

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING MINUTES
WEDNESDAY, FEBRUARY 17, 2016, AT 7:00 PM
OLD TOWN HOUSE**

- I. Public Hearing**– Chairman opened the PH at 7:15 pm; L. Grossman was seated
- A. Larry Lane**, 161 Putnam Road, special permit for 40' x 40' addition to barn for equipment storage. L. Lane was present and spoke for his application. He stated that we all live in a fishbowl and said he had already put this addition up; it is trussed with a steel roof and post and beam (all engineered). A letter for waiver request of Sect. 14.4.2 a-cc and basic sketch plan are in the file. CRR's and list of abutters was submitted before the meeting tonight. J. Rabbitt read draft letter which stated that all required information was submitted; he couldn't draft a motion due to missing information but said that the motion should include a request that the barn be stained/painted that same color as existing building. P. Allegretti made a motion to close the public hearing. It was seconded by R. Wishart and approved.
- B. CME for John DiIorio**, 65 Hamlet Hill Road, special permit for 1,080 sq. ft. garage adjacent to existing residence. M. Guskowski of CME was present for the applicant. He submitted the CRR's and a new plan. He said this application is for a free-standing garage by New England Design and he believes it meets all the site plan requirements. P. Deary made a motion to close the public hearing. L. Grossman seconded. P. Deary withdrew his motion and L. Grossman his second. J. Rabbitt read his draft letter into the record. The draft motion contained 2 conditions of approval. P. Deary then made a motion to close the public hearing. L. Grossman seconded and it was approved.
- II. Regular Meeting**
- A. Roll Call- Present:** P. Allegretti, R. Wishart, P. Deary; R. Wishart, and L. Grossman, Staff: R. Brais, and J. Rabbitt. **Absent:** W. Hinchman, R. DiBonaventura, A. Benway, B. Champany, M. Hart, and A. Amaral.
- B. Items to add to the agenda – new application for 65 Hamlet Hill Rd.**
- C. Current Business –**
- 1. Approve minutes of January 20, 2106.** P. Allegretti made a motion to approve the minutes as submitted. L. Grossman seconded the motion and it was approved. There was one abstention.
- D. Pending Applications(s)**
- A. Larry Lane**, 161 Putnam Road, special permit for 40' x 40' addition to barn for equipment storage. Discussion of letter for waiver request of Sect. 14.4.2 a-cc. P. Allegretti made a motion to approve the waivers. P. Deary seconded the motion and it was approved. P. Deary then made a motion to approve the application as all information was submitted. J. Rabbit added the following 3 conditions: 1) Paint/stain the addition to match the existing barn; 2) Prior to issuance of a certificate of zoning compliance, which is required for occupancy of the building(s) for the proposed structure, a final as-built is submitted to the Town to determine compliance with the approved plans. As-built may include additional information deemed necessary by Town Staff to determine compliance with approvals; and, 3) That all costs associated with the review and processing of the application shall be paid in full by the applicant prior to filing of a special permit. L. Grossman seconded the motion and it was approved unanimously.
- B. CME for John DiIorio**, 65 Hamlet Hill Road, special permit for 1,080 sq. ft. garage adjacent to existing residence. Everything was in place for this application. P. Deary made a motion to approve the application with the following conditions: 1) Prior to issuance of a certificate of zoning compliance, which is required for occupancy of the building(s) for the proposed structure, a final as-built is submitted to the Town to determine compliance with the approved plans. As-built may include additional information deemed necessary by Town Staff to determine compliance with approvals; and, 2) That all costs associated with the review and processing of the application shall be paid in full by the applicant prior to filing of a special permit.
- III. New Business**
- A. Acceptance of New Application(s) - none.**
- B. Citizen's Comments –**
- 1. Dale Currier** – owner of the property was present. Mr. Currier would like to have a motorcycle repair and parts shop. J. Rabbitt spoke with regards regulations defining existing non-conforming use. It is not

determined by historical use by use on the day the regulations were enacted/adopted (H&H Produce was there on day of adoption date) (retail sales with no prior vehicular repair use). There is a chance to apply to change the zone but it might be considered spot zoning. There are three possible options for the property: 1) rent for retail sales; 2) change zone; and 3) text amendment (Town wide). The possibility of a text amendment and zone change can be a costly endeavor.

2. **Carolyn Nadeau/John Shepherd, 200 Mashamoquet Road**, wants to know why Pomfret feels that you need 3 acres for a horse. P. Allegetti stated that when the regulations were written, there was input from the townspeople and the State of CT. That input was used to write the regulations. There would need to be a text amendment to change the regulations. J. Rabbitt stated that there are dimensional restrictions but horses are allowed. You would need to apply to the commission to amend the zoning regulations and try to change the text (either the size of the lot or possibly the lease of land to make 3 acres).

C. Correspondence –

1. ZEO Report –there is an existing violation at 59 Longmeadow Drive again. Ryan e-mailed Atty. Higgins (due the agreement previously made between the Town and Mr. Peloquin). Atty. Higgins is going to review the file.
2. Complaints – 299 Hampton Road; Edwin Lane of 311 Hampton Road filed a written complaint about this property and was present at the meeting to discuss it. He said that within the last 5-6 months the property was foreclosed and the new owner rented it out to a man running a commercial business (tree service and snow removal). He would like to know what rights this person has to run a business there. The person (Jamie Stately) who is running the business came into the office and picked up an application to file a special permit request for a Class II Home Occupation. J. Rabbitt said there are three types of permits for this: Home Occupation I, Home Occupation II, and Home Based Business. Jamie read from the regulations regarding each type of permit. He believes the ZEO should send a NOV/Cease and Desist as we have another similar problem going on in Town. Ryan will issue a NOV, then an application can be filed; if no application is filed, then a Cease & Desist will be issued.

FYI – Ryan stated that Mr. Amaral's resignation should be coming within the next month.

IV. Commission Business

A. Air B&B's – leave on agenda

P. Deary asked if Lynn could scan the documents that come in and e-mail them to the commission members. He felt this would make communication a lot better for commission members and they will be updated on what is going on.

V. Adjournment – R. Wishart made a motion to adjourn. P. Allegetti adjourned the meeting at 9:10 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved:_____