

LITCHFIELD PLANNING AND ZONING COMMISSION

Town Hall Annex,
80 Doyle Rd., Bantam, CT
REGULAR MEETING MINUTES
June 19, 2017 7:00 p.m.

- Call to Order: Chairman Waterhouse called the Regular Meeting to order at 7:01 pm.
- Member Present: Guy Baldwin, Carol Bramley, Abby Conroy, Peter Losee, Michael Thomas, Thomas Waterhouse
- Member Absent: Mitchell Samal, Denise Schlesinger, William Conti
- Alternate Members Present: Nancy Tarascio-Latour
- Also Present: Dr. Dennis Tobin, PhD
1. Appointment of Alternates: Nancy Tarascio-Latour
2. Commissioners' requests: Chairman Waterhouse has requested the Barn Committee to schedule a meeting in August for the month of September. We have no planning meetings till September.

Peter Losee is now seated as a regular member at 7:05 pm

PUBLIC HEARINGS

3. **Hart – 80 Goslee Rd.** - Special Exception accessory apartment. (PH opened 4/17/17))
Michael and Kristen Hart presented an overview to the Commission. The Hart's received Torrington Area Health approval. The plan submitted shows 5 bedrooms. The Town of Litchfield classifies the property as a 5 as well as Torrington Area Health. Public Comment: None.
Carol Bramley made a motion to close the public hearing. Michael Thomas seconded. Vote: 7:0. All in Favor.
Carol Bramley made a motion approve Hart – 80 Goslee Rd. - Special Exception accessory apartment. Michael Thomas Seconded. Vote: 7:0. All in Favor.
4. **The Forman School – 37 Norfolk Rd.** -- Special Exception application to convert single family residence into two family dwelling (duplex).
Adam Man and Bob Scodori, of The Forman School presented an overview to the Commission. We were made aware, 2 years ago and through the sale process and we were notified it was not legal. This will be used for faculty use only. A letter was read by the Commission from Torrington Area Health. A Letter was read by The Forman School, May 2, 2017, Re: The Forman School Request for Special Exception, 37 Norfolk Road. We are very good neighbors, numerous improvements. We address any concerns.
- Public Comment:
1. Thomas Hogan: Submitted two Deed's. This has been used as a 2 family since 1988. Who occupied it? (A) June 6, 1988. If this application is approved, then this is a precedent and affects the character of the neighborhood.
 - a. Does the applicant acknowledge from Sherry Fowley a use restriction? A deed was submitted.
 2. Beverly Wawer: A gate way residence in Litchfield.

3. Mark Wawer: Attorney Wawer stated he represented Sherry Fowley for the sale of the property to Forman School. As far as a 2 family dwelling, each lot has a restriction. Attorney Wawer noted several regulations: property value, essential characteristics, restricted by the deed. We all have it on our deed's.
 - a. Dr. Tobin stated he informed Forman it was an illegal apartment. We do not enforce deed restrictions. This Deed restriction is in 1950's and everyone on the street has the same deed restriction. It provides a description. The Commission stated: We have had the ability to approve an accessory apartment for a single family house.
4. Judith Hogan: We are concerned about property value. Forman Schools values are different than a private homeowner. This is an opinion and not statement of fact.
5. Richard Sandrib: Septic systems may not have been to code. The basement has had water issues in the basement.
6. Jeanne Sandrib: No Comment
7. Tony Johns: Assumed the Deed in the covenant was forcible. We also were informed that we were not going to see the new Arts Center from Norfolk Road and you can.
8. Elizabeth Whalen: We want to make sure we maintaining the character of the street.

Peter Losee made a motion to close the public hearing. Guy Baldwin seconded. Vote: 7:0. All in favor.

The Commission spoke about zoning, special exception, size requirement and deed restrictions.

Nancy Latour made a motion to collect \$2,500.00 for a review fee for the Town Attorney. Michael Thomas seconded. Vote: 5:2. Peter Losee and Guy Baldwin opposed. This item will be on the July 17, 2017 agenda.

5. **Litchfield Hollow Property Association – Litchfield Hollow Dr.** – Modification to re-subdivision approval to pave existing gravel common drive.
Dennis McMorrow from Berkshire Engineering and Surveying presented an overview. We are within 150 feet of Goshen, Torrington, and Litchfield. Wetlands approved the paved driveway. The common driveway is approved. We are just paving from gravel.

