

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING MINUTES
MONDAY, SEPTEMBER 28, 2015, AT 7:00 PM
POMFRET SENIOR CENTER**

I. Public Hearing

A. First Congregational Church, 13 Church Road, new church building.

Bruce Woodis of KWP spoke regarding the application. He stated that this will be a reconstruction of a new church. The plans have been revised since the last meeting he did an overview of the site plan. Church Road is now a private driveway. Went over proposed landscaping features. The new parking area blends into gravel. It will have 26 spaces including 2 handicap spaces, which is more than the 10% required for on-site parking. There are up to 205 parking spaces available within 1000' of the church. Glenn Trematore of Church Development Services spoke regarding being in compliance with the regulations and read a document verbatim regarding the new building. He noted that some of the windows were changed. Mike Bonitz of First Congregational Church stated that the building will be historical in concept and will also be the largest building in the district (5400 sq. ft.). He mentioned that the church will be celebrating its 300th anniversary in October and hoped people would come to help celebrate. Pomfret School is their neighbor and he read the letter previously written by the school on 6/4/15. Their new driveway will have speed bumps. They expect minimal impact to the area and will be using the same septic and well hook-ups that the prior church used. P. Allegretti asked if they were working with Pomfret School on a legal agreement for the parking situation. M. Bonitz said it depends on what you mean. There could be a letter of understanding. P. Allegretti said there should be something more binding, such as something lasting 100 years. M. Bonitz said they have a plan for alternate parking on the green but would rather not have to go to that plan. Mr. Tim Richards of Pomfret School said that the Board of Trustees feels that there is a need for a legal agreement between the school and the church and it is in the works. Ed Griffin, CFO of Pomfret School said it will be a full agreement. The parking issue will be agreed upon and verified/documented in a written agreement. There may also be an agreed upon landscaping situation and the ability for the school to dump snow on the church property. Further discussion ensued regarding language for the agreement. The school received a punch list which consists mostly of housekeeping issues. They need a short amount of time to complete the punch list. A woman from the church congregation

then asked what is holding this up. R. DiBonaventura said its red tape; you need to cross all the T's and dot all the I's. Jamie then stated that the commission worked with the church through the text amendment and zone change prior to the submission of this application. He recommended that the Public Hearing be continued for 2 weeks; if the public hearing remains open then the commission can receive documents and information but if we closed the public hearing, then we can only use whatever has already been submitted to the commission. W. Hinchman then asked B. Woodis if they were given a little more time, could they clean up the application. At this point, Peter Deary stated that they were told that they wouldn't have an issue with parking. W. Hinchman then said we can close the public hearing or keep it open. Mr. Griffin said that they can get an agreement done soon and wanted to know who could represent the church and sign the agreement. Pastor Crumb thought that no decision could be made without the congregation being notified and they would need a 2 week notice. Sean Sullivan, who used to be with the church said that the Head Trustee or the Head Deacon has the authority to sign for the church. After discussion regarding an agreement between Pomfret School and the First Congregational Church about a parking agreement in perpetuity, W. Hinchman stated we're dealing with technicalities and we need to allow time for KWP and Pomfret School to get an agreement in order. He also said regarding "perpetuity", the statement "as long as the school remains a school and the church remains a church" in his personal opinion satisfies as far as perpetuity is concerned. He then asked Bruce if they would be requesting any waivers. Bruce said he is not aware of any waivers at all. W. Hinchman then made a motion to continue the Public Hearing until Thursday, October 8, 2015 at 7 pm at the Senior Center. P. Allegretti seconded the motion. R. DiBonaventura asked if Jamie could have the language so we can move forward. Jamie said yes. A vote was taken and the motion was approved. W. Hinchman made another motion that if we close the public hearing on the 8th, we would then have a special meeting following it to discuss and possibly take action on the application. B. Champany seconded the motion and it was approved.

At this point, the commission took a 5 minute break. Meeting recommenced at 8:45.

