

TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING MINUTES
JUNE 17, 2020 @ 7:00 PM

At 7pm the Chairman opened the Public Hearing.

I. Public Hearing

- A. Yvette Hollenbeck, 123 Paine Road, special permit application for a 20' x 48' horse barn and paddock. Jamie read into record a draft motion with 7 conditions of approval. We have had to work around some things due to the COVID-19 issue and virtual meetings. The applicant needs to request a waiver of Section 14.4.2 a-cc. R. DiBonaventura asked the applicant if she knew her property lines and set back, to which she said yes. P. Mann then asked if we need a verbal request from the applicant to request a waiver of Section 14.4.2 a-cc. J. Rabbitt said she could request the waiver now. Y. Hollenbeck then requested a waiver of Section 14.4.2 a-cc. P. Allegretti so moved and asked to close the public hearing. R. Wishart seconded and the motion carried.

II. Regular meeting

- A. Roll Call – Present: R. DiBonaventura, Chairman; P. Allegretti, Vice Chairman; R. Wishart, Secretary; R. Huoppi, member; P. Mann, alternate; L. Grossman, alternate; R. Brais, ZEO; and J. Rabbitt, Town Planner. Absent: B. Champany, member; J. Rivers, member; and M. Hart, alternate.
P. Allegretti made a motion to seat P. Mann for J. Rivers and L. Grossman for B. Champany. R. DiBonaventura seconded and the motion carried.
- B. Items to add to the agenda – none
- C. Approve minutes of May 20, 2020 – P. Allegretti made a motion to approve the minutes as submitted. R. Huoppi seconded and the motion carried. There was one abstention.
- D. Pending Applications –
1. Yvette Hollenbeck, 123 Paine Road, special permit application for a 20' x 48' horse barn and paddock. The Chairman asked if any of the members had any concerns regarding the waiver request. Four members said they didn't. P. Mann then made a motion to grant the waiver of Section 14.4.2 a-cc and replace it with the sketch plan we have in the file. L. Grossman seconded the motion. R. DiBonaventura mentioned that we could forego a few items in Jamie's conditions of approval. P. Mann, L. Grossman, and R. Huoppi agreed with him. R. DiBonaventura wishes to approve the application with the conditions of approval # 3, 5, and 7. The conditions of approval are as follows: 1) The plans shall clearly state that the barn shall be used for residential purposes and shall not constitute a commercial horse farm (boarding, outside training, etc.); 2) That the plans be revised to show manure handling location per Connecticut State Department of Agriculture

recommendations; 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 and 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) That all cost 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. L. Grossman seconded this, and the motion carried.

III. New Business

A. Acceptance of New Applications – none

B. Citizen's Comments – none

C. Correspondence – none

D. ZEO Report – Permits Issued:

170 Orchard Hill Road – Elias – 22'x24' addition to the rear of the house and 10' x 10' addition to the south side of the house

628 Mashamoquet Road – Town of Pomfret ERC Building – ground mounted solar array

212 Orchard Hill Road – McGann – 24' above ground pool

5 Railroad Street – Abrams – 8' x 15' deck

95 Cooney Road – Ledogar – 15' above ground pool

71 Mashamoquet Road – Lamothe – 24' above ground pool

118 Gary School Road – Hanson – 10' x 12' deck

1. Complaints/Violations:

a. Barry Peloquin, 59 Longmeadow Drive, commercial vehicles in a residential zone. The trailer and M35 were to be removed by May 31, 2019. M35 military truck is still in the rear of the property. Counsel is preparing to file for contempt of a court order due to the following: failure to remove the M35 military cargo truck from the property; failure to make restitution to the Town in the amount \$2,434.42 by June 1, 2019. On November 3, 2019 the yellow bucket truck, M35 and a white truck (flat bed with stakes) with chipper in tow were on the property. Atty. Higgins is adding the new property owner to the suit and will have it ready to proceed to court when they return to working status ((5/18/20). Vehicles on property: Yellow bucket truck, woodchipper, green/white bucket truck, military truck, white log truck with red grapple arm. P. Mann wanted to know if we could put a lien on the property. R. Brais said no, we need to go back to court. The restitution is still overdue and the Atty. Is handling it. R. DiBonaventura asked Ryan if he took photos, to which he replied yes (6/17/2020).

b. Intersection of Paine and Fay Roads: camper as dwelling – nothing new. Ryan received the site plan. Has not received an application yet. Warning letter was sent on 5/4/20. No response and we have not the signature card. The camper looks like it may be abandoned. The property owner left Ryan a message that they purchased a house and returned the lot to open

space (I am assuming PA 490). I will call him and inform him that the camper must be removed (5/18/20). Told property owner the trailer must be removed (6/17/2020).

- c. 73 Fox Hill Road – there are two overseas shipping containers being used as sheds, which is not allowed. One box has been removed. They are working on removing the other. Further discussions have been had with the owner on moving towards a new house. A letter was sent to the property owner and received a response. A lot of scrap metal has been removed from the property. The owner is working with KWP and Copeland Builders to construct a new house (5/18/20). They are construction a house and garage on the property (6/17/2020).
- d. Nora Lane Realty, LLC, 4 Nora Lane – operating without a zoning compliance certificate and Certificate of Occupancy. NOV was mailed out on November 21st to cease operation until they pave the apron, grade the parking lot, and most everything else other than the building. Applicant is working to correct the outstanding issues (6/17/2020).
- e. Written complaint about 39 Freedley Fork encroaching the property line, sent by Maureen. Ryan will check out the property.

P. Allegretti suggested that Ryan go over to 4 Nora Lane and go over with the applicant what needs to be done to meet the deadline. Need to remind him of his responsibilities.

IV. Commission Business

- A. Planning and Zoning Fund Balances – received permission from the commission to transfer funds to cover IWWC deficit balance. Waiting on permission to release funds. Jamie stated that Bill Hull is all set with his projects. P. Mann made a motion to refund the money due to Hull's by Hull Forestry for Hull's forestry projects. R. Huoppi seconded. The commission asked what the numbers were regarding Hull. Blake found last month's information that Hull had \$6471.77 in IWWC and \$1039.45 in P&Z. P. Mann amended his motion to include the addition of \$1039.45 plus interest to Hull's refund. Motion was approved.
- B. Discussion of Air bnb's – this issue is postponed until we can return to regular meetings

- V. Adjournment- P. Allegretti made the motion to adjourn. It was seconded by P. Mann and approved.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____