Public Comment: None

Carol Bramley made a motion to close the public hearing. Peter Losee seconded. Vote: 7:0. All in Favor.

Carol Bramley made a motion to approve Litchfield Hollow Property Association – Litchfield Hollow Dr. – Modification to re-subdivision approval to pave existing gravel common drive. Peter Losee seconded. Vote: 6:0:1, Nancy Latour, recuse.

APPLICATION RECEPTIONS

6. **Copeland – 342 Bantam Rd.** – Minor Site Plan Modification for a rear patio, entry/exit ramps and access drive.
Gary Copeland provided an overview to the Commission. The building is considered a rehab as per building inspection. This may be for smoking and may take their drink out with them on the patio. No waitress or food service.

Carol Bramley made a motion to approve Copeland – 342 Bantam Rd. – Minor Site Plan Modification for a rear patio, entry/exit ramps and access drive. Abby Conroy seconded. Vote: 7:0. All in Favor.
7. **Bohicchio – 85 Newton Rd.** – Receive and set public hearing (7/17/17) for Special Exception Shop & Storage use for tree service.

William Bohicchio provided an overview to the Commission. I have a bucket truck and chipper and would like to hose them in storage. The Commission requested detail area showing fencing, trees, belongs in a residential area, staging area. Dr. Tobin suggested the Commission visit the property.

Carol Bramley made a motion to send Bochicchio – 85 Newton Rd. – to public hearing on 7/17/17 for Special Exception Shop & Storage use for tree service. Abby Conroy seconded. Vote: 7:0, All in Favor.

Carol Bramley left the meeting at 8:50 pm.

8. **7 North Street, LLC – 7 North St.** – Receive and set public hearing (7/17/17) for modification to Special Exception approval for replacing office use (3rd floor) with 1 apartment for a total of 4 dwelling units. Russell Barton, apartment is on the 3rd floor. We thought about having 3 apartments. Now we are going to have office space on 2nd floor and 1 single apartment about 2,000 sq. feet. We have 4 garages. The sewer line under the building has been repaired. Dr. Tobin requested WPCA and Fire Marshall approval.
Abby Conroy made a motion to send 7 North Street, LLC – 7 North St. –to public hearing on 7/17/17 for modification to Special Exception approval for replacing office use (3rd floor) with 1 apartment for a total of 4 dwelling units. Michael Thomas seconded. Vote: 6:0. All in Favor.

9. **7 North Street, LLC – 7 North St.** – Receive and set public hearing (7/17/17) for Special Exception uses (1st and 2nd floors) bakery, banks/financial institutions, business/professional offices, caterer, drug store(small), philanthropic/instructional/educational, printing establishment, recreational & entertainment facility(outdoor), retail (convenience), retail (grocery small), retail (personal service), retail (small shop).

Russell Barten, Harriet Saltzman, Susi Stone provided the Commission with an overview. Dr. Tobin stated he can issue a building permit. Building inspector cannot approve without a building permit from P & Z.

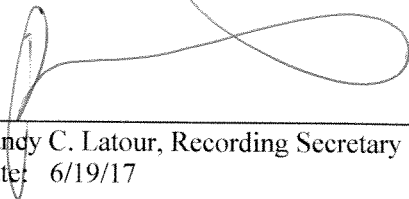
Abby Conroy made a motion to send 7 North Street, LLC – 7 North St. – to public hearing on 7/17/17 for Special Exception uses (1st and 2nd floors) bakery, business/professional offices, caterer, retail (convenience), retail (grocery small), retail (personal service), retail (small shop). Michael Thomas seconded. Vote: 6:0. All in Favor.

10. **Approval of Minutes of June 5, 2017**
Peter Losee made a motion to approve the Minutes of June 5, 2017. Michael Thomas seconded. Vote 6:0. All in Favor.

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

Guy Baldwin made a motion to close the meeting. Michael Thomas seconded. Vote: 6:0. All in Favor.

Meeting ended at 9:18 pm.



Nancy C. Latour, Recording Secretary
Date: 6/19/17

Thomas Waterhouse, Chairman
Date: 6/ /17