

TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING MINUTES
MAY 20, 2020 @ 7:00 PM

I. Public Hearing

- A. Nora Lane Realty, LLC for M&E Transportation, 4 Nora Lane, special permit application, modification to originally approved site plan (under NOV for operating without zoning compliance and CO). J. Rabbitt spoke regarding the special permit application. A NOV was issued for operating without the appropriate permits. They submitted a new application for a new permit to correct the issues. After a review of the plans, Jamie drafted a motion regarding phase 1 and phase 2

N. Thibeault was present to represent M&E Transportation. P. Allegretti asked if they would be able to get the seeding done by Oct. N. Thibeault said he is going to push the applicant to do that. He told M. Bunning he needs to adhere to the approved plans. He agrees with Jamie regarding the stormwater basin. As far as the wooden posts along the roadway, he was told they are electrical hook-ups to plug trucks in during the winter). Jamie said the posts are 20-30 feet away. These posts could be relocated closer to the parking area. Jamie stated that there are two types of posts and there are some additional posts behind the parking spaces. Kristin Sapp, an abutter to 4 Nora Lane, read that they are supposed to put some trees up to buffer the sound. She has small children and horses. Her concern is the noise and if they are going to have set operating hours. R. DiBonaventura told Ms. Sapp that there is not supposed to be any extended idling or airbrakes. The landscaping is being addressed. Ms. Sapp said that there is someone out there are 7am playing music loudly until late at night. There needs to be a tree buffer. She mentioned that she was never notified that the property was for sale and there is outside digging going on late at night. R. DiBonaventura stated that the landscaping still needs to be done. Ms. Sapp is worried and wonders if maybe a fence needs to be put up for 100' buffer. She's not looking for problems, but just want the landowner to do what has to be done. Jamie then mentioned that there is no requirement to notify abutting property ownership. Ms. Sapp said she never received the abutter cards. R. DiBonaventura told her that we're on the same page as she is...we are working to get things completed. N. Thibeault told M. Bunning that it is in his best interest to get everything done by July 3. He has nothing new to add to what's been said. P. Allegretti made a motion to close the public hearing. B. Champany seconded and it was approved.

II. Regular meeting

- A. Roll Call – Rich thought Lynn had already done attendance, which she had.
- B. Items to add to the agenda –
 - 1. Letter from Bill Hull requesting the return of his credit balance with the Town (for all departments). This item will be moved to Commission Business A
 - 2. Yvette Hollenbeck, 123 Paine Road, special permit application for a 20' x 48' horse barn and paddock. This will be moved to New Applications.
- C. Approve minutes of April 15, 2020 – B. Champany made a motion to approve the minutes as submitted. P. Allegretti seconded and the minutes were approved.
- D. Pending Applications –
 - 1. Nora Lane Realty, LLC for M&E Transportation, 4 Nora Lane, special permit application, modification to originally approved site plan (under NOV for operating without zoning compliance and CO). J. Rabbitt read his draft motion and conditions of approval into the record. N. Thibeault submitted one page of changes including a timeline. R. Wishart made a motion to approve the application with conditions of approval stated by J. Rabbitt. P. Mann seconded but the item went to discussion. P. Allegretti was concerned with the timeline. He felt that July is very close but felt fine about the surety. Jamie then adjusted the Conditions of Approval for the application, with clarification of requirements and surety. M. Bunning has been operating approximately six months without a Certificate of Occupancy or Certificate of Compliance. He could probably complete all the work that needs to be done within 7-10 workdays. B. Champany mentioned that it's been very wet. P. Allegretti said that area is all sand and gravel. At this point, Jamie adjusted Item #2 on the COA. R. DiBonaventura asked if there were any more questions. At this point a vote was taken and the application was approved with 10 Conditions of Approval (see Attachment A).

III. New Business

- A. Acceptance of New Applications – Yvette Hollenbeck, 123 Paine Road, special permit application for a 20 x 48 horse barn and paddock. Y. Hollenbeck was in attendance and spoke to the commission and the clerk. She got the appropriate NDDH paperwork and has submitted it for approval. R. DiBonaventura said we will accept the application and schedule a Public Hearing. R DiBonaventura made the motion to schedule the Public Hearing for June 17, 2020, at 7pm. P. Allegretti seconded and the motion was approved.
- B. Citizen's Comments – none
- C. Correspondence – letter from CT Siting Council to Atty. Kenneth Baldwin of Robinson & Cole, LLP, regarding extension of construction time at 72 Ragged Hill Road. This was distributed via P&Z website to commission members.
- D. ZEO Report – Permits Issued:
 - 290 Modock Road – Eric Staplins – New 2400 sf house

37 Cotton Road – Gerald Daigle – replacing 24' x 24' garage with the same in same location

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).
- 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 (I'm assuming PA 490). I will call him and inform him that the camper must be removed (5/18/20).
- 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).
- 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 is currently before the Commission to correct these issues.

IV. Commission Business

- A. Letter from Bill Hull requesting the return of his credit balance with the Town (for all Departments). Jamie needs to do a quick drive by to do a final review of the project. P. Allegretti made a motion to table this item until next month. R. Wishart seconded the motion and it was approved.
- B. Planning and Zoning Fund Balances – received permission from the commission to transfer funds to cover IWWC deficit balance. The exact amounts involved are as follows:

Pomfret School owes the Town for their IWWC apps balance of \$4,431.97

Pomfret School has a balance due them from P&Z apps for \$1,739.20

Pomfret School has an IWWC surety balance due them of \$1,032.35 (as of 4/30/20)

Pomfret School has a P&Z surety balance due them of \$15, 140.09 (as of 4/30/20)

- C. Discussion of Air bnb's – this issue is postponed until we can return to regular meetings
- V. Adjournment- B. Champany made a motion to adjourn. R. Wishart seconded and meeting adjourned at 8:55 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____