

**LITCHFIELD PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**Monday March 20, 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, M. McIntyre, S. Simonin, Land Use Administrator S. Musselman.

Members absent - A. Conroy, G. Cunningham, P. Losee, N. Sauer.

Appointment of Alternates – M. McIntyre.

2. Commissioners Requests

None.

CONSIDERATION

3. 704 Northfield Road - Fabia – Special Exception for use as Shop and Storage by a Contractor and Home Occupation (Massage Studio) in the RR district on 1/17/23. Received on 1/17/23. Public hearing opened on 2/21/23. Public hearing closed on 3/6/23.

Both J. Cox and M. McIntyre have stated they listened to the audio from the 03/06/23 PZC meeting and are prepared to vote on this application. C. Bramley summarized the Shop & Storage and Home Occupation points from the previous meeting. B. Gibney moved to approve the Special Exception for a Home Occupation (Massage Studio) in the RR District at 704 Northfield Road with the hours of operation being between 9:00 am to 6:00 pm, 4 days per week, with 3 clients per day and with the conditions outlined in the letter C. Fabia submitted to the Commission on 03/06/23. P. Dauten seconded. There was no discussion and the motion was unanimously approved. S. Simonin abstained.

B. Gibney moved to approve the Special Exception for Shop and Storage by a Contractor in the RR District at 704 Northfield Road with the hours of operation being between 9:00 am to 5:00 pm Monday- Friday and with the conditions outlined in the letter S. Fabia submitted to the Commission on 03/06/23. P Dauten seconded. After discussion concluded the motion was approved 3-2 with Commissioners J. Cox and M. McIntyre being in the negative. S. Simonin abstained.

PUBLIC HEARING

4. 29 Stoddard Road- Town of Litchfield – Site Plan for installation of a 1.07-acre solar array on Town of Litchfield property at the Water Pollution Control Authority plant. 8-24 application approved on 2/21/23. Received on 2/21/23.

K. Hrica of Hrica Associates, LLC and J. Zullo were present for the application. C. Bramley explained the format for the hearing. J. Cox confirmed the green cards. C. Bramley read the legal notice published on 03/06/23 and 03/13/23. K. Hrica detailed the recent changes to the application. The original 8-24 location received an unfavorable recommendation after an arborist evaluation determined forest contained old growth heritage pine trees. Current smaller site between the entry

drive and old railroad tracks contains much younger trees and the ground has been highly disturbed over the years. Steep areas will be regraded for a more nature water flow with sand and silt being captured by a rain garden. Total site area is expected to be 1.7 acres with 1.07 acres enclosed by an 8' fence surrounding the 0.7 acre solar array. There is no investment in town resources for the project. Power purchase agreement (PPA) between SHR Energy and the town is for town to purchase 8 ½ - 9 KW at a flat, fixed, reduced rate resulting in an approximate saving of \$700,000 over the 25 year contract. After the 25 years, contract may either be extended, town may buy out solar array or SHR Energy may be asked to remove it at their expense. J. Zullo stated there are legal options if SHR Energy no longer exists at the end of the contract so there will be no bond for the removal. Project was bid over a year ago and a year of Zero Renewable Energy Credits (ZRECs) have already been lost. Array will be similar to high school with aluminum framing screwed directly into the ground. IWC approval was received at their 02/08/23 meeting.

Public comment – Neighbor P. Noble is concerned array location will be blocked by surrounding trees during the winter and more trees will need to be cut. K. Taylor questioned the array's aesthetics and property values to her residential neighborhood. L. Kilburn wondered how tall are the structure holding the panels (4' – 10'). Y. Yin is concerned size of array is not going to generate enough electricity and will be expanded in the future. K. Towne stated WPCA is hardly visible now and buffer will be lost with solar installation. He also noted high school array and that commission does not have a good track record with screening.

J. Cox moved to close the public hearing at 8:13 pm. S. Simonin seconded, there was no discussion and motion was unanimously approved. J. Cox moved to approve the Site Plan for installation of a 1.07-acre solar array on Town of Litchfield property at the Water Pollution Control Authority plant with the condition that a landscape buffer be installed along the eastern edge of the entry drive, along the western edge of the solar array and that the trees shown in the site plan to remain are left standing. S. Simonin seconded. After discussion concluded the motion was approved 4-2 with Commissioners B. Gibney and M. McIntyre being in the negative.

5. 587 Northfield Road – Stronk – Special Exception for a 54-foot tower for amateur radio use in the RR District. Refer to CC. Special Structures: Communications Facilities regulation. Received on 2/6/23.

C. Bramley explained the format for the hearing. J. Cox confirmed the green cards. C. Bramley read the legal notice published on 03/06/23 and 03/13/23. L. Stronk and E. Hare were present for the application. C. Bramley noted first application was submitted on 07/18/22 and then withdrawn. C. Bramley submitted letters and emails received between D. Tobin, M. Connor, S. Byrne and L. Stronk including L. Stronk's letter dated 08/01/22 and Atty. Byrne's letters dated 08/01, 08/25 and 11/07/22. L. Stronk gave a power point presentation with an overview and history of the application. Tower is 22' high when retracted, 54' high when extended, 36' to the closest room in his house, 105' from the road and 64' to the closest lot line. If inadvertently left up in high winds, tower is designed to fold over and not fall at full height. TAHD approval was received. Tower is mostly used mid-morning to early afternoon but he has used it at all times of the day and night. E. Hare, author of the *RFI Book* and *RF Exposure and You*, explained how the antennae is like a flashlight pointed at the sky for maximum reception. With respect to any change to power or the antennae, FCC regulations require self-evaluation of tower RF exposure. The license and credentials for amateur radio operators can be verified on the FCC database. C. Bramley

stated road is designated as a scenic highway and need to minimize visual effects when traveling south by adding screening to the base of tower.

Public comment – C. Bramley read letter of support from adjacent neighbor S. Rosko III. F. Carpentier questioned if there would be interference with the cable company or the Northfield Fire Department. No one spoke in opposition of the application. L. Stonk will inquire at the NFD if there has been any recent radio transmission disturbances. A landscaping plan to protect scenic roadway will be submitted. L. Stronk was requested to submit a copy of his certification as a radio operator. Public Hearing is continued to the next meeting on 04/03/23.

REGULAR MEETING

6. Outdoor Dining Forum (Continued):

- a) Expiration of CGS Special Act 21-3 on April 30, 2023.
- b) Solicited comments from the following;
 - Gayle Carr – Acting Warden, Borough of Litchfield
 - Julia Metcalf - Chair of Litchfield Historic District Commission
 - Christopher Wilcox - Fire Marshal
 - John Worthington - Building Official
 - Existing 7mm outdoor dining permittees
- c) Inventory of existing outdoor dining COVID permits

Due to today's expected lengthy public hearings, this agenda item was tabled to be first item on the 04/03/23 PZC agenda.

6. Old Business:

None.

7. New Business:

None.

8. Approval of Minutes March 6, 2023

Approval of the 03/06/23 minutes is deferred to the next meeting on 04/03/23.

9. Correspondence

A letter from G. Copeland to R. Mahieu of Ace Hardware regarding their trespassing dispute was received on 03/07/23. A letter was received from F. Carpentier regarding an ongoing complaint of a commercial fuel truck parking overnight in his neighborhood.

10. Adjournment

S. Simonin moved to adjourn at 9:58 pm. P. Dauten seconded and the motion was unanimously approved.

Carol Bramley, Chairman

Date