

**LITCHFIELD PLANNING AND ZONING COMMISSION  
MINUTES**

**Tuesday January 16, 2024, 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 7:01 pm.

Members present – C. Bramley, J. Cox, P. Dauten, B. Gibney, P. Losee (arrived at 7:09 pm), R. Lupo, Land Use Administrator S. Musselman.

Members absent - C. Bunnell, M. Eucalitto, G. Fuessenich, S. Simonin.

Appointment of Alternates – R. Lupo.

**2. Commissioner's Requests**

None.

**Public Hearing**

**3. 87 Cathole Road – West –** Special exception for an accessory apartment in the RR district. Received 11/20/23. MBL# 085-059-010.

Contractor A. O'Neil was present for the application. Originally, hearing was scheduled to be held on 12/18/2023 but neighbors had not been notified. C. Bramley read legal notice republished on 01/05/24 and 01/09/24 and explained the format for the hearing. J. Cox confirmed the postal green cards. Barn received approval for second floor bedroom and bathroom in 1994. Application is to add a kitchenette to the first floor directly below the bathroom. Exterior photos of the barn and a deed restriction stating "premises shall not be further subdivided for development" were provided. (P. Losee arrived at 7:09 pm) S. Musselman spoke with the Building Inspector and Fire Marshal and there are no concerns for the application. TAHD application submitted on 12/20/23 is still pending. House is 2,750 square feet and apartment, at 600 square feet, is well under the allowed size at 22%. The kitchenette addition will not create any disruption to the property. Apartment has two means of egress and its own parking area.

Public Comment – No one from the public spoke for or against the application. J. Cox moved to close the hearing at 7:15 pm, R. Lupo seconded, there was no discussion and vote to close was unanimous. P. Dauten moved to approve the special exception for an accessory apartment application subject to TAHD approval prior to the issuance of a zoning permit, P. Losee seconded, there was no discussion and approval was unanimous.

**4. 115 North Street – Champalimaud –** Special exception for an accessory apartment in the HR-30 district. Received 12/18/23. MBL# 206-046-086.

Attorney J. Strub and owner A. Champalimaud were present for the application. C. Bramley read legal notice republished on 01/05/24 and 01/09/24 and explained the format for the hearing. J. Cox confirmed the postal green cards. Application has approval from WPCA, Fire Marshal and Building Inspector. Attorney Strub read memorandum dated 12/12/2023 stating that the accessory apartment is located on second floor of the existing carriage house, has not more than two bedrooms, is 650 square feet or 18% the size of the main house and has two parking spaces inside the carriage house and two outside that are screened by a six foot fence and verdant

foliage. Carriage house is 125 feet from the main house and property has a deed restriction preventing a subdivision or resubdivision recorded in the Litchfield Land Records at volume 186, page 257. Floor plans and photos of the carriage house were submitted alongside the Conservation Agreement and property survey. Second floor accessory apartment is on residential property and does not require a second means of egress. It was noted second floor has a window over 50" that is required.

Public Comment – Neighbor R. McKnight submitted an email but was present and spoke against the application. Concerns for the property's conservation restriction easement and the apartment becoming a short term rental were expressed. A map showing the conservation easement is at the rear of the property and does not include the carriage house was provided. J. Cox motioned to close the hearing at 7:54 pm, P. Dauten seconded, there was no discussion and motion to close was unanimous. P. Dauten moved to approve the accessory apartment application subject to the issuance of a zoning permit, R. Lupo seconded, there was no discussion and approval vote was unanimous.

**5. 103 Thomaston Road – M&H Equipment** – Site plan modification for landscape trailer sales. Received 1/16/24. MBL# 130-01D-003.

Owner P. Howell was present for the application. The site plan modification application is for the addition of landscape trailer retail sales to the existing industrial farm/equipment repair business. Approximately 85% of their business is from landscapers. Up to 12 landscape trailers will be stored on a 100' x 20' section located between the driveway and property line on the northeast corner of the parcel. Photos of the types of DooLittle Trailer to be sold were provided. Addition of trailer sales is not expected to generate any noticeable increase in business or traffic. J. Cox moved to approve the site plan modification for the landscape trailer sales subject to the issuance of a zoning permit, R. Losee seconded, there was no discussion and vote to approve was unanimous.

