

**LITCHFIELD PLANNING AND ZONING COMMISSION
MINUTES**

**Monday August 21, 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, R. Lupo, N. Sauer, S. Simonin, Land Use Administrator S. Musselman.

Members absent - G. Cunningham, P. Losee, M. McIntyre.

Appointment of Alternates – R. Lupo.

B. Gibney motioned to add item **8a 340 Bantam Road – Sign Pro Inc.** – Special Exception for roadside directory sign to the agenda. N. Sauer seconded, there was no discussion and vote was unanimous.

2. Commissioners Requests

None.

Public Hearings

3. 348 Bantam Road – Ace Hardware – Special Exception for new parking area (16 spaces) and site plan review. Received 7/17/2023.

J. Cox was recused and left the room for the hearing as he is an adjacent property owner. C. Bramley read the legal notice published on 08/07 and 08/14. Engineer and surveyor K. Hrica and Ace owner R. Mahieu Jr. were present for the application. Green cards were presented and checked. As requested and approved at the 07/17 PZC meeting, letters to adjacent Litchfield Ponds and Tapping Reeve were sent to the Condo Associations.

Proposed application is for the construction of a new 16 space customer parking area at the front of the building. There is a right of way between this property and 342 Bantam Road to the east. Existing deed for the right of way states right of way's size, it must always be available and maintenance is 348 Bantam Road's responsibility. Property is required to have 59 parking spaces. With the proposed parking lot, property will have 50 parking spaces plus 2 handicap spaces. None of the current parking spaces located within the right of way are included in this count. Applicant has also submitted a waiver for the additional 7 required spaces. Once constructed, there will be 60' of green space between parking area and Route 202 and 8' on both ends. Stormwater will flow to a catch basin in the southwest corner. Propane tank drop off will be moved to west side of new parking lot. A dark sky compliant light pole on a timer and existing signs have already received DRAC approval. Flag pole will be relocated to southeast corner of existing building. Flowering dogwood trees will be planted. Rear parking area is for employee parking, rental pickups and returns and deliveries. Millings will be added to the surface of this rear parking area. Addition of new parking area will decrease green space from 39.7% to 31.5%. Town engineer R. Alexe has no concerns regarding application.

Public comment – S. Bailey of Litchfield Ponds asked if trees on north side of property will remain. Yes, they will. R. Ripley inquired if Route 202 sign could be placed on a timer to be

more bird and insect friendly. C. Bramley read a letter submitted with reference photos by G. Copeland of 342 Bantam Road opposing the application. K. Hrica and R. Mahieu Jr. agreed that letter and photos support why the additional parking is needed.

S. Simonin moved to close the public hearing at 8:31 pm, P. Dauten seconded, there was no discussion and vote to close was unanimous. Application has IWC and DRAC approval. S. Simonin motioned to approve the application to add 16 new parking spaces, R. Lupo seconded, there was no discussion and vote to approve was unanimous.

4. 189 Campville Road – Calvano – Special Exception for a home occupation gunsmith. Received 7/17/23.

C. Bramley read the legal notice published on 8/07 and 08/14. J. Cox confirmed postal green cards. S. Calvano was present for the application. Proposed activities will be primarily gun cleaning, small repairs and adjustments. For cleaning, 5-6 drops of gun oil will be used at a time. He is the only employee, no one will be coming to his residence and there will be no increased traffic. Guns to be serviced will either arrive by mail or will be picked up at client's location. He'll be working on 1-2 guns at a time. Proposed work area will be a small 8' x 8' table in a bedroom. Small tools for repairs and guns will be stored in a gun cabinet secured with a combination lock stored inside a bedroom closet with a key lock. There will be no signs or outside evidence of this hobby gunsmithing business.

Public comment – Two neighbors had questions. M. Geddes inquired on how many guns will be on property. S. Calvano has a personal collection but there will only be an intake of 1-2 guns at a time. C. Dickey questioned the types of locks on gun cabinet and closet and asked if guns will be modified. S. Calvano has children and all guns will be secured as stated above. It is illegal to modify a gun. Business is repairs, cleaning/cosmetics and minor adjustments.

J. Cox motioned to close the hearing at 7:51 pm, B. Gibney seconded, there was no discussion and vote to close was unanimous. S. Simonin moved to approve the Special Exception for a home occupation gunsmith, P. Dauten seconded, there was no discussion and vote to approve was unanimous.

5. Proposed Change to Zoning Regulations

- Amendment to HR20. Add Home Occupation as Special Exception Use. Inadvertently deleted during 2019 regulation update. Should have been listed under HR20 according to the language of "S. Home Occupation" (p. 67).

