

Litchfield Planning and Zoning Commission
Town Hall Annex Gymnasium, 80 Doyle Road
Bantam, CT 06750
Regular Meeting Minutes
October 20, 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, Susan Lowenthal, David Pavlick, Denise Schlesinger, Chairman Thomas Waterhouse

Alternate Members Present: none

Members Absent: none

Appointment of Alternates: none

Persons of Note: none

2. **Approval of October 6, 2014 Regular Meeting Minutes**

Motion: C. Bramley motioned to approve the 10/6/14 minutes with the following corrections:
Under Item 7, the information regarding “fences” be stricken for irrelevance
Under Issue 14-3, it be added that C. Bramley recused herself from discussion “due to financial ties to White Bridge Farm”

Second: D. Pavlick

Vote: 6-0 vote of approval with S. Lowenthal abstaining due to her absence from the meeting

3. **Public Comment:**

Michele Crow, 76 South Lake St., expressed concern about the parking issue on South Lake Street and recommended traffic calming techniques as a possible solution. The issue falls outside the commission’s purview and she was directed to the Board of Selectmen. Ms. Crow also voiced her opinion that the commission should take the opportunity to stop big box stores from coming in to town by revising zoning legislature.

4. **Commissioner’s Requests:** none

I. PUBLIC HEARINGS

5. **Mane – 66 Goslee Rd.** – Home Occupation (Article V, Section 13) for sale and transfer of firearms

Time Opened: 7:13

Summary: The applicant, Lou Mane, sought approval of a part-time business dealing with the sale and transfer of firearms to be located in a space less than 100 square feet on his 4.4 acre property. The applicant has 36 years involvement in the firearms industry and will be the owner/sole employee of the business. The proposed business would be about 95% e-commerce/internet firearm sales, mainly items purchased at shows and auctions. There will be no business solicitation. As such, transactional activity at his home would be limited to those invited by personal invitation, i.e. friends, acquaintances, and relatives. The home occupation will require no modifications to the property, no signage, and no on street parking. The applicant added he has no expectation to scale the business, as it is his hobby. The applicant noted that there are currently 4 federally licensed firearms dealers operating in Litchfield. The applicant added he would not sell any ammo, and customers must not only be 21 years of age but also be in possession of a permit to purchase firearms, which includes a federal background check. The applicant remains responsible to the federal government for his sale logbook for 20 years.

The applicant sent the required green cards to his neighbors about the proposed business in compliance with the town law. He submitted three of the green cards (neighbor notification cards) to the committee. The applicant also submitted diagrams of his gun safe and police monitored security system to the committee for review.

The committee read a letter from the file written by Dr. Tobin dated October 20, 2104 that stated he “discovered no physical zoning issues with this application”.

S. Lowenthal asked the applicant if he was the only approved party to handle the firearms. The applicant replied, “yes” and noted he is seeking the Planning and Zoning Commission’s approval so that he may apply for a permit from the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Applicant added he is willing to notify committee if he does not get approval from the ATF and State of CT.

Applicant also noted that, with an ATF permit, he could hold a semi-automatic weapon for up to 90 days in his home before Connecticut law requires he sell it out of state or destroy it. If the applicant fails to do so, he will become a felon.

Public Comment Opened: 7:34

Michele Crow, 76 South Lake St., asked if the firearms would be antique or new. Applicant clarified that he has historically worked with antique firearms and deals with vendors rather than manufacturers. He noted it is much easier for customers to buy new firearms from a chain store like Cabella’s or Walmart than from him.

Motion: C. Barrows motioned to close the public hearing on Mane, 66 Goslee Rd.

Second: D. Pavlick

Vote: 7-0 unanimous vote of approval

Time Closed: 7:37

Motion: C. Barrows made motion to approve a Home Occupation (Article V, Section 13) for the sale and transfer of firearms at 66 Goslee Rd., Bantam, CT provided the applicant notify the committee if he fails to receive a firearms license from the ATF.

