

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MEETING MINUTES
WEDNESDAY, JANUARY 17, 2018 AT 7:00 PM
OLD TOWN HOUSE**

Meeting was opened by Chairman Walter Hinchman. L. Grossman was seated for B. Champany and P. Mann was seated for A. Benway.

I. Public Hearing

- A. Normand & Naomi Ayotte, 176 Paine Road**, special permit application for Section 12.19.1a Attached Accessory Apartment In-Law. Naomi Ayotte was present for the application. R. Brais spoke and said that there is no site plan in the file but there are no modifications being made to the house from the approved plans. Can have site plan ready by next month. This is a new construction and the plan was approved by the Wetlands Commission. It is on an approved lot. The applicants are requesting that their in-law apartment be allowed to be 860 sq. ft. which is above the 700 sq. ft. limit. This could be approved with a three-quarter vote of the commission. Neither Jamie nor Ryan has been on the property. In-law apartment falls into original floor plan of house. Due to the concerns of a neighbor, who called in and left a message, he feels that the applicants are felling trees in the conservation easement and they're falling on mountain laurel. P. Allegretti said he doesn't feel that a phone call should hold up an approval for the application. Mrs. Ayotte spoke and said that the trees were not in the conservation easement area. P. Deary moved to close the public hearing. It was seconded by L. Grossman and approved.

II. Regular Meeting –

- A. Roll Call- Present:** W. Hinchman, P. Allegretti, P. Deary, R. Wishart, L. Grossman; and P. Mann. Staff: R. Brais, and J. Rabbitt. **Absent:** R. DiBonaventura, B. Champany, A. Benway, and M. Hart.
- B. Items to add to the agenda-**Pomfret Library, Emergency Resource Center, and discussion of budget for upcoming year.
Pomfret Library- M. Nicholson was present for this application. She stated that this originally was submitted under a previous administration and the application went through both Inland Wetlands and Watercourses Commission and the Planning and Zoning Commission. She showed a new plan which showed the previously approved plan outlined in red and the new plan in green. The new plan has less wetlands fill and 7 more parking spots than the previously approved plan. There will now be 28 parking spaces instead of 21. Walter mentioned that this will need wetlands approval prior to planning and zoning approval. Wish to do this in a compliant manner. The application was not accepted at the meeting tonight; therefore, the clock will not start until the application is accepted. M. Nicholson withdrew the application until next month and will re-submit at the February meeting.
- C. Approve minutes of December 20, 2017.** P. Allegretti made a motion to accept the minutes as submitted. L. Grossman seconded and motion was passed.
- D. Pending Applications(s) –**
- 1. Normand & Naomi Ayotte, 176 Paine Road**, special permit application for Section 12.19.1a Attached Accessory Apartment In-Law. Walter mentioned that the affidavit for in-law apartment must be filed each year with the P&Z Commission. He then made a move to accept the exception of 14.4.2 a-cc site plan. He also moved to accept the request for 868 sq. ft. for size of in-law apartment. L. Grossman made a motion to waive the site plan requirement based on the alternate site plan placed in file. P. Mann seconded and it was approved. P. Allegretti made a motion to allow the 868 sq. ft. (over 700 sq. ft. allowed) for size of in-law apartment. P. Deary seconded and it was approved by unanimous vote. Jamie read into record a draft motion he prepared. P. Deary made a motion to approve the application as presented by Jamie with the following conditions of approval: 1) prior to issuance of a certificate of zoning compliance,

which is required for occupancy of the buildings 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; 2) a sworn affidavit shall be filed on the land records stipulating the use of the accessory apartment unit as an in-law apartment per the Town's Zoning Regulations; and 3) that all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the filing of a special permit. L. Grossman seconded the motion and it was approved. Mrs. Ayotte requested a copy of the CRR cards and the complaint that was called in.

III. New Business

A. Acceptance of New Application(s)

1. **Town of Pomfret, Town Emergency Resource Center**, 628 Mashamoquet Road. Special permit application for new emergency resource center. This application needs to be accepted and a public hearing scheduled. L. Grossman made a motion to accept the application. P. Mann seconded and it was approved. W. Hinchman made a motion to schedule a public hearing for February 21, 2018 at 7pm at the Old Town House. P. Mann seconded and it was approved.

B. Citizen's Comments – none

C. Correspondence – letter from Town of Putnam regarding a text amendment; letter from siting council- discussion of siting council rulings and jurisdictions

D. ZEO Report –Permits issued: none

1. Complaints –

- a. Jerry Clark, 7 River Road – complaint of a commercial box trailer and overseas shipping container used for storage near the property line. Owner is still building a garage for storage. Nothing new.
- b. Jamie Stately, 299 Hampton Road, commercial vehicles – permit was granted 7/20/16; Trees have been planted. Still needs to finish fence. Will be sending out a warning letter to complete the fence and hide the trucks. Will follow-up. Nothing new.
- c. Barry Peloquin, 59 Longmeadow Drive- commercial trucks and equipment; many more trucks and equipment than ever before. Vehicles are still on the property. The action against the property owner has been filed in court. There is a return date of November 21, 2017, to which the property owner must respond. If Mr. Peloquin fails to file an appearance within 15 days after, we will file a motion to default. Barry Peloquin will be providing a defense. We are awaiting a court date. Nothing new.

IV. Commission Business –

Discussion of budget – Walter suggested that we submit a flat budget again. The commission members were in agreement with him. A flat budget will be submitted.

V. Adjournment –P. Deary made a motion to adjourn. The meeting was adjourned at 8:38 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved:_____