

DRAFT

Litchfield Planning and Zoning Commission
Town Hall Annex Gymnasium, 80 Doyle Road
Bantam, CT 06750
Regular Meeting Minutes
January 20, 2015 – 7:00 p.m.

Call to Order: Chairman Waterhouse called the regular meeting to order at 7:03 PM

1. **Members Present:** Curtis Barrows, Peter Losee, Denise Schlesinger, Chairman Thomas Waterhouse. Dr. Susan Lowenthal entered the meeting at 7:07 PM

Alternate Members Present: William Conti

Members Absent: Carol Bramley, David Pavlick

Appointment of Alternates: William Conti

Personal of Note: Land Use Administrator, Dennis Tobin, PhD.

Chairman Thomas Waterhouse made a motion to admen the agenda to add the introduction of Nancy Latour, Recording Secretary and Future Commissioner David Morgan.

Motion: Curt Barrows

Second: Denise Schlesinger

Vote: 6-0 – All in Favor

Chairman Thomas Waterhouse asked each member to introduce themselves:

- Thomas Waterhouse – Six years on Commission. Currently the Chairman.
- Dr. Susan Lowenthal – Lives in Milton, 35 years in Litchfield. Member of the Commission for 15 years.
- Peter Losee – Member of the Commission for four years. He is also up for election this year.
- Denise Schlesinger – New to the Litchfield area. Learning about the board.
- William Conti – Occupation is Attorney. 12 years in town, 2 years on the Commission
- Curt Barrows – Vice Chair of the Commission. Works and lives in Litchfield.
- Dr. Dennis Tobin – Land Use Administrator

Introductions of the Commission were concluded.

Chairman Thomas Waterhouse to appoint Alternative David Morgan. David Morgan has a wife and three kids. Thomas Waterhouse reached out to him at a pancake breakfast in Northfield over this past weekend. Mr. Morgan lives in Northfield. Mr. Morgan stated he would be interested in joining the Commission. Mr. Morgan's party is Independent. Mr. Morgan would be replacing a republican. Thomas Waterhouse stated for him to attend the meeting on January 20, 2015 and to see if he wants to be the future Chairman of the Commission. Voting will take place in 2 week's Dr. Susan Lowenthal asked Mr. Morgan how long have you lived in Northfield and he replied 39 years. Mr. Morgan wants to give back at the local level. He stated that he has lots to learn Mr. Morgan currently manages a Human services agency in Connecticut. He has worked with Govern Malloy at the state level on various projects.

Motion: Curt Barrows
Second: Denise Schlesinger
Vote: 6-0 – All in Favor

2. Approval of January 5, 2015 Regular Meeting Minutes

Motion: Curt Barrows motioned to approve the January 5, 2015 minutes with no corrections.

Second: Peter Losee

Vote: 4-0 / 2 Abstain / 2 Absent. Abstain: Dr. Susan Lowenthal, William Conti

Absent: Carol Bramley, David Pavlick

3. Public Comment: None

4. Commissioner's Requests:

Dr. Susan Lowenthal– A brochure was sent via mail from the Litchfield Historical Society. Dr. Susan Lowenthal requested that the Commission receives a copy.

Application Receptions

5. Martin – 181 Wheeler Road. – Received and set public hearing (2/17/15) for Special Exception Accessory Apartment (Article V, Section 1)

6.

Time Opened: 7:16 pm

Summary: Paul Martin – 181 Wheeler Road, Litchfield, 57yrs in town. In response to Dennis Tobin's letter about garage and apartment. Dennis Tobin sent a letter to Mr. Martin that he is in violation of Article V, Section 1 and he would need to attend this meeting tonight. Mr. Martin dropped off the packet to Land Use and the Members should have it. Mr. Martin wanted to go into detail about the building. Curt Burrows state this meeting is just to set up a town meeting for you. Mr. Martin is showing the Commission his map. Curt Barrow and Dr. Susan Lowenthal asked for a brief overview. Dr. Susan Lowenthal wants to know where the set back is on the map. Chairman Thomas Waterhouse asked if anyone had any other questions. Dr. Susan Lowenthal questioned the apartments age. Mr. Martin stated 1991. Mr. Martin stated his wife and him lived in the apartment from 1985. Mr. Martin stated the apartment is currently rented out to friends of the family. Dr. Susan Lowenthal questioned how many beds and baths in the apartment. Mr. Murphy stated three bedrooms and one bathroom and Torrington Area Health approved it. The Commission would like to see the file from Torrington Area Health. Dr. Susan Lowenthal advised Mr. Martin to be ready for the meeting. Dr. Susan Lowenthal wanted to know about the date on the map and to have approval for the map and septic systems. She also stated to have the cards and letters done prior to meeting.

