

LITCHFIELD PLANNING AND ZONING COMMISSION
Town Hall Annex – 80 Doyle Road, Bantam, CT
REGULAR MEETING MINUTES
April 21, 2014 7:00 p.m.

Chairman Thomas Waterhouse called the meeting to order at 7:00 p.m.

Present: Commissioners Curtis Barrows, Carol Bramley, Peter Losee, Susan Lowenthal, and Thomas Waterhouse. Alternate Commissioner William Conti and Land Use Administrator Dr. Dennis Tobin.

Absent: Commissioners Ed Doyle and David Pavlick; Alternate Commissioner Ralph White and Denise Schlesinger.

Appointment of Alternates: William Conti was appointed for Ed Doyle.

Denise Schlesinger arrived at 7:03 p.m. and was appointed for Dave Pavlick.

Approval of Minutes of April 7, 2014

C. Barrows moved to accept the minutes as corrected, P. Losee seconded and the motion carried unanimously.

Public Comment: None

Commissioners' requests: None

Public Hearings

Fairchild

55 Old Smith Rd.

4/21/14

Special Exception Accessory Apartment Article V, Section 1.

The public hearing was opened at 7:13 p.m. and the legal notice was read into the record. Green cards from property owners located within 150 feet of the property were submitted. Chairman Waterhouse read a letter from Litchfield Assessor, Kathy Brown, verifying the square footage of the house as 1553 sq.ft. with 1070 on the first floor and 483 in the basement and second floor. The house was constructed in 2001 and the accessory apartment was added in 2004 or 2005, per Mr. Fairchild. The 500 sq.ft accessory apartment is in violation without zoning approval or a CO from the building official. The house is rented at the present time and Mr. Fairchild will reside in the accessory apartment but is currently not living on the property due to the lack of approvals for the accessory apartment. C. Barrows referred to Article V, Section 1, (1) which states the owner of the property must reside in the dwelling or the accessory apartment and noted that illegal accessory apartments are popping up all over town. There was discussion as to how to proceed with the application. W. Conti noted Article V, Section 1, (9) states the special exception becomes null and void if the owner does not reside on the lot and suggested subsection 9 could be sufficient too eliminate the special permit should Mr. Fairchild not move into the accessory apartment.

With no one present to speak for or against the application, the public hearing closed at 7:37.

W. Conti moved to approve the Fairchild application, 55 Old Smith Rd. for Special Exception Accessory Apartment Article V, Section 1 with the following conditions:

1. An affidavit verifying owner occupancy be submitted to the Land Use Administrator;
2. Applicant must move into the subject apartment within 30 days of the issuance of the CO
3. Should Mr. Fairchild not move in or cease to live on the property within the 30 days, the accessory apartment will be null and void based on Article V, Section 1, (9) of the zoning regulations.

The motion was seconded C. Barrows. Vote: Conti – yea, Barrows – yea, Bramley – yea, Lowenthal – yea, Losee – yea, Waterhouse – yea. D. Schlesinger – abstained. The motion carried.

Luisi **172 East Chestnut Hill Rd.** 4/21/14
Special Exception Accessory Apartment (Article V, Section 1).

The public hearing was opened at 7:39 p.m. and the legal notice was read into the record. Property owners, Cheryl and John Luisi presented the green cards from property owners within 150 feet. The total habitable area of the house is 1,872 sq.ft. and the proposed accessory apartment will be 520 sq.ft. A letter of support from neighbor Art and Marie Ziello dated 4/14/14 was read into the record. There is adequate parking that will not impact the residential character of the property.

With no one present to speak with regard to the application, the public hearing was closed at 7:49 p.m. on a motion by C. Barrows, seconded P. Losee and unanimously carried.

C. Barrows moved to approve the Special Exception application for an accessory apartment located at 172 East Chestnut Hill Rd. for John Luisi, Sr. because it meets the requirements of Article V, Section I of the zoning regulations. S. Lowenthal seconded the motion. Vote: Conti – yea, Barrows – yea, Waterhouse – yea, Bramley – yea, Lowenthal – yea, Losee – yea, Schlesinger – yea. The motion carried unanimously.

Forman School **12 Norfolk Rd.** 4/21/14
Educational Institution to construct three units for faculty housing.

The public hearing was opened at 7:50 p.m. and the legal notice was read into the record. Atty. Robert D'Andrea submitted the green cards from property owners within 150 feet of the property. S. Lowenthal questioned whether this is a site plan application. Atty. D'Andrea responded yes.

