

**TOWN OF POMFRET
PLANNING & ZONING PUBLIC HEARING/MEETING MINUTES
SEPTEMBER 20, 2023 @ 7 PM
COMMUNITY CENTER**

I. Public Hearing

A. 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 barn for wedding venue. This application was continued until tonight due to the lack of notification of the abutters. All abutters have been notified and the public hearing can continue. Justin Clark, Diana Gelfond, and Ira Gelfond (owners of 236 Deerfield Road) were present for the application. J. Clark said they had spoken with Jamie a few times during this process. His parents live in one home on the premises. They are looking to have a country inn. The small house will be done first, the larger house next. He said the property was minimally maintained when they bought it. They have no plans to subdivide the property. P. Mann asked about having agricultural use and J. Clark said they would have hay. P. Mann said that NDDH said they could only have 3 bedrooms. He then asked Jamie if the application was for the whole thing. Jamie said a full country inn they requested 1-3 bedrooms, 1-5 bedrooms, and a 100-person venue; they discussed scalability. Jamie said the applicant could withdraw and re-submit, open and table until next month, or consent to an extension. J. Clark mentioned putting up a Marquis Tent (60'x80'). Jamie asked about lights. J. Clark said there would be lighting in the tent. R. Huoppi asked about when the tent would be up. J. Clark said it would be seasonal. N. Stellitano said their plan isn't a full business plan. J. Clark said they requested a country inn permit with a minimum number of weddings for viability (even 15-20 a year would work). Tents are a new industry standard. P. Mann asked for a better site plan. J. Clark said he could do one. P. Allegretti stated we use site plans to back up testimony being given. J. Clark said that parking will be behind the buildings. P. Mann said the septic system was only approved for 3 bedrooms. J. Clark said he would have to get septic installed for the 2nd house. N. Fisher of Deerfield Road, lives in a log cabin next to the property and is concerned about where they'll park. J. Clark said they will not be using the field between their property and hers. She said she's also concerned about partying and drinking. Is there a noise ordinance? P. Mann said there is none. R. Brais mentioned that as this is a special permit, the commission can set the hours for noise. Discussion ensued (concerns and issues) with the following people participating: John Frank of 81 Hamlet Hill (who has hired Atty. Richard Cote) regarding this issue; Jim Robbins of Deerfield Road; Mark Bouthillier; Steve Kaserik; MaKayla (? Never got last name); Barry Reingold; Lisette Reimer; Alice Betty Hale; and Commission Members. An email letter from Jim Zahansky was also read into the record regarding his concerns about this application. Jamie then mentioned that the applicant needs to submit a letter for a 35-day extension to continue the public hearing. Received letter from applicant. J. Clark said they do not have an investor. They are just ordinary people looking to have a business. There is no zoning option on the property. D. Gelfond said they thought this would be a good venture. J. Clark said he knew that people would have concerns about this application. Further discussion among commission members regarding whether this application could be split up into two. N. Stellitano asked if they could apply for just a country inn and focus on the country inn and not the special events. Jamie said the special permit for a country inn (Sect. 12.5) allows the operator of a country inn to do ancillary (special events). You can't have a special events venue without having the special permit country inn. He said that the

commission has the application for a country inn before them. They have an extra 65 days for extension. J. Frank said that if they're going to submit additional information, when will the townspeople be able to see it? It should be available prior to the meeting. R. Brais said that is incorrect. Jamie also said J. Frank is incorrect because information can come in up to the closing of the public hearing. The commission can't reject an application; they can either approve, deny, or approve with conditions. J. Clark said they were requested to submit a waiver of the site plan requirements (Section 14.4.2 a-cc). Jamie said that this application needs a site plan. J. Clark said he did not hire a civil engineer. R. Wishart said that he feels further conversation with staff is feasible for the applicant. P. Allegretti made a motion to continue the public hearing until 10/18/23. B. Champany seconded. Motion passed with one nay vote. At the end of this public hearing, Jamie mentioned to the attendees of this public hearing to please not converse with any commission members outside of the public hearing process.

- II. Roll Call – Present:** R. Wishart, P. Mann, P. Allegretti, B. Champany, R. Huoppi, N Stellitano, J. Rabbitt, and R. Brais. **Absent:** J. Rivers, J. Sheldon, L. Grossman, and T. Harris. **Others in Attendance:** J. Clark, I. Gelfond, D. Gelfond, N. Fisher, J. Frank, J. Robbins, M. Bouthillier, S. Caserik, McKayla (?), B. Reingold, L. Riemer, A. Betty Hale, A. Danenhower, G. Danenhower, H. Hill, and other citizens.

