

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING/SPECIAL MEETING MINUTES  
TUESDAY, NOVEMBER 17, 2015, AT 7:00 PM  
OLD TOWN HOUSE**

- I. Public Hearing** – opened at 7:05 pm; P. Allegretti made a motion to change the order of the two public hearings and discuss LIUNA then Christine Baird. B. Champany seconded the motion and it was approved.
- A. Christine Baird, 151 Mashamoquet Road**, special permit for professional offices and living space for owner. Applicant was not present. There is additional information missing from her application. W. Hinchman made a motion to continue this public hearing until the regular meeting on 11/23/15. P. Allegretti seconded the motion. R. DiBonaventura thought it should be tentatively scheduled for next month. Ryan said we would need to extend it by 60 days due to the time of year and possible inclement weather. W. Hinchman said he'd like to continue it to the 23<sup>rd</sup> of November meeting. R. DiBonaventura said he is not available on the 23<sup>rd</sup>. W. Hinchman then said it will be continued until November 23<sup>rd</sup> and it was approved by all.
- B. LIUNA (NELTA), 20 Modock Road**, special permit for new 10,500 sq. ft. office/training building and associated utility structures (generator, HVAC, etc.) and parking area with 25 new spaces. Atty. Mark Brouillard spoke for the application. It was originally supposed to be done in 1008 but an economic decision was made not to go forward with it at that time. He stated that he believes everything that has been submitted to the commission meets the regulations and hopes the commission moves favorably on the application. Peter Parent of CME Associates spoke of the new buildings being 10,500 sq. ft. and that there will be an excessive amount of grading and filling done for the project. They are relocating the water service and awaiting approval from NDDH regarding the septic design plan. He submitted drainage calculations to the commission and stated that all drainage will be to Murdock Road. Ed Bates, an abutter, asked if it would drain to his property. P. Parent said that the water system is located up the street near the Little League field. Their previous application went to DOT but the application now needs to go back to DOT with new changes. Discussion was held about the water issue. M. Brouillard submitted the abutter letters and CRR cards to the commission. Chris Mazzier of Studio 41 Architecture in Providence, RI said the project will be a one story high structure with a center core of open offices. It will be simple and utilize a modern fashion. It will have a metal roof and they will use local stone. Jen Judge, Landscape Architect, of Gravelly Hill Design Group in Wakefield, RI submitted a color rendering of the proposed landscaping around the new building. E. Bates asked if they were going to replace the underbrush they're removing with anything. J. Judge said yes, they are putting in Japanese cedars. J. Guskowski of CME Associates then did a summary and said they have responded to all concerns mentioned by J. Rabbitt. W. Hinchman said that while driving by the area today, he couldn't see the existing building and asked if the new building will be more visible. C. Mazzier said it will be pretty much hidden and not easily visible. The gates and heavy vegetation buffer will remain. Jamie then read a draft motion with 8 conditions of approval, but added a few more. W. Hinchman then mentioned that we were still in the public hearing and asked if anyone had a comment on anything. J. Guskowski said the conditions of approval

are acceptable and filing with DOT should be relatively simple. He also mentioned that an IWWC application was submitted at the same time as this application. Jamie said he has already signed off on the IWWC application. W. Hinchman then asked if there was any reason not to close the public hearing. P. Allegretti made a motion to close the public hearing. B. Champany seconded the motion and it was approved unanimously.

## **II. Regular Meeting**

**A. Roll Call- Present:** W. Hinchman, P. Allegretti, R. DiBonaventura, P. Deary; B. Champany, Staff: R. Brais, and J. Rabbitt. **Absent:** E. Pohlman, A. Benway, M. Hart, L. Grossman, and A. Amaral.

**B. Items to add to the agenda** – can't add

### **C. Current Business**

1. Approve minutes of meeting on October 8 and October 26, 2015. R. DiBonaventura made a motion to accept the 10/8/ 15 minutes as written. B. Champany seconded the motion and it was approved. R. DiBonaventura made a motion to accept the 10/26/15 minutes as written. P. Allegretti seconded the motion and it was approved with two abstentions.