II. Regular Meeting

- A. Roll Call- Present:** W. Hinchman, P. Allegretti, E. Pohlman, R. DiBonaventura, A. Benway, R. Wishart, B. Champany, K. Bergendahl; Staff: R. Brais, and J. Rabbitt. **Absent:** A. Amaral.
- B. Items to add to the agenda –** King's Highway and farm stands; P. Allegretti made a motion to move Item IV B to this position in the

agenda and to put discussion of farm stands as Item IV C. B. Champany seconded and it was approved. M. Nicholson, First Selectman, spoke regarding this road. It is one of the few dirt roads left in Town and it washes out every year. It was brought to her attention that it is costing a lot to keep it up because it is designated as a "scenic highway", which means it can't be changed except for good cause. L. Averill said he would like to know the yearly cost including the cost of maintenance. M. Nicholson said her proposal is not to widen the road but to pave it and make it one-way. Woody Woodbridge if it is not widened, the drainage would remain. L. Averill asked if an engineering study had been done and would like to know the cost and the justification of the cost. Woody said the residents would like to suggest that the commission get a more professional opinion. D. Merl said there should be a drainage study and the road should be made one-way immediately. M. Nicholson said historically that is not part of the original King's Highway. D. Merl said she found documentation just today that says it is part of the original King's Highway. G. Postemski, Dir. of Public Works spoke regarding keeping it a gravel road, tarring the road, and making it one-way. He said they would use the same signature of the road and not move the banks. M. Nicholson said she is not unsympathetic regarding scenic roads but this one is hard to plow and it is difficult to get emergency vehicles through. Jamie made a comment that although he is usually relatively conservative, sometimes in order to preserve historical you need to use modern techniques. L. Averill said the numbers given are fuzzy and he would like to see real numbers. There is no engineering study and he would like the road to be one-way. W. Hinchman said he read the ordinance and only heard some approximate numbers. M. Nicholson said this has been going on for years and the option is to make it a private driveway. Jamie said that you can discontinue or abandon a road. Mario from Rectory School said that paving the road would create cars going faster but leaving it unpaved is hard to maintain. W. Hinchman then said that Len, Deb and Woody say there is an historic and aesthetic reason to leave the road as is; M. Nicholson and G. Postemski say it should be paved to make it easier to maintain; and E. Crawford likes the historical issue but would like to have a study done because one hill doesn't seem to wash and create potholes and she would like the road paved. After discussion, this issue was tabled until the spring because it is too late in the season to pave now so Glenn will go out next week and grade the road for now. B. Champany made the motion to table this item until spring. P. Allegretti seconded the motion and it was approved unanimously.

C. Current Business

1. Approve minutes of meeting on August 24, 2015. Motion to approve the minutes was made by W. Hinchman, seconded by R. Wishart and approved. There were 2 abstentions.

D. Pending Applications(s)

1. **First Congregational Church, 13 Church Road**, new church building; continued to 10/8/15.

III. New Business

A. Acceptance of New Application(s)

1. **Christine Baird, 151 Mashamoquet Road**, special permit for professional offices and living space for owner. Jamie said you can have mixed uses under the regulation. She is not proposing any changes to anything. Ryan had a question. He said we usually have a survey for parking; she submitted her own plan showing 3-4 offices and half the house for living area. Jamie said DOT needs to look at driveway use. There was discussion of survey being done. Walter said he is comfortable with a survey of available use for parking to see if it's adequate. P. Allegretti made a motion to accept the application. A. Benway seconded the motion and it was approved. A Public Hearing for this application will be scheduled for October 26, 2015 at 7 pm at the Senior Center.

B. Citizen's Comments – none

C. Correspondence – received notice that 200 Orchard Hill Road, Elm Investments, Inc., that flared ends need to be added

1. ZEO Report – two permits were issued: Ryan forgot his list but one was for a barn and the other for a deck
2. Complaints -none

IV. Commission Business

A. Citizen's Comments –

B. Discussion of Plan of Conservation and Development – nothing new

C. Farm Stands - Walter said a letter was sent and Ryan spoke with the owner. Ryan told Walter that the owner will stick to selling vegetables, etc. that she grows on the property. She will not sell books. He noticed this week that there were some pop-up tents on the property along with yard sale signs. He is going to check it out.

M. Nicholson asked how the commission stands on anonymous complaints. The commission is not required to respond to an anonymous complaint. This originally started due to a disagreement between the owner and the anonymous complainer.

V. Adjournment – R. Wishart made a motion to adjourn. B. Champany seconded the motion. The Vice Chairman adjourned the meeting at 10:18 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved:_____