

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES (AMENDED)
MONDAY, MARCH 25, 2013 AT 7:00 PM
POMFRET SENIOR CENTER**

In Attendance: Commission Members Walter Hinchman, Phil Allegretti, Richard DiBonaventura, Eric Pohlman, Beverly Champany, Ted Tsanjoures, Martha Paquette; and Alternates Kimberly Bergendahl and Christopher Burke; Staff - Ryan Brais, ZEO and James Rabbitt, Town Planner.
Absent: Alternate Antonio Amaral.

Walter Hinchman opened the meeting at 7 pm.

I. Regular Meeting –

A. Current Business

1. Items to add to the agenda – W. Hinchman said that Anthony Simpson was present and would like to be put on the agenda. W. Hinchman made a motion to add A. Simpson to the agenda under New Business Item E (became item D due to duplicate entry of subdivision of Brayman Hollow Road). P. Allegretti seconded the motion and it was approved unanimously.
2. Approve Minutes of Regular Meeting of February 25, 2013 – R. DiBonaventura made a motion to approve the minutes as submitted. M. Paquette seconded the motion and it was approved unanimously. There was one abstention.

B. Pending Application(s) – none

1. Windham County 4H Foundation, Inc., 326 Taft Pond Road; addition, facilitate compliance with building and health codes, kitchen facilities upgraded, energy efficiency improved, fire protection added, and power will be upgraded including installation of emergency generator. Janet Blanchette of D&S Engineering was present to speak for the applicant. She went over the updated maps submitted to the commission. She also submitted a request for waivers of regulations 15.4 Size of Parking Spaces, 15.7 Surface Standards, and 16 Landscaping. J. Rabbitt spoke stating that the commission would need to recognize the waiver requests before voting for approval/denial. He prepared a draft motion with eight conditions of approval, which was dated 3/25/13. He read this information into the record. E. Pohlman asked if any of these conditions were above what the commission would normally require. Jamie said it was quite standard. W. Hinchman asked if there were any further questions. J. Blanchette said that on condition #8, it is not a special permit, but just a permit. This was changed. Jamie told the commission he has no issues with the waivers. W. Hinchman said they refer to Section 14. Jamie said that Section kicks it to specific in 15 and 16. W. Hinchman made a motion to approve the waiver of 15.4 as mentioned in the request. P. Allegretti seconded the motion and it was approved unanimously. W. Hinchman made a motion to approve the waiver of 15.7 as mentioned in the request. R. DiBonaventura seconded the motion and it was approved unanimously. W. Hinchman made a motion to approve the waiver of 16 as mentioned in the request. R. DiBonaventura seconded the motion and it was approved unanimously. W. Hinchman then said that Jamie had prepared a draft motion and asked if there was any reason why a motion should not be made. M. Paquette made a motion to approve the application of the Windham County 4H Foundation with the eight conditions of approval as submitted by Jamie. R. DiBonaventura seconded the motion and it was approved unanimously.

II. New Business

A. Acceptance of New Application(s)

1. Rectory School, 628 Pomfret Street, renovation to existing dormitory including the addition of a second floor apartment, a new stair tower on the north side of the building, and new sidewalks on the west side of the building. John Everett of Karl Norton Architects was present to speak for the applicant. He stated that the renovation would be

to the Memorial Dorm on the Rectory campus, which was the old dining hall. It will be primarily interior renovation with code updates. They will also be doing a modification of the stair tower along with the addition of a second floor apartment. The new stairs will be on the north side of the building. There will be new sidewalks on the west side of the building. The apartment will have three bedrooms. There will be a couple of lanterns added for lighting purposes. He also had a letter requesting waivers of the following Sections: 14.4.2 g, 14.4.2 h, 14.4.2 i, 14.4.2 j, 14.4.2 o, 14.4.2 p, 14.4.2 s, 14.4.2 t, 14.4.2 u, 14.4.2 v, 14.4.2 w, 14.4.2 x, 14.4.2 y, 14.4.2 z, 14.4.2 aa, 14.4.2 bb, and 14.4.2 cc. W. Hinchman said the commission would accept the application tonight but would need time to look over the information submitted to the commission. B. Champany made a motion to accept the application. M. Paquette seconded the motion and it was approved unanimously.

