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BOROUGH OF LITCHFIELD HISTORIC DISTRICT COMMISSION 2187
Litchfield, Connecticut 06759

The Borough of Litchfield Historic District Commission held **Public Hearings** on **Thursday, May 7, 2026** at the Pilgrim House, First Congregational Church, 21 Torrington Road, Litchfield, Connecticut. The hearings were called to order by Chairman, Wendy Simoncelli at 7:00 pm.

Present were Commissioners: Wendy Simoncelli, Glenn Hillman, Norman Ambrose Sauer, Julia Metcalf, Tony Cecchinato, Bob Whelan (Alt) and Jarett Monterio (Alt).

Also present were: Christopher Verrilli, James DaRoss, Richard Miller-Murphy, Zack Miller-Murphy, Tim Pikiell, Father Matthew Collins, Patricia and David Peiffer, Patricia and Michael Brady, Bill Deacon, Wolf Boehme and Robyn Ryle. Diti Glazer joined by phone.

Mr. Hillman, Clerk, read the legal advertisement of each hearing as published. The Chair explained the procedure for conduct of the hearings and described each application.

1. The public hearing published May 1, 2026 in the Republican American, Application #2650, Chabad Lubavitch of Litchfield County LLC, 85 West St, to replace 7 windows with impact windows, install fence with gates, install security lights and cameras, and replace 2 doors convened at 7:01 pm. The Commission reviewed the application with Diti Glazer, CEO Horizon Security Systems/10X Construction by speaker phone. Ms. Simoncelli began by informing Ms. Glazer the full Commission was in attendance, as well as approximately 15 people with pending applications. At this point, Ms. Simoncelli read into the minutes a memo prepared by HDC Attorney Stephen Byrne, from Byrne & Byrne, in regards to Application #2650 clarifying the intersection of the HDC regulations and the requirements that Religious Land Use and Institutionalized Persons Act (RLUIPA) imposes on its decision making authority related to religious land use and also protecting the historic nature of the building. See attached Exhibit A.

Ms. Simoncelli addressed the proposed fence and suggested that based on the HDC's regulations and on previous precedent that a wood picket fence for the footprint of the fence that directly faces the public way would be historically appropriate and should also fulfill the security needs of the applicant. Ms. Glazer confirmed a desire for the proposed fencing to be 6ft tall and asked for clarification of what type of fencing the Commission would consider. Ms. Metcalf said that another option would be that the front footprint of the fence could be clad in wood, over the metal. Mr. Hillman suggested an AZAK material or other similar products would also be appropriate. There was also discussion about installing the fencing facing the public way back towards the rear of the building, rather than off the front sides of the building. Ms. Simoncelli suggested the application be revised and that the public hearing would be held open to the next meeting.

Re: the windows, it was confirmed that the arched window in the north elevation and the small cellar windows on the other elevations are not being modified. The Commission also stated that windows with exterior muntins are required and that it

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would be historically appropriate to keep the 2 over 2 pane configuration – which was previously approved in a prior application.

Re: the security cameras, the location was discussed and agreed to be placed as high as possible and under the eaves.

Re: the lighting, Ms. Glazer stated the intent is to have the security lighting be on from dusk to dawn at 5000 lumens, 4000 kelvins and that the housing for the lights would be white. The Commission made the applicant aware of the dark sky lighting regulations and requested black housing, so they would be less conspicuous. The Commission also inquired about using lighting with motion sensors.

The Commission requested the glass impact door be installed as a storm door, so as to retain and protect the existing original and historic door. The Commission also requested a picture of an impact door. The applicant stated the intent is to remove the existing door completely and replace it with the impact door. Ms. Glazer explained that this application is related to a grant with funding from FEMA and they are working within a budget and time frame. She will go back to the property owner to review requested changes.

Patricia Peiffer, Litchfield resident, stated that this is the FEMA Nonprofit Security Grant program requiring Certificate of Appropriateness from the HDC, but also requires a National Historic Preservation Act Section 106 Review and that the State Historic Preservation Organization has no record of this request. Ms. Peiffer also explained that with the grant application, the applicant is required to demonstrate that there is a high risk of terror or extremist attack and provide law enforcement and vulnerability assessments for their application. Ms. Peiffer said that if there is a terrorist threat to this building, then the applicant has a civic obligation to tell the local community that there is a risk of terrorism.

David Peiffer, Litchfield Resident, stated that the fencing and cameras will detract from the historic character of the Borough and the fence would block the view of the house that has been visible for many years. At this point, the Commission requested a diagram with measurements, so they know exactly where the fencing will come off the house. Mr. Peiffer went on to explain that his application to the HDC for a stone wall was denied, because it was visible from the Green and this proposed fencing would be viewable from the Green. Mr. Peiffer asked what the terrorist threat is. He sees people walk freely through the town and does not know of any obstruction of their religious beliefs or practices and if there is a threat, we should know about it as a community.

