

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/SPECIAL MEETING MINUTES
MONDAY, MARCH 9, 2015 AT 7:00 PM
POMFRET SENIOR CENTER**

In Attendance: Commission Members Walter Hinchman, Phil Allegretti, Eric Pohlman, and Beverly Champany, Alternate Kim Bergendahl; and Staff - James Rabbitt, Town Planner.

Absent: Commission Members Richard DiBonaventura, Martha Paquette, Artie Benway, and Alternate Antonio Amaral; Staff - Ryan Brais, ZEO.

W. Hinchman opened the Public Hearing at 7:04 PM. Before the hearing started, B, B. Champany made a motion to seat K. Bergendahl for R DiBonaventura.

I. Public Hearing(s)

A. Pomfret Little League (Jim Rivers), 63 Hampton Road, replacement of existing dugouts and snack shed. J. Rivers spoke for the application. He submitted additions for the file including a formal waiver request of the site plan and new plans, which he showed to the members. He stated they're using the existing footprint. At this time there is no plan for running water or restrooms. They are unsure of the materials or the color being used. Jamie stated that it will have a flat roof, clapboard, with no color call out. Jim said it could possibly be blue, which is the team color. Jim said that they are not enlarging the field because they're working with the existing fence that is up. The concession stand will be below the new bleachers and the portable bleachers and picnic tables may be used. W. Hinchman read the waiver request of the site plan that was submitted at the start of the hearing. For clarity, it is the waiver of Section 14.4.2 a-cc. W. Hinchman then made a motion to close the public hearing. P. Allegretti seconded the motion.

B. Pomfret Eastford Little League (Jason Verraneault, CME), 63 Hampton Road, addition of sports lighting to existing Little League field. J. Rivers submitted a formal letter requesting the waiver of the site plan. The green CRR cards were delivered to the Town Hall a day or two after the last meeting. There will be 4 light towers being installed. While looking at the plans, the questions came up about all the numbers shown on the plan on the field area. Jamie said those numbers represent foot candles. He said in a commercial setting such as Killingly Commons, there is a 6-8' range of light called a cone of illumination; it's how the light affects the ground and it will be brighter in the infield than the outfield. There was a discussion regarding the outskirts of the lighting. Jamie made the comparison that make-up lights are about as bright as those being used for the infield. Deborah Simpson, who is against the field lighting, prepared, distributed and read her statement to the commission. Bev then asked if this lighting will cast a shadow in the street. Jamie showed the commission 3 pictures: a York softball field whose lighting was done by the same company as proposed for this field; lighting at 4 volleyball courts in Georgia; and, a complex with many more lights. Paul Simpson, who is also against the field lighting, prepared, distributed, and read his statement to the commission. Kim thought she would need a better visual of the field. J. Rivers responded to the letters submitted against the lighting. The temporary lighting that was previously used was 12 portable generator light rigs with 4 lights per section

and could go up to 25' in height. They were positioned all around the little league/softball field and the lighting was directed straight out. That was a much different situation than what is proposed by the engineer for the new lighting. None of the new lights are directed towards the Simpson home. Bev asked how late the lights will remain on because in the regulations it states 10:30 for lights out. D. Simpson then said that night lights mean more night games. It interferes with the peace in the neighborhood. She appreciates the little league but the big field lights changes the whole aspect. P. Simpson said that ambient lighting will affect the neighborhood because it will be more dangerous at night and with the lights on, it will be a big distraction. The Fire Dept. is right there and when they need to respond in an expedient manner, it creates a hazard to traffic flow. He said he asked the Selectmen if parking could be eliminated from the side of the road and was told it would take State action to get a no parking zone. There was further discussion regarding the number of games to be played, how long the season would be, etc. It was stated that the only time another team (other than Pomfret/Eastford) would play on the field is for All-Stars and play-offs. It was stated that there is a fall season for about 8 weeks. TJ Billiard (citizen) he used to live down south next to a complex that had 4 fields and the lights had to be off at 10:30 pm. He said that kids need the best possible options in life and feels that the baseball field with lights is the up and coming growth for this area. P. Simpson contended that Mr. Billiard was now in this area because he didn't like that (lighted complex). Mr. Billiard responded that he's not even close to why he's here. P. Simpson then said that if you had a safety commission from the State look at the situation with lighting that close to the road, it would be a big distraction. There was further discussion about how many games each team plays. W. Hinchman then made a statement that the Simpsons have stated that they find the lighting intrusive, that there is a highway safety issue and asked J. Rivers if it would require State approval for a no parking zone. J. Rivers said the State just came in and did it over by Pete's Drive-In without anyone asking for it. The little league always has police and a constable to direct traffic and the Fire Dept. even allows parking in back of their building during big games. He also said that you have to crawl through the area with cars parked on the side of the road and he is not aware of any incidences or accidents. He said he'd like a larger sign for the field but that can be talked about at another time. Jamie then said that Mr. Simpson says he's a safety engineer but his statement sounds more like a traffic engineer than a citizen/resident response. He also said that the Selectmen do not work with District 2 for no-parking zones. He then asked what type of safety engineer Mr. Simpson is and was his statement professional testimony or a personal opinion. Mr. Simpson said no. W. Hinchman then asked if he was answering the question and Mr. Simpson stated he chooses not to respond. W. Hinchman then asked if there is any reason no to close the public hearing. David Bunning, a neighbor of the Simpsons, said he understood why older people would dislike the lighting but it is a great thing for the kids and totally sympathizes with them not having any small kids. D. Simpson said it is the intensity and nature of the lighting. She actually enjoys watching the games. P. Simpson then said there is definitely a difference of opinion and you're not necessarily going to think the same, but it is hard not to take it personally. W. Hinchman asked for any final questions. Brian Chuck said he played ball his whole life but he never got to play under the lights once. For the kids, just to walk onto the field under the lights is a thrill, like walking onto a professional field. W. Hinchman made a motion to close the public hearing. B. Champany so moved and it was approved unanimously.

