

**LITCHFIELD PLANNING AND ZONING COMMISSION
MINUTES**

**Monday April 17, 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 - G. Cunningham, M. McIntyre.

Appointment of Alternates – None.

2. Commissioners Requests

None

3. Litchfield Ford- Site Plan modification for installation of 6 EV charging stations (3: 19.2 KW 3: 120 KW).

Mitchell Hill of Litchfield Ford was present for the application. Three ground mounted 120 KW chargers and bollards will be installed on the north side of the building. Building's south west corner will have three dual port 19.2 KW wall mounted chargers with wheel stops for safety. Chargers have small screen with charging and credit card instructions. Charging stations scheduled for installation this summer or no later than 01/01/2024. S. Simonin moved to approve the site plan modification for installation of 6 EV charging stations, P. Losee seconded, there was no discussion and approval vote was unanimous.

PUBLIC HEARING

4. Friends of the Litchfield Community Greenway, Inc. – Review Special Exception for Outdoor Recreational Use for greenway trail from the corner of White Woods Road/South Lake Street to the corner of Russell Street/Woodruff Street in the SF, HR-20, and HTC Districts. Received February 21, 2023. Set Public Hearing for 4/17/23.

B. Gibney is a neighbor and a Greenway member and recused himself from the PZC discussion table. C. Bramley explained the format for the hearing and read the legal notice published on 04/05 and 04/10/23. P. Losee confirmed the postal green cards. J. Cox read a list of 24 Litchfield residents names that emailed letters of support to the Land Use Office. No emails or letters opposing the application were received. Chairman Bramley noted the required legal review fee had yet to be received, stating the Commission has received an invoice for initial application legal review for \$1,300. At the 03/06 meeting the Commission asked for \$3,000 based on Atty. Byrne's estimate. C. Bramley, in conversation with Atty. Byrne and following his review and comments on the licensing agreements submitted after the 04/03 meeting, it was agreed \$2,000 would cover the cost of review. It was also noted the Commission could not act on the application until the requested legal review fee was received. R. Andrulis-Mette submitted a check for \$2,000 at tonight's hearing. C. Bramley read a 04/17/23 letter from Attorney Byrne reviewing the licensing agreements between Eversource Energy & FLCG, the Town of

Litchfield & FLCG and the Litchfield Land Trust & FLCG. S. Musselman will send C. Cooper an email detailing licensing agreement corrections needed.

FLCG president C. Cooper, vice president R. Andrulis-Mette and K. Hrica of Hrica Associates were present for the application. C. Cooper explained greenway will go from Land Trust parking lot and follow old railroad bed to South Lake Street. FLCG has a verbal agreement with private driveway owner and is still working on a written license agreement. Private driveway crosses Eversource property and will parallel Greenway with a fence or rocks separating the trail. Trail will have an 8' wide raised gravel surface. R. Andrulis stated the POCD has been their policy champion for creating a much more walkable town.

Public Comments: S. DaRoss of 145 S. Lake St read a letter stating her family has owned her property for over 100 years. Public Works across the street has brought unpleasant changes to the neighborhood and greenway will bring more with trespassers to private property and by lowering property value. D. DaRoss of 159 S. Lake St stated FLCG does not own the property. His father thought when the railroad relinquished the property in 1948, land reverted to original neighboring property owners. K. Whitehill of 127 S. Lake St is concerned about privacy issues and decreased property values. J. Baker is concerned that greenway parking will interfere with Audubon Society parking during meetings. B. Gibney stated POCD has been an important planning guide and town already committed \$60,000 in ARPA funds to this section of the greenway. M. Connor, professional planner, stated numerous studies all prove property values actually increase along greenways and crime is reduced. D. Mullee of 105 S. Lake St moved to Litchfield for the trails and likes the greenway's alternative to walking along Route 202, especially for our children. She asked if FLCG would put up a privacy fence if requested by a neighboring property owner.

Rebuttal Comments: R. Andrulis-Mette stated neighbors were informed last fall that no trees will be cut and FLCG would pay for privacy fencing or natural screening of the owner's choice. Several residents have taken them up on the offer and FLCG welcomes the opportunity to meet with the DaRosses and Whitehills. K. Hrica researched the railroad land record transfer of ownership claims expressed by D. DaRoss. There are no records supporting this. However, K. Hrica discovered a quick claim deed for the New York/New Haven Railroad turning over the property to Eversource. Additional, C. Cooper stated FLCG will have the same commitment to trail maintenance as the other sections.

The commission requested a maintenance plan, the stated corrections to the licensing agreements and a license agreement with the private driveway owner. Hearing is continued until the next PZC meeting on 05/01/23.

5. Discussion of Possible Regulation Amendments

Commission discussed draft of **HH. Parking of Commercial Vehicles in Residential Districts** revised from the previous meeting. As written, regulation is ready for submittal to the Northwest Hills Council of Governments and Attorney S. Byrne for review.

Commission reviewed Food Truck and Beverage Service Regulation. It was determined town already has a food truck ordinance and policing powers to enforce the ordinance. Regulation may be revisited at a later date.

Draft for Outdoor Dining Regulations states it is to be permitted by Site Plan approval. If outdoor dining seating exceeds 50% of interior dining capacity, approval is by Special Exception. Parking must follow building square footage rules and there will be no street parking, except for in the Litchfield center. Send regulation to NHCOC and Attorney S. Byrne for review.

6. Old Business:

S. Musselman updated commission on the commercial fuel truck parking overnight in a Northfield neighborhood complaint. Homeowner owns the oil business and will need to apply for a Shop and Storage Special Exception and a Zoning Permit.

7. New Business:

None.

8. Approval of Minutes April 3, 2023.

Correction to 04/03/23 minutes under **3. Outdoor Dining Forum**. Sixth line will be changed from “A letter from T. Murphy of EJ Murphy Realty was read supporting the continued use of his privately owned West Street alleyway for outside dining” to now read “A letter from T. Murphy of EJ Murphy Realty was read supporting the continuation of outside dining”. J. Cox moved to approve the 04/03/23 minutes with this correction, S. Simonin seconded, there was no discussion and vote was unanimous.

9. Correspondence

The town is celebrating Earth Day on 04/22/2023 with a clean up from 9 am - 12 pm and a celebration at the Community Center from 12 – 2 pm. G. Copeland submitted photos and a letter dated 03/28/2023 regarding the ongoing trespassing issue with neighbor Roger Mahieu of Ace Hardware to the Land Use Office today. C. Bramley and S. Musselman gave the commission a brief history of the dispute and will review the True Value/Ace Hardware Site Plan approval for compliance.

10. Adjournment

S. Simonin moved to adjourn at 9:00 pm, J. Cox seconded and vote was unanimous.

Carol Bramley, Chairman

Date