

TOWN OF POMFRET  
PLANNING & ZONING COMMISSION  
OCTOBER 20, 2021, PUBLIC HEARING/MEETING MINUTES

Prior to the Public Hearing, R. DiBonaventura said we need to seat P. Mann for P. Allegretti. R. Wishart so moved and N. Stellitano seconded. All in favor.

**I. Public Hearing**

**A. Town of Pomfret, Planning & Zoning Commission, 5 Haven Road,** text amendment to the regulations regarding Accessory Dwelling Units (ADUs), with possible action. R. DiBonaventura read into the record the “Summary of the Pomfret ADU Amendments”. Discussion regarding no exterior stairways. R. Wishart made a motion to close the public hearing. P. Mann seconded. All in favor.

**II. Regular Meeting**

**A. Roll Call** – R. DiBonaventura, B. Champany, R. Wishart, J. Rivers, N. Stellitano P. Mann, R. Brais, M. Nicholson, D. Merriam, C. Tracy, B. Woodis. D. Thompson, and J. Everett. Absent: P. Allegretti, R. Huoppi, L. Grossman, and M. Hart.

**B. Items to add to the agenda** – executive session needs to be added to end of agenda regarding negotiations for land acquisitions.

**C. Approve minutes of meeting of September 15, 2021** – B. Champany made a motion to approve the minutes as submitted. P. Mann seconded. All in favor. There were two abstentions.

**D. Pending Applications:**

- 1. Town of Pomfret, Planning & Zoning Commission, 5 Haven Road,** text amendment to the regulations regarding Accessory Dwelling Units (ADUs), with possible action. Jamie mentioned that if an affirmative decision is made, then an effective date has to be set for the regulations to take effect. P. Mann made a motion to approve the text amendment with an effective date of November 22, 2021. R. Wishart seconded. All in favor.

**III. New Business**

**A. Acceptance of New Applications –**

- 1. Rectory School, 528 Pomfret Street,** site plan review application regarding the construction of a 10,249-sf dormitory with 4 faculty apartments Will include clearing/grading around the proposed building as well as seven new parking spaces and minor changes to interior access road. J. Everett of NE Design was present to speak for the application. He said they are proposing a two-story dormitory with 4 faculty apartments. They currently have pending applications with NDDH and IWWC. This is at the back end of the campus across from the gym and over 500’ from any adjoining property. He then showed the landscaping

plan to the commission. There will be a little work in the upland review area. They will be putting in shade trees (sugar maples) and a buffer of cedars. There will be an addition of 7 new parking spaces and new storm drainage. Jamie said this fits within the zoning regulations for like and kind to the neighborhood, but P&Z can't act until a report is received from IWWC.

2. **Willow Therrien, 590 Wrights Crossing Road**, special permit application for a detached 24'x 36' garage. P. Mann made a motion to schedule a public hearing for 11/17/21 at 7 pm. N. Stellitano seconded. All in favor. J. Rivers asked why it is a special permit. It was explained that over 800 sf requires a special permit. Clerk with contact the applicant regarding the letters that need to be sent to the abutters.

**B. Citizen's Comments** – P. Mann thanked Maureen for bringing Dwight into the picture

**C. Correspondence** – letter from CT DOT approving M. Wolchesky's subdivision and the driveway at 634 Brayman Hollow, which was approved with conditions.

1. **ZEO Report – Ryan stated the P&Z must opt out of the ADU regulations by January 1<sup>st</sup>; commission must hold a public hearing and then the selectmen must ratify.** P. Mann made a motion to schedule a public hearing to opt out of State ADU regulations. B. Champney seconded. All in favor.

**Permits Issued:** -

70 Tull Lane  
532 Taft Pond Road  
194 Cherry Hill

**Complaints/Violations**

- a. Barry Peloquin, 59 Longmeadow Drive, no change to property. Ed Higgins stated that the courts should be open around the end of May. Ryan and Atty. Higgins are sending a C&D letter out to the new property owner of record. Ryan had a meeting with Atty. Higgins and Atty. Cotnoir on July 16<sup>th</sup>. Atty. Cotnoir will be taking over the case. He is researching the best strategy to bring the new property owner into the process (7/21/21). Nothing new (8/18/2021). Atty. Cotnoir is reviewing the application and issues (9/15/2021). Nothing new (10/20/21).
- b. 73 Fox Hill Road – the new house is complete. A temporary C.O. has been issued while the mobile home is being removed (7/21/21). Nothing new (9/15/2021). Nothing new (10/20/21).
- c. 4 Nora Lane – P. Allegretti asked where we go from here; should we go into executive session? J. Rabbitt said there's possible litigation that could be discussed in executive session. The fines could be substantial. WE should double check with legal counsel. He is operating without a CO or Certificate of Compliance for over a year. P. Allegretti mentioned that the lights are a quality-of-life issue. P. Mann asked why weren't we trying to get him to comply? J. Rabbitt thought we should have R. Brais seek guidance from Atty. Higgins. P. Mann made a motion to have Ryan speak to Atty. Higgins and then have an executive session. P. Allegretti

seconded. All in favor. Atty. Cotnoir will be taking over this issue. He and Ryan are strategizing on the best avenue to handle this matter (7/21/21). Ryan took photos at M&E to show the issues that are outstanding. Atty. Cotnoir is going through the minutes and will look at photos and decide from that what he is going to do. They still have not complied with the lighting (they have spotlights which weren't approved) and the landscaping does not comply either. Ryan is working with Atty. Cotnoir, reviewing this application and issues (9/15/2021). Nothing new (10/20/21).

- IV. Commission Business** – Rich stated that this would be his last meeting with the commission as he didn't run again.
- V. Executive Session** – discussion and action on acquisition of development rights on 169 Fox Hill Road. J. Rivers made a motion to go into executive session. P. Mann seconded. All in favor. Exited executive session. Motion to send letter to BOS to recommend acquisition of development rights was made by J. Rivers. P. Mann seconded. All in favor.
- VI. Adjournment**– B. Champany made a motion to adjourn. N. Stellitano seconded the motion. All in favor. Meeting adjourned at 8:03 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Dated: \_\_\_\_\_