

**Planning and Zoning Commission**  
**Regular Meeting Minutes**  
**July 21, 2014 - 7:00 p.m.**  
**Town Hall Annex**  
**80 Doyle Road, Bantam, CT 06750**

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

Introduction of Alexander Gros, Recording Secretary

**1. Members Present:** Curtis Barrows, Chairman Thomas Waterhouse, Carol Bramley, Susan Lowenthal, Peter Losee, David Pavlick arrived at 7:18

**Members Absent:** Edmund Doyle, William Conti, Ralph White, and Denise Schlesinger

**Appointment of Alternates:** No alternates present

**Persons of Note:** Land Use Administrator Dennis Tobin, Ph.D.; Recording Secretary Alexander Gros

**2. Approval of June 16, 2014 minutes**

**Motion:** C. Barrows made motion to approve, providing the incorrect spelling of Commissioner Pavlick's name is amended

**Second:** P. Losee

**Vote:** The motion carried unanimously with S. Lowenthal abstaining, as she was not present at the 6/16/14 meeting.

**3. Public Comment:** none

**4. Commissioner's Requests**

C. Bramley reminded commissioners to attend the NWCOG meeting on July 31<sup>st</sup>, 2014 at the Wish House by the Cornwall Bridge in Cornwall, CT.

**Motion:** Chairman Waterhouse moves to add discussion of appointment of new commissioner to agenda under new business

**Second:** P. Losee

**Vote:** 5 to 0 unanimous vote of approval to discuss the appointment under new business

**II. PUBLIC HEARING**

**5. Carpenter – 290 Northfield Rd. – Special Exception Accessory Apartment (Article V, Section 1)**

**Time Opened:** 7:15

**Summary:** Applicant Maureen Carpenter proposed an accessory apartment to be constructed above an existing 3-car garage on her single family, 29.38-acre property. It will be about 18% of the house. There will be no signage. No hotel/motel, convalescent home or other special accommodations. Sewer and water are present on sight.

**1<sup>st</sup> Motion:** C. Bramley motions to close public hearing

**Second:** C. Barrows

**Vote:** 6 to 0 unanimous vote of approval to close public hearing

**Time Closed:** 7:23

**2<sup>nd</sup> Motion:** C. Bramley motions to approve application for a special exception accessory apartment at 290 Northfield Rd.

**Second:** D. Pavlick

**Vote:** 6 to 0 unanimous vote of approval of application

### **III. APPLICATION RECEPTIONS**

**6. Donne – 24 Brook Hill Rd.** – Receive and set public hearing (8/18/14) for Special Exception Home Occupations for massage therapy/healing arts practice (Article V, Section 13).

**Summary:** Applicant Deborah Donne would like to use a small space on the first floor of her single family home for massage therapy practice. The Applicant has been practicing in Litchfield for 15 years, is winding down the practice, and wants to move the space to her home to cut costs. No changes to the space are needed. There is parking for 2 cars and, because the Applicant expects roughly 6 to 8 clients per week, the practice will not affect traffic. There will be no signage/advertising.

Applicant submitted photographs at 7:29 p.m.

Dr. Tobin asked what healing arts entailed and if the applicant was licensed to practice. The applicant clarified that healing arts do not require a license, but that she is a licensed masseuse. S. Lowenthal asked to amend the practice title to read, “massage therapy”.

Applicant amended business title from “healing arts” to “massage therapy”. Applicant agrees to notify residents within 150 ft. of the proposed massage therapy business in accordance with the public hearing procedure.

**Motion:** C. Bramley motioned to set the application for public hearing on 8/18/14

**Second:** C. Barrows

**Vote:** 6 to 0 unanimous vote to set public hearing

**Time Closed:** 7:36

**7. Friends of the Litchfield Community Greenway, Inc. - South Lake & Whites Woods Rd.**  
– Receive and set public hearing (8/18/14) for Special Exception Outdoor Recreational Use to construct 2,800 foot recreational trail (Article V, Section 22).

