

Litchfield Planning and Zoning Commission
Town Hall Annex Gym, 80 Doyle Road
Bantam, CT 06750
Regular Meeting Minutes
October 6, 2014 – 7:00 p.m.

Call to Order: Chairman Waterhouse called the regular meeting to order at 7:01

1. Members Present: Curtis Barrows, Carol Bramley, Peter Losee, David Pavlick, Denise Schlesinger, Chairman Thomas Waterhouse

Alternate Members Present: William Conti

Members Absent: Susan Lowenthal

Appointment of Alternates: William Conti

Persons of Note: Land Use Administrator Dennis Tobin, Ph.D.

2. Approval of September 15, 2014 Minutes

Motion: D. Pavlick motioned to approve 9/15 minutes with the following corrections:

Under Item 1, “Denis” be changed to “Denise”

Under Item 7, “semi-automatic weapons” be changed to “fully automatic weapons”

Under Item 8, it be noted that C. Barrows recused himself from the discussion

Second: P. Losee

Vote: 7-0 unanimous vote of approval

3. Public Comment: none

4. Commissioner’s Requests: none

I. Planning Meeting

5. Revised RFP/RFQ update and bid schedule

Summary of Revisions: Bids will be accepted until Monday November 3rd, which is the date of Planning and Zoning Committee’s next Planning Meeting. Dr. Tobin will return all bids to commissioners by said meeting and the committee will review the bids and deliberate at that time.

Capital funds will remain in place despite the project being carried out over two fiscal years. The original penalty of \$200/day for work carried out after the project deadline was removed from the RFP/RFQ.

Dr. Tobin codified an incremental pay schedule for the winning contractor.

The insurance required under Item 16 was deemed not required for urban planners and social science work.

D. Pavlick expressed concern about the amount of insurance required for the job. C. Bramley and Dr. Tobin noted that the amount was relatively standardized by state requirements.

6. Land Use Administrator Report – Permits, Enforcement, Budget, Office

Enforcement – Two new comprehensive reports were distributed to commissioners

Issue 14-1: “Notice of required zoning permit”

Issue concerns a non-conforming manufacturer in Northfield.

Dr. Tobin concluded that the non-conforming operator needs to apply for a special exception permit, which will then be brought before the Planning and Zoning Committee for a vote.

He added that the Planning and Zoning Commission deals with conformity by definition, while the Zoning Board of Appeals deals with non-conformity.

Issue 14-3. “Jailhouse”

C. Bramley recused herself at 7:25.

Summary: Building owner wants to hold an approximately 3-hour fundraiser in December. The problem is that the jail has been out of use for a number of years and is no longer classified.

More, the building has no planning/zoning record.

Chairman Waterhouse expressed that nothing can be done with the building until it is reclassified, regardless of the type of event or its duration.

Dr. Tobin determined the building owner needs to apply for a special exception permit.

Dr. Tobin will meet with the building owner’s lawyer in a formal administrative capacity to discuss submitting a formal application for a special exception permit.

C. Bramley returned to the meeting at 7:32

Permits – Dr. Tobin approved a non-conforming sign permit for American Legion Post 27’s billboard-style signage at 418 Bantam Road so the sign may be restored in case of damage or ruin.

7. Zoning Regulations Review –

Article IV – Area, Dimension, Regulations

Section 3 – Exceptions to area and dimension requirements

The commission discussed the distinction between special exception and non-conforming sites.

A number of non-conforming sites that have previously come before the committee were

discussed, along with what might happen if these buildings were to change owners and/or type of usage. Setbacks required by current law are impractical or impossible when dealing with the old, non-conforming sites that are prevalent in Litchfield.

Upon review, some areas of concern with current zoning regulations include:

P. 25 - Non-conforming lots and setback standards

P. 26 - Corner Lots, Through Lots, and Lots in Two Zones

Height Exceptions – potentially out-dated due to technological advancement
Fences – no height limit is an out-dated necessity
P. 28 – The definition of personal business in an RMF needs to be expanded and/or clarified.
The commission sought clarification on the definitions of “personal business” and “home occupation”.

8. **Old Business:** none

9. **New Business:** none

10. **Executive Session to discuss pending litigation**

Motion: D. Pavlick motioned to enter Executive Session

Second: C. Barrows

Vote: 7-0 unanimous vote of approval

Time opened: 8:24

Motion: W. Conti motioned to close Executive Session

Second: C. Bramley

Vote: 7-0 unanimous vote of approval

Time closed: 8:27

Summary: No action taken

11. **Correspondence:** none

II. Adjournment

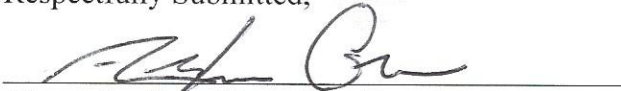
Motion: C. Bramley motioned to adjourn 9/15/15 regular meeting

Second: W. Conti

Vote: 7 -0 unanimous vote of approval

Time Closed: 8:28

Respectfully Submitted,



Alexander Gros, Recording Secretary

Recording Date 10/6/14