

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/SPECIAL MEETING MINUTES
WEDNESDAY, MAY 27, 2015 AT 7:00 PM
OLD TOWN HOUSE**

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

The Chairman opened the Public Hearing at 7 pm and seated K. Bergendahl.

I. Public Hearing

- A. **Brian Bourque, Deacon, First Congregational Church, Inc., 13 Church Road,** text amendment to the Town's Zoning Regulations to create a new zoning district named the Pomfret Street Residential Village District (PSRVD). The text amendment includes, but is not limited to, dimensional requirements (lot size, setbacks, frontage, building coverage, and minimum buildable area), permitted uses, special permitted uses, and architectural standards. Bruce Woodis of KWP spoke for the application. He said the primary purpose for the text amendment is to assist the church in the re-building (actually enlarge the building). Bruce read the text amendment as submitted and discussed some of the changes. There were numerous residents, church members and church board members present. W. Hinchman thought Bruce gave a good synopsis of the amendment. Peter Mann, Selectman, 125 Valentine Rd., asked how many acres are included in this new area. Bruce said approximately 35. The Special Permit is also being vetted through the P&Z Commission with another Public Hearing before building the new church. John Folsom, Wolf Den Rd., believes the text amendment will help to preserve the Town and approves of both the text amendment and the zone/map change. Paul Kramarz, Grosvenor Rd., is worried about being in violation; has existing, non-conforming before zoning. Maureen Nicholson then asked if it would bring some properties into conformity to which Bruce said some yes and some no. Maureen then said she is here to support the amendment and map change. She read her letter written to the commission, thanked the commission for their time and consideration, and hoped they would vote favorably. Bev Champany asked if they could build a house every 100 feet. Jamie Rabbit said the private school regulations would allow them to construct buildings even closer; this amendment deals with this issue only. Bev then asked what the size of the building will be and what percentage of the lot. Bruce said it will take up 1.5 acres. Jamie then said that it will allow someone to apply and they can only expand on their existing lot with this amendment, if it is approved (significantly larger). Bev asked about the 25% expansion. Jamie said you can always expand a permitted use. Those no longer permitted can only expand 25%. The church could build in a conforming manner under current regulations but not where they want to – this amendment would allow

them to apply for a special permit, but it is not guaranteed. Eric Pohlman asked what the original size of the building was. Bruce said it was just under 3200 sq. ft. Josh Lake of Grosvenor Road said that both he and his wife support this amendment. He then asked why those particular areas were selected. Bruce said the borders of a zone have to be fairly significant in size or else it's called spot zoning – it is somewhat arbitrary but somewhat organized. Maureen then mentioned that this would also allow for an expansion of the library. Walter reminded everyone that this public hearing related only to the text amendment. Rich DiBonaventura stated that since the amendment was brought by the church and not the commission, do they vote arbitrarily or exercise their right to change things. Jamie said that the commission always has the chance to modify things. Jamie then read the letter he wrote re: the text amendment. He believes the Public Hearing should remain open so the applicant can explain what is actually being changed in the regulations. Phil Allegretti asked if anyone from Pomfret School was in attendance. Walter then read a letter from Pomfret School that stated that they are in support of both the text amendment and zone change. Jamie then said that if the Public Hearing is closed, any questions that need answers can't be given by the applicant and there can be no more submissions to the commission. Walter said that this document doesn't state what the actual amendments to the regulations are. Rich said we will have to go back and forth between the regulations and text amendment to see the differences. Walter then asked Bruce if he agreed with Jamie. Bruce said that Mr. Rabbitt did assist in helping write the document and it may not be clear, but he didn't want to clutter up the text with red and black ink. Eric then if we had questions on parking and we closed the Public Hearing, then I can't ask the applicant any further questions. Jamie said that's right. Once the Public Hearing is closed, no more questions can be asked of the applicant as they are out of the picture. Bev said that if we continue, we could always approve it next month. Jamie said yes and if anyone has questions for the applicant, ask them tonight. Mike Bonitz, church member, said that it sounds like you might be leaving the Public Hearing open. Rather than delaying another month, would it be possible to have a special meeting before that month? Walter said it would depend on the availability of the commission members. Maureen then said she seconds, there's not a lot of intricate material needed, so a special meeting could be held. Walter said that in his opinion he doesn't in principle have anything against the zone change, either text or map, but there is nothing in the file regarding the building itself. Mike Bonitz then asked what additional information the commission would like. Glenn Trematore said that he has put together illustrations so what do we need to do? Jamie said the purpose is to submit information for the commission to go over to make a decision. If you have information to help the commission to be better informed, submit it. Glenn then showed an aerial map of the building prior to burning and the newly proposed building; an aerial map I relationship to the area; a before photo and after proposed photo; and an aerial view of the proposed building. Walter said he lived in that area for 35 years. He sees a break in the roof line. How big was the original church? Mike Bonitz said it was originally 40' wide, 80' long with a bump out to 52'. The newly proposed church is 40' wide, 120' long with a bump out to 48'. They are putting everything on one floor to accommodate ADA regulations, etc. There will be a walk out basement and the main floor. Walter then said he would like

to know how the commission feels about leaving the Public Hearing open. Phil made a motion to propose we keep the Public Hearing open and hold a special meeting in a couple of weeks. Jamie said the motion needs specifics. How is 2 weeks, 6/10/15, 7 pm at Old Town House? This is not good for everyone. Phil then moved to continue the Public Hearing until 6/9/15 at 7 pm at the Old Town House. Rich seconded the motion and it was approved unanimously. Walter then said we have a second public hearing we're supposed to open. Bruce then asked if they can simply submit everything they gave for the text amendment and use it for the map application.