**6. 7 North Street – Depot Dog** – Special exception for retail small shop – pet store and grooming in the HTC district. Received 1/16/24. MBL# 206-046-073.

Owners E. & D. Varnish were present for the application. Original store was opened in Washington Depot 2½ years ago. Unit 4, located on the west corner of second floor, was previously retail, personal services. Change of use will include retail high end pet foods, treats, toys and accessories in the front with dry bar pet grooming in the rear. Boutique will not have kennels or more than a dog or two at a time. Grooming time averages 45 – 60 minutes per dog. Store usually sees 12 -15 customers per day with the weekends being busier. Store will be closed Monday and Tuesday. HDC will need to approve signs prior to getting a zoning sign permit. It was determined that the property had already received special exception approval for retail small shop, therefore, a public hearing was not necessary. J. Cox moved to approve the change of use application for a retail small shop – pet store and grooming boutique subject to issuance of a zoning permit, P. Dauten seconded, there was no discussion and vote to approve was unanimous.

**6a. 35 Buell Road – LaRosa** – Special Exception - Home Occupation for a psychotherapy practice in RR District. Received 1/16/24. MBL# 053-025-022.

L. LaRosa was present for the application. Proposed use of the first floor, 13.5' x 13.5' library office space is for therapy, bodywork/massage and virtual consultations. Foldable partitions will block off the home's living area from her clients. Only a chair and massage table will be added to the office space. There will be no exterior signage. Driveway has several parking spaces and sufficient space to turn around. There will be no other employees. Hours of

operation will be 9:00 am – 6:00 pm with 5-10 single client appointments over 2 – 3 days per week. B. Gibney moved to set public hearing for 02/20/24, P. Losee seconded, there was no discussion and vote was unanimous.

## **7. Old Business**

a. Transfer Request #1 – 2023-2024.

S. Musselman spoke with D. Raap and S. Dionne regarding budget transfer request. He was advised that transfer request was not necessary. Will follow up for clarification.

b. Update on Hunter's Chase.

B. Gilbert called Land Use office this morning stating work would begin today.

## **8. New Business**

C. Bramley, M. Eucalitto and S. Musselman will meet soon to review regulations for Special Exceptions, General Standards & Requirements, DRAC and possibly parking requirements. Special exception will consider requiring a site plan to see how proposed construction fits into the neighborhood, topography and vegetation. General Standards & Requirements needs sections on lighting and erosion & sediment control. DRAC needs an update. Putting together a checklist for applicants clarifying procedures, documents to provide and number of plan sets needed was discussed. Commission needs to seek an engineering consulting firm for application review. Public Works project manager, B. Seamans, is willing to review applications but he is not an engineer.

B. Gibney noted BOS is discussing adopting a blight ordinance and is reviewing what other towns are doing. Town has at least twelve properties with blight issues. It was noted the Lewis Tree trucks are gone from McBride Road. R. Viola of Wilson Road is concerned with Silicon Ranch retention pond design changes that will cause emergency overflow runoff to drain directly onto his property. IWC stated they are regulatory and will not get involved. Unfortunately, PZC has no jurisdiction. R. Viola's property has a conservation easement and they will review it at their next meeting.

## **9. Approval of Minutes January 2, 2024.**

J. Cox moved to approve the 01/02/2024 minutes, P. Losee seconded, there was no discussion and votes to approve were made by C. Bramley, J. Cox, P. Losee and R. Lupo. P. Dauten and B. Gibney did not attend the 01/02/2024 PZC meeting and abstained.

## **10. Correspondence**

None.

## **11. Adjournment**

J. Cox moved to adjourn at 8:52, P. Losee seconded, there was no discussion and vote was unanimous.

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Carol Bramley, Chairman

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Date