

**LITCHFIELD PLANNING AND ZONING COMMISSION**

Town Hall Annex,  
80 Doyle Rd., Bantam, CT  
**REGULAR MEETING MINUTES**  
October 16, 2017 7:00 p.m.

Call to Order: Chairman Waterhouse called the Regular Meeting to order at 7:02 pm.

Member Present: Carol Bramley, Abby Conroy, Peter Losee, Michael Thomas, Thomas Waterhouse

Members Absent: Guy Baldwin, William Conti, Mitchell Samal, Denise Schlesinger

Alternate Members Present Nancy Tarascio-Latour

Also Present: Dr. Dennis Tobin, PhD, Steven Byrne, Town Attorney

1. Appointment of Alternates: Nancy Tarascio-Latour

2. Commissioners' requests: None

***APPLICATION CONSIDERATIONS***

**3. Ocean State Job Lot of CT 2017 – 331 West St. – Site Plan application for retail use.**

Pearly Grimes, Jr., Attorney and Evan Portno, Ocean State Job Lot. presented an overview included an Affidavit from William Burns. Design Review Committee. They have approved it on 10/5/17. Also applied for a Zoning Permit on 10/16/17.

- a. Affidavit: October 13, 2017, Re: William Burns, Re: Bill's Package Store prior use of 331 West Street, Litchfield, CT.
- b. Letter: Byrne & Byrne, LLC, October 13, 2017, Letter Re: Site Plan Application by Ocean State Job Lot, 331 West Street, Litchfield, CT.

The Commission spoke about lighting, square feet, subletting, parking, additional entrance, Blue Rhino and outside displays. Attorney Byrne spoke about non-conforming and site plan application. The size of the store does matter with the amended regulations. Not changes, not expanding. It would be just site plan review. The sign would only be changes. Was "stop n shop" now ocean state job lot.

***Abby Conroy arrived at 7:08 pm.***

**Michael Thomas made a motion to accept Ocean State Job Lot of CT 2017 – 331 West St. – Site Plan application for retail use. Peter Losee seconded. Vote: 5:0. All in Favor.**

Carol Bramley arrived at 7:19 pm.

***APPLICATION RECEPTIONS***

**4. 67 Chestnut Hill Rd. – Singer – Receive and set public hearing (11/20/17) for Special Exception for Western Cowboy and Native American Museum.**

Alvin Singer and Attorney Charles Ebersol presented an overview to the Commission regarding a Museum of the American West. Limitations as presented by Mr. Singer: Only Western Cowboy and Native American memorabilia shall be displayed. Only Alvin Singer, his children

and issue, acting through the family foundation, shall own the museum. Singer family members and friends shall staff the museum. Food and drinks shall not be sold. Only one two sided 2'x1' sign reading "Western Museum – Entrance" shall be located at 67 Chestnut Hill Road. In the event that Singer family members sell the real property to a non-family member or non-family entity, the special exception shall be terminated and the museum would be closed. No lights at night and no statures. A wagon is a possibility. Design review on 11/2/17.

***Carol Bramley made a motion to recommend a \$500.00 review fee regarding pages 8, 86, and 94 for a legal opinion. Abby Conroy Seconded. Vote: 6:0. All in favor.***

***Carol Bramley made a motion to set a public hearing for 67 Chestnut Hill Rd. – Singer –on (11/20/17) for Special Exception for Western Cowboy and Native American Museum. Abby Conroy Seconded. Vote: 6:0. All in Favor.***

5. **Ebersol** – Receive and set public hearing (11/20/17) for Text Amendment to Zoning Regulations – General Standards and Requirements Signs, Section E.1.g.v. – “Farm, Farm Winery, and Land Trust signs”.

Mr. Charles Ebersol submitted an application on behalf of the Litchfield Land Trust regarding signage. The Commission spoke about what defines “Land Trust”. What consist a Land Trust. We will need a definition and permitted uses (Page 8). Add for RR, LR and GR.

***Carol Bramley made a motion to set a public hearing for Ebersol on (11/20/17) for Text Amendment to Zoning Regulations – General Standards and Requirements Signs, Section E.1.g.v. – “Farm, Farm Winery, and Land Trust signs”. Abby Conroy seconded. Vote: 6:0. All in favor.***

6. **583 Bantam Rd. (Unit D)– Blais (West Street Hair Design)** – Minor Site Plan Modification for Retail, Personal Service Shop (hair salon).

Dr. Tobin reported on **583 Bantam Rd. (Unit D)– Blais (West Street Hair Design)**.

7. **50 Harris Rd. – Szymanski** - Minor Site Plan Modification for Contractor/Trades, Shop and Storage (landscaping contractor).

Dr. Tobin reported on 50 Harris Rd. – Szymanski - Minor Site Plan Modification for Contractor/Trades, Shop and Storage (landscaping contractor).

#### ***PUBLIC HEARING***

8. **Consider a proposed opt-out of the State of Connecticut Public Act No. 17-155, An Act Concerning Temporary Health Care Structures.**

The Commission spoke about trailers and enforcement. No Comments for Public Hearing.

***Carol Bramely made a motion to close the public hearing. Peter Losee Seconded. Vote: 6:0. All in Favor.***

***Michael Thomas made a motion to opt-out of the State of Connecticut Public Act No. 17-155, An Act Concerning Temporary Health Care Structures due to the following reasons the burden of***

*the enforcement burden concerning the following reasons: (1) Document clarification of financial and staffing; (2) Absence of zoning regulations for enforcement; (3) Limited water and sewage systems; (4) Historic district restrictions; (5) Extensive public water shed supply; (6) Existing accessory apartments available to accommodate the elderly, mentally and physically impaired; and (7) Poorly drained and wetland restrictions. Peter Losee Seconded. Vote: 6:0. All in Favor.*

9. Approval of Minutes of October 2, 2017

*Abby Conroy made a motion to approve the minutes of October 2, 2017. Carol Bramley seconded. Vote: 6:0. All in Favor.*

10. Public Comment: None

11. Old Business: Chairman's after election

12. New Business: None

13. Possible Executive Session to discuss pending litigation: None

14. Correspondence

- a. Letter: Cindy Birkins, 10/16/17, Re: Letter for Public Hearing on Ocean State Job Lots
- b. Letter: Ruth Erickson, 10/7/17, Re: Ocean State Job Lot
- c. Land Use Academy Advanced Training, 11/4/17.

*Abby Conroy made a motion to close the meeting. Carol Bramely seconded. Vote: 7:0. All in Favor.*

Meeting ended at 8:28 pm.

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Nancy C. Latour, Recording Secretary

Date: 10/16/17

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Thomas Waterhouse, Chairman

Date: 10/ /17