At this point, the Chairman requested to take a break for 5 minutes due to all the opinions given during the public hearing.

III. Open Regular Meeting

A. Items to add to the agenda –

- 1. Vivianne St. Jean, 239 Kearney Road,** home occupation regarding baked goods. R. Wishart motioned to move this item under Section IV A2. R. Huoppi seconded. Approved.
 - 2. Peter B. Mann, 125 Valentine Road,** text amendment regarding the prohibition of cannabis in Pomfret. P. Allegretti made a motion to move this item under Section IV A3. N. Stellitano seconded. Approved.
- B. Approve minutes of August 16, 2023 –** M. Nicholson mentioned there was an error that needed correction regarding the cost of the transfer station being open 3 weekends a year is actually \$30,000 right now. P. Allegretti made a motion to approve as amended. P. Mann seconded. Approved.

C. Pending Applications –

- 1. 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 barn for wedding venue. Continued to October.
- 2. Maureen Nicholson, Town of Pomfret, 10 Nora Lane,** special permit application for a Transfer Station. The public hearing was closed. Staff read a letter dated 9/20/23. Waiver request submission was received. He created two options with COAs. M. Nicholson said Eversource/Frontier power lines are above ground just outside the property and go underground just inside the property (100'). N. Stellitano asked if we needed a vote regarding the waivers. R. Brais/J. Rabbitt both said yes. A request was made to approve the waivers. P. Mann so moved. N. Stellitano seconded. Approved. P. Mann motioned to approve the application with 4 COAs: 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) Prior to any grading any grading and/or construction, (a) all erosion and sediment control devices shall be installed prior to any grading and/or construction activity on the site and maintained until turf has been sufficiently established per DEP Bulletin 19, (b) the plans detailing temporary storm water structures shall be shown on the plans as well as construction sequencing, and (c) required title blocks shall be added to plans per regulations; 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 on their behalf. The Town Planner cannot approve any change that jeopardizes the integrity of the original design (approved plans); and 4) Final as built should be submitted to the Town to determine compliance with the approved plans. As built shall include final grads, landscaping, buildings, utilities (depth, size, location, type) and drainage. As built may include additional information deemed necessary by town staff to determine compliance with approvals. B. Champany seconded. Approved.

IV. New Business

A. Acceptance of New Application(s)

1. **Adam Lessard, 54 Jericho Road**, special permit application for a detached 30' x 60' garage/carport on slab. P. Mann made a motion to schedule a public hearing on this application on October 18, 2023. P. Allegretti seconded. All in favor.
2. **Vivianna St. Jean 239 Kearney Road**, cottage industry license for baked goods to be delivered offsite to fairs, farmer's markets, etc. There will be no retail on site. Class I requires a site plan to be submitted. N. Stellitano made a motion to continue this item. P. Mann seconded. Approved.
3. **Peter B. Mann, 125 Valentine Road**, text amendment regarding the prohibition of cannabis in the Town of Pomfret. Mr. Mann asked that his public hearing be delayed until the November 15, 2023, meeting. N. Stellitano motioned to approve. P. Allegretti seconded. Approved.

B. Correspondence –

1. Letter from J. Zahansky regarding 236 Deerfield Road; this letter was read into the record by the Chairman.
2. letter from NECCOG regarding Woodstock regulations draft text amendment (cannabis); they want to allow retail but prevent cultivation.
3. letter from State of CT DOT regarding A. Danenhower at 321 Deerfield Road; CT DOT denied her application, but she is still able to build the barn but can't have her business there until DOT approval.

C. ZEO Report – Permits issued.

657 Pomfret Street
66 Averill
10 Tyrone
30 Tyrone
14 Covell

D. Complaints and Violations:

1. **Barry Peloquin** –removed garbage truck but brought on an antique flatbed.
2. **4 Nora Lane** – in litigation; ongoing

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 only amendment the First Selectman has Jamie working on is the Brewery Amendment.

B. Cannabis discussion – text amendment regarding the prohibition of cannabis in Pomfret with go to Public Hearing on November 15, 2023.

VI. Adjournment – B. Champany made a motion to adjourn. N. Stellitano seconded. All in favor. The meeting adjourned at 9:18 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Dated:_____