Richard Miller Murphy, Litchfield resident, echoed Mr. Peiffer concerns and comments and went on to say that adding the impact door as a storm door, over the historic door, would make it more secure and at the same time retain and protect the original door. He would like to see the applicant follow the recommendations of the Commission.

Application held over to the May 21, 2026 meeting.

There being no further members of the public present to speak in regard to the application, the public hearing was adjourned at 7:47 pm.

At 7:47 pm, the call ended with Ms. Glazer.

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2. The public hearing published May 1, 2026 in the Republican American, Application #2654, Michael and Lisa Archibald, 180 South St, to replace existing gravel driveway and semi-circular driveway with gravel pressed into asphalt convened at 7:47 pm. The Commission reviewed the application.

There being no further members of the public present to speak in regard to the application, the public hearing was adjourned at 7:49 pm.

3. The public hearing published May 1, 2026 in the Republican American, Application #2655, Michael Brady, 148 West St, to install a 6 ft privacy fence, across driveway at rear of house and along wall to garage, replacing a picket fence convened at 7:50 pm. The Commission reviewed the application with Michael and Patricia Brady who provided more pictures and confirmed the location and the material will be natural cedar wood.

There being no further members of the public present to speak in regard to the application, the public hearing was adjourned at 7:53 pm.

4. The public hearing published May 1, 2026, in the Republican American, Application #2656, Christopher Verrilli, 132 Meadow St, to add skirt board, frieze board, and gable returns and the front entry landing will also be made 1 ft deeper convened at 7:53 pm. The Commission reviewed the application with Chris Verrilli.

There being no further members of the public present to speak in regard to the application, the public hearing was adjourned at 7:56 pm.

5. The public hearing published April 10, 2026 in the Republican American, Application #2657, Harold Colvocoresses, 56 East St, to rebuild steps/porches at kitchen back and side doors convened at 7:56 pm. The Commission reviewed the application and will hold over until May 21, 2026 for clarification of work to be done.

There being no further members of the public present to speak in regard to the application, the public hearing was adjourned at 7:57 pm.

Respectfully submitted,
Glenn Hillman, Clerk

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BOROUGH OF LITCHFIELD HISTORIC DISTRICT COMMISSION 2187 Litchfield, Connecticut 06759

The **Regular Meeting** of the Borough of Litchfield Historic District Commission was held at the Pilgrim House, First Congregational Church, 21 Torrington Rd, Litchfield, Connecticut on **Thursday, May 1, 2026**.

I. Call To Order

Chairman Wendy Simoncelli called the meeting to order at 7:58 pm.

II. Recording of Attendance:

Present were Commissioners: Wendy Simoncelli, Norman Ambrose Sauer, Glenn Hillman, Julia Metcalf, Tony Cecchinato, Bob Whelan (Alt) and Jarett Monterio (Alt)

Also present were: Christopher Verrilli, James DaRoss, Richard Miller-Murphy, Zack Miller-Murphy, Tim Pikiell, Father Matthew Collins, Patricia and David Peiffer, Patricia and Michael Brady, Bill Deacon, Wolf Boehme, and Robyn Ryle.

III. Business Pertaining To Certificates of Appropriateness.

1. Application #2650, Chabad Lubavitch of Litchfield County LLC, 85 West St, to replace 7 windows with impact windows, install fence with gates, install security lights and cameras, and replace 2 doors. This application held over until May 21, 2026 pending revisions to the original application.
2. Application #2654, Michael and Lisa Archibald, 180 South St, to replace existing gravel driveway and semi-circular driveway with gravel pressed into asphalt. Ms. Metcalf made a motion to approve the application as submitted. Mr. Ambrose Sauer seconded. All in favor. Motion carried.

The votes were: Ambrose Sauer-yea, Hillman-yea, Metcalf-yea, Cecchinato-yea.

A Certificate of Appropriateness is hereby issued for work described in said application as stipulated and valid for one year from approval.

3. Application #2655, Michael Brady, 148 West St, to install a 6 ft privacy fence, across driveway at rear of house and along wall to garage, replacing a picket fence. Mr. Hillman made a motion to approve the application as submitted. Mr. Cecchinato seconded. All in favor. Motion carried.

The votes were: Ambrose Sauer-yea, Hillman-yea, Metcalf-yea, Cecchinato-yea.

A Certificate of Appropriateness is hereby issued for work described in said application as stipulated and valid for one year from approval.

4. Application #2656, Christopher Verrilli, 132 Meadow St, to add skirt board, frieze board, and gable returns. Extend front entry landing 1 ft deeper. Mr. Cecchinato

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made a motion to approve the application as submitted. Mr. Hillman seconded. All in favor. Motion carried.

