

## LITCHFIELD PLANNING AND ZONING COMMISSION

Town Hall Annex,  
80 Doyle Rd., Bantam, CT  
**REGULAR MEETING MINUTES**  
August 21, 2017 7:00 p.m.

Call to Order: Chairman Waterhouse called the Regular Meeting to order at 7:00 pm.  
Member Present: Guy Baldwin, Carol Bramley, Abby Conroy, Peter Losee, Michael Thomas, Thomas Waterhouse  
Member Absent: Mitchell Samal, William Conti, Denise Schlesinger  
Alternate Members Present: Nancy Tarascio-Latour  
Also Present: Dr. Dennis Tobin, PhD

1. Appointment of Alternates: Nancy Tarascio-Latour  
2. Commissioners' requests: None

### CONSIDERATIONS

#### 3. Hunters Chase Erosion & Sedimentation Control Bond Release

- a. Letter: Harlow, Adams & Freidman, P.C., August 15, 2017, Re: Hunter's Chase at Litchfield erosion and sedimentation control bond.  
*Abby Conroy is now seated at 7:04 pm.*
- b. Letter: Byrne & Byrne, LLC, August 18, 2017, Re: Request for Release of Cash Bond, Hunter's Chase Erosion and Sedimentation Control Bond.
- c. E-Mail: Mark Calabro, August 17, 2017, Re: Commission Attorney Response.

***Carol Bramley made a motion, Whereas Hunters Chase of Connecticut LLC request a release of a cash bond posted by and in the name of BND 1 LLC, said posting of the bond being a condition of approval for a residential development known as Hunters Chase at Litchfield, the purpose of which was to guarantee certain sedimentation and erosion controls would be installed and maintained, and said request to release the cash bond was received by the Commission at its July 17, 2017 regular meeting and inconclusive evidence has been presented to the Commission that Hunters Chase of Connecticut LLC is entitled to receive the release of the cash bond which was posted by another entity; It is moved that this request be denied and the cash bond not be released as there is insufficient evidence that the entity requesting the release is legally entitled to the cash bond as it is not the same legal entity as the party that posted the cash bond. Abby Conroy seconded. Vote, 7: 0. All in favor.***

#### 4. 55 Village Green - Stop & Shop Supermarket Co. - Site plan modification for outside display of seasonal merchandise (flowers, firewood, charcoal, etc.) and propane.

- a. Letter: BSC Group, August 11, 2017, Re: Minor Site Plan Modification.
- b. Letter: Town of Litchfield, Office of the Fire Marshal, August 8, 2017, Re: Blue Rhino.  
John Hession and Joe Sandstone presented the Commission with an updated map outlining the location of Blue Rhino and Seasonal Items. The Commission spoke about special carts, shelving, a permanent structure, display areas, and seasonal items.

***Carol Bramley made a motion to approve 55 Village Green - Stop & Shop Supermarket Co. - Site plan modification for outside display of seasonal merchandise, display areas as shown in red on the Stop and Shop Site Plan dated 8/7/17, additionally be physically delineated on***

site, (flowers, firewood, charcoal, etc.) and propane. **Michael Thomas Seconded. Vote: 7:0. All in Favor.**

#### **APPLICATION RECEPTIONS**

5. **Village Green Dr. – 6645 Federal Square Realty, LLC** – Minor Site Plan application for installation of guard rail at truck turn style.

As per the Request of Officer Pete Russo, Mark Greenberg, John Hession and Joe Sandstone requested to install a guard rail at the truck turnstile. John Hession, stated Stop and Shop is in favor of the guard rail.

**Carol Bramely made a motion to approve, Village Green Dr. – 6645 Federal Square Realty, LLC – Minor Site Plan application for installation of guard rail at truck turn style. Guy Baldwin Seconded. Vote: 7:0. All in Favor.**

6. **Village Green Dr. (Bldg. A, Unit)– 6645 Federal Square Realty, LLC** – Site Plan application for Subway restaurant.

Mr. Greenberg spoke about Subway wanting to move into 1 Shopping Center. Subway cannot open until 10:30/11:00 am due to amount of traffic.

The Commission spoke about fast food restaurants, traffic, and noted the new regulations.