### **D. Pending Applications(s)**

1. **Christine Baird, 151 Mashamoquet Road**, special permit for professional offices and living space for owner. This has been continued to November 23, 2015.
1. **LIUNA (NELTA), 37 Deerfield Road**, special permit for construction of new 10,500 sq. ft. office/training building, associated utility structures (generator, HVAC, etc.), and parking are with 25 new spaces. W. Hinchman made a motion for a conditional approval with the following conditions: 1) Prior to the issuance of a building permit the applicant shall provide written documentation from the Connecticut Department of Transportation that their site improvements have been approved/permitted and that they are allowed/permitted to utilize their existing curb cut; 2) A preconstruction meeting should be held with Commission/town staff (Planner, Engineer, ZEO, Building Official) with building contractor prior to any construction, grading and/or excavation activity associated with the construction of the office; 3) Full architectural renderings (24"x36" - mylar) shall be filed as part of the special permit and plan set in addition to the site plan; 4) Shop drawings and samples of building materials including colors (markups) shall be submitted to staff and reviewed to determine compliance with Commission approval prior to installation; 5) Surety in the amount of \$4,000 (irrevocable letter of credit, and/or cash) shall be posted with the Town of Pomfret prior to any construction/deconstruction, grading and/or excavation activity at the site. In addition to the \$4,000 surety, \$1,000 in cash (bank check) shall be given to the Town of Pomfret and held as an emergency contingency fund. The type of the final surety shall be reviewed and approved by the Planning and Zoning Commission's legal counsel; 6) the applicant shall submit \$1,200 to the Town of Pomfret to be used as a deposit for site inspections associated with the site. However, the final dollar amount necessary to complete the inspection is subject to the actual time required to insure compliance with the approved site plan. Consequently, all costs associated with the review and inspection of the project with regards to compliance with the Planning and Zoning Commission's approved site plan is necessary to receive a Certificate of Zoning Compliance which is required to receive a Final Certificate of Occupancy shall be the responsibility of the applicant; 7) Minor field adjustments to grading and landscaping may be made based on field conditions upon written approval from the Town Planner, who has been given the authority on behalf of the Town's Planning and Zoning Commission to act on their behalf. The Town Planner cannot approve any change that jeopardizes the integrity of the original design (approved plans);

8) Final as-built should be submitted to the Town to determine compliance with the approved plans. As-built shall include final grades, curbing, landscaping, buildings, signage, utilities (depth, size, location, type) and drainage. As-built may include additional information deemed necessary by town staff to determine compliance with approvals; 9) Prior to the issuance of a certificate of zoning compliance which is required in order to receive a certificate of occupancy from the Town's Building Official they shall receive a permit to discharge from the appropriate regulatory authority (i.e. Northeast District Department of Health and/or the State Department of Energy and Environmental Protection - DEEP); 10) The applicant shall receive approval from the Northeast District Department of Health, State of Connecticut Department of Public Utilities and/or State of Connecticut Department of Health for water supply or other appropriate authority prior to the issuance of a certificate of occupancy. Any required and/or appropriate easement agreements shall be filed with the Town regarding water supply; and 11) That all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the signing of mylars and filing of a special permit. P. Allegretti seconded the motion and it was approved unanimously.

### **III. New Business**

**A. Acceptance of New Application(s) - none**

**B. Citizen's Comments – none**

**C. Correspondence**

1. ZEO Report – none

2. Complaints – none

It was mentioned that Jamie is not available to be here on 11/23/15 but he is available on 12/16/15 (3<sup>rd</sup> Weds. of month) instead of 12/28/15. W. Hinchman made a motion to hold a special meeting on 12/16/15 to replace the 12/28/15 meeting. P. Allegretti seconded the motion and it was approved. It will be held at the Old Town House at 7 pm.

### **IV. Commission Business**

**A. Election of officers –** R. DiBonaventura nominated W. Hinchman for Chairman. It was seconded by P. Allegretti and approved unanimously. W. Hinchman nominated P. Allegretti for Vice Chairman. It was seconded by B. Champany and approved unanimously. P. Allegretti nominated R. DiBonaventura for Secretary. W. Hinchman seconded the motion and it was approved unanimously.

**B. Draft of 2016 meeting schedule for discussion and possible approval.** This was continued to our 11/23/15 meeting.

**V. Adjournment –** B. Champany made a motion to adjourn. W. Hinchman adjourned the meeting at 8:12 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: \_\_\_\_\_