

**LITCHFIELD PLANNING AND ZONING COMMISSION**  
**Town Hall Annex – 80 Doyle Road, Bantam, CT**

**Minutes of November 19, 2012**

- 1. Chairman, Dr. Susan Lowenthal, called the meeting to order (7:03)**
  - a. Present were Commissioners Curt Barrows, Carol Bramley, Susan Lowenthal, Dave Pavlick, Sky Post, , and Alternate Commissioners, Ed Doyle, Erin Kennedy, Ralph White
  - b. Absent: Commissioners: Tom Waterhouse, Alternates: Ms. Kennedy
  - c. Land Use Administrator, Dr. Dennis Tobin, was not present
  - d. Appointment of alternates: Mr. Doyle was appointed
  - e. Appointment of Acting Secretary; Mr. White was appointed
  - f. Approval of Minutes of November 5, 2012: Motion to approve by Mr. Pavlick second by Mr. Barrows, affirmative vote unanimous, except for an abstention by Mr. Post
  - g. Commissioners' Requests, None
  
- 2. Public Comment: (7:05)**
  - a. None
  
- 3. Public Hearings (7:05)**
  - a. **182 East Litchfield Road, Heinrich.** Special Exception, Bed and Breakfast, Article V, Section 3. Received 10-1-12, Public Hearing set 10-15-12. (Site Plan waived 10-15-12 based on Attorney Grimes' assurance that there would be no external changes to the building or to the grounds whatsoever.)
    - i. Attorney Grimes was present representing the applicant. Dr. Ward Heinrich was present as the trustee for the applicant.
    - ii. Thomas O'Hare, Fire Marshall, has approved the proposal.
    - iii. Design Review approval of signage will be a condition of approval
    - iv. Mr. Worthington, Building Official, has approved the proposal.
    - v. Harold and Susan Werner, neighbors, were present with questions and to speak in opposition to the application. They questioned on the owner's residency status and permitting matters.
    - vi. Dr. Lowenthal read a November 16, 2012, petition by residents in opposition to the application. In particular the signers oppose the shooting they are hearing. Signed by 14 neighbors.
    - vii. Susan Warner spoke against the application, particularly about the presence of "transients."
    - viii. Barbara Putnam was present to speak against the application, mentioning the shooting.
    - ix. Mike Marbillio was present to speak against the application specifically dogs loose in the street and gunfire at 7:00 one Sunday morning.
    - x. Rachel O'Mara was present to speak against the application, and suggested a prohibition against shooting.

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- xi. Attorney Grimes and Dr. Heinrich are amenable to prohibiting shooting or hunting (even by bow) by guests of the B&B or by other parties.
  - xii. Jane Golding was present to clarify the matter of where hunting is permitted in the neighborhood.
  - xiii. Dr. Lowenthal continues the application until December 17 pending safety matters and signage.
- b. **195 Bantam Road, Strom.** (7:49) Special Exception, Personal Service Shop (Massage Parlor) without hazardous materials. Articles III X and IX.
- i. Barry and Rebecca Strom were present with a site plan.
  - ii. Motion to approve by Pavlick, second by Barrows, affirmative vote unanimous

**4. Application Reception (8:04)**

- a. **465 Bantam Road, Rachel's Consignment.** Site plan application for change of use to retail.
- i. Rachel O'Mara was present with the application and site plans. She wishes to relocate her retail business to the subject address.
  - ii. Commissioners asked that the applicant become familiar with the signage regulations.
  - iii. Dr. Lowenthal notes that the total square footage is missing from the application and asks that the applicant become familiar with the town's parking regulations.
  - iv. Applicant has an easement with Mr. Deacon for the shared driveway.
- b. **191 Fern Avenue, Robert M. Dewey, Jr. Trustee,** (8:14) Receive and set public hearing (12-17-12) for two lot subdivision application. The total is 43 acres.
- i. Palmer Marrin, owner's representative, was present with a site plan. Will sell 27 acres with house and barn. The remainder, an already divided 14 acres, will be donated to the Litchfield Land Trust.
  - ii. Inland Wetlands has approved.
  - iii. Torrington Area Health has approved.
  - iv. The Public Hearing was set for December 17.
- c. **33 West Street, Cobblestone Properties, Lamonde.** (8:20) Receive and set public hearing (12-17-12) for Special Exception Residential Use within Business Building.
- i. Jim Lamonde, owner, was present with the application and a site plan to construct a 440 square foot residence in the NW corner of the building.
  - ii. The Public Hearing was set for December 17.
- d. **10 Old Mount Tom Road, Map 040, 088, 034) Mists of Avalon, Lot 15.** (8:23) Receive and set public hearing (12-17-12) for one lot subdivision application.
- i. Ron Wolff, engineer, was present with site plans.
  - ii. The application is to change a lot from unapproved to approved.

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- iii. Torrington Area Health has approved the lot for a three bedroom residence.
- iv. Mr. Wolff submitted a packet of documents for the file.
- v. Inland Wetlands has approved.
- vi. Dr. Lowenthal sets a public hearing for December 17, 2012.
- vii. Attorney Grimes was present to object to the necessity of a hearing.
- viii. Harold and Jane Goldban were present to offer documents into the file.
- ix. Mr. Barrows asks a question about the expiry date for the subdivision which he noticed in one of the documents.

**5. Old Business (8:38 )**

- a. None

**6. New Business (8:39)**

- a. None

**7. Correspondence (8:40)**

- a. Dr. Lowenthal noted that the Commission is still receiving documents from Sprint about their tower, and that the design reconfiguration issue has not been addressed.

**8. Executive Session (8:42))**

- a. None

**9. Adjournment (8:43)**

- a. Motion by Ms. Bramley, second by Mr. Post, affirmative vote unanimous

Respectfully Submitted,  
Ralph White, Acting Secretary  
November 19, 2012



Susan W. Pitman Lowenthal, MD  
Chairman

11/13/12  
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Date