

**TOWN OF POMFRET
PLANNING & ZONING PUBLIC HEARING/MEETING MINUTES
AUGUST 16, 2023 @ 7 PM
COMMUNITY CENTER**

I. Public Hearing

- A. Ashley Danenhower, 321 Deerfield Road,** special permit application for the construction of a 2-story 3,456 sf barn. A. Danenhower was present, along with Janet Blanchette. She spoke for the application(s). The barn is 36' x 48' and it will include a home-based business called An Inner Lens, LLC. The business will use 384 sf on the barn. There is parking for 4 cars. The barn has a walk out on 3 sides of the building, but you can only see one story from the road. DOT did a speed study regarding the mph around the curve. CT DOT (R. Champman of DOT Dist. I) did call D. Blanchette stating that the results from the speed study showed that people were going only 28 mph around the curve, which is an adequate site line. The applicant is awaiting the letter verifying this information for the driveway approval. There will only be approximately 15 clients per week. All other clients are visited through Tele-Health. J. Rabbitt mentioned that we could move forward to allow the building of the barn, knowing that the applicant doesn't have the DOT letter yet. J. Rivers thought we should approve the business pending receipt of the DOT letter. J. Rabbit said this is for building the barn and the barn meets the criteria. Discussion of culvert, swale, and why there is not Wetlands application. J. Rabbitt said the previous engineer didn't file anything. J. Blanchette said the culverts were existing. J. Rabbitt said that a no-fee application to IWWC done by our next meeting could clear up this issue. At this point, C. Squire stated that she approves of Ashley's project and supports it in full. E. Kimball said she is also in support of this project but has concerns regarding a delay in the approval. R. Bedard stated he is also in support of this project. H. Hill said he is in full support of Ashley's projects. M. Nicholson said she is in support of this project. R. Wishart read an email from A. Squire supporting Ashley's projects, too. Jamie mentioned that Ashley submitted waiver requests for both applications. B. Champany made a motion to close the public hearing. J. Rivers seconded. P. Allegretti had a concern that there is a minor risk of something happening without the written letter from DOT. A vote was taken with all in favor. Motion approved.
- B. Ashley Danenhower, 321 Deerfield Road,** special permit application for a home-based business. A. Danenhower and J. Blanchette were present for the application. J. Blanchette said she would like to admit the testimony from the 1st public hearing in July into the record of this public hearing. A. Danenhower spoke stating that she does a lot of Tele-Health visits, equine assist therapy, in-office talk therapy, and sometimes goes out of state to help other therapists. P. Foisey stated that she can't think of a better home-based business to have in our community. C. Squire said she supports this part of the public hearing and urges the commission to support it. P. Mann mentioned that we've approved things in the past while awaiting documents, so why not do it now. J. Rivers if it is the desire of the applicant, if possible, to approve contingent of receipt of DOT documents. M. Nicholson asked what the risk would be. Jamie said that if the public hearing closes and the commission if allowed to approve the application with waivers while awaiting DOT documents, that if they have to change their driveway, they will need to re-submit to the commission regarding a change in site plan (can accept an emailed letter). P. Mann made a motion to close the public hearing. J. Rivers seconded. All in favor.
- C. Justin Clark, 236 Deerfield Road,** special permit application for a country inn and special events venue. Application to convert space in one of the homes for a Country Inn and convert the barn for a Wedding Venue. It was brought to the attention of J. Rabbitt today that the applicant did not send out the certified return receipt letter notifying his abutters that

this application was coming before the commission tonight. P. Mann made a motion to move this to the 9/20/2023 7pm meeting. P. Allegretti seconded. All in favor.

D. Maureen Nicholson, Town of Pomfret, 10 Nora Lane, special permit application for a Transfer Station. M. Nicholson spoke for the application. This application is for a Bulky Waste Transfer Station, which was originally submitted in August 2020 and withdrawn. It has been re-submitted, but we need an encroachment permit to cross the AT&T 20' right-of-way. There will be an attendant's shed on site on a concrete base. The facility will be at the end of Nora Lane with a security gate. W. Averill spoke as he runs a bulky waste and worked with T. Debivo of Willimantic Waste, S. Pauley, and others. P. Allegretti asked about the licensing requirements. W. Averill said the site plan went to DEEP with signed Town approval. P. Allegretti asked if this was approved, and if major changes were made to the site, would the applicant need to return to the commission. Jamie said yes, unless approval gives clarity to what might be changed without a delegation, they would need to come to the commission. P. Allegretti then asked when the site starts operating, does the operator have to be licensed. W. Averill said yes, the operator needs to go through training and needs to be on-site. R. Huoppi asked how often the site would be open. M. Nicholson said that they are going to try out some days and see what works. E. Kimball asked what the cost of the project is. M. Nicholson said approximately \$400,000. N. Howard mentioned there are STEAP grants being used towards this project. He asked if this site will ever be used for household waste. W. Averill said it is not intended for garbage. N. Howard asked if it would become a landfill. M. Nicholson said no. N. Howard wanted to know if it would ever be open 5 days a week, to which M. Nicholson replied no. N. Howard asked if there would be permit system. W. Averill said they will still do a license check and have a sticker permit. N. Howard asked about the maintenance cost. W. Averill said it varies greatly – very variable (depends on size of Town). M. Nicholson said it would be approximately \$30,000 per year being open 3 weekends a month. C. Squire asked if they would want it to be open all the time, to which M. Nicholson replied no. Jamie mentioned that landfills are prohibited with the exception of bulky waste application for special permit. Staff reviewed this afternoon, waiver request, etc. He recommends closing the public hearing but table the decision process to the next meeting on 9/20/23. M. Nicholson said she feels she submitted everything necessary. Jamie said that the waiver request needs one additional item regarding utilities. P. Mann asked why power is needed. M. Nicholson said to run the compactor. Jamie feels there is sufficient information. P. Allegretti made a motion to close the public hearing. P. Mann seconded. All in favor.

