

LITCHFIELD PLANNING AND ZONING COMMISSION MINUTES

**Tuesday September 5th, 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, R. Lupo, N. Sauer, S. Simonin, Land Use Administrator S. Musselman.

Members absent - G. Cunningham, M. McIntyre.

Appointment of Alternates – R. Lupo was appointed until the arrival of S. Simonin at 7:01 pm.

2. Commissioners Requests

None.

3. Proposed Change to Zoning Regulations

- Text amendment proposal from Federal Square Realty, LLC to add new definition (Restaurant- Shopping Center) to the Glossary of Terms and Phrases. Proposed new use definition to be applicable to Shopping Centers in the C-202 Commerce Zone. Received 9/5/23. Set public hearing for 10/2/23.

Attorney P. Grimes was present for the application. He is representing Federal Square Realty, LLC and 6645 Federal Square Realty, LLC. An addition of “Restaurant – Shopping Center” definition to the regulations is being proposed as an allowable use, subject to Site Plan approval. Food service establishments for the new proposed regulation must meet the criteria of being located in an approved Shopping Center within the C-202 district, customers may be served at tables or takeout counters regardless if food is intended to be consumed on or off the premises and no customers are to be served in motor vehicles. Chairman Bramley noted the existing restaurant uses have changed since Covid and every food establishment in town has takeout available. P. Grimes initiated this proposal with the expectation of Jersey Mike’s being a future tenant in the 7-55 Village Green Drive building approved at the 09/06/22 PZC meeting. If additions to regulation are approved, Jersey Mike’s would require a PZC site plan approval.

Attorney Grimes stated he is on vacation 10/01 – 10/06 and requested hearing to be scheduled for 10/16/23. S. Simonin moved to set a public hearing for proposed text amendment changes and B. Gibney seconded. C. Bramley stated proposed change must also be added to C-202 Route 202 Commerce District Section 6 “Restaurant – Shopping Center -SP” as a permitted use. Vote for the 10/16/23 public hearing was unanimous

4. H. Peck Planning Study Presentation – Report is available at the Land Use Office.

a. Presentation from H. Peck

C. Bramley stated the buyer of the former 1895 firehouse at 40 West Street made it known they were under contract to purchase the property. Current owner, Union Savings Bank (USB), is also selling a rear portion of their unused parking lot, through a lot line revision, to

provide the firehouse with necessary parking. For many years, USB has allowed the public free access to their underutilized parking lot. With the expected loss of the bank parking, at the 06/05/23 meeting the PZC approved a parking study using the \$1,800 remaining in the 2022-23 planning budget to hire a traffic engineering firm. Study is for creating a safe pedestrian walkway and/or a possible interconnect between the existing bank parking lot and the underutilized Town Hall parking for the businesses on the north side of the Litchfield Green. Study was to include ways to alleviate traffic congestion at the North Street and Route 202 traffic light. With no traffic consultant to hire, PZC looked to hire a planning consultant familiar with Litchfield and selected Hiram Peck of Plan Three Consulting. In addition to being Litchfield's Land Use Administrator from 1992-3, H. Peck has worked for Oxford, Greenwich, New Canaan, Avon and Simsbury over his 40 year land use and planning career. In 1983, he founded his consulting firm, Plan Three, and has numerous clients in the tri-state area. C. Bramley's 06/26/23 letter to H Peck gave direction for the scope of work of the parking review and interconnect study. On 08/12/23, H. Peck's report and recommendations was submitted to the Land Use Office.

H. Peck detailed his research and discussions with various principals required for completing the study. Overall economic development interests prefer a cooperative effort with allocated municipal spaces instead of assigning and charging for parking. Town engineer R. Alexe is in support of a well designed and not for private use interconnect that will not be used as a cut through.

b. Commission discussion

The commission inquired about parking solutions used by other towns. Since the 1980's, Avon has used business interconnects to alleviate traffic on their main roads. It was noted, the state of CT has declared the eight North Street parking spaces located in the right of way in front of Union Savings Bank and used for over fifty years are now consider illegal and is looking for a lease agreement. C. Bramley noted the recent pedestrian hit by a car on West Street and the importance of a safe walkway at the west end of the green near town hall.

c. Public comment

D. Raap stated there are 40-50 employees working in the center of town and many park all day outside the business they work for. J. Zullo stated there is no incentive to use the municipal parking in the back lots. It was suggested to maybe charge to park on West Street and offer free parking at Town Hall or in the back lots. M. Connor stated town does not have good signage for available parking. D. Raap noted this was being worked on already. J. Zullo thought the traffic safety committee should be included in the discussion. The commission has asked H. Peck to propose a recommendation based on his experience as to how to proceed.

5. Land Use Administrator's Report

a. Permits

From 01/01 to 09/05/23, the Land Use Office has issued 93 permits with a total revenue of \$29,090.

b. Enforcement

A violation letter for the continued operation of an unapproved Shop and Storage business at 65 Hopkins Road will be sent to the new owners. The owners of 14 Goodhouse Road

have not acknowledged violation letters sent since 2022 regarding multiple unregistered vehicles on the property. The commercial property at 82 East Litchfield Road S. has a usage expansion and a violation letter will be sent. A second violation letter needs to be sent to 8 Hemlock Hill Road for storage containers on the property.

c. Office

No report.

6. Old Business

None.

7. New Business

None.

8. Approval of Minutes July 17, 2023.

Correction - **3. 31 North Street – Belden Holdings LP**, sentence three should read “Gibney questioned the listing of the application as a minor site plan modification and questioned whether the site plan review was minor.” The last part of the original sentence “and whether the plan could be reviewed” is to be removed. As amended, S. Simonin moved to approve, J. Cox seconded, there was no discussion and vote was unanimous.

9. Approval of Minutes August 21, 2023.

S. Simonin moved to approve, P. Dauten seconded, there was no discussion and vote was unanimous.

10. Correspondence

B. Jones has moved and resigned from DRAC. The commission was appreciative of his service. With the recent loss of two committee members, DRAC has vacancies to fill. C. Bramley read State DOT letter, dated 08/16/23, regarding the parking encroachment on the Route 63 right of way adjacent to 7 North Street. For continued usage, DOT is looking for a lease agreement. If no agreement is made within thirty (30) days from date of letter, future encroachment violations can result in a \$2,000-\$5,000 fine per occurrence.

11. Adjournment

J. Cox moved to adjourn at 8:29 pm, S. Simonin seconded, there was no discussion and approval vote was unanimous.

Carol Bramley, Chairman

Date