

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING MINUTES
SEPTEMBER 16, 2020**

I. Public Hearing

- A. **Mary MacLean, 446 Deerfield Road**, application for a zone change. This is a map amendment and the property is adjacent to the Vanilla Bean.

Bev Champany made a motion to seat P. Mann for J. Rivers. R. Wishart seconded the motion and it was approved. R. Wishart made a motion to seat L. Grossman for the open seat. P. Mann seconded the motion and it was approved.

Jamie said this is a requested change from Rural Residential to Commercial Village. It is an existing non-conforming lot (due to lot size). It gives the owner the ability to venture into commercial business (i.e., lawyer, doctor, etc.). He has no issues with the proposed conversion, as it is consistent with the Plan of Conservation and Development. B. Champany made a motion to close the public hearing. P. Mann seconded the motion and it was approved.

II. Regular Meeting

- A. **Roll Call** – Present: R. DiBonaventura, Chairman; P. Allegretti, Vice Chairman; R. Wishart, Secretary; R. Huoppi, member; B. Champany, member; M. Hart, alternate; L. Grossman, alternate; and P. Mann, Alternate. Staff: J. Rabbit, Town Planner and R. Brais, ZEO. Absent: J. Rivers, member.

- B. **Items to add to the agenda** - none

- C. **Approve minutes of meeting on August 19, 3030** – P. Allegretti made a motion to approve the minutes as submitted. P. Mann seconded the motion and it was approved. There was one abstention.

D. Pending Applications

1. **Mary MacLean, 446 Deerfield Road**, application for a zone change. P. Mann made a motion to approve the application. B. Champany seconded the motion. Jamie mentioned that this would need an effective date for the zone change. P. Mann amended his motion to include the effective date of 11/1/2020. B. Champany seconded and it was approved.

III. New Business

- A. **Acceptance of new applications** –

1. **Maureen Nicholson for the Town of Pomfret, 628 Mashamoquet Road**, application to move existing salt storage away from wetlands and with better protection from weather; eliminate runoff to wetlands. M. Nicholson spoke for the application. She said the town has been accruing funds for this purpose and they'd like to move ahead with this now that the EOC is up and running. The salt storage shed was initially behind the garages and they would like to move it to where the bus parking is located. She gave a description of the new storage area and stated that it will be over 150' from the wetlands and will eliminate any runoff to the wetlands. R. DiBonaventura said he thought Staff should look into this. J. Rabbitt said he has not seen the full set of plans, but we should schedule a public hearing for the October meeting. Staff will review and connect with the First Selectman. M. Nicholson asked the commission if they could possibly schedule the public hearing for September 30, 2020. That date was not enough time to post both notices in the paper. The public hearing could be on October 7, 2020, but the clerk noted that the 7th was the IWWC meeting night. They thought possibly on October 6th instead. P. Mann made a motion to schedule a public hearing for October 6, 2020 at 7PM (hybrid meeting). P. Allegretti seconded the motion and it was approved.
- B. **Citizen's Comments** – Mary MacLean, whose application was previously approved tonight, spoke to the commission. She thanked everyone who helped her to get her application done.
- C. **Correspondence** – none
P. Mann asked about the Staley's and the pink house on Deerfield Road. M. Nicholson said we have not had any news from them.
- D. **ZEO Report** – Permits Issued:
 - 91 Kearney Road –
 - 11 Amberg Drive – Nina & Richard Kneeland – replace 12' x 12' deck with combination 14' x 27' deck and screen porch
 - 87 Ragged Hill Road -
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 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 of \$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 t the suite 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 (8/19/20). Still waiting (9/16/20).

- b. **Intersection of Paine and Fay Roads:** camper as dwelling – Ryan sent a warning letter 5/4/20. He said the camper looks abandoned. The property owner left Ryan a message that they purchased a house and returned the lot to open space (he is assuming PA 490). He will call the owner and inform him that the camper must be removed (5/18/20). He again told the owner that the camper must be removed (8/19/20).
- c. **73 Fox Hill Road** – there are two overseas shipping containers being used as shed, which is not allowed. One container has been removed. The owner is working with KWP and Copeland Builders to construct a new house (5/18/20). Plans are being completed (8/19/20). This is ongoing (9/16/20).
- d. **Nora Lane Realty, LLC, 4 Nora Lane** – operating without a zoning compliance certificate and CO. NOV was mailed out November 21st to cease operation until they pave the apron, grade the parking lot, and most everything else other than the building. An application was approved to complete the site and applicant is working to correct the outstanding issues (8/19/20). Upon inspection, the applicant was found to not be in compliance with the approved plans: the maples are in the wrong place; the landscape buffer is only a single row of pines when it should be two rows; and there is a shipping container behind the building which was not approved. R. DiBonaventura said we need to follow through on this. Jamie said the landowner is away and he didn't follow the plan. The owner is aware of what he needs to do to be compliant. P. Mann mentioned the screening (pines) would help buffer noise to the neighbor on the other side of the road. There was discussion of why white pines are used. R. DiBonaventura wished to have Ryan proceed with this and would be open to Staff recommendations. L. Grossman thought we should talk to our attorney. P. Mann made a motion to work with Atty. Higgins regarding this issue. R. Huoppi seconded the motion and it was approved.

IV. Commission Business

- A. **Planning & Zoning Fund Balances** – nothing new
- B. **Discussion of Air bnb's** – this issue was postponed until we can return to regular meetings

V. Adjournment – B. Champany made a motion to adjourn. R. Wishart seconded and it was approved. Meeting adjourned at 7:35 PM.