- B. First Congregational Church, Inc., 13 Church Road,** zone change from Pomfret Street Residential District (PSRD) to Pomfret Street Residential Village District (PSRVD). The land for the proposed zone change is located immediately north of Bradley Road continuing to include six more properties or portions of properties north of Grosvenor Road on the east side of Route 169 and includes an area on Grosvenor Road (North and South sides). Open the Public Hearing at 8:37 pm. Bruce Woodis, land surveyor for KWP, spoke regarding the application. The proposed zone change map is for approximately 35 acres. The properties are owned not only by Pomfret School, but the church, P. Kramarz and others. We request any discussion of boundary, etc. be incorporated from the prior Public Hearing into this Public Hearing. Peter Mann said he will not be able to attend the next meeting but expressed his support for the zone/map change. Jamie then read his letter to the commission regarding the zone change. He stated it will need 4 votes to be approved. P. Allegretti then made a motion to continue this Public Hearing on 6/9/15 at 7 pm here at the Old Town House. R. DiBonaventura seconded the motion and it was approved unanimously.

II. Special Meeting –

A. Roll Call - done

B. Items to add to the agenda - none

C. Current Business

- 1. Approve minutes of meetings on April 13 and April 27, 2015 –** W. Hinchman made a motion to approve the 4/13 minutes as submitted and the 4/27 minutes as amended. B. Champany seconded the motion and it was approved unanimously.

D. Pending Application(s)

- 1. Brian Bourque, Deacon, First Congregational Church, Inc., 13 Church Road,** text amendment to the Town's Zoning Regulations to create a new zoning district named the Pomfret Street Residential Village District (PSRVD). The text amendment includes, but is not limited to, dimensional requirements (lot size, setbacks, frontage, building coverage, and minimum buildable area), permitted uses, special permitted uses, and architectural standards. E. Pohlman asked what the language would look like regarding shared parking. Jamie said it would be in perpetuity. They need to satisfy and meet the requirements. Rich said we've seen what they want but the answer he's looking for is whether there is enough text in their amendment for them to build what they want. At this point items 1 and 2 were tabled.
- 2. First Congregational Church, Inc., 13 Church Road,** zone change from Pomfret Street Residential District (PSRD) to Pomfret Street Residential Village

District (PSRVD). The land for the proposed zone change is located immediately north of Bradley Road continuing to include six more properties or portions of properties north of Grosvenor Road on the east side of Route 169 and includes an area on Grosvenor Road (North and South sides).

3. **Brian MacKenzie/Iryna Izotova, 757 Wrights Crossing Road**, Class I Home Occupation for bread bakery. The applicant was not present and no letter has been received from NDDH. Commission received a letter from applicant for an extension of 30 days. We're at the 65th day today, so there is still sufficient time to reach our next meeting. R. DiBonaventura made a motion to grant the extension. B. Champany seconded the motion and it was approved unanimously.

III. New Business

A. Acceptance of New Application(s)

1. **John & Karen DeLuca, 236 W. Quasset Road**, special permit for barn to be used for equipment storage and workshop (90' x 68'). Questions were asked as to why they were back before the commission when they had already been approved. Ryan said it is a new permit and fees for a bigger building than originally planned. Phil asked for someone to check and see if this building has already been built. W. Hinchman made a motion that a Public Hearing be scheduled for next month for our next regularly scheduled meeting, 6/22/15 at 7 pm at the Senior Center. P. Allegretti seconded the motion and it was approved unanimously.
2. **Pomfret Fire House, 67 Hampton Road**, special permit in residential zone for fire house addition. M. Nicholson was present for the applicant. She showed the commission the site map. Jamie said the use is allowed via special permit. There is no fee for this permit but it does require a public hearing. B. Champany made a motion to accept the application. K. Bergendahl seconded and it was approved unanimously. R. DiBonaventura then made a motion to schedule a Public Hearing for 6/22/15 at 7 pm at the Senior Center. K. Bergendahl seconded the motion and it was approved unanimously.

B. Citizen's Comments – Maureen spoke to the commission regarding the letters we sent out to applicants with overdue payments. She would like these closed by the end of the fiscal year.

C. Correspondence –

1. ZEO Report –

- a. 4 Amanda Circle – in ground pool
- b. 88 Wrights Crossing Road – replace home destroyed by fire

2. **Complaints/Violations**: It was mentioned that Mr. Peloquin's equipment has moved two properties up to Chubbick's farm property. Ryan checked it out and saw three vehicles there. Asked how he should proceed. The commission would like him to contact Alan Chubbick and ask about the equipment.

IV. Commission Business

A. Citizen's Comments – none

- B. Letter from residents of Kings Highway, signed by all residents who abut the road, asking for a deferral of the general discussion of Kings Highway until the

September 28, 2015 meeting of the commission. Maureen did mention that with this discussion being delayed, they won't be able to do anything this year.

- C. Discussion of Plan of Conservation and Development – workshop for past week was canceled. Need to reschedule. It was decided that the workshop will be held on 6/9/15 at 8pm at the Old Town House after the Public Hearings for the First Congregational Church. This will be put up on the website.
- D. Status of “temporary” sign at Pomfret Community School – an application was submitted today by PCS for the new sign, within current regulations. The temporary sign should be coming down in a few days.

IV. Adjournment

- C. Champany made a motion to adjourn the meeting. K. Bergendahl seconded the motion. The meeting adjourned at 9:20 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved_____