

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
MONDAY, FEBRUARY 27, 2012 AT 7:00 PM  
POMFRET SENIOR CENTER**

In Attendance: Commission Members Walter Hinchman, Phil Allegetti, Eric Pohlman, Richard DiBonaventura, and Beverly Champany; Staff - Ryan Brais, ZEO and James Rabbitt, Town Planner.  
Absent: Ted Tsanjoures, Martha Paquette, Kimberly Bergendahl, Christopher Burke and Antonio Amaral.

**I. Regular Meeting –**

**A. Current Business**

1. Approve Minutes of Regular Meeting of January 23, 2012 –  
B. Champany made a motion to approve the minutes as written. P. Allegetti seconded the motion. The motion was approved unanimously.

**B. Pending Application(s) –**

1. Vanilla Bean Café, 450 Deerfield Road, new sign – the owners are awaiting paperwork from the State regarding their lease agreement. Jamie said that the sketch looks as if the sign will be moved 10-15' from its original position. He said he believes the commission members need to understand where the sign is and where it is going. This was tabled until next month.

Walter mentioned that he would like to make a motion to add to the agenda the discussion of the Plan of Conservation and Development under Commission Business. P. Allegetti seconded the motion and it was approved unanimously.

**II. New Business**

**A. Acceptance of New Application(s)**

1. Graphics Unlimited for Pomfret School, 398 Pomfret Street, replace two existing 12 sq. ft. signs with new same size; one each at North and South entrance. Travis from Graphics Unlimited and Tony Malagrino from Pomfret School were present. He said the signs are identical in size, but are now mounted on two granite posts. P. Allegetti asked why this came before the commission. Jamie said it was outside of Ryan's jurisdiction. W. Hinchman also mentioned that Pomfret School had been grandfathered and originally had four signs, but now they're down to two. R. DiBonaventura made a motion to approve the application. P. Allegetti seconded the motion and it was approved unanimously.

**B. Citizen's Comments –**

1. Paul Miller of Miller Family LLC would like to speak regarding the fee in lieu of open space. Mr. Miller apologized for not being here last month. He then gave a history of the property and thanked the commission for giving him the opportunity to speak. Mr. Miller said that the way he reads the regulations, the fee in lieu of open space allows the transfer of property to a child, spouse, brother, sister, etc. He said he has 3 lots of 15+ acres each. W. Hinchman then asked Paul if he had the letter Walter had sent to him. Paul gave Walter the letter and Walter read the letter into record. He then said that the mention of gifting and taxation was an assumption on his part. He thought there could be a possible modification of the original application. Paul said that he couldn't gift to his kids until the subdivision was complete. Walter said that once the transfer is 100% complete, then he should come back before the commission to say it is complete and then follow State statute. Jamie said that once they approve a parcel of land, the fee in lieu of open space is

due and the conditions of approval is upon transfer of title. He said this commission is very forthcoming and it will be at the discretion of the commission if there will be some relief of some of the fee. He also said he spoke with Mr. Miller's counsel and explained all of this. W. Hinchman then said that if he'd like to come back after the transfer, just submit an application for modification. He said that Paul paid the fee and if he transfers it to someone else now, they don't pay a fee in lieu of. Jamie said the fee in lieu of open space is done during the initial application process. It is not retroactive. Walter then said to come back with documentation regarding consideration of fee in lieu of open space. Jamie said we need clarification on whether fee can be refunded.

After the discussion, Walter asked Paul how many acres he rents. Paul said he rents about 1550 and over 1000 acres are in Pomfret.

- C. Correspondence – two minor pieces of mail
- D. ZEO Report – two inspections this month

### III. **Commission Business**

- A. Citizen's Comments – None
- B. Discussion of Plan of Conservation and Development – Walter said that there will be the obvious changes, such as dates, commission members, etc. Phil mentioned that there was no zoning commission in 2002. Walter said the overlay map needs changing. Phil said the data only goes back 20 years and maybe we should go back further in time. Walter said there are two significant issues that occurred; in 1855, Putnam took over the mostly populated area of Pomfret and Route 52 became Interstate 395, which made Pomfret more commutable. Phil then mentioned there has been talk of a sewer line and natural gas line. Jamie mentioned that some infrastructure improvements will happen in the next five years. Phil said he looked at Ashford's plan and they have special planning areas and it might be something we could look into. Walter then asked if the commission thought they should start at ground zero. Rich said that at our last meeting, it was stated that we were going to pick it apart and go from there. Phil said the major addition is zoning. Eric asked about what other towns are doing – such as Putnam or Woodstock – does it influence us. Jamie said that NECCOG, SECCOG, etc. do regional plans for consistency with State plan. He said the State has asked regions to look at draft of State's new plan for potential conflicts with regional plan, etc. We can't sit around and wait for their plans; we need to start on ours. He said he will send the links to the web page for the State's draft plan. He will also check with John Filchak at NECCOG to see where they are in looking at the State draft. Eric asked if it was best to set dates for workshops outside of regular meeting dates. Walter said that if we meet (quorum), it has to be posted as a meeting. He said by the time of the March meeting we should have the links to the State and regional plans. Jamie said he can get the State plan but not the regional. He thinks he might be able to get a digital copy. Walter wants everyone to look at it before the meeting and maybe meet once or twice between regular meetings. Jamie said he will send the link to the clerk and she will get it forwarded to the commission members. Phil said he didn't think we'd have to make a lot of difficult changes. He thought we should talk about it at the March meeting and then pick a workshop date. Walter said we will set a timetable for meetings. Let's plan to try to get this information and go from there and meet next month with the potential to meet on Monday, April 9, 2012.

Ryan then said he would like to inform the commission that an application came in for the Zoning Board of Appeals for a variance on an interior lot at 99 Hamlet Hill. Jamie said that it is at the North end of Hamlet Hill and the Wong's are trying to divide property. He stated that the regulations say that there has to be 500' between lots. Eric asked if the road could be extended. Jamie said it would exceed the cul-de-sac length. He said that traditionally, the ZBA makes good decision regarding hardship issues.

IV. **Adjournment**

Bev Champany made a motion to adjourn the meeting. It was seconded by P. Allegretti and approved unanimously. The meeting adjourned at 8:21 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved\_\_\_\_\_