Second: D. Pavlick

Vote: 7-0 unanimous vote of approval

6. Friends of the Litchfield Community Greenway, Inc. – South Lake Street & Whites Woods Road – Special Exception Outdoor Recreational Use to construct 2,800 foot recreational trail (Article V, Section 22)

Time Opened: 7:40

Summary: Friends of the Litchfield Community Greenway, Inc. submitted a packet of information to the file that included an added provision about pet waste, a proposed quarterly maintenance schedule, bike path bollard information, notes on the South Lake St. parking issue from the Regular Meeting of the Litchfield Board of Selectmen, and an op-ed article from Litchfield.bz on the proposed greenway.

Clifford Cooper, President; Berta Andrulis Mette, Vice President; and directors Matt Blasavage, Jeff Pratt, and John Clock represented the proposal.

Chairman Waterhouse expressed interest in vandal-proof waste receptacles (trash, recycle, dog waste) at trail's two entrance points. He was concerned this would require weekly cleanup rather than quarterly. C. Barrows raised concern with plastic bags creating the opposite effect - causing an increase of trash disposed in the woods.

Regarding bollards, Mr. Cooper voiced his opinion that bollards are actually preferred over gates. By researching the issue, Mr. Cooper found bollards are easier to navigate by emergency vehicles, bikers, and strollers.

Ms. Andrulis Mette read an excerpt from the Board of Selectmen's meeting minutes from October 7, 2014, which explained that the Board of Selectmen has endorsed a study on the "Parking Issue at the End of South Lake Street". Chairman Waterhouse brought up his continued concern with the issue. The Committee expressed confidence that the parking issue will be resolved by the town's efforts.

Public Comment Opened: 8:03

Denise Butwill, 91 S. Lake Street, asked if the Planning and Zoning Commission has regulations about creating a parking lot in a residential zone. Chairman Waterhouse responded that this is a municipal concern outside the town's purview.

President of the Litchfield-Morris Rotary Club Lynn Alexander, 171 South Street, expressed support personally and as the head of her organization. She said the greenway would increase safety and eco-tourism.

Ted Murphy, 385 South Street, expressed support for the greenway as a project that would help local businesses by attracting new customers to the area with eco-tourism.

Michelle Crow, 76 South Lake Street, voiced concern that plastic bags may promote people to throw waste into woods. She expressed concern about overdeveloping area and noted that White Memorial successfully employs a policy of “leave no traces, only footprints”/“carry in; carry out” regarding trash and waste.

Barrows expressed interest that no provisions be attached to approval of the greenway, except bollards for safety reasons.

Alan Brennan, Gallows Lane, expressed support for trail and concern with parking stating that “Wherever people park, there will be trash.”

Motion: S. Lowenthal motioned to close the public hearing on the Litchfield Community Greenway

Second: C. Bramley

Vote: 7-0 unanimous vote of approval

Time Closed: 8:21

Motion: S. Lowenthal motioned to approve the application for construction of a 2,800 foot recreational trail as Special Exception Outdoor Recreational Use (Article V, Section 22)

Second: P. Losee and D. Pavlick second simultaneously

Vote: 7-0 unanimous vote of approval

II. REGULAR MEETING

7. **Old Business:** none

8. **New Business:** none

9. **Correspondence:**

The following letters were read into the record:

October 9, 2014 - Mitchell S. Fishman sent an email to alternate commission member William Conti (who then sent the letter to the Land Use Department) regarding a state-sponsored report on model zoning regulations on subjects including solar access units, live-work units (home based business), green roofs, community gardens, and urban farming.

October 14, 2014 – EM-CING-074-141003 – “AT&T notice of intent to modify an existing telecommunications facility located at 383 Torrington Road, Litchfield, Connecticut.”

NHCOG submitted a flier for its “5th Thursdays Forum” to be held Thursday, October 30 from 6:30-8:00 p.m. at the Goshen Town Offices on 42 North Street in Goshen.

III. ADJOURNMENT

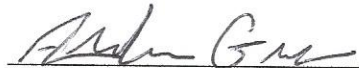
Motion: C. Barrows motioned to adjourn the 10/20/14 meeting

Second: P. Losee

Vote: 7-0 unanimous vote of approval

Time Closed: 8:31

Respectfully Submitted,



Alexander Gros, Recording Secretary
Recording Date 10/20/14

DRAFT