

TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING MINUTES
AUGUST 19, 2020 @ 7:00 PM

At 7pm the Chairman opened the Public Hearing.

I. Public Hearing

A. Sonia Nieminen, 371 Mashamoquet Road, special permit for home based business regarding professional counseling and therapeutic activity center in the old milking facility on the property. Commission members need to vote on a couple of items from the previous meeting due to lack of enough members for a $\frac{3}{4}$ vote. R. DiBonaventura read into record the draft letter from Jamie with the conditions of approval. Discussion of voting for the approval of 1260 sq. ft. and having 7pm as the last appointment of the day. P. Allegretti made a motion to close the public hearing. R. Huoppi seconded and it was approved.

II. Regular meeting

P. Allegretti made a motion to seat M. Hart for the open seat. B. Champany seconded and it was approved.

A. Roll Call – Present: R. DiBonaventura, Chairman; P. Allegretti, Vice Chairman; R. Wishart, Secretary; R. Huoppi, member; J. Rivers, member; B. Champany, member; P. Mann, alternate; M. Hart, alternate; R. Brais, ZEO; M. Nicholson, First Selectman; Sonia & Kurt Nieminen; Absent: L. Grossman, alternate; J. Rabbitt, Town Planner;

B. Items to add to the agenda – Rich would like to add under Commission Business a discussion of starting in-person meetings in September. Moved to 4A under Commission Business on the agenda.

C. Approve minutes of July 15, 2020 and July 29, 2020 – Phil made a motion to approve the July 15 minutes as submitted. R. Wishart seconded and the motion carried. There were two abstentions. Phil made a motion to approve the July 29, 2020 minutes as submitted. R. Wishart seconded and the motion carried. There were three abstentions.

D. Pending Applications –

1. Sonia Nieminen, 371 Mashamoquet Road, special permit for home occupation regarding professional counseling and therapeutic activity center in the old milking facility on the property. The #4 COA needs to be changed to 7pm as the last appointment time. P. Allegretti made a motion to approve the application with the 8 conditions of approval as outlined in Jamie's letter, changing item #4 from 6pm to 7pm. The Conditions of Approval are as follows: 1) The home-based business is limited to the existing outbuilding (1,260 sq. ft.) as depicted on the sketch plan; 2) the applicant shall modify parking plan per sketch. This relocation is required to meet the Town's Zoning requirements; 3) the applicant shall add on ADA parking space (per code) in front of the building proposed to house the home based business;

4) the home based business operational hours shall be limited to 8:00 am – 7:00 pm (last appointment); 5) there is no outdoor retail display and/or sale allowed; 6) there is no outdoor storage and/or display of any raw material, production product, finished products and/or equipment associated with the use allowed; 7) a final sketch plan is submitted to the Planning and Zoning Commission to be reviewed and approved by the Town Planner for conformance with the above; and, 8) that all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the signing and filing of a special permit. M. Hart seconded the motion and the motion carried. P. Allegretti made a motion to waive the site plan requirements Section 14.4.2 a-cc. R. Wishart seconded and the motion carried. A vote was taken of the commission members for approval of the 1260 sq. ft. There were 7 approvals, which made the ¾ vote needed to pass.

III. New Business

A. Acceptance of New Applications –

1. **Mary MacLean, 446 Deerfield Road**, application for a zone change. P. Allegretti made a motion to schedule a public hearing for September 15, 2020. B. Champany seconded and the motion carried.

B. Citizen's Comments –

- #### **C. Correspondence –** none; P. Mann asked about the Staley's and Deerfield Road; no application has been submitted yet. Closing issues arose so they are holding off for now.

D. ZEO Report – Permits Issued:

178 Paine Road – Cerreto – L-shaped (wrap-around) deck on side and rear of house

1. Complaints/Violations:

- a. Barry Peloquin, 59 Longmeadow Drive, commercial vehicles in a residential zone. The trailer and M35 were to be removed by May 31, 2019. M35 military truck is still in the rear of the property. Counsel is preparing to file for contempt of a court order due to the following: failure to remove the M35 military cargo truck from the property; failure to make restitution to the Town in the amount \$2,434.42 by June 1, 2019. On November 3, 2019 the yellow bucket truck, M35 and a white truck (flat bed with stakes) with chipper in tow were on the property. Atty. Higgins is adding the new property owner to the suit and will have it ready to proceed to court when they return to working status ((5/18/20). Vehicles on property: Yellow bucket truck, woodchipper, green/white bucket truck, military truck, white log truck with red grapple arm (8/19/20).
- b. Intersection of Paine and Fay Roads: camper as dwelling – nothing new. Ryan received the site plan. Has not received an application yet. Warning letter was sent on 5/4/20. No response and we have not the signature card. The camper looks like it may be abandoned. The property owner left Ryan a message that they purchased a house and returned the lot to open space (he is assuming PA 490). He will call him and inform him that the

camper must be removed (5/18/20). Told property owner the trailer must be removed (8/19/2020).

- c. 73 Fox Hill Road – there are two overseas shipping containers being used as sheds, which is not allowed. One box has been removed. They are working on removing the other. Further discussions have been had with the owner on moving towards a new house. A letter was sent to the property owner and received a response. A lot of scrap metal has been removed from the property. The owner is working with KWP and Copeland Builders to construct a new house (5/18/20). Plans are being completed (8/19/2020)
- d. Nora Lane Realty, LLC, 4 Nora Lane – operating without a zoning compliance certificate and Certificate of Occupancy. NOV was mailed out on November 21st to cease operation until they pave the apron, grade the parking lot, and most everything else other than the building. An application has been approved to complete the site and applicant is working to correct the outstanding issues (8/19/2020).

IV. Commission Business

- A. Discussion of meeting in-person in September. P. Allegretti thought the Senior Center might not be big enough for a public hearing and though we might need to go to the Old Town House. R. Wishart said he is fine with meeting in person. P. Mann said he is fine, also. J. Rivers agreed to meeting in person. R. Huoppi is fine with it as long as we have enough space. M. Hart thought it was a safe bet. B. Champany though the Old Town House would be more spacey but she's fine with it. P. Mann mentioned that for those who don't wish to meet in person, they can zoom in. R. Brais said he is fine to meet in person. L. Krajewski, clerk, said she has no issues with meeting in person. We are scheduling the September 15th meeting to be held at the Senior Center.
- B. Planning and Zoning Fund Balances – nothing new
- C. Discussion of Air bnb's – this issue is postponed until we can return to regular meetings

- V. Adjournment-** B. Champany made the motion to adjourn. It was seconded by R. Wishart and approved.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____