

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES (AMENDED)  
MONDAY, OCTOBER 27, 2014 AT 7:00 PM  
POMFRET SENIOR CENTER**

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

**I. Regular Meeting –**

**A. Roll Call - taken**

**B. Items to add to the agenda –**

1. **Kristin St. Onge, 289 Pomfret Street**, new application for pre-school (previously applied for by Marion Nuccio).
2. **Maureen Nicholson** – regarding sign for Pomfret Community School.
3. **Dale Currier** - regarding the old H&H building.

W. Hinchman made a motion to add item IB1 to item IIA2; move item IB2 and IB3 to items IIB2 and IIB3 respectively. P. Allegretti seconded the motion and it was approved unanimously.

**C. Current Business**

1. Approve Minutes of meeting on September 22, 2014. P. Allegretti made a motion to approve the minutes as submitted. R. DiBonaventura seconded the motion and it was approved unanimously. There was one abstention.

**D. Pending Application(s)- none**

**II. New Business**

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

1. **Jaehyun Park, 118 Putnam Road**, home occupation for education counseling. Mr. Park was present for the application. He recently moved to a new location and will follow the same conditions as the previous application he submitted. The owner of the property signed off giving Mr. Park permission for this activity to take place at this site. Most of the activity is done by phone with very low traffic volume. Jamie mentioned that there was no floor plan with the application to show use size. All home occupations need site plans. Ryan worked briefly with Mr. Park on this. He said it is the same business but at a new location and we need to keep the same conditions of approval in place. Jamie stated that Mr. Park also needs to ask for waivers regarding the requirements of the site plan. R. DiBonaventura made a motion to accept the application on the condition that the missing documents are completed and in the file prior to the next meeting. B. Champany seconded the motion and it was approved unanimously.
2. **Kristin St. Onge, 289 Pomfret Street**, new application for pre-school (previously applied for by Marion Nuccio). No one was present for this application. This application was accepted tonight and is continued until our next meeting.

**B. Citizen's Comments –**

1. **David Loos, 485A Wright Crossing Road**, discussion of replacing mobile home (like for like). D. Loos explained that this mobile home has been on the property since 1986. Through time the mobile home has deteriorated and during the winter last year the pipes froze and the mobile home got iced up, the plumbing went awry, and the floors rotted. He had a conversation with the ZEO about replacing the mobile home like for like. He got prices for repairs and prices for replacing the mobile home with a HUD approved mobile home. The repairs were \$18,050 no counting new windows, floors, and rugs. The existing home is 12'x60' and he will use the same footprint. R. DiBonaventura asked if the home was on wheels. D. Loos said the wheels are off and it is up on blocks. R. DiBonaventura then asked what he would do with the new home. D. Loos said he would block it up. At this point, R. Brais stated that the building permit would require a slab with tie-downs. W. Hinchman said the Section 11.2.4 of the regulations might fit this situation (destroyed by act of nature). R. DiBonaventura said he is all for replacing "like for like" but concerned about building codes. Ryan stated that building codes require a slab and tie-downs. W. Hinchman then stated that Mr. Loos is continuing the same use (mobile home was prior to zoning in Pomfret). Jamie then said that under Section 4.1.1 you're allowed one family dwelling per lot. What W. Hinchman is saying would be 2 units on one lot. Section 11.2.4 is "use can continue" (can't be taken away). Section 11.3 discusses non-conforming structures and Section 11.3.2 address the issue. The mobile home has to be replaced "like in kind". R. DiBonaventura again stated that he has no problem with the "like for like" replacement. The commission members were in agreement with him. The consensus was as long as the structure is same size, in same place, and is the same use, it is OK to be done.
2. **Maureen Nicholson, First Selectman** – regarding sign for Pomfret Community School. Maureen was present to let the commission know that Pomfret Community School asked her to come to the commission to discuss the temporary sign/banner they're going to put up and they need feedback from the community regarding the size/color/legibility, etc. They had a graphic 32 square foot sign and it didn't appear to be legible. W. Hinchman mentioned that there are sign regulations. He also that the there are signs on all four sides near the school (169 and 101) stating that the school is there. P. Allegretti asked how long the banner will be up. Maureen said she wasn't sure but they'd like feedback from the community and commission. E. Pohlman said if they're asking to change sign regulations, then the banner should be the approximate size of the sign they wish to put up.
3. **Dale Currier** - regarding the old H&H building. Mr. Currier stated that he understands that the use is for retail only, but was wondering if they could sell motorcycles as well as part and accessories? R. DiBonaventura said that it requires a dealer's license and that DMV has their own regulations about what's needed. He said it's a big hurdle (surety bonds and insurance are pretty high). He doesn't believe the building will be adequate for DMV. Jamie then said that DMV will send information to the Town for dealer/repair and although the dealer part can be done, the repair cannot because it is prohibited under the regulations.

- C. Correspondence – Town of Killingly submitted a change in zone regulations
1. ZEO Report –  
Permits issued:
    - a. Jessica White, 32 Cassidy Rd, 16'x32' in ground pool
    - b. John/Karen Deluca), 236 W. Quasset Rd., 68'x80' barn  
(special permit was granted in 2012 for this barn)
  2. Matters of Interest: Received calls regarding 77 Deerfield Road (mansion) from perspective buyers. One person wanted to make it a country inn and hold special events. Another wanted to make it an assisted living facility. I advised the person wanting the country inn of the application process and explained that a text amendment would be required for assisted living. Another person wanted to know about constructing a solar farm at the end of Woods Hill Road in the CB zone. I advised them that a text amendment would be required.
  3. Complaints/Violations:
    - a. Pixie Rahe of Old Rte. 44 – it has been very quiet. This item can now be removed from the agenda.
    - b. Barry Peloquin, Longmeadow Drive (commercial trucks). Atty. Higgins sent a letter to Mr. Peloquin for him to remove all equipment from his property because he is still under a Cease & Desist order. The letter was delivered by State Marshal. Ryan has been checking the property often since the 10-day time frame expired and the equipment is still there. He would like to have the Town Attorney proceed further with this issue. Jamie then mentioned that we expect an applicant to come in and do the right things via the regulations but what do we do when someone ignores the regulations and runs an operation without the proper application/permit? Ryan, as Staff, has done all that he can do regarding this issue. E. Pohlman made a motion to have the Town Attorney move forward to the next step in the process. A. Benway seconded the motion and it was approved unanimously.

### **III. Commission Business**

- A. Citizen's Comments – Peter Mann, Pomfret Selectman, just wanted to let the commission know his opinion regarding a new text amendment for a sign ordinance. He believes that whatever is decided should be the same for everyone in Town.
- B. Draft of 2015 Meeting Schedule – copies of the schedule was given to the commission members to check against their meeting calendars. There were no conflicts with the dates on the schedule for 2015. W. Hinchman made a motion to adopt the 2015 meeting schedule as drafted. B. Champany seconded the motion and it was approved unanimously.

### **IV. Adjournment**

- B. Champany made a motion to adjourn the meeting. The meeting adjourned at 8:13 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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