

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
MONDAY, APRIL 22, 2013 AT 7:00 PM  
POMFRET SENIOR CENTER**

In Attendance: Commission Members Walter Hinchman, Phil Allegretti, Richard DiBonaventura, Eric Pohlman, Beverly Champany; and Alternates Kimberly Bergendahl and Christopher Burke; Staff - James Rabbitt, Town Planner.

Absent: Members Ted Tsanjoures, Martha Paquette; Alternate Antonio Amaral; and Staff Ryan Brais, ZEO.

Walter Hinchman opened the meeting at 7 pm.

**I. Regular Meeting –**

**A. Current Business**

1. Items to add to the agenda – none
2. Approve Minutes of Regular Meeting of March 25, 2013 – The clerk had already edited four errors she found in the minutes. B. Champany made a motion to approve the minutes as amended. R. DiBonaventura seconded the motion and it was approved unanimously.

**B. Pending Application(s) – none**

- 1 Rectory School, 628 Pomfret Street, renovation to existing dormitory including the addition of a second floor apartment, a new stair tower on the north side of the building, and new sidewalks on the west side of the building. John Everett was present to speak for the applicant. There was one outstanding issue and that was the NDDH change of use filing. NDDH asked for more information. It was taken to a higher level with the state and although there are no issues with increased flow, the school had to apply for a general permit. A copy of the application and check for that permit were submitted to the commission for the file. The application will take 2-3 weeks to process. J. Rabbitt had a draft letter with 8 conditions of approval, should the application received approval from the commission. His recommendation is that this is conditional upon receipt of technical piece of paperwork (new general permit). Building permits are not issued without a copy of the approved zoning permit. The building official is well versed in this. B. Champany mentioned that this is the Pomfret Street District. Jamie said that is why there is a full architectural review. W. Hinchman asked if anyone felt the Commission shouldn't vote tonight. Everyone was OK with voting. At this point, W. Hinchman made a motion to seat K. Bergendahl and Christopher Burke. R. DiBonaventura seconded the motion. It was approved unanimously. There was a short discussion regarding the waiver requests and it was decided that the Commission would vote on all the waivers at once. P. Allegretti made a motion to grant the waivers presented in the letter dated 3/18/13 by J. Everett of Karl Norton Architect LLC. B. Champany seconded the motion and it was approved unanimously. P. Allegretti made a motion to approve the application for Rectory School as noted in the letter J. Rabbitt wrote dated 4/22/13 with 8 conditions of approval. R. DiBonaventura seconded the motion and it was approved unanimously.

**II. New Business**

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

**B. Citizen's Comments –none**

**C. Correspondence –minimal mail**

**1. ZEO Report**

Permits:

- a. Stephen Bell for 349 Pomfret Street  
4'x6' entryway on north side of house
- b. Patricia Maddocks, 652 Hampton Road  
Reconstructed barn with recreation area on top level

Violations:

a. Maddocks – 652 Hampton Road

Barn with living space on top level. A building permit had been issued for a barn to be reconstructed on the Maddocks property. The assessor's discovered living space above the barn and a Cease and Desist was issued last month. Mrs. Maddocks came in to speak with me and I made an inspection with the Building Inspector and Assessor. The top floor of the barn is sheet rocked and will contain a kitchen and bathroom, but there is no bedroom. The Maddocks will be using this area as a recreation area. A Zoning Permit was issued this month for the barn and recreation area. As a condition, this structure cannot be used as a dwelling.

2. Complaints: none

- D.** Discussion of subdivision at 589 Brayman Hollow Road by representative(s) of CME Associates. No one from CME was present but a letter was submitted from them and read into the record. The letter was an explanation of why the application is not being submitted until May. Abutter's notices had already been sent out by CME which informed the abutters that the application would be submitted on 4/22/13. There was a discussion regarding the legality of re-sending or not re-sending the abutter notices. J. Rabbitt said that the abutters notice is time specific and is part of the administrative process. He will notify John at CME that there is an administrative defect with the application if the notices aren't re-sent. R. DiBonaventura said that if the commission allowed them to cover until May with the notice that was already sent, it would open the Town up to a lawsuit. He feels that abutter's notices should be re-sent. J. Rabbitt then mentioned that any defect in an application is a means for denial of the application. R. DiBonaventura asked Jamie that if the abutters had showed up tonight, would it be a different situation. Jamie said that without submitting an application tonight, it wouldn't be a different situation. W. Hinchman then stated that he followed their direction and read their letter into the record, as requested.

**III. Commission Business**

**A.** Citizen's Comments – None

- B.** Discussion of documentation submitted by the AG Commission to be P&Z Commission regarding the update of their POCD. E. Chase from the AG Commission was not present tonight. R. DiBonaventura made a motion to table this item until the next meeting. K. Bergendahl seconded the motion and it was approved unanimously.

**IV. Adjournment**

- B. Champany made a motion to adjourn the meeting. It was seconded by K. Bergendahl and approved unanimously. The meeting adjourned at 7:44 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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