C. Bramley read the legal notice published on 08/07 and 08/14. A recent Home Occupation application in the HR-20 District discovered this use was omitted from the allowed Special Exceptions from the 2019 regulation revisions. Omission was too long ago to be considered a Scrivener's error and tonight's hearing is to reinstate allowed use as a Special Exception. S. Musselman emailed notification to the Northwest Hills Council of Governments (NHCOG) on 07/17/23.

Public comment – S. Piazza is in support of the correction. No one else spoke for or against the regulation change. B. Gibney motioned to close the hearing at 7:54 pm, R. Lupo seconded, there was no discussion and vote to close was unanimous. S. Simonin moved to approve the HR-20 district addition of Home Occupation as a Special Exception Use to page 13 of the Litchfield Zoning Regulations, N. Sauer seconded, there was no discussion and vote to approve was unanimous.

6. 111 East Street - Piazza - Special Exception for a home occupation psychotherapy practice in the HR20 district. Received 8/21/23. Set public hearing for 9/18/23.

S. Piazza was present for the application. Applicant has proposed opening a psychotherapy practice at her home. West side of house has a private entrance and is closed off from the rest of the house. A maximum of 15 clients would be seen during a week. Ideally, 4 clients would come individually three days a week for an approximately one hour session. Clients would park in front driveway. There will be no signage or affect to traffic flow. Clients will be seen between 9 am – 7 pm. B. Gibney motioned to set the public hearing for 09/18/2023, N. Sauer seconded, there was no discussion and vote to schedule hearing was unanimous.

7. Brush Hill Road- Ripley Waterfowl Conservancy – Special Exception for outdoor recreation walking trails in the RR district. Received 8/21/23. Set public hearing for 9/18/23.

R. Ripley was present for the application and gave a brief history of the Conservancy's acquisition of the approximately 38 acre property. Land was purchased using funds raised from grants, the state, public and private donations with the condition it be available for public recreation. Property will have about 1.25 miles of walking trails. Sign at parking area has already received DRAC approval. J. Cox motioned to set public hearing for 09/18/2023, B. Gibney seconded, there was no discussion and hearing approval was unanimous.

8. 432 Bantam Road – Litchfield Land Inc. – Site Plan review for a new 20' x 50' outdoor swimming pool, pool house, and deck in the C-202 district. Received 8/21/23.

K. Hrica was present for the application. Proposed pool will be located behind the Litchfield Inn, 600' from Route 202 and mostly shielded from the road by an 8' retaining wall to the south. Even though pool will only be available to Inn residents, it is still considered a public pool and is subject to state regulations, must be ADA compliant and have a pool house. Pool will be surrounded by a 5' - 6' wide decking of concrete or brick pavers and be completely enclosed by a fence. Area is mostly flat and will be kept as natural as possible. Application is currently before IWC and approval is expected on 09/13. Pool will need fire marshal confirmation that site is easily accessible for emergency vehicle access. The commission questioned pool hours, lighting, speakers for music and serving food. Pending approvals from IWC and fire marshal, application is continued until 09/05.

8a. 340 Bantam Road – Sign Pro Inc. – Special Exception for roadside directory sign (space for 3 tenants). Received 8/21/23. Set public hearing for 9/18/23.

K. Braccidiferro from Sign Pro was present for the Center for Dental Excellence, LLC sign application. The two signs proposed are a two sided 72" H x 96" W panel sign by Route 202 and a one sided 14.25" H x 31" W monument sign by the building's front entrance. Application will need DRAC approval and application will be presented at next meeting on 09/07.

9. Acceptance of H. Peck's Planning Study Report - Discussion set for the 9/5/23 meeting.

H. Peck's interconnect/parking study for the north side of the Litchfield Green was received. Commissioners will read report and be prepared to discuss at the next meeting on 09/05/23 with H. Peck present.

10. Old Business

Litchfield Land Trust dropped off a site plan for caboose but has not submitted an application yet. With recent heavy rains, driveway at 718 Northfield Road washed out. A dump truck coming down the driveway was unable to stop, crossed both lanes on Route 254 and crashed into the guardrail. There is concern regarding grade of driveway and safety of drivers on the state highway. An unpermitted container is still on Hemlock Hill.

11. New Business

None.

12. Approval of Minutes July 17, 2023.

Approval of minutes is postponed until the 09/05/2023 meeting.

13. Correspondence

Pratt Nature Center's Annual Auction is 09/09/2023. Attorney S. Bryne issued attendance certificates to C. Bramley, J. Cox, P. Dauten, B. Gibney, R. Lupo and S. Simonin for completion of 2.0 hours of CT Federation of Planning and Zoning Agencies' Training Workshop held on 07/17/2023. Commissioner training is mandated by the state.

14. Adjournment

S. Simonin moved to adjourn at 9:08 pm, J. Cox seconded, there was no discussion and approval vote was unanimous.

Carol Bramley, Chairman

Date