B. Citizen's Comments –

1. Preliminary discussion of subdivision at 589 Brayman Hollow Road by John Guskowski and Annie Kline of CME Associates. J. Guskowski spoke regarding this future application. It is regarding a subdivision at 589 Brayman Hollow Road, part of the Townsend property. The subdivision will be to split the caretaker's house from the remainder of the property. There will be a 2.2 acre lot around the caretaker's house. The family is looking to sell off this section. They are going to request a waiver of the A2 survey for the entire property and all of the abutter's are Townsends. As this property spans the town line, they will notify Woodstock and NECCOG. He wanted to get some input from the commission on open space and fee in lieu of open space. W. Hinchman first asked if this 2.2 acre lot will meet the regulations. J. Guskowski said they did a well and septic radius, but will show the builder's square on the map. W. Hinchman then mentioned the first split was free and it was for Tim's house. E. Pohlman wanted to know what the back line was on the map. J. Guskowski said it follows a stone wall on two sides. W. Hinchman then asked the commission members how they felt about the A2 survey. The consensus was that it was not necessary to do an A2 on the large piece. J. Guskowski said he would do a map showing all 600+ acres. W. Hinchman then said that in situations similar to this, the commission did not require any space but got a fee in lieu instead. Jamie said that a prior subdivision in town didn't require 10% of the acreage or 10% of the value. It worked out to \$6,000 per lot for the fee in lieu of open space. Jamie said that the potential to seek relief from abutter notification isn't possible because he believes that administrative processes aren't waiveable. R. DiBonaventura then mentioned that a Public Hearing for a subdivision wasn't necessary. W. Hinchman said he sees no problem with what is being proposed.

C. Correspondence –minimal mail

1. ZEO Report

- a. Working on a violation regarding the Maddocks property located on Hampton Road. Mr. Maddocks applied for a building permit in the spring of 2011 to reconstruct a barn that had fallen from a winter storm. That permit was granted to reconstruct the barn "like-for-like". The building inspector inspected the foundation and was never called back for a final inspection. Recently, the assessor alerted me that the top floor of the barn was a dwelling. As a result, a Cease and Desist was issued to stop all work on the second floor of the barn and to cease using it as a dwelling, if occupied. Mrs. Maddocks came in on March 20th to speak with the building inspector and me. We explained that no permits were granted for living space and that it could not be used as a dwelling since there is already a house on the property. Mrs. Maddocks explained that the structure is not complete and has no kitchen. They may decide to simply make it a recreation area/game room. She was going to think about what direction they want to take so that they can apply for the necessary permits. The building inspector and I have a scheduled inspection of the barn this Wednesday, March 27th, to see what has been done thus far.

At this point, W. Hinchman asked Ryan to please try to submit his report to the clerk so that it can be e-mailed out to the members with the agenda and prior minutes.

2. Complaints: none

D. Anthony Simpson, 77 Deerfield Road, discussion of property and conversion to country inn. Mr. Simpson wanted to know what the commission is willing to contribute as far as time goes, be it free or hourly. He would also like some of the members to see the house, if possible. W. Hinchman told Mr. Simpson that if Jamie or Ryan is involved, he would need to check with them regarding their fee. Mr. Simpson then asked if fees were charged to him, could they be deducted from the money still sitting with the town from the application he withdrew last month. The answer was yes, it could be deducted from the money already deposited. Jamie said that he feels a visit to see the house is a gray area. If there is a quorum, that makes it a public meeting. Mr. Simpson said he feels it might be good for the members to see the size of the property. W. Hinchman then said that the members couldn't go as a group, but if you could leave a number to be reached at, the members could maybe contact you and go see the property. There was a discussion regarding site visits during the application process. At this point, Alain Beret asked if they would need both the text amendment and a special permit. W. Hinchman said they would probably need both. For the record, there were four gentlemen in attendance regarding Mr. Simpson's property. They were: Anthony Simpson of 77 Deerfield Road; Alain Beret of 120 W. Millbury Road, Sutton, MA; James Fairbanks of 120 W. Millbury Road, Sutton, MA; and Nicholas Gardner, Chairman of the Economic Development Committee. They were in attendance to receive preliminary information from the commission and no application was submitted.

E. Discussion of 85 Drown Road

Someone came in to the Town Hall today to check out this property, which is in foreclosure and there is an interested buyer from Texas. The realtor was checking to see if the in-law apartment was legal because it doesn't show on any of the maps and he wanted to check the building file for the property. It was mentioned that a NOV could be issued to the bank and have them conform to the regulations. Jamie said the commission has two choices: 1) put your head in the sand, or 2) follow the regulations and give a NOV to the bank. R. Brais said that there is a potentially easy fix for this issue. They need to remove the wall, header and take the door down (although we may not know if they change it again). Ryan will relay the information to the realtor and the woman (Sheryl Saxton) who called with questions about the property.

III. Commission Business

A. Citizen's Comments – None

B. Discussion of documentation submitted by the AG Commission to be P&Z Commission regarding the update of their POCD. No discussion tonight (3/25/13).

IV. Adjournment

B. Champany made a motion to adjourn the meeting. It was seconded by

T. Tsanjoures and approved unanimously. The meeting adjourned at 9:04 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____