

# **LITCHFIELD PLANNING AND ZONING COMMISSION**

## **MINUTES**

**Monday June 5, 2023, 7:00 p.m.**

**Town Hall Annex, 80 Doyle Road 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, R. Lupo, M. McIntyre, N. Sauer, S. Simonin, Land Use Administrator S. Musselman.

Members absent - G. Cunningham.

Appointment of Alternates – None.

### **2. Commissioners Requests**

None.

## **PUBLIC HEARING**

### **3. Proposed Changes to Zoning Regulations**

a. Add HH. Parking of Commercial Vehicles to Specific Standards and Requirements

C. Bramley read the legal notice published in the Waterbury Republican on 05/22 and 05/30/23 and then the proposed regulation into the record. Proposed regulation has been complied from current regulations from 10-12 surrounding towns. Land Use office has received several complaints regarding noise and pollution concerns from large commercial vehicle parking in residential neighborhoods. It was noted that permitted Shop and Storage vehicles would be separate from this regulation.

Public Comments: D. Vincenzi asked about parking vehicles in front of his house. F. Carpentier asked what are vehicle idling limits and for a definition of weather emergency. He additionally stated large billboard type advertising on vehicles is changing the character of neighborhoods. K. Click, E. Fuessenich, F. Palladino and Q. Green would like gross vehicle weight to be reconsidered and changed from 14,500 to 25,999 pounds. M. Palladino property is not a farm but she has large equipment in her yard for ongoing projects. She also suggested property acreage and location should be considered for each application. C. Bramley noted commercial vehicles will need to be defined, maybe GVW should be added as an additionally category to Shop & Storage regulations instead and commission needs to find a balance over towns' very diverse lots. S. Musselman noted an additional reason for regulation is tied to vehicles carrying hazardous materials parking overnight in neighborhoods. At 8:33 pm, it was decided this was an ongoing discussion and conversation would continue at the next PZC meeting on 06/19.

b. Add II. Outdoor Dining to Specific Standards and Requirements

C. Bramley read the legal notice published in the Waterbury Republican on 05/22 and 05/30/23. As of 04/30/2023, the state of CT executive order 7MM regarding outdoor dining was terminated. Effective 05/01/23, CT adopted CGS § 8-1cc outdoor food and beverage service as an accessory use. Zoning Commission will issue permits as of right to all restaurants submitting an outdoor dining site plan. B. Gibney read proposed II. Outdoor Dining regulation.

Public Comment: M. Connor strongly supports and suggested commission clarify point #7. No one else spoke for or against the regulation. J. Cox moved to close the hearing, S. Simonin seconded, there was no discussion and vote to close was unanimous. S. Simonin moved to approve the addition of II. Outdoor Dining to Specific Standards and Requirements and J. Cox

seconded. C. Bramley noted Attorney S. Byrne reviewed the regulation. Vote to approve the regulation was unanimous.

**4. 17 Commons Drive – Fort – Minor Site Plan modification for medical spa and office space.**

Dr. C. and Mrs. K. Fort were present for the application. Space was previously used as a medical office and little interior modification needs to be made prior to opening for business. Proposed sign will be similar to existing wooden sign. B. Gibney motion to approve the minor site plan modification for medical spa and office space with the condition signage goes to DRAC, S. Simonin seconded, there was no discussion and vote to approve was unanimous.

**5. Planning Discussion**

C. Bramley discussed the large parking areas located in the Borough on the north side of the Green behind Town Hall and the commercial building at 7 North Street. Property is zoned business historic and is not being utilized. Belden House is under contract to purchase the old firehouse and additional parking from Union Savings Bank. Attorney M. Keilty and Belden House owner A. Champalimaud were present to answer the commission's questions. The commission proposed using the \$1,800 remaining in this year's planning budget to hire a traffic engineering firm such as Hesketh to consult us on a comprehensive plan for the area. S. Simonin motioned to approve \$1,800 to hire a planning engineer for a traffic and circulation study and P. Dauten seconded. C. Bramley commented that town should be involved and proposal will be presented to BOS at tomorrow's meeting. Vote to approve was unanimous.

**6. Old Business**

None.

**7. New Business**

There is a conflict between West Street Grill and the Borough of Litchfield regarding outdoor dining. West Street Grill first received an outdoor dining permit in 1995. The recently passed CGS § 8-1cc states the zoning commission shall allow outdoor dining as an accessory use as of right, subject only to any administrative site plan review "notwithstanding any provision of the general statutes, special act, municipal charter or ordinance".

P. Losee noted there is a daycare being advertised on Facebook at 385 Bantam Road in Litchfield. The Land Use Office has not yet received a permit application. The 06/08/2023 CT Siting Council zoom meeting has the final approval for the Town Farm Road Silicone Ranch and the Mason Hill cell tower on their agenda. S. Musselman will attend.

**8. Approval of Minutes May 15, 2023.**

S. Simonin moved to approve the May 15, 2023 minutes, B. Gibney seconded, there was no discussion and the motion was unanimously approved by voting members. J. Cox, M. McIntyre, N. Sauer abstained since they were not present at the 05/15/23 meeting.

**9. Correspondence**

None.

**10. Adjournment**

S. Simonin moved to adjourn at 9:33 pm, J. Cox seconded, there was no discussion and approval vote was unanimous.

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**Carol Bramley, Chairman**

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**Date**