**Summary:** Dr. Tobin noted that wetlands approval has been granted and that the Friends of the Litchfield Community Greenway, Inc. have been approved by Design Review Advisory Committee.

Chairman Waterhouse read the application: an old railroad bed use is being converted into a 2,800 linear foot recreational outdoor bike/walking trail on 3.3 acres. Two 26 x 24 inch signs will be erected. Berkshire Engineering of Bantam, CT has been hired for professional engineering.

Applicant Clifford Cooper, President of Friends of the Litchfield Community Greenway, Inc. explained that the section of trail that needs approval is the 2,800 foot “ghost trail, which is located between the bottom of South Lake St. and Whites Woods Rd. It is already being used as an unapproved recreational trail.

S. Lowenthal expressed concern about safety, maintenance, and the owner of the property.

Applicant noted that bollards will be placed at the entrance to the trail to prevent vehicles from entering the path. They are removable for emergency and maintenance access, and CL&P will have a key. Friends of the Litchfield Community Greenway, Inc. currently have a signed maintenance agreement with CL&P and an unsigned license agreement with CL&P.

Chairman Waterhouse says the commission will need a signed agreement with CL&P for application review.

The applicant expresses his opinion that parking is not part of the application, nor should it be. There are ample places to park throughout the trail. If parking is as an issue, it is the Town’s concern and the burden should not be placed on Friends of the Litchfield Greenway.

Dr. Tobin explained a public hearing would bring many issues to the forefront. Commissioners requested that the Friends of Litchfield Greenway address pressing issues (CL&P contract, safety, parking, etc.).

The commission and Applicant agreed to use the August Planning & Zoning Commission meeting to clarify issues before setting a public hearing.

**Time Closed:** 8:19

#### **IV. REGULAR MEETING**

- 8. Land Use Administrator’s Report –**  
    **a. Recording secretary introduction**

b. Permits, Enforcement, Budget, Office – Economy is strong regarding housing – the busiest in four years. People are building decks, pools, and houses. Enforcement is mostly of new signs.

c. **RFP/RFQ** – Dr. Tobin reported no bids. He believes several companies would re-submit if RFP were re-advertised. He expressed confidence in the re-bidding process. He outlined the RFP process as follows:

September 10 – Bids will be opened

September 15 – Planning and Zoning Commission chooses a contractor

September 16 – Choice is presented to Board of Selectmen

## **9. Old Business - None**

## **10. New Business**

a. Chairman Waterhouse read Commissioner **Edmund Doyle's Resignation** Letter into the minutes:

“15 July 2014

Dear Ms. Losee,

It is with the utmost regret that I must resign my position on the Planning and Zoning Commission due to the fact that I am changing my residence and will no longer be a resident of Litchfield. I have enjoyed working with the Commission and I hope that the citizens of Litchfield appreciate the many hours of work that the commissioners devote to making Litchfield a better place.

Best Regards,  
Ed Doyle”

b. Commissioners agreed to add the election of a regular commissioner and/or an alternative member first on the agenda to the August 18, 2014 meeting

## **11. No executive session**

## **12. Correspondence**

- a. **Two letters from Sprint Spectrum were received with the following subject notes:**  
**June 23, 2014** – “Sprint Spectrum notice of intent to modify an existing telecommunications facility located at 383 Torrington Road, Litchfield, Connecticut.”  
**The letter was read into the minutes.**  
**July 11, 2014** - “Sprint Spectrum notice of intent to modify an existing telecommunications facility located at 1293 Bantam Road, Litchfield, Connecticut.”

**V. ADJOURNMENT**

**Motion:** S. Lowenthal motions to adjourn the July 21 regular meeting

**Second:** D. Pavlick

**Vote:** 6 to 0 unanimous vote of approval

**Time Closed: 9:17**

Respectfully Submitted,



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Alexander Gros, Recording Secretary

7/22/14