

## LITCHFIELD PLANNING AND ZONING COMMISSION

Town Hall Annex,  
80 Doyle Rd., Bantam, CT  
**REGULAR MEETING MINUTES**  
November 20, 2017 7:00 p.m.

Call to Order: Interim Chairman Bramley called the Regular Meeting to order at 7:01 pm.  
Member Present: Carol Bramley, John Cox, Guy Baldwin, Abby Conroy, Peter Losee, Max McIntyre, Denise Rapp  
Members Absent: William Conti, Mitchell Samal  
Alternate Members Present: Nancy Tarascio-Latour  
Also Present: Dr. Dennis Tobin, PhD  
Appointment of Alternates: None

1. Introduction of New Commissioners  
Commission members introduced themselves.
2. Election of Interim Officers: Chairman, Vice Chairman  
***Guy Baldwin made a motion to nominate Carol Bramley for Interim Chairman. Abby Conroy seconded. Vote: 7:0. All in Favor.***  
***Guy Baldwin made a motion to nominate to Peter Losee for Vice Chairman. Abby Conroy seconded. Vote: 7:0. All in Favor.***
3. Appointment of Recording Secretary  
***Carol Bramley made a motion to appoint Nancy Tarascio-Latour for Recording Secretary. Abby Conroy seconded. Vote: 7:0. All in Favor.***
4. Appointment of Alternates: None
5. Commissioners' requests: None

### ***PUBLIC HEARINGS***

6. **67 Chestnut Hill Rd. – Singer** – Special Exception for Western Cowboy and Native American Museum.

Mr. Ebersol, Attorney and Mr. Singer presented an overview to the Commission. Pictures were presented. The scope of proposed use: The purpose is a museum of western cowboy and Native American memorabilia to be operated by Top O' World Farm Singer Family Foundation, Inc. as a private, non-profit corporation.

Mr. Singer presented a letter from Internal Revenue Service, Department of The Treasury, November 14, 2017, Reg: Section 501 (C) (3), Effective August 22, 2017.

Kenneth Hrica Associates, LLC., presented an overview of the Site Plan. Mr. Hrica reviewed parking and driveway, building, handicap parking location, Cultural Institution as a guide for parking, Torrington Area Health, no lighting (Museum will close at 4:00 pm – did not want any activity at night.), special exceptions- water, public safety, and site lines. traffic and sight lines.

Architect Cliff Cooper spoke about the building, under 1200 sq. ft., screen in-porch, net square feet, adding a ramp and changing the front entrance door. Mr. Cooper went to Design Review and they were approved. Building Inspector did not have any concerns.

Bruce Hunter, Real Estate Agent, CT Real Estate Appraiser, MAI, taught appraisals classes at UCONN, worked for Town of Litchfield, regarding Town Filing Station, Bantam Firehouse, Litchfield County Courthouse spoke about the impact of the museum and property values. Example – Cell Towers would have an impact. Inspected the neighborhood, development plan, physical and economical aspects, use of google maps, dwellings, economic impact, museums (Stanley Whitman House, Farmington, CT), states will not have a negative impact. Mr. Hunter presented a verbal opinion only.

Mr. Singer spoke about four other western museums in the States.

Attorney Ebersol provided copies of Glossary of Terms and Phrases and RR Rural Residences from the Litchfield Zoning Regulations. Mr. Singer will not change the status for any tax exemptions. Mr. Singer stated he has been a great neighbor, refused cell towers, selling portions of my property and I am shocked about the objections.

Letter: Secretary of The State of Connecticut, A Certificate of Incorporation of Non-Stock Corporation, August 23, 2017, Re: The Corporation shall not have members.

The Commission spoke about traffic, commuter hours, taxes, and regulations.

Letter: Byrne & Byrne: Opinion: 67 Chestnut Hill Road, RR Zone District. *“In my opinion, the Commission should find that the proposed use comes within the definition of philanthropic, instructional, and educational institutions and the special exception application can proceed.”*

Public Comment:

- a. Jason Griska. I took the photos for Mr. Singer. Mr. Griska is in favor.
- a. Mr. Witherspoon presented a letter. The Witherspoon Law Offices, November 16, 2017, Re: 61-67 Chestnut Hill Road. Letter is on file. Objection.
- b. Karen Griska. This is a charming building. The Singers keep the property beautiful. I am in favor.
- c. John Dyke. I am concerned about traffic. Objection.
- d. Philip and Margret Delves Broughton, November 17, 2017, Re: 67 Chestnut Hill Road. Letter is on file. Objection.
- e. Alan Cohen and Martha Green, November 16, 2017, Re: Museum of the American West, 67 Chestnut Hill, letter in opposition to request for Special Exception of Alvin Singer. Letter is on file. Objection.

Letters:

- a. May Bogdanovics and Egils Bogdanovis, November 20, 2017, Re: Al Singer Application for a museum on his property. Letter is on file. Objection.
- b. Meredith Penfield and Joy Fogarty, November 15, 2017, Re: Application for zoning variance by Mr. Singer on Chestnut Hill Road. Letter is on file. Objection.
- c. Michael Grella, November 17, 2017, Re: 61-67 Chestnut Hill Road. Letter is on file. Objection.