**Guy Baldwin made a motion to postpone the meeting to October 2017. Mike Thomas seconded. Vote: No: 6, 1 Yes: 1 (Guy Baldwin). Motion denied.**

**Nancy Latour made a motion to not approve Village Green Dr. (Bldg. A, Unit)– 6645 Federal Square Realty, LLC – Site Plan application for Subway restaurant. Mike Thomson seconded. Vote: Yes: Nancy Latour, Mike Thomas, Peter Losee, Carol Bramley Thomas Waterhouse, Abby Conroy; No: Guy Baldwin, 6:1: Motion Carries.**

7. **67 Chestnut Hill Rd. – Singer** – Receive and set public hearing (9/18/17) for Special Exception Philanthropic, Instruction and Educational Institution for Cowboy and Indian Western Museum.

a. Article: Mr. Singer presented an article from the Republican-American.

b. **Letter:** Top O'World Farm Singer Family Foundation, 8/17/2017, Re: Western Memorabilia Museum.

The Commission spoke about; IRS approval process, non-profit corporation, site plan, fire marshal approval, hours of operations, signage, and Torrington area health district.

**Carol Bramley made a motion to send 67 Chestnut Hill Rd. – Singer –to public hearing on 9/18/17 for Special Exception Philanthropic, Instruction and Educational Institution for Cowboy and Indian Western Museum. Abby Conroy seconded. Vote: 7:0. All in Favor**

**Carol Bramley has recused herself for Item #8.**

8. **79 Saw Mill Rd. – Gauvain (Oak Hills Landscape & Design)** – Receive and set public hearing (9/18/17) for Special Exception Shop & Storage Use by contractor – landscape contractor.

Ryan Gauvain, Robert Gauvain and Kim Gauvain presented an overview to the Commission.

a. Letter: Oak Hills Landscape & Design, LLC, 8/21/17, Re: Operate business.

**Abby Conroy made a motion to send 79 Saw Mill Rd. – Gauvain (Oak Hills Landscape & Design) –to public hearing on 9/18/17 for Special Exception Shop & Storage Use by contractor – landscape contractor. Michael Thomas seconded. Vote: 6:0. All in Favor.**

**Carol Bramley returned at 8:33 pm.**

9. **626 Torrington Rd. – D’Ambrosio** – Receive and set public hearing (9/18/17) for Special Exception vehicle sales and service, pleasure.

William D’Ambrosio presented an overview to the Commission. He would like to open a repair shop. The Commission spoke about design review, parking, hazard material, 55 waste oil drum, lighting.

**Carol Bramley made a motion to send 626 Torrington Rd. – D’Ambrosio –to public hearing on 9/18/17 for Special Exception vehicle sales and service, pleasure. Abby Conroy Seconded. Vote: 7:0. All in Favor.**

#### **PLAN REVIEW**

#### **10. Review Draft Regional POCD**

Draft Regional Plan of Conservation and Development 2017-2027, Review Form was completed. The Commission will want to review the maps.

**Guy Baldwin made a motion to approve the Review Draft Regional POCD Form. Abby Conroy seconded. Vote: 7:0. All in Favor.**

#### **11. Approval of Minutes for July 17, 2017.**

Mike Thomason made a motion to approve the minutes of Minutes from July 17, 2017, with the following corrections listed below. Guy Baldwin seconded. Vote: 7:0. All in Favor.

- a. #4, Re: William Bochicchio...from “Word”.. to: “Wood”
- b. Carol Bramley recused herself as a regular member as of 8:13 pm. To : Carol Bramley recused herself as a regular member as of 8:13pm for Items 5 & 6.
- c. #9, A: From... “would like to these them in storage.” to “ would like to use them in storage.”

12. Public Comment                      None

13. Old Business                         None

14. New Business                        SB 922, Granny Pods, as of 10/1/17, this will be applicable to the Town.  
The Commission will review in November 2017.

15. Possible Executive Session to discuss pending litigation        None

16. Correspondence

- a. *Litchfield review of the draft Regional Plan of Conservation & Development, July 19, 2017*
- b. *NHCOG, Save the date, August 31<sup>st</sup>, NHCOG, 5<sup>th</sup> Thursdays forum -New Laws & regulation Airbnb.*
- c. *Energy & Environmental Protection, August 21, 2017, Notice of tentative Determination to Approve an application for Dam Safety Permit and Intent to Waive Public Hearing.*
- d. *Ebersol, McCormick, Reis & Steck, LLC, August 21, 2017, Litchfield Land Trust.*

**Guy Baldwin made a motion to close the meeting. Michael Thomas seconded. Vote: 7:0. All in Favor.**

Meeting ended at 9:05 pm.

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Nancy C. Latour, Recording Secretary  
Date: 8/21/17

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Thomas Waterhouse, Chairman  
Date: 8/ /17