II. Roll Call – Present: R. Wishart, P. Mann, P. Allegretti, B. Champany, J. Rivers, R. Huoppi, J. Sheldon, J. Rabbitt, A. Danenhower, J. Blanchette, M. Nicholson, Dr. G. Danenhower, C. Squire, E. Kimball, P. Foisey, K. Cummings, R. Bedard, W. Averill, and N. Howard.
Absent: N. Stellitano, L. Grossman, T. Harris, and R. Brais.

III. Open Regular Meeting – meeting opened at 8:22 pm

A. Items to add to the agenda – none.

B. Approve minutes of July 19, 2023 – P. Mann made a motion to approve as submitted. P. Allegretti seconded. All in favor. There was one abstention.

C. Pending Applications –

1. Ashley Danenhower, 321 Deerfield Road, special permit application for the construction of a 2-story 3,456 sf barn. Jamie prepared a draft motion for the application

with the following conditions: **1)** *a preconstruction meeting should be held with Commission/Town staff (Planner, Engineer, ZEO, Building Official) with building contractor prior to any construction, grading and/or excavation activity associated with the construction at the site;* **2)** *all utilities shall be installed underground;* **3)** *minor field adjustments to grading and landscaping may be made based on field conditions upon written approval from the town Planner, who has been given the authority on behalf of the Town's Planning & Zoning Commission to act of their behalf. The Town Planner cannot approve any change that jeopardizes the integrity of the original design (approved plans);* and **4)** *that all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the signing of mylars and filing of a special permit.* P. Allegretti so moved. He then withdrew his motion. P. Mann made a motion to approve the waiver request regarding 14.4.2 a-cc. P. Allegretti seconded. All in favor. P. Mann made a motion to approve the special permit application for Ashley Danenhower with the 4 conditions of approval, cited above. R. Huoppi seconded. All in favor.

- 2. Ashley Danenhower, 321 Deerfield Road,** special permit application for a home-based business. Jamie reminded the commission that we have a waiver request and a DOT permit forthcoming. Jamie prepared a draft motion for the special permit application with the following conditions of approval: **1)** *the proposed office in the barn shall be an extension of the residential use of the property and shall not constitute a commercial type facility. The office shall adhere to the requirements contained within the Town's Zoning Regulations as it related to Home Based Business;* **2)** *a preconstruction meeting should be held with Commission/Town staff (Planner, Engineer, ZEO, Building Official) with building contractor prior to any construction, grading and/or excavation activity associated with the construction at the site;* **3)** *all utilities shall be installed underground;* **4)** *final DOT report required;* **5)** *minor field adjustments to grading and landscaping may be made based on field conditions upon written approval from the town Planner, who has been given the authority on behalf of the Town's Planning & Zoning Commission to act of their behalf. The Town Planner cannot approve any change that jeopardizes the integrity of the original design (approved plans);* and **6)** *that all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the signing of mylars and filing of a special permit.* P. Mann made a motion to grant the waiver request of Section 14.4.2 a-cc. P. Allegretti seconded. All in favor. P. Mann made a motion to approve the special permit application for Ashley Danenhower for a home-based business in the newly constructed barn, with the 6 conditions of approval as cited above. P. Allegretti seconded. All in favor.
- 3. Justin Clark, 236 Deerfield Road,** special permit application for a country in and special events venue. Application to convert space in one of the homes for the Country Inn and barn for wedding venue. This was continued to next month.
- 4. Maureen Nicholson, Town of Pomfret, 10 Nora Lane,** special permit application for a Transfer Station. This was tabled to next month.

IV. New Business

A. Acceptance of New Application(s) - none

B. Correspondence –

1. An email was received from Kristin Baum Xeller regarding ACES Defense opening a business near the school. Discussion was held among the commission members and the outcome was that this business does not have a gun range and the application was overwhelmingly approved. P. Allegretti said he feels the Chairman should respond to this email. R. Huoppi said he doesn't have a gun, nor does he like them, but this was an

ongoing business moving here from another Town. The application met all the requirements, and he didn't vote against it.

2. M. Nicholson mentioned that the Town received two grants that cover the complete cost of 5 EV chargers (2 heads per charger). The Town Hall will have a fast charger, The Community Center will have 1 charger, PCS will have 2 chargers, and the library will have 1 charger.

C. ZEO Report – Permits issued. NO REPORT DUE TO RYAN'S ABSENCE

D. Complaints and Violations:

1. **Barry Peloquin** – Mr. Peloquin moved the truck off-site but brought on a garbage truck.
2. **4 Nora Lane** – our opinion is this does not comply with the regulations; he has now put up two new buildings behind the transportation building.

E. Citizen's Comments – none.

V. Commission Business –

A. Discussion of other text amendments that need to be done (i.e.: Brewery; Signs; and Events). The Brewery amendment will be aligned with a farm.

- VI. Cannabis discussion** – discussion of a text amendment to prohibit retail sales. R. Huoppi said that he is in favor of the retail sales of cannabis. P. Mann said he will submit a text amendment for no retail sales of cannabis. R. Wishart said there is no need to change what we already approved. P. Mann said that Sherry withheld his check from his prior withdrawn application.

- VII. Adjournment** – B. Champany made a motion to adjourn. P. Mann seconded. All in favor. Adjourned at 9:07 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____