjoining Ace Hardware property. Mr. Copeland is in the process of selling his property and is looking for the commission's comment or advice in resolving the issue.

13. Accept Norman Sauer's resignation as Alternate Commissioner

At 8:25 pm, N. Sauer submitted his letter of resignation as alternate PZ commissioner. Resignation letter will be hand delivered to the town clerk in the morning.

14. Appoint Norman Sauer as Regular Commissioner

At 8:26 pm, S. Simonin moved to appoint N. Sauer to the regular member seat vacated by Jordan Richard's resignation subject to N. Sauer's submission of his alternative member resignation to Town Clerk Lisa Losee. P. Losee seconded and approval vote was unanimous. N. Sauer inquired if appointment comes with a parking space?

14a. Appoint Max McIntyre as Alternate Commissioner

C. Bramley read a letter submitted by The Litchfield Republican Town Committee nominating Max McIntyre as alternate committee member to replace N. Sauer. Letter was received in the Land Use Office by email this morning. M. McIntyre previously served four years on this committee. J. Cox moved to appoint M. McIntyre as alternate commissioner, B. Gibney seconded and approval vote was unanimous.

15. Adjournment

S. Simonin moved to adjourn at 8:28 pm, J. Cox seconded and vote was unanimous.

Carol Bramley, Chairman

Date