

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MEETING MINUTES
WEDNESDAY, SEPTEMBER 21, 2016, AT 7:00 PM
OLD TOWN HOUSE**

I. Regular Meeting

- A. Roll Call- Present:** W. Hinchman, P. Allegretti, R. DiBonaventura, B. Champany, P. Deary; R. Wishart; and L. Grossman, Staff: R. Brais, and J. Rabbitt. **Absent:** A. Benway, M. Hart, and A. Amaral.
- B. Items to add to the agenda** – request for release of 3 caveats; moved to Section III 3
- C. Current Business –**
- 1. Approve minutes of July 20, 2106.** W. Hinchman made a motion to approve as submitted. L. Grossman seconded. An error was noted on page 1 line 9 where Land is supposed to be Lang. W. Hinchman amended his motion to include the correction. L. Grossman seconded and it was approved unanimously. There was one abstention.
- D. Pending Applications(s)**

II. New Business

- A. Acceptance of New Application(s) –**
- B. Citizen's Comments –Tommy Garrett** spoke regarding the farm stand on the corner of Modock Road and 44. He discussed how Ryan had gone to speak with the owner last year and asked her to remove her signs. No signs were removed. Also, he read that you are only allowed to sell a certain percentage of produce not grown on the property. He said the flowers being sold are not grown on the property. He then asked for a response from Jamie. There was discussion about how the business has grown since it opened in 1964 or so. The owner has increased the size of the buildings, business, and driveways. There is a violation of Sect. 4.1.3 regarding too many signs.
- C. Correspondence**
1. Documentation regarding a HR law conference; Brooklyn P&Z text change; letter from M. Nicholson regarding 6A Modock Road; Woodstock P&Z text amendment; letter from CT citing council
 2. ZEO Report –Permits issued:
 - 76 Blossom Drive (Tedechi) – 12' by 16' shed
 - 147 Jericho Road (Sturni) – private workshop/art room/rec area
 - 104 Putnam Road (Incera) – 10' by 45' farmer's porch
 3. Complaints –
 - a. Jamie Stately, 299 Hampton Road, commercial vehicles – permit was granted 7/20/16 but will remain on the agenda. Have Ryan check out the situation.
 - b. Margaret Davis, 59 Jericho Road – tiny house/mobile home on property. A NOV was sent out but was returned as unclaimed a few weeks back. I have since located the address of the property owner. She is living in Maple Courts across from Ellis Tech, even though her mailing address is still listed as Jericho Rd. on our records. A NOV was sent to her new address last week giving her 15 days to remove the mobile home. The property owner never responded to the NOV and the dwelling has not been removed from the property. Asked commission to be able to send the matter to Atty. Higgins for legal action. P. Allegretti made a motion to refer this to the Atty. L. Grossman seconded the motion. W. Hinchman thought Ryan should go out and look again at the property. Ryan said he was there before the meeting tonight. A vote was taken and the motion was approved unanimously.
 - c. Marion Baillargeon, 6A Modock Road, farm stand with excessive use of signs. This property was subject to discussions and written warnings last season regarding the

amount of signage displayed for her farm stand. Last season, she complied with my requests to limit the signage. This season there are well over a dozen signs on the lawn at any time. A letter was sent last week instructing her to remove the excessive signage with 5 days. She is allowed to have up to 2 signs measuring no larger than 16 square feet each. The sign problem appears to be under control. Letter from M. Nicholson was read into the record regarding her support of this farm stand. Jamie also spoke regarding a recent court case in another municipality. He feels we should wait for the municipality's resolution on this case until we look at our sign regulations and/or changes. Update: 9/21/16 at 6:30 pm – ongoing yard sale. There are some additional signs and now selling mums. Carport/stand appears to be 10'x20' (200 sf) and 65" off Modock Road. We need to find the best way to proceed due to the buildings, business, signs, and screening. L. Grossman asked to put temporary signs on our agenda and let M. Baillargeon that we're looking into this.

- d. Barry Peloquin, 59 Longmeadow. Update: 9/21/16 at 6:30 pm – two commercial trucks and chipper on property. Said he's taking down trees, but does not appear any work has been done as of yet. Will monitor for a week and contact if necessary.

III. Commission Business

A. First Congregational Church - Mike Bonitz was present for the church. W. Hinchman said that there are two issues here. One is procedural and the other a change. M. Bonitz asked what the procedural issue was. W. Hinchman explained that they would need to submit an application to modify the approve special permit application. Jamie stated that they couldn't get a CO without a zoning compliance letter. M. Bonitz then spoke to the commission regarding Grosvenor Rd. which was supposed to be 22' wide but was only 18' wide when it was put in. They apron is only 25' when it should've been 40'. He feels the road was not done according to plan. He had to extend the church parking out 11' due to this issue, which added more parking spaced. This was predicated by the Town putting the road in wrong place. Their change is reducing the stone dust sidewalk by 160 sq. ft. The concrete pad will be 15' x 32'; instead of 8 outside units only 4 small units will be used instead. In back of the church there is a patio, which was to have a 5' retention wall and 4 steps down. They don't need the stairs or ramp. Would like to push out 5' and reduce 5' wall to 18". All 4 of these changes add to the functionality, etc.; also adding new landscaping. Hopefully, these are insignificant changes because they hope to open the church on October 30th. W. Hinchman asked if they were within the 25' setback. Jamie said it already has pre-existing non-confirming setbacks. Any parking on state property requires procedures; i.e., letter to Selectmen, Town Hearing, etc. There was further discussion regarding traffic patterns, etc. and what Jamie is allowed to do in the field (minor changes). At the end of the discussion, Walter asked Jamie if KWP uses PE and looks at new parking arrangement and it is appropriate under the regulations and appears to meet the regulations, would you be comfortable with that. Jamie said his only reservation was the difference from what was approved. Walter then said he had 2 people from abutting property come and listen and he felt that if they were ok with the changes, Walter would feel comfortable giving Jamie authority to approve changes in parking. B. Champany then made a motion to give Jamie permission to approve pending the KWP information. P. Allegretti seconded the motion. Walter then stated that the 2 red squares on the plans would be eliminated. Jamie, for clarity, read into record the COA #16. He said the only thing we need PE for is the traffic pattern. Please see revised plan by KWP regarding parking/traffic pattern. Walter said the commission is ready to give Jamie authority to approve changes. KWP needs to draw up plan, sign it, and seal it for Jamie to approve. Vote was taken and motion was approved with one abstention. M. Bonitz then said that the intersection with 169 is an issue due to the width of the road; thinks it's critical to have apron widened to 40' as originally indicated. Jamie said there are 2 jurisdictions and DOT reviewed the original plans but they may have reviewed a modified plan.

- B. POCD** – Have clerk post on the Town web page and set up a public hearing for 11/16/16.

- C. Caveats** – there were 3 caveats that needed to be released; 2 for Abbott and 1 for RLB/PAB Inc. P. Allegretti made a motion to release the caveats. P. Deary seconded the motion and it was approved unanimously.
- D. Air B&B's** – due to the length of the meeting tonight, we will continue this discussion at our October 19, 2016 meeting

IV. Adjournment –P. Deary made a motion to adjourn. It was seconded by R. Wishart and approved. The Chair adjourned the meeting at 9:25 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved:_____