William Conti made a motion to set the Public Meeting for Tuesday, February, 17, 2015

Motion: William Conti

Second: Denise Schlesinger

Vote: 6-0 – All in Favor

Time Closed: 7:26 pm

7. **Tomascak – 28 Old Forge Hollow Road** – Received and set public hearing (2/17/15) for Special Exception Shop & Storage Use by a contractor/tradesman (Article V, Section 13A)

Time Opened: 7:27 PM

Summary: Attorney Michael A. Hardesty is representing Tom and Megan Tomascak. Mr. Hardesty stated he has handled various litigation issues with the State. Mr. Hardesty presented the Commission color photos which have a sticker and address on them. Mr. Hardesty stated that Tom and Megan Tomascak purchased their house in November of 2007. They proceeded to build a 40x60 four-bay garage. Mr. Hardesty stated that the Land Use office has received several complaints regarding the garage. Mr. Hardesty stated the garage is being used to store equipment in regards to Mr. Tomascak's plumbing business. Mr. Hardesty stated that Tom and Megan Tomascak thought about the structure, the siding, the color, to blend into the neighborhood. Mr. Hardesty referenced the pictures. Mr. Hardesty wanted to say thank you to Dr. Tobin and the Land Use Office for assisting and would like Dr. Tobin to inspect the structure.

Mr. Hardesty stated the survey is rectangular, zoned R 80; have four children; have very happy customers and are very nice. Mr. Hardesty stated that he knows a neighbor is not happy. Mr. Tomascak has a chipper and develop their 10.4 acre. The use of equipment is for personal use. The property is not used for business. All work is done at the customers' homes. The workers go out and come back. Sometimes they will come home for lunch. All business deliveries go to New Milford. The garage is for personal use and not business use. A van and 1 of the trucks are for business.

William Conti- Question – please show me the barn on the map. Thomas Tomascak came up to table and confirmed the garage. Dr. Susan Lowenthal questioned the pictures of the cars. Mr. Tomascak stated they were taken at Litchfield Ford for a reference. Dr. Susan Lowenthal stated that the pictures should be clarified. Mr. Hardesty referenced the map and the pictures. Dr. Susan would like to see more pictures: NW corner, from the road looking in, surrounding East and West. Mr. Hardesty stated he will.

Chairman Thomas Waterhouse asked about the large doors and Mr. Tomascak stated that he owns a camper, excavator and chipper. Curt Burrows reminded Mr. Tomascak to send out cards, take more pictures, note anything off site on the map and come to public hearing. Dr. Susan Lowenthal asked how many drivers are at the house.

William Conti made a motion to set the Public Meeting for Tuesday, February, 17, 2015

Motion: William Conti

Second: Peter Losee

Vote: 6-0 – All in Favor

Time Closed: 7:46 PM

8. **Laure – 239 West Street** – Received and set public hearing (2/17/15) for Special Exception Restaurant & catering.

Time Opened: 7:47 PM

Summary: Commission –Patti and Martin Laure would like to go into the building which hosted Hannah’s bakery. The building is zoned for a bakery and they would like to open up a restaurant and catering business. Mrs. Laure stated they currently cater and my husband, Martin works at the Pantry. Mrs. Laure stated they have lived in Litchfield for 10-12 years and have four children.

William Conti asked what type of business is it now. Mrs. Laure stated that it is just catering. Chairman Thomas Waterhouse stated they cater with a modification to sell coffee. Chairman Thomas Waterhouse also stated they site has 8 parking spots and one handicap spots. Mrs. Laure is requesting sitting for ten.

Dr. Susan Lowenthal questioned who owns the building and is everything the same on the map. Mrs. Laure stated that Ted Murphy owns the building. Mr. Murphy stated everything is the same. Dr. Susan Lowenthal questioned the parking. If you have one or two cars for employees then you would only have six more parking spaces for customers eating. Mrs. Laure asked if they have to park at the site. Dr. Susan Lowenthal asked where they would park then? Dr. Tobin and William Conti stated to verify parking.

Peter Losee questioned food delivery and how the truck would bring in the food. Peter Losee wants to make sure the delivery of the food will be safe for ongoing traffic. Dr. Tobin asked if they called the water authority since they have a sewer.

William Conti made a motion to set the Public Meeting for Tuesday, February, 17, 2015

Motion: William Conti

Second: Peter Losee

Vote: 6-0 – All in Favor

Time Closed: 7:59 PM

II. REGULAR MEETING

9. **Old Business: None**

10. **New Business: None**

11. **Correspondence:**

The following letters were read into the record:

- a. January 14, 2015 – J.L. Manes sent a letter to Litchfield Planning and Zoning Commission regarding the City of Torrington Anti Blight Regulations. The letter state that “Possibly the Commission may use them to consider possibly using them to draw up a set of reg’s for Litchfield.” This is referencing Hardscrabble LLC is a distillery located at 569 Bantam Road. The letter is “requesting your commission consider specifically allowing for a “Distillery” category in the industrial zone”.

- b. Connecticut Federation of Planning and Zoning Agencies – Quarterly Newsletter- Winter 2015.
- c. Connecticut Federation of Planning and Zoning Agencies – Save the Date – CFPZA Annual Conference March 26, 2015 at Aqua Turf.
- d. Northwest Hills Council of Governments– Save the Date – Northwest Hills COG’s “5th Thursdays Forums” for Land Use Commissions. Dr. Tobin stated that the Commission should go and if we get enough people to attend, they will come to Bantam.
- e. Connecticut Land Use Law for Municipal Land Use Agencies, Boards, and Commissions. – Connecticut Land Use Seminar, Saturday, March 21, 2015.

III. ADJOURNMENT

Motion: William Conti motioned to adjourn the 01/20/15 meeting

Second: Dr. Susan Lowenthal

Vote: 6-0 – All in Favor

Time Closed: 8:25 PM

Respectfully Submitted,



Nancy Latour, Recording Secretary

Recording date 01/20/15