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Via U.S. Mail and Via Email to:
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Carol Bramley, Chair
Planning and Zoning Commission
c/o Dennis Tobin, Ph.D.
Zoning Administrator
Town of Litchfield
80 Doyle Road
P. O. Box 12
Bantam, CT 06750

**Re: Proposed Section FF for Drive-Thru Use Filed by Sweet Grounds, LLC
Revised Proposed Alternative**

Dear Chair Bramley and Members of the Town Planning and Zoning Commission:

I attach an updated version of the alternative regulation that I proposed by letter dated February 26, 2021. We revised our February 26, 2021 proposal to be more specific regarding the particular Retail and other establishments that we believe should be included within the regulation. I will be available to discuss further at the March 15, 2021 hearing.

Thank you for your attention.

Very truly yours,



Maureen Danehy Cox

MDC/lem
Enclosure

cc: Litchfield Commons, LLC

{W3296443}

Revised proposal

I. New section in “Specific Standards and Requirements”

NEW:

Section FF. ACCESSORY DRIVE-THRU USE

An accessory drive-thru use may be permitted for a new or existing use that is a Permitted Use or allowed as a Special Exception under these Regulations in the following use categories: Banks and Financial Institutions; Retail, Personal Services; Retail, Convenience; Drug Store, Large Format; Retail, Large Shop; Restaurant; or Bakery, provided that the principal use is located on a lot or parcel that comprises a minimum of six acres within the C-202 Zone District. Such accessory drive-thru use is subject to Special Exception review and approval as provided by Section 6 of “Permits, Approvals and Exceptions” in these Regulations and the following requirements and design standards.

1. The application shall include a statement of use that addresses the aforementioned minimum site requirements, hours of operation, staffing measures and a narrative of drive-thru features, including designated travel and stacking lanes, service window(s), and any associated mechanical devices.
2. All drive-thru features, such as service windows and stacking lanes, shall be a minimum of 100 feet, when measured from the principal building structure, from any residential building.
3. No fewer than the minimum number of stacking spaces required under Appendix A-Minimum Parking Requirements shall be provided in the queuing lane to, and including, the furthest most drive-thru window. If the drive-thru has two lanes, then the required stacking spaces may be divided between the queuing lanes.
4. If there are two service windows, a minimum of thirty-five feet shall be provided between the service windows.
5. Drive-thru stacking lanes shall be designed and located to minimize their crossing pedestrian accessways to the principal building. Any pedestrian accessway to the principal building that is crossed by a stacking lane shall be demarcated with a crosswalk. Drive-thru stacking lanes shall be delineated or separated from other vehicular use areas, including dumpster areas, with striping, curbing, landscaping or with other physical demarcation or separation measures.
6. Each stacking space shall be a minimum of twenty feet in length and ten feet in width.
7. Entrances to stacking lanes shall: (i) be clearly marked; and (ii) be a minimum of fifty feet from the entrance to the site.

8. Stacking lanes shall be designed to prevent circulation congestion, both on-site and on adjacent streets. On-site circulation shall: (i) separate drive-thru traffic from site circulation traffic; (ii) not impede or impair access into or out of on-site parking spaces; (iii) not impede or impair vehicular and/or pedestrian movement to or from the principal building or associated parking areas; and (iv) minimize conflicts between pedestrian and vehicular traffic with physical or visual separation between the two whenever possible.
9. Lighting and noise associated with the drive-thru features shall be designed to minimize impacts to adjacent residential properties or businesses. Screening, enclosures or other measures may be required, where appropriate, to minimize such impacts.
10. Any site plans and/or architectural plans required for a Special Exception, as provided by Section 6 of "Permits, Approvals and Exceptions" of these Regulations, shall be submitted that demonstrate compliance with the requirements provided for herein, and the requirements for Special Exception approval. In addition, the plans shall demonstrate that the design features are in keeping with the character of the business neighborhood and character of the community.
11. Notwithstanding any other provision of these Regulations, a valid, nonconforming use in the following use categories: Banks and Financial Institutions; Retail, Personal Services; Retail, Convenience; Drug Store, Large Format; Retail, Large Shop; Restaurant; or Bakery, may be relocated to another portion of the lot or parcel upon which it is located when an associated accessory drive-thru use is proposed, subject to the following: (i) the square footage associated with a valid, nonconforming bakery use is reduced by a minimum of 30%; and (ii) all other requirements for an accessory drive-thru use as provided in this Section, and in Section 6 governing Special Exception applications, are met.

II. New: Permitted Uses in C-202 Zone District under "The Litchfield Districts – Commerce Districts, C-202 Route 202 Commerce" under "Special Exceptions".

Accessory Drive-Thru Use for the following use categories: Banks and Financial Institutions; Retail, Personal Services; Retail, Convenience; Drug Store, Large Format; Retail, Large Shop; Restaurant; or Bakery.

III. New: "Accessory Drive-Thru Use" in Appendix A, "Minimum Parking Requirements", under "Commerce Uses" for Banks and Financial Institutions; Retail, Personal Services; Retail, Convenience; Drug Store, Large Format; Retail, Large Shop; Restaurant; or Bakery Use.

Banks and Financial Institutions with Drive-Thru: 1 per 300 sq.ft. + 5 stacking spaces per drive-thru lane

Retail, Personal Services with Drive-Thru: 1 per 300 sq.ft. + 5 stacking spaces per drive-thru lane

Retail, Convenience with Drive-Thru: 1 per 300 sq.ft. + 5 stacking spaces per drive-thru lane

Drug Store, Large Format with Drive-Thru: 1 per 300 sq.ft. + 5 stacking spaces per drive-thru lane

Retail, Large Shop with Drive-Thru: 1 per 300 sq.ft. + 5 stacking spaces per drive-thru lane

Restaurants with Drive-Thru: 1 per 100 sq.ft. + 5 stacking spaces per drive-thru lane

Bakeries with Drive-Thru: 1 space per 400 square feet, plus 12 stacking spaces.