

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MEETING MINUTES
MONDAY, SEPTEMBER 22, 2014 AT 7:00 PM
POMFRET SENIOR CENTER**

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

I. Public Hearing

- A. James Weiss, 389 Wrights Crossing Road,** Class II Home Occupation special permit for chocolate making facility. James Weiss was present and spoke regarding this application. Said he took courses to make chocolate and it had become a glorified hobby and he was giving all the chocolates he made away. He decided to seek approval from the Town to have a chocolate making facility with retail space at his property, and then he will go to the State and get everything else needed up to snuff. Dr. Michael Baum, an abutter, was present and said he was all for this application being approved. It was noted that there was a written request for a waiver of Section 14.4.2 a-cc. R. DiBonaventura made a motion to close the public hearing. P. Allegretti seconded the motion and it was approved unanimously.

II. Regular Meeting –

A. Roll Call - taken

- B. Items to add to the agenda –** W. Hinchman made a motion to add Dale Currier, discussion of property on Rte. 44, under Commission Business Section C. P. Allegretti seconded the motion and it was approved unanimously.

C. Current Business

1. Approve Minutes of meeting on August 25, 2014. R DiBonaventura made a motion to approve the minutes as submitted. A. Benway seconded the motion and it was approved unanimously. There was one abstention.

D. Pending Application(s)-

1. **James Weiss, 389 Wrights Crossing Road,** Class II Home Occupation for chocolate making facility. W. Hinchman read a letter and draft motion for the application written by J. Rabbitt, which included five conditions of approval. J. Rabbitt then reminded the commission that the applicant had requested a waiver of Section 14.4.2 a-cc with his application. R. DiBonaventura made a motion to approve the waiver request of Section 14.4.2 a-cc. P. Allegretti seconded the motion and it was approved unanimously. P. Allegretti then made a motion to approved the application but with only conditions of approval #1 and #5. R. DiBonaventura seconded the motion. E. Pohlman asked Jamie about the area for retail sales. Jamie said it could be up to 50 square feet. The motion was then approved with the following conditions: 1) The home occupation is limited to the

areas depicted on their modified sketch plan (accessory building 24' x 24'); and
2) That all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the recording of the special permit, as required by the regulations.

III. New Business

A. Acceptance of New Application(s) - none

B. Citizen's Comments –

C. Correspondence – Town of Killingly submitted a change in zone regulations

1. ZEO Report –

Permits issued: none this month

2. Complaints/Violations:

a. Pixie Rahe of Old Rte. 44 – this is ongoing. Nothing new.

b. Barry Peloquin, Longmeadow Drive (commercial trucks). This matter has been forwarded to Atty. Higgins with a report of observations over the summer. A letter will be sent to Mr. Peloquin ordering him to comply with the Cease and Desist issued last year or the Commission will be pursuing legal action with monetary penalties.

IV. Commission Business

A. Discussion of Farmer's Market – remove this item from the agenda for now

B. Citizen's Comments – Donald Hay spoke to the Commission regarding his new wife over a concern as to whether the regulations will allow her to continue teaching painting in her home once she moves to a new residence. Jamie said that under Section 12.20 Home Based Business that an artist studio, scope and scale, would be decided by the size of the property. Permits run with property and not people. He said it would require a special permit.

C. Dale Currier, Rte. 44, spoke to the Commission regarding possibly renting the old H&H building (next to Pomfret Tire) for the purpose of selling parts and servicing motorcycles (brakes, tires, etc. with minor repairs). Jamie said that this location is an existing non-conforming use. It was a retail facility when it was H&H but a non-conforming cannot be changed to another non-conforming use. The only way to add a new use would be to make a change in the zone or a change in the text. You can do retail for retail. That area is zoned residential and spot zoning is not allowed in CT. Mr. Currier will talk with Staff regarding the issues involved.

IV. Adjournment

R. DiBonaventura made a motion to adjourn the meeting. It was seconded by

A. Benway and approved unanimously. The meeting adjourned at 8:09 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____