

MINUTES
LITCHFIELD ZONING BOARD OF APPEALS

August 2, 2022 - 7:30 p.m.

Town Hall Annex

80 Doyle Rd., Bantam, CT

In person meeting

Members Present: Brian Donohue, David Foss, Lara Hillman, Jonathan Zwick.

Members Absent: Brian McKernan

At 7:35 p.m., B. Donohue opened the meeting by taking attendance of the members and explained the format of the hearing. Since a member is absent, applicants were given the option to postpone their hearing until next month, to present but keep case open until missing member can hear recording for a 5 members vote next month or to present with a 4 member unanimous vote being needed for approval. Both applicants agreed to proceed.

PUBLIC HEARING

Case 22-8-1 To discuss and possibly act upon a request from Litchfield Country Club, Inc. of 256 Old South Road for Height Variance of 9 feet for installation of 12 light poles/fixtures associated with 2 paddle tennis courts from General Standards and Requirements Section F. Outdoor and Exterior Lighting Subsection iii: “The maximum height shall not exceed 20 feet above the grade directly below the fixture housing the light source”.

Attorney James Strub of Secor, Cassidy & McPartland, Charlie Dumais, an independent architectural lighting designer, and Josh Adams of Litchfield Country Club were present for the application. J. Strub gave a brief explanation of case and why variance is needed. He noted that Litchfield Country Club was the applicant and White Memorial was the landowner. A letter of support from White Memorial and an April 13, 2022 letter from WPCA of acceptance were both read into the record.

C. Dumais gave a detailed presentation on the origins and regulations for paddle tennis that requires the unique construction needed for this court. Paddle court lighting regulations require fixtures to be 20’ above court for visibility since it’s a night sport and so they don’t interfere with ball in the playing field. Proposed 200w LED lighting fixtures will be full cut off luminaires (with glare shield), dark sky friendly and compliant with or exceed the 505.6.3 Light Pollution Controls of the Connecticut Building Code. Fixtures also meets or exceeds pollution controls for spill light, direct glare, sky glow, limit light trespass and preserve dark sky for neighbors while uniformly focusing useful lightening onto playing court.

D. Foss asked what lightening will look like to the closest neighbor. J. Strub stated existing landscaping barrier will be preserved to minimize visibility. Previous paddle tennis court location was not suitable as it is too close to a wetland. Other towns are doing away with old lightening regulation in favor of now dark sky preservation. C. Dumais described the light glow needed for the right kind of playing field visibility as “warm but not super warm”.

L. Hillman asked about playing hours. Josh Adams of Litchfield Country Club stated the most popular playing time will be after work hours until 9:00 p.m. Winter sunset is around 4:30 p.m. but with sun so low in sky, lights start turning on around 2 p.m. Court will include a warming hut, heated courts and a rain garden berm. Proposed courts are not in wetlands or Historic District.

Brian D. asked if anyone present was for or in opposition of the application. No one was present for either.

At 8:19p.m., L. Hillman moved to close the hearing, J. Zwick seconded and all voted unanimously.

Case 22-8-2 To discuss and possibly act upon a request from Jane Goldstone & Arnold Rosenblum of 160 Campville Road for Front Yard Variance of 14 feet for installation of a single story, one car ready-made 12' x 20' garage from Litchfield District Residences Section RR Subsection 2. Building Placement Front Setback 50'.

Jane Goldstone was present for the application. Residence is a 1790s non-conforming farmhouse placed well within the front yard setback. Proposed garage is at farthest flat location before sloping into back yard. J. Goldstone stated sloping area was the previous location of a two story barn that collapsed. It was determined barn could not be saved and it was removed. The large hole left in its place was filled in and is now a slope with an approximate 8' elevation change over approximately 12'. L. Hillman stated she'd like to see a topographical map of the property and asked the location of the well and septic. J. Goldstone only knew about where the septic was in backyard and well is on the right side of driveway. The ready-made garage is to be installed on a gravel bed with no concrete foundation. J. Goldstone stated back 10' of the garage would be located on the preexisting collapsed barn footprint but slope now requires proposed garage to be moved forward 4'.

Brian D. asked if anyone present was for or in opposition of the application. No one was present for either.

There was discussion between applicant and commission regarding keeping hearing open until next month. Applicant left decision up to the commission and invited members to visit the location.

At 8:39 p.m., J. Zwick motioned to close discussion on Case 22-8-2, L. Hillman seconded and all voted in favor.

REGULAR MEETING

Consider Case – 22-8-1

B. Donahue noted lightening will be at regulation height, it is court grade that is unique, other court in wetland area will be removed and application has WPCA and White Memorial approval. D. Foss stated new courts will improve current property lightening. B. Donahue made a motion to approve plans as presented based on the uniqueness of the property, elimination of other court(s), WPCA and White Memorial approval and hardship of property, J. Zwick seconded and vote was unanimous.

Consider Case - 22-8-2

Commission discussion concluded with members deciding they would like to do a site visit. B. Donahue motioned to continue hearing until Sept 6, J. Zwick seconded and all voted unanimously.

Approval of Minutes – March 1, 2022

L. Hillman noted several edits to minutes - Case 22-3-1 both rear yard variance are now for 10', sentence with don't/wouldn't now just states wouldn't, L. Hill corrected to Hillman and D. Floss changed to D. Foss. L. Hillman moved to approve amended minutes, J. Zwick seconded and vote was unanimous.

Adjournment

At 8:55 p.m., B. Donahue voted to adjourn, D. Foss seconded and vote was unanimous.

Brian Donohue
Chairman

Date