II. Special Meeting

A. Discussion and possible action on pending applications

1. **Pomfret Little League (Jim Rivers), 63 Hampton Road**, replacement of existing dugouts and snack shed. Jamie distributed the COA's. Walter read the request for waiver of site plan review. P. Allegretti made a motion to waive site plans required by Section 14.4.2 a-cc regarding the dugouts, concession stand, and bleachers. B. Champany seconded the motion and it was approved unanimously. B. Champany made a motion to approve the application submitted by the Pomfret/Eastford Little League for proposed dugouts, bleachers and concession stand at 63 Hampton Rd., property owned by Connecticut Laborers' Training Academy, as shown on a plan prepared by CME (sheets 1 of 3 dated 1/21/15) and plans by Benjamin Oliver dated 3/9/15, with the following conditions: 1) All site plan improvements shall be completed according to the plans and drawing approved by the Planning & Zoning Commission prior to the issuance of certificate of zoning compliance prior to their use; and 2) the applicant shall pay all costs associated with the review and process of their application. P. Allegretti seconded the motion and it was approved unanimously.
2. **Pomfret Eastford Little League (Jason Verraneault, CME), 63 Hampton Road**, addition of sports lighting to existing Little League field. Jamie stated that Staff has prepared a motion in a favorable manner (as usually done). He gave a summation of the letter dated 2/23/15 with attachment that was updated tonight and read to the commission. W. Hinchman read the waiver request to the commission and made a motion to approve the waiver of the required site plan regulation. P. Allegretti seconded the motion and it was approved unanimously. W. Hinchman then said that in consideration of this application, there were 9 abutter notices sent out and that 6 were to families (including the Simpsons) and 3 were to companies. All 9 had the chance to come to the hearing and speak. E. Pohlman then asked if there were any restrictions as to who could play on this field. W. Hinchman said that all games are played by Pomfret/Eastford or All-Star or Play-Off games only. Jamie then said that the existing facility is an existing non-conforming as a baseball/softball facility (no restriction as to residence or locale) and that any illumination has not been permitted. E. Pohlman then said that if the facility is so desirable, maybe more teams will want to come play here. Walter said the only response was previously stated. P. Allegretti said we need to plan for success. More kids will come out and if you get too successful, maybe you need to move. He understands what the Simpsons had to say but the field has been there for years. Maybe there is a possibility of a new/additional field at a later date. He feels that sometimes you have to take the big leap for the greater good and feels that the lighting/improving the Little League field is for the greater good of the Town. K. Bergendahl asked what a nuisance is. She mostly agrees with Phil, even though it may be an inconvenience to a few people. Walter said that is why he looked at the return cards. Phil then said that he was surprised when we had the public hearing for lighting regulations that we didn't have people turn out then to speak either pro or con regarding the issue. Kim said she doesn't find having light to be a distraction. Lights seem to help her to see better, not distract her. Phil said that we require a professional engineer to come in and create a professional plan. The commission did a good job on the lighting regulations and we have seen a plan from an engineer. There was discussion about COA #1 and amended. Walter then asked Jamie if he knew of a professional individual to verify the lighting. Jamie said not off the top of his head. Phil then

said that as far as time for the lights to go off, our regulations say 10:30 and felt we should take this COA out. Jamie says the interpretation is clear. If we allow the lights until 10:30 and the commission later strikes down the 10:30 time, they still can have lighting until 10:30. Putting the time in the motion solidifies limits. If they have until 10:30 and the regulations changed to 11:00, they would have to re-apply to change their permitted time. Walter said he doesn't feel that 10:00 would be unreasonable. Bev asked if we could state 10:00. Walter said any time could be stated up until 10:30. Phil then mentioned that our logic during the public hearing was that if the game ends at 10:00, they could pick up and leave by 10:30. Walter reminded the commission that the league only had one game that went long. Eric said he had a concern about the intensity of extended use other than during the set season. He is in favor of April 1 – November 1. Phil said there is always the option for the applicant to come back to the commission to change something. Jamie said the applicant has the ability to apply to the commission to add/change their original application, but they have to re-apply in a formal manner with a new application, public hearing and come before the commission to hear the request. P. Allegretti made a motion to approve the application submitted by the Pomfret/Eastford Little League for proposed outdoor sports lighting located at 63 Hampton Road, property owned by Connecticut Laborers' Training Academy, as shown on a plan prepared by CME (sheets 1 of 3 dated 1/21/15), with the following conditions: 1) all site plan improvements shall be completed and an independent lighting engineer shall verify that the lumens (photometric plan) match the plan approved by the Planning & Zoning Commission prior to an issuance of certificate of zoning compliance; 2) the applicant shall pay all costs associated with the review and process of their application; 3) the field(s) may not be illuminated between 10:00 pm and dawn; 4) the use of the lights shall be limited to baseball/softball related activities (games and practice); and 5) the light may be operated between April 1 and November 1. B. Champany seconded the motion and it was approved unanimously.

IV. Adjournment

Bev Champany made a motion to adjourn the meeting. K. Bergendahl seconded the motion. The meeting adjourned at 9:32 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved_____