

**LITCHFIELD PLANNING AND ZONING COMMISSION
MINUTES**

Monday September 18, 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, B. Gibney, P. Losee, R. Lupo, N. Sauer, S. Simonin, Land Use Administrator S. Musselman.

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

Appointment of Alternates – R. Lupo.

2. Commissioners Requests

None.

Public Hearings

3. 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.

C. Bramley explained the format for the hearings. S. Piazza was present for the application. J. Cox confirmed the postal green cards. C. Bramley read the legal notice published on 09/05 and 09/11/23. Applicant has proposed opening a psychotherapy practice at her home. Ingress will be from west side private entrance closed off from the rest of the house. A maximum of 16 clients would be seen during the week. Ideally, there would be four individual one hour client sessions three days a week. There will be no signage or affect to traffic flow. Clients are seen between 9 am – 7 pm. Clients would park in front driveway. The commission discussed the need for a safe turn around so clients are not backing up into the state right of way or onto Route 118. Approval would be subject to creation of a parking space on owner's property.

Public comment – No one from the public spoke for or against the application. B. Gibney moved to close the public hearing at 7:14 pm, N. Sauer seconded, there was no discussion and vote to close was unanimous. J. Cox moved to approve the Special Exception Home Occupation psychotherapy practice with the conditions that clients are not to exceed 16 per week, there will be one or two clients per one hour session, practice hours are 9 am – 7 pm and are subject to provisions that an additional 9' x 18' space be created on owner's property. Motion was seconded by S. Simonin, there was no discussion and vote to approve was unanimous.

4. 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.

T. Crowe and B. Nicholson were present for the application. J. Cox confirmed the postal green cards. C. Bramley read the legal notice published on 09/05 and 09/11/23. Sign at parking area has already received DRAC approval. Conservancy purchased the approximately 38 acre hay fields from grants with the condition it be available for public recreation. There are about 1.25 miles of mowed walking trails, opened every day from sunrise to sunset. Fields are not hayed until August 1 and then again at end of the season. Parking on property as on site plan. No

clearing or parking area and paths in winter months. Property is known as Horse Show Meadow but name will be changed to Ripley Field.

Public comment – No one from the public spoke for or against the application. S. Simonin motioned to close at 7:25 pm, P. Losee seconded there was no discussion and vote to close was unanimous. P. Losee moved to approve the Special Exception for outdoor recreation walking trails application, B. Gibney seconded, there was no discussion and approval vote was unanimous

5. 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 and owner S. Bokhari were 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. Pool is only available to Inn residents but is still considered a public pool and must follow state and federal regulations, be ADA compliant and have a pool house. Black wrought iron 4' high fencing with less than 4" spacing between the bars will surround the pool area. Gates in fencing are designed with automatic closures. Pool will be opened early May until early September from 10 am to sunset. Ambient background music will be played on Sonos wireless speakers during operating hours. Pathway and pool area will be illuminated by LED downward facing, full cut off 42" bollards. Lighting will not be visible from the street. A limited food and beverage menu will be served from the Inn from 11:30 am to 3 pm. Pool will not be heated. WPCA approval states there will be no increase in water usage. C. Bramley read the Acting Fire Marshal's 09/14/23 letter confirming pool area is easily accessible to emergency vehicles. Application received IWC approval on 09/13/2023. Pool will be drained 2-3' at the end of the season before covering and will not be treated for several days prior. S. Simonin moved to approve the application, R. Lupo seconded, there was no discussion and approval vote was unanimous.

6. Old Business

a. 29 Stoddard Road – Approval of solar array landscape design.

A solar array screening plan and sketch was received from SCN Landscape Design, LLC to plant eight (8) 7'- 8' rhodendrons [sic] at \$575.00 each, seven (7) 5'- 6' kalmia latifolias at \$500.00 each and \$1,470.00 for compost, soil amendments and mulch. Plants will be installed in two rows with mountain laurels staggered in the front and rhododendron in the back with a maximum distance of 50 feet. Price includes sales tax. The commission commented they hoped pricing included a plant survival guarantee. J. Cox moved to approve the \$9,570.00 SCN Landscaping Design proposal, N. Sauer seconded, there was no discussion and vote to approve was unanimous.

b. H. Peck Planning Study Recommendation Letter.

C. Bramley noted First Selectman D. Raap asked for a recommendation at the conclusion of the PZC discussion on 09/05/23. H. Peck's 09/10/23 response letter was reviewed by the commission. The town already has several independent traffic and safety committees. The commission agreed the parking study was successful in getting the selectman engaged and H. Peck's recommendations will be forwarded to the BOS.

7. New Business

- a. *Northwest Connecticut Land Conservancy* – Request for letter of support for the acquisition of a 670-acre parcel on Town Farm Road.

C. Bramley gave a history on the Milde property, which is directly to the west of Silicon Ranch. The NW CT Land Conservancy has requested letters of support from multiple town agencies to submit with their Open Space and Watershed Land Acquisition grant application to secure funding from the State DEEP. Please see 7.b. for vote of support letters for the NW CT Land Conservancy and the Litchfield Land Trust.

- b. *Litchfield Land Trust* – Request for letter of support for the acquisition of a 104-acre parcel on Fern Avenue.

C. Bramley stated acquisition of land will be protecting watercourses, forested swamps and core forest habitat adjacent to an existing network of over 875 acres of open space critical to maintaining habitat interconnectivity and sensitive natural resources. J. Cox moved for the commission to submit letters of support for the preservation and protection of the Town Farm and the Fern Avenue parcels to the State of CT DEEP, S. Simonin seconded, there was no discussion and approval for letters was unanimous.

- c. *Public Act 23-142* – Overview and compliance discussion.

New daycare law states any childcare facility located within a home in a residential zone is to be treated the same as a single or multi-family home. PZC can request a site plan for safe parking and egress. S. Musselman spoke with Attorney Byrne's today and the Land Use Office is in compliance with the regulation.

8. Enforcement Update

- a. *65 Hopkins Road* – Shop and storage violation.

S. Musselman spoke with the new homeowner. Tenant Mr. Roberts is moving to a new location at the end of the month. If Shop and Storage is still operating on 10/01, Land Use Office will move forward with the cease and desist.

8. Approval of Minutes September 5, 2023.

S. Simonin moved to approve the minutes, J. Cox seconded, there was no discussion and approval vote was unanimous.

9. Correspondence

C. Bramley read 09/06/23 letter from the Borough of Litchfield regarding consolidation with the Historic District and 09/06 legal review letter from Attorney S. Byrne to the Borough.

10. Adjournment

S. Simonin moved to adjourn at 8:05 pm, B. Gibney seconded, there was no discussion and approval vote was unanimous.

Carol Bramley, Chairman

Date