

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/ MEETING MINUTES
WEDNESDAY, JUNE 15, 2016, AT 7:00 PM
OLD TOWN HOUSE**

Public Hearing called by Chair at 7 pm.

I. Public Hearing

A. Jamie Stately, 299 Hampton Road, special permit application for a Class II Home Occupation (tree service with commercial truck parking). Gregg Glaude of Killingly Engineering was present and spoke regarding the survey plans he did for the applicant. He stated that Mr. Stately has a dump truck, bucket truck (13.5'), and a tow-behind wood chipper that are parked on the property. On sheet 1 of the site survey, it shows where these vehicles will be parked. On sheet 2 it shows 2-6' stockade fences. There is an existing 6' fence in front of the barn that will be increased to 10'. He shows the parking area from 4 different angles and stated that the remaining fence will be 11.5' around the vehicles. W. Hinchman asked Mr. Glaude what the L-shaped dotted line from the front corner of the barn was. Mr. Glaude said it is a stone wall. J. Wolchesky then submitted a letter to the commission requesting an exemption of the buffer towards his home. At this point, the Stately's submitted the 2 truck registrations showing proof of residence in Pomfret. Atty. D. Williams then requested the hearing be continued so he and his client can go over the new site maps. His client has submitted photos and is concerned about this application. W. Hinchman told Atty. Williams and Mr. Lang to go over the information expeditiously so they are ready next month. He gave one set of the maps to Atty. Williams. Jamie then noted that this application was received in March, the Public Hearing was opened in April, and in May a 65-day extension was requested. This can be extended until July but the hearing must be closed in July. Going back to Mr. Wolchesky's letter, there is a standard in the regulations that states the area must be screened from all abutting properties – cannot waive a standard. R. DiBonaventura asked if white pines could be planted if we don't require a fence for screening. Jamie said there are multiple landscaping options that could be used as a screen. Ryan then asked if the clerk said the next meeting was July 25th. The clerk said no, it's the 20th. W. Hinchman then showed an ad from the Shopper's Guide about Stately Tree Service and said it is misleading. He also said that Atty. Williams asked for the hearing to be continued and he recommended that we continue the Public Hearing until July 20th. E. Land spoke saying that the commission has been very transparent. He's only concerned about the schematics from his property to Jamie's because he doesn't want his property to be diminished due to the truck service being next door. G. Glaude said he showed the schematics (line of sight) on the plans. P. Deary made a motion to continue the Public Hearing until July 20th. R. Wishart seconded the motion and it was approved.

II. Regular Meeting

- A. Roll Call- Present:** W. Hinchman, P. Allegritti, R. DiBonaventura, B. Champany, P. Deary; and R. Wishart; Staff: R. Brais, and J. Rabbitt. **Absent:** A. Benway, M. Hart, L. Grossman, and A. Amaral.
- B. Items to add to the agenda** – W. Hinchman sked that we move to discussion of development on Nora Lane. P. Allegritti seconded and it was approved.
- C. Current Business** –
- 1. Approve minutes of May 18, 2106.** P. Deary made a motion to accept the minutes as corrected. R. DiBonaventura seconded the motion and it was approved. There was one abstention.

D. Pending Applications(s)

1. **Jamie Stately, 299 Hampton Road**, special permit application for a Class II Home Occupation (tree service with commercial truck parking). The PH was continued to the 7/20/16 regularly scheduled meeting.
2. **Linda Byrne, 196 Kearney Road**, Class I Home Occupation (home office). Applicant received a ruling from the Wetlands Commission, which was needed for the P&Z approval. P. Deary made a motion to approve the application. R. Wishart seconded the motion. Jamie then mentioned that the motion should be amended due to conditions of approval. P. Deary then amended his motion, adding that the Home Occupation will be a RE office and that there will be no signage on the property advertising this office. R. Wishart seconded the amended motion and it was approved.

III. New Business

A. Acceptance of New Application(s) –

1. **Gary & Cynthia Sturni, 147 Jericho Road**, change existing workshop/apartment to art studio/possible in-law apartment. Mr. Sturni was present and stated that he needs a P&Z approval because his septic system recently failed and he needs to have it fixed. W. Hinchman read a letter from Mr. Sturni to the commission. P. Allegretti asked Mr. Sturni if he has any intentions of having an in-law move in now. Mr. Sturni said no. R. DiBonaventura stated that the previous owners never followed through on getting the proper permits to do the work they did. P. Deary asked if the new septic will be big enough for the house and barn. Mr. Sturni said yes. P. Allegretti asked if it was there before 2003, to which Mr. Sturni replied yes. Jamie said the use was created illegally; it is not grandfathered. If permits were pulled and it was done before the regulations in 2003, it would be grandfathered. Discussion of apartment and in-law use. Jamie then said that if it is not a living space, then an affidavit can handle it not being an in-law apartment. After further discussion, it was decided that Mr. Sturni should withdraw his application and have his fees returned to him. W. Hinchman made a motion that the money be refunded to Mr. Sturni. B. Champany seconded and it was approved. Jamie said the money will be refunded once the applicant withdraws his application. Mr. Sturni then submitted a letter to the commission requesting to withdraw his application for an in-law apartment in his barn.

- B. Mr. Archer and discussion of development on Nora Lane.** Paul Archer was present and spoke that he has a client who wants to purchase 5 acres on Nora Lane. His client would like to put in a trucking company and he needs to know if it is a viable option. There was discussion about the issue and descriptions of the various districts in Town. Jamie said you could possibly modify zone and then do a text change to include a trucking company. There was discussion of subtle changes so there are no unintended consequences. It would be a small change affecting a small area. W. Hinchman said he saw no strong opposition from the commission members for this particular property. Mr. Archer will go back and speak with his client to see what he'd like to do.

C. Citizen's Comments –none

D. Correspondence

1. ZEO Report –Permits issued:
 - 535 Hampton Road – Michael Morency – 20'x21' carport
 - 20 Babbitt Hill Road – Nathaniel Vincent – 24'x30' deck
 - 45 Cassidy Road – Victoria Rilling – 10'x12' shed
 - 56 Babbitt Hill Road – Tony Emilio – 10'x12' animal shelter
 - 187 Firetower Road – Peter & Sue Brodie – new home
 - 6 Evelyn Circle – Michael Dumouchel – above ground pool

2. Complaints –

- a. Barry Peloquin, 59 Longmeadow Drive – inspected property on 4/6 and 4/20. Bucket Truck in front yard and white truck in rear. Letter was sent to Barry Peloquin by Atty. Higgins. The trucks have been removed from the property so this issue is now closed.
- b. Margaret Davis, 59 Jericho Road – tiny house/mobile home on property, which constitutes a second dwelling on property. A letter was sent a few months back requesting the owner to call regarding the potential violation. NDDH investigated and found a water line (hose) from the house. I have not been contacted. NOV was sent on May 18, 2016. A return receipt card has not come back to us, as of yet.

IV. Commission Business

- A. Air B&B's** – Walter mentioned that he is going to stay in 2 air B&B's on his way north. An Air B&B is a listing on the internet. It is a home for rent for a temporary purpose. There are at least 3 of them in Town. Some towns regulate Air B&B's and some towns don't. Leave on agenda.
- B. Discussion of POCD** – Jamie handed out the final draft of the POCD on CD Rom for the commission members to review and edit. Once the commission ok's the final draft, it then goes to the Selectmen and to Public Hearing and then posted to the website. (Ryan mentioned he won't be here for next month's meeting).

V. Adjournment –The Chairman adjourned the meeting at 8:45 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: _____