

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
MONDAY, MARCH 24, 2014 AT 7:00 PM  
POMFRET SENIOR CENTER**

**In Attendance:** Commission Members Walter Hinchman, Phil Allegretti, Artie Benway, Richard DiBonaventura, and Alternates Kimberly Bergendahl; Staff - James Rabbitt, Town Planner and Ryan Brais, ZEO. **Absent:** Commission Members Eric Pohlman, Martha Paquette, Beverly Champany, and Alternates Rebecca Rich and Antonio Amaral.

Walter Hinchman opened the meeting at 7 pm. He requested a motion to seat Rebecca Rich for E. Pohlman. R. DiBonaventura made the motion; it was seconded by B. Champany and was approved unanimously.

**I. Regular Meeting –**

**A. Roll Call - taken**

**B. Items to Add to the Agenda –**

1. Request from Loos & Co. for release of their surety/fees
2. Drake Petroleum – add under Section II as Item B

**C. Current Business**

1. Approve Minutes of Public Hearing/Regular Meeting of February 24, 2014.  
P. Allegretti made a motion to approve the minutes as submitted. B. Champany seconded the motion and it was approved unanimously. There were 2 abstentions.

**D. Pending Application(s)-**

1. Jaehyun Park, 92 Longmeadow Drive, Class II Home Occupation; educational counseling. The application is for a home office only. He will find placement for students who come over from Korea. There will be no disruption to the neighborhood. He obtained a letter from the house owner to have the business at the home. Jamie mentioned that the Class I allows up to 25% of home. Floor plan shows a 12' x 15' room. The applicant didn't state the number of employees. He recommended that the motion state that housing of any sort (student, guest, etc.) is not allowed at the premises. Mr. Park can have up to 2 employees. He works by himself and that only his own family lives in the home. W. Hinchman said he would entertain a motion for the Class I with the conditions that: 1) no one else resides in the home; 2) there are no other employees but Mr. Park right now (but he can have up to 2); and 3) there will be no overnight clients or students. R. DiBonaventura made the motion supporting Walter's suggestion. It was seconded by P. Allegretti and approved unanimously.
2. **Rectory School, 528 Pomfret Street**, construction of new 3,403 square foot two-family dwelling. No one was present for this application. It was tabled until after Item D3.
3. **Pomfret School, 467 Pomfret Street**, special use (faculty residence). Tony Malagrino stated that Pomfret School received 467 Pomfret Street as a gift. It will be kept residential but will be used for faculty housing with three units. He notified Mrs. Hale and Rectory School that site plan would be presented tonight. An application has been submitted to NDDH regarding the septic, etc. The water will come from the well already there. W. Hinchman mentioned that the commission's prior concerns were the parking, septic and water. T. Malagrino

said that occupancy will not occur until late August or early September. Walter read draft motion with 10 conditions of approval written by Jamie. P. Allegretti made a motion to approve the application as submitted but with two conditions of approval and not 10. He said that 10 COA seems excessive and the surety is not adequate. He felt that most of the conditions of approval were not necessary. He wants COA # 3 and #4 to remain. Jamie then mentioned that a typical home could have 8-10 cars a day. In a multi, it could be 24 cars a day. P. Allegretti then amended his motion to include COA #10. R. DiBonaventura said he is comfortable with the conditions Phil mentioned and seconded the motion. Jamie mentioned that they will need to notify DOT or they won't receive a CO. Ryan emphasized that DOT needs to be notified regarding the change of use. Walter then thought that the motion should be modified. P. Allegretti then modified his motion to include COA #5 so the COAs would be as follows: 1) the applicant shall submit final turning movements eliminating conflicts associated with the proposed faculty parking. Movements shall be reviewed and approved by Town Staff to verify that the existing conflicts have been eliminated, including surface treatment; 2) The applicant shall install a minimum of one turnout along the lower portion of the driveway closest to Route 169 to allow opposing vehicles to pass; 3) The applicant shall submit correspondence from the Department of Transportation authorizing use of the existing driveway for the new use (multi-family housing versus single family housing); and 4) That all cost associated with the review and processing of the application shall be paid in full by the applicant prior to the signing of Mylars and filing of a zoning permit. R. DiBonaventura seconded the amended motion and it was approved unanimously.

**Walter mentioned that there should possibly be an amendment to the regulations to define “campus” under Private School. Jamie stated that there’s a “campus” and there are Pomfret School “holdings”. Walter felt there needs to be a definition as to what can be done “on campus” or “on holdings”.**

We returned to Rectory School, Item D2 at this point of the meeting. As no one was present for the applicant, Walter read a draft motion prepared by Jamie. He then said he would entertain a motion on the application. P. Allegretti said he agreed with the conditions of approval because this being a new construction. R. DiBonaventura agreed fully with Phil. Walter mentioned that the commission had time to look over their submitted plan but there was no evidence of a request for waivers. They will still have time to submit waivers for the April meeting.

## **II. New Business**

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

1. Scott LaBonte, Drake Petroleum property at 19 Putnam Road, change in signage. They are looking to re-image the canopy and dispensers. There will be no re-structuring, just an overlay of the existing canopy. There will be modifying the road sign but there is no size change. Jamie said that the Citgo logo rising above the canopy will have to be adjusted to come below the canopy. They also plan to alter the logo on the pumps. Phil said the signs look like a good update. He then asked if there are going to be any major updates to the building in the future. S. LaBonte said there isn't going to be any updates right now. The modifications they're doing right now will be made to comply with the regulations. Phil made a motion to approve the application by Drake Petroleum with the one condition that they reduce the size of the triangular logo so that it does not extend beyond the

limits of the canopy. R. DiBonaventura seconded the motion and it was approved unanimously.

**B.** Citizen's Comments –none

**C.** Correspondence – information regarding the high voltage line going in in Pomfret

**A.** ZEO Report –

Permits: No permits were issued.

**1.** Complaints/Violations:

- a.** Pixie Rahe of Old Rte. 44 – a cease and desist was issued to Pixie Rahe of 10 Old Route 44 for operating a retail use on a residential property. This violation is ongoing. There hasn't been any activity seen over the past few weekends. There are signs still up around town. Ryan stated that the M. Nicholson is acting as a moderator between the Lee's and Pixie to see what can be done. Ryan said that he has to do what he has to do. There is nothing new regarding this issue.

### **III. Commission Business**

**A.** Citizen's Comments – none

**B.** Discussion of Plan of Conservation and Development. Walter said that the State required an update every so often and ours need an update by June of 2014. He feels that we can do this ourselves. He wants to make sure the new members have a copy of this document to look at and they can obtain it on the web. He mentioned that the sewer hook-up will be an issue. He is thinking that maybe we can do all updates by September with the commission members and the Town Planner helping us.

**C.** Loos & Co. request for release of their surety/fees. Jamie said that all work is over and done. Walter made a motion to release the funds. It was seconded by B. Champany and approved unanimously.

### **IV. Adjournment**

**B.** Champany made a motion to adjourn the meeting. It was seconded by

**A.** Benway and approved unanimously. The meeting adjourned at 9:02 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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