The votes were: Ambrose Sauer-yea, Hillman-yea, Metcalf-yea, Cecchinato-yea.

A Certificate of Appropriateness is hereby issued for work described in said application as stipulated and valid for one year from approval.

5. Application #2657, Harold Colvocoresses, 56 East St, to rebuild steps/porches at kitchen back and side doors. Application held over to the next meeting on May 21, 2026 pending clarification of the work to be done.

Other Business:

1. Public participation
 - a. Review and/or acceptance of new applications.
 1. Waiver, James DaRoss, 127 South Lake St., to replace shingles on roof with in kind architectural shingles, same color. The Commission reviewed the application with James DaRoss.
 2. Waiver, Zack Miller-Murphy and Richard Miller-Murphy, 79 East St., to reduce the driveway footprint and replace with sod in the backyard and install planter box, since this is not visible from the public way. The Commission reviewed the application with Zack Miller-Murphy and Richard Miller-Murphy.
 3. Application #2658, St Louis de Monfort Parish, 49 South St, to install ductless HVAC system. The Commission reviewed the application with Father Matthew Collins and Tim Pikiell, Contractor. The Commission requested plans with elevations and pictures of both sides of the church where units will be placed.
 4. Application #2659, William and Sandra Deacon, 19 Woodruff St, to install generator and propane tank. The Commission reviewed the application with Bill Deacon who provided specifications and confirmed the generator will go on a concrete pad.
 5. Application #2660, Patricia and David Peiffer, 8 Torrington Rd, to replace front porch facing Torrington Rd. This application was previously approved under Application #2547a which has expired. The Commission reviewed the application with Patricia and David Peiffer.
 6. Waiver, Borough of Litchfield, to repair the sidewalks in front of 11 properties within the Borough which falls under the sidewalk connectivity project that was previously approved by the Commission. The Commission reviewed the application with Wolf Boehme, Senior Burgess for the Borough of Litchfield.

At 8:33pm, Ms. Simoncelli recused from the next application as the homeowner. Mr. Ambrose Sauer was seated as Chairman.

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7. Waiver, Wendy and James Simoncelli, 190 East St., an in kind replacement to repoint and waterproof the chimney.

Ms. Simoncelli re-seated as Chairman and Mr Ambrose Sauer reseated as Vice Chair.

8. Application #2661, 69 West St LLC, 69 West St, to install 8 exterior cameras and install fence around property. The Commission reviewed the application with Diti Glazer, CEO Horizon Security Systems/10X Construction, by speaker phone. The Commission requested plans and measurements for the fencing on the north and east sides of the building and also that wood or AZAK or wood clad fencing be used in place of the metal fence facing the public ways. It was also noted the application will require a National Historic Preservation Act Section 106 Review. Although the Commission does not have purview over the inside of the building, the Commission expressed their concern for the 7 retrofitted impact windows that will be placed inside covering the stain glass windows and suggested that the applicant consider some venting to allow air movement in order to better preserve the stain glass windows. The Commission requested a revised application with the changes discussed. The applicant cannot attend the next meeting due to religious obligations and asked if the meeting could be done by email. The Chairman explained that all business must be conducted in a public forum, but the Commission will review any updated information at the next meeting, if received in time for the meeting.
9. Application #2662, Elizabeth Daniels, 239 North St, to install A/C condenser. The Commission reviewed the application.

b. Other Business that may properly come before the Commission.

1. The Chairman explained that she spoke to the Borough Tax Collector about having the HDC brochures inserted into the tax bills when they are sent out this summer. There are approximately 504 real estate properties in the Borough. The Borough uses a service called QDS to print and stuff the tax bills for mailing directly to 396 property owners at a cost of about \$109.00. Since the remaining 108 tax bills go to the banks, the HDC brochure will not be included in those mailings. Instead, the HDC brochure will go with Borough inserts regarding sidewalks to these property owners for a cost of about \$89.00.
2. Mr. Whelan spoke to the Commission about the purchase of a new recording device for \$89.00 which has a USB device to allow the public hearing recordings to be stored on the HDC laptop. In addition, the office software should be updated - to Office 2024 - for a one-time fee of \$29.00. The Commission tabled this to consider other options.
3. Patricia Peiffer, Litchfield resident, spoke to the cameras proposed to be installed at 85 and 69 West St. Ms. Peiffer commented on how to preserve the historic appropriateness of the area when new technology is installed on the buildings and what message is being sent about the safety of the area.

V. Correspondence: None.

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VI. Approval of Minutes:

Ms. Metcalf made a motion to approve the minutes from April 2, 2026 with minor changes. Mr. Hillman seconded. Mr. Ambrose Sauer was absent and abstained from voting. All in favor. Motion carried.

