

LITCHFIELD PLANNING AND ZONING COMMISSION

Town Hall Annex,
80 Doyle Rd., Bantam, CT
REGULAR MEETING MINUTES
July 17, 2017 7:00 p.m.

Call to Order: Chairman Waterhouse called the Regular Meeting to order at 7:05 pm.

Member Present: Guy Baldwin, Carol Bramley, Abby Conroy, Peter Losee, Michael Thomas, Denise Schlesinger Thomas Waterhouse

Member Absent: Mitchell Samal

Alternate Members Present: William Conti, Nancy Tarascio-Latour

Also Present: Dr. Dennis Tobin, PhD

1. Appointment of Alternates: William Conti
2. Commissioners' requests: Carol Bramley made a motion to add to the agenda The Stop & Shop Supermarket Company, LLC - 55 Village Green Drive– Receive and set public hearing (8/12/17) for Minor Site Plan Modification for Outdoor Display of Seasonal Merchandise. Abby Conroy seconded. Vote: 7:0. All in favor.

PUBLIC HEARINGS

3. **The Forman School – 37 Norfolk Rd.** - – Special Exception application to convert single family residence into two family dwelling (duplex). **WITHDRAWN**
Letter was presented from Forman School, June 21, 2017, Re: This our formal notice that The Forman School has withdrawn their application.
4. **Bochicchio – 85 Newton Rd.** – Special Exception Shop & Storage use for tree service.
William Bochicchio presented an overview to the Commission regarding his truck and the piles of wood on the property. Mr. Bochicchio presented a letter as well as the green cards. Mr. Bochicchio stated the big piles are from Eversource telling the neighbor to take down the tree.
Letters from Neighbors:
 - a. Terrance O'Brian, Northfield, Letter on file. Mr. O'Brian is in favor.
 - b. Sandra and Victor Bequary, Northfield, Letter on file. The Bequary's are in favor.

The Commission spoke about a site visit, wood pile and open space.

Public Comment:

- a. Georgene Summers, Northfield. Ms. Summers stated the truck and wood chipper have been at the property for several years. Pictures have been presented from July 2016 to June 2017 showing stack of wood (Pictures are on file). Ms. Summers is not in favor.
- b. Mark Macary, Northfield. Mr. Macary stated the town took down the tree. They were very large pieces and Mr. Bochicchio helped with the wood pile. Mr. Macary stated the wood pile. Mr. Macary is in favor.
- c. Paul Hunter, Northfield. Mr. Hunter concerned this is a business and how do you limit his use? Mr. Hunter is not in favor.
- d. Georgene Summers, Northfield. Why would Bill move his truck and wood pile if it is just for personal use?
- e. Frank Stack, Northfield. People cut wood and stack all the time in Northfield. Mr. Stack is in favor.

- f. Chris Ringeust, Northfield. Bill does have a part time position. He burns the wood, split and stack. The piles are we looking at are from a large tree that had to come down. Mr. Rengeust is in favor.

Abby Conroy made a motion to close the public hearing. Carol Bramley seconded. Vote: 7:0. All in favor.

Carol Bramley made a motion to approve Bochicchio – 85 Newton Rd. – Special Exception Shop & storage use for tree service confine with the following conditions; (a) Wood shed behind the garage to minimize view from street; (b) Vehicle equipment stored alongside of garage and (b) Maintenance of evergreen buffer in rear. Peter Losee Seconded. Vote: 7:0. All in favor.

Carol Bramley recused herself as a regular member as of 8:13 pm.

William Conti is now seating as a regular member as of 8:13 pm.

5. **7 North Street, LLC – 7 North St.** – Modification to Special Exception approval for replacing office use (3rd floor) with 1 apartment for a total of 4 dwelling units.

Gail McTaggart, Attorney and Milton Gregory Crew, Architect presented an overview to the Commission. A letter was submitted, Secor, Cassidy & McPartland, P.C., July 17, 2017, Re: Old Litchfield County Jail Property at 7 North Street/SCM 140383. Spoke about parking based on your previous zoning regulations and your current regulations. Onsite parking for the residences. First special exception application residence in area of office spaces. Changes are internal only.

Public Comment: None

Abby Conroy made a motion to close the public hearing. Michael Thomas Seconded. Vote: 7:0. All in favor.

William Conti made a motion to approve 7 North Street, LLC – 7 North St. – Modification to Special Exception approval for replacing office use (3rd floor) with 1 apartment for a total of 4 dwelling units. Abby Conroy seconded. Vote: 7:0. All in Favor.

6. **7 North Street, LLC – 7 North St.** – Special Exception uses (1st and 2nd floors) -bakery, business/professional offices, caterer, retail (convenience), retail (grocery small), retail (personal service), retail (small shop).