Mr. Singer stated this is false rumors regarding traffic and the cottage is an eye-sore.

Attorney Ebersol spoke about speeding – no measurable change, site plan – cultural institution, parking spots, septic system, definition of museum. The Commission spoke about other museums, Tapping Reave and the Historical Society. How many people? Mr. Singer stated; Maximum people – 5-10 people. How are they going to find out? Mr. Singer stated word of mouth.

***Peter Losee made a motion to close the public hearing at 9:17 pm. John Cox Seconded. Vote: 7:0. All in Favor.***

The Commission spoke about the legal opinion of Attorney Byrne, traffic, farms and the state park.

***Peter Losee made a motion to approve 67 Chestnut Hill Rd. – Singer – Special Exception for Western Cowboy and Native American Museum as submitted. Abby Conroy seconded. Vote: Yes: Abby Conroy, Peter Losee Vote: No: Max McIntyre, John Cox, Carol Bramley, Denise Rapp. Motion as denied due to the vote.***

7. **Ebersol** – Text Amendment to Zoning Regulations – General Standards and Requirements Signs, Section E.1.g.v. –“*Farm, Farm Winery, and Land Trust signs*”

Attorney Ebersol presented the Commission with an overview regarding Litchfield Land Trust in relations of signs on their properties. We want to preserve these lands.

Letters:

- a. Ebersol Text Amendment application for Signs Additional Amendments, November 14, 2017, Re: Glossary of Terms and Phrases and Amendments to Respective Residential Zone Regulations for Signs
- b. LR Large Rural Residences
- c. NHCOC, Referral Response, November 9, 2017, Re: Zoning regulation/Map amendment.

Public Comment:

- a. Bill Burgess spoke about farm land, signs and POCAD.

***Guy Baldwin made a motion to close the public hearing. Max McIntyre Seconded. Vote: 7:0. All in Favor.***

***Abby Conroy made a motion to approve Ebersol – Text Amendment to Zoning Regulations – General Standards and Requirements Signs, Section E.1.g.v. –“Farm, Farm Winery, and Land Trust signs” as per the following:***

***I. Glossary of Terms and Phrases***

***Proposed Addition: “Land Trust – an entity registered with the Secretary of State of a state, which entity’s purpose is to preserve land for agricultural, woodland and/or open space use, including land owned and/or lands in which the entity has a perpetual conservation easement***

***II. Amendments to Respective Residential Zone Regulations for Signs***

***In zone LR, RR and GR amend paragraph 4 of the respective zone requirements to read:***

***“A. One sign is allowed up to two square feet in area or up to 10 square feet in area for a Commercial Stable.”***

***“B. One sign of a maximum of sixteen square feet in area for a Farm, Farm Winery or for parcels owned by a tax-exempt Land Trust.  
In zone LR, RR and GR amend Paragraph 7 to add the following use:  
“Signs for Farm, Farm Winery and Land Trust – ZP”  
Denise Rapp seconded. Vote: 7:0. All in Favor.***

**8. Approval of Minutes of November 6, 2017**

Abby Conroy made a motion to approve the Minutes of November 6, 2017. Guy Baldwin Seconded. Vote:4:0:3 (Abstain: Max McIntyre, John Cox, Denise Rapp). Motion carriers.

9. Public Comment: None

10. Old Business None

11. New Business None

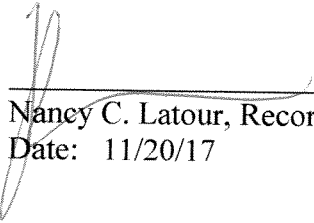
12. Possible Executive Session to discuss pending litigation

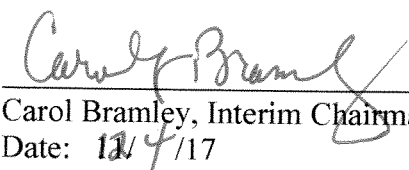
13. Correspondence

- a. State of Connecticut, November 9, 2017, Re: EM-SPRINT-074-171109 – Sprint notice of intent to modify an existing telecommunications facility located at 1293 Bantam Road, Litchfield, Connecticut.
- b. NHCOC, Save The Date, November 30, 2017, Re: 5<sup>th</sup> Thursday Special Topics.
- c. Connecticut Land Conservation Council, Save The Date, December 5, 2018, re: Van Vleck Farm and Nature Sanctuary.
- d. SBA, November 8, 2017, Re: Notice of Exempt Modification, Sprint #: CT33XC024\_2.5

*Guy Baldwin made a motion to close the meeting. Peter Losee seconded. Vote: 7:0. All in Favor.*

Meeting ended at 10:15 pm.

  
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Nancy C. Latour, Recording Secretary  
Date: 11/20/17

  
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Carol Bramley, Interim Chairman  
Date: 12/4/17