Mr. Cecchinato made a motion to approve the minutes from April 16, 2026 with minor changes. Ms. Metcalf seconded. All in favor. Motion carried.

At 9:11 pm, Ms. Metcalf made a motion to go into Executive Session regarding 22 East St., Doc # LLI-CV-25-6042911. Mr. Ambrose Sauer seconded. All in favor. Motion carried. At 9:11 pm, Ms. Metcalf made a motion to exit Executive Session. Mr. Hillman seconded. All in favor motion carried. No action was taken.

VII. Adjournment:

There being no further business, Ms. Metcalf made a motion to adjourn at 9:12 pm, seconded by Mr. Ambrose Sauer. All in favor and the motion carried.

Respectfully submitted,
Glenn Hillman, Clerk

LAW OFFICES
BYRNE & BYRNE LLC
P.O. Box 1065, 1730 New Britain Ave.
Farmington, CT 06034
(860) 677-7355

Attorney Steven E. Byrne
Attorney Nicole L. Byrne

attysbyrne@gmail.com
attynbyrne@gmail.com

MEMORANDUM

To: Litchfield Historic District Commission
From: Attorney Steven E. Byrne
Date: May 5, 2026
Re: Application from Chabad Lubavitch of Litchfield County LLC for a Certificate of Appropriateness to install security windows, fencing, gate, lighting and cameras

The Chabad Lubavitch of Litchfield County LLC filed an application with this Commission seeking a Certificate of Appropriateness so that it can install certain security measures at its property known as 85 West Street. The application was received by the Commission at its April 2, 2026 regular meeting. Pursuant to Connecticut General Statutes Sec. 7-147e(b), the application must be decided within 65 days of its receipt by the Commission.

Commission's Jurisdiction

The Commission's regulations provide the scope of its authority. Article II.B. states what work requires a certificate of appropriateness [COA] from the Commission. The work that requires a COA includes the erection, alteration or changes to buildings or structures as well as the installation of new lighting. The authority of the Commission is limited to the purpose of controlling the erection or alteration of buildings, structures or parking lots which are incompatible with the historic aspects¹ of the district.

Religious Institutions and Historic Districts

Places of worship are benefited by certain laws that provide them with heightened legal protections from municipal regulations and ordinances. However, they can be regulated pursuant to the proper exercise of police powers by government agencies. This includes the government regulation of private property in the interest of historic preservation.² Courts have long recognized that "structures with special historic, cultural or architectural significance enhance the quality of life for all"³ and it is a valid exercise of the police powers of the state to protect this public interest.

¹ *Felican Sisters of St. Francis Inc. v. Historic District Commission*, 284 Conn. 838 (2008).

² Connecticut General Statute Sec. 7-147a(b) provides in part that a municipality has the authority to create an historic district

³ *Penn Central Transport Co. v. New York*, 438 U.S. 104 (1978).

LAW OFFICES
BYRNE & BYRNE LLC

P.O. Box 1065, 1730 New Britain Ave.
Farmington, CT 06034
(860) 677-7355

Attorney Steven E. Byrne
Attorney Nicole L. Byrne

attysbyrne@gmail.com
attynbyrne@gmail.com

In its exercise of this police power upon the pending application, the Commission must be mindful of the Religious Land Use and Institutionalized Persons Act, 42 USC Sec. 2000cc [RLUIPA]. This Federal Law imposes a two-part test which determines whether your decision on this application is in compliance with this law. The first part of the test is whether your decision substantially burdens the ability to exercise religious beliefs. If the applicant can prove this, then the Commission will need to show that its decision serves a compelling government interest and was the least restrictive means of meeting this government interest. It is well established that historic preservation qualifies as a compelling government interest.

In regard to a substantial burden upon religious exercise, it has been defined as rendering it effectively impracticable to exercise one's religious beliefs or compels a person to engage in conduct which his or her religion forbids or forbids him or her from engaging in conduct his or her religion requires. Valid concerns for the safety of congregants likely qualifies as something that would make it effectively impracticable to exercise one's religious beliefs.

In practice, the courts generally focus on that part of the test addressing whether the decision was the least restrictive means of meeting the government interest. This tends to be a fact intensive inquiry with a focus on balancing the protection of the applicant's religious rights with the compelling interest of the Commission to protect the historic integrity of the district. In this case, can the security measures be accommodated in a manner that is not incompatible with the historic aspects of the district.

The Pending Application

For security and safety purposes, the Chabad Lubavitch of Litchfield County LLC is seeking permission to install security windows, fencing, gate, lighting and cameras on its existing building. In evaluating this application, it is recommended that the Commission's decision take into consideration the requirements that RLUIPA imposes on its decision-making authority. In doing so, the Commission must consider the least restrictive means of allowing for the requested work with conditions that will protect the historic character and appearance of the district from substantial impairment.