Dennis McMorrow, engineer, Berkshire Engineering and Surveying described the proposal for the construction of three single family houses for faculty to be located on the interior of the campus. The buildings are to be tucked in between the Pierce dining hall and the tennis courts. A 20 foot change in grade will make the buildings minimally visible from Norfolk Rd. There will be pull offs by each house but parking is located by the dining hall. Access to the dwellings from Norfolk Rd. will be via Forman Pierce Dr. which terminates at the soccer fields.

Compliance with the general standards in Article VIII, Section 4., (a.-j.) was noted by Atty. D'Andrea. Parking will be added to an area existing on the site with 2 spaces for each dwelling; lighting will be one pole light and porch lights on the buildings, no signage other than pedestrian crossing signs and there will be no impact on the neighborhood due to location.

Dr. Tobin asked whether there were emergency call boxes on the campus. Headmaster, Adam Man responded that to his knowledge boarding schools do not have call boxes, though Taft might. All students have cell phones, there are 1-2 security officers on campus and there are weekday and weekend curfews for the students. There are 35 faculty on campus and 165 residential students.

When questioned as to the overall coverage of the property, Mr. McMorrow responded the property is 126.3 acres, including the former Youngling property. There are 16.5 acres conserved and the overall impervious coverage of the property is 1 – 1.5%. With the former Youngling property excluded, the coverage on 104 acres is about 2.3%. Chairman Waterhouse asked whether there is a plan for development for the property stating the town needs to be able to judge the impact on town services. Mr. Man stated they were working on a plan but do not have one at the present time. S. Lowenthal requested the commission be given the total coverage of the property, including the former Youngling property.

Atty. D'Andrea submitted a letter from Aquarion dated 4/11/14 to D. McMorrow noting there is sufficient water supply to meet the demand submitted. Aquarion also commented there is a relatively low margin of safety of water supply in Litchfield. D. McMorrow stated conservation measures are in place on campus with a solar array and water off roofs collected into the infiltration system where it is recharged into the East and West Branches of the Bantam River. All the new residential buildings are outfitted with low flow faucets and toilets. Student dorms are outfitted with sprinklers per the building code, the new faculty residences will not be.

Letters are in the file from Litchfield's WPCA and Fire Marshal. Arthur Oles letter dated 4/21/14 stated the proposed buildings are located where they will be obscured from the road by buildings and will not have an adverse impact on the neighborhood.

Color renderings of the houses were submitted by Atty. D'Andrea. Dr. Tobin stated he will require a zoning permit for each dwelling and each will receive its own CO. Windows without mullions were questioned. Robert Scoduri stated the windows will be double hung and have mullions per the Excel Homes sheet in the file.

With no one from the public to speak for or against the application, the public hearing was closed at 8:55 p.m. on a motion by C. Barrows, seconded W. Conti and unanimously carried.

P. Losee moved to approve the application of the Forman School, 12 Norfolk Rd. for a Special Exception with Site Plan for the construction of three faculty residences because it complies with the regulations and with the condition there be separate zoning permits for each of the three buildings. The motion was seconded by S. Lowenthal. Vote: Conti – yea, Barrows – yea, Waterhouse – yea, Bramley – yea, Lowenthal – yea, Losee – yea, Schlesinger – yea. The motion carried unanimously.

Old Business: None

New Business: Zwick – 9 Andre Dr. and 321 Prospect Mt. Rd. – Portable sawmill discussion. The portable sawmill is on wheels and is 20 feet long by 6 feet wide. It is registered as a saw rig with a plate and is moveable like a trailer. It has an 18 hp motor and is a band saw turned sideways to mill logs. Mr. Zwick is intending to build a barn on his property on Prospect Mt. Road and needs to mill a total of 20,000 sq.ft. in addition to framing. He is able to cut between 1,200 and 1,500 sq. ft./day. The sawmill is located on Andre Drive along with logs and in addition he uses 6-8 cords of wood a year that he cuts, splits and stores on the property.

The Commission requested Mr. Zwick to provide a written statement of how much wood is needed to mill the boards, how long it will take to mill them, where the boards will be located while drying, the dimensions of the stack, the hours of operation of the sawmill and where the cord wood will be stored. A site plan was requested locating everything related to the operation as well as a picture of the sawmill. The matter is continued to the Commission's workshop meeting May 5th.

Possible Executive Session: None

Correspondence: None

Adjournment: Motion to adjourn at 9:40 p.m. by W. Conti, seconded P. Losee and unanimously carried.



Thomas Waterhouse
Chairman

Date: 5/5/14