Gail McTaggart, Attorney, Milton Gregory Crew, Architect and Russ Barton presented an overview to the Commission. A letter was submitted, Secor, Cassidy & McPartland, P.C., July 17, 2017, Re: Old Litchfield County Jail Property at 7 North Street/SCM 140383. Attorney McTaggart spoke about retail (grocery small) and parking. Four plans were submitted. No increase in parking requirements due to parking in public spaces.

Dr. Tobin stated you will need to submit plans to the Building Inspector for approval. The uses will have to be noted on the plans. The Commission discussed signage.

Public Comment: None

Abby Conroy made a motion to close the public hearing. Michael Thomas seconded. Vote 7:0. All in favor.

William Conti made a motion to approve 7 North Street, LLC – 7 North St. – Special Exception uses (1st and 2nd floors) -bakery, business/professional offices, caterer, retail (convenience), retail (grocery small), retail (personal service), retail (small shop) with the subject to a new site plan submitted to the Land Use Department. Abby Conroy Seconded. Vote: 7:0. All in Favor.

**William Conti is no longer seated as a regular member as of 8:52 pm.
Carol Bramley is now seated as a regular member as of 8:54 pm.**

RECEPTIONS

7. Hunters Chase erosion & sedimentation control bond release

Carol Bramley made a motion to approve \$1,500 for legal review fee for Hunters Chase. Guy Baldwin seconded. Vote: 7:0. All in favor.

Mark Calen of Hunters Chase presented an overview to the Commission. The return of the monies. Chairman Waterhouse stated to postpone this meeting. Dr. Tobin stated we have 65-day to release the monies.

A. Letter submitted: Byrne & Byrne, LLC, July 14, 2017, Re: Request for Release of Cash Bond.

B. Harlow, Adams 7 Friedman, P.C., June 27, 2017, Re: Hunter's Chase at Litchfield erosion and sedimentation control bond.

Review is scheduled for August 21, 2017.

8. Stack - 31 McBride Rd. – Receive and set public hearing (8/21/17) for Special Exception two-family dwelling (duplex) for second and third floors of building.

Frank Stack and Frank Stack, Jr. presented an overview to the Commission.

Dr. Tobin read a letter from the Town of Litchfield, Land Use Office. Notice of Violation #: 17-3, Re: Residential use in Special Exception Manufacturing – Retail Use. We can stay in enforcement until we resolve this issue. Required Action: Remove residential units, and/or apply for duplex special exception, and/or single family dwelling as permitted in the RR zone.

The Commission discussed the type of use. Dr. Tobin spoke about previous approval from the Commission. Letter dated 9/25/15, Reg: 31 McBride Road Application, Dated 9/3/15. Zoning can only approve 2 units.

Carol Bramley made a motion to send Stack - 31 McBride Rd. –to public hearing (9/18/17) for Special Exception two-family dwelling (duplex) for second and third floors of building. Michael Thomas seconded. Vote: 7:0. All in favor.

Carol Bramley made a motion to stay the enforcement of the notice of the violation, Number # 17-3 until the public hearing on 9/18/17. Abby Conroy seconded. Vote 7:0, All in favor.

8.a.: The Stop & Shop Supermarket Company, LLC - 55 Village Green Drive– Receive and set public hearing (8/12/17) for Minor Site Plan Modification for Outdoor Display of Seasonal Merchandise.

John Hession and Joe Sandson spoke about Blue Rhino and the covered canopy to provide a space for seasonal items. We take responsibility of what happened and would like to formalize an approval

Dr. Tobin spoke about outdoor merchandise and unloading materials and receiving pictures of these items. Speak to the Fire Marshall regarding Blue Rhino.

The meeting will be posted until August 21, 2017.

9. Approval of Minutes of June 19, 2017

Carol Bramley made a motion to approve the Minutes of June 19, 2017 with the following exceptions. Abby Conroy seconded. Vote 6:0:1. (Denise Sch recused) All in Favor.

- a. #7 – I have a bucket truck and chipper and would like to hese them in storage. To: I have a bucket truck and chipper and would like to these them in storage
- b. #7 – Carol Bramley left the meeting at 8:50 pm. To Carol Bramley recused herself at 8:50 pm.

- 10. Public Comment None
- 11. Old Business None
- 12. New Business None
- 13. Possible Executive Session to discuss pending litigation None
- 14. Correspondence None

Carol Bramley made a motion to close the meeting. Guy Baldwin seconded. Vote: 7:0. All in Favor.

Meeting ended at 9:59 pm.



Nancy C. Latour, Recording Secretary

Date: 7/18/17

Thomas Waterhouse, Chairman

Date: 7/ /17