

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING/REGULAR MEETING MINUTES  
MONDAY, SEPTEMBER 23, 2013 AT 7:00 PM  
POMFRET SENIOR CENTER**

In Attendance: Commission Members Walter Hinchman, Phil Allegretti, Eric Pohlman, Ted Tsanjoures, and Alternate Kimberly Bergendahl; Staff - Ryan Brais, ZEO and James Rabbitt, Town Planner.

Absent: Members Richard DiBonaventura, Beverly Champany; Martha Paquette; and Alternates Christopher Burke and Antonio Amaral.

Walter Hinchman opened the meeting at 7 pm. He asked that K. Bergendahl be seated for R. DiBonaventura. P. Allegretti made a motion to do so. It was seconded by E. Pohlman and approved unanimously. He then opened the public hearing.

**I. Public Hearing**

- A. Atty. Ernest Cotnoir for Woodstock Academy, text amendment for student housing. Jamie Rabbitt spoke with Atty. Cotnoir today and the attorney asked that the public hearing be continued. W. Hinchman made a motion to continue the public hearing. It was seconded by T. Tsanjoures. J. Rabbitt said that the motion should state the date, time, etc. of the continuance. W. Hinchman then amended his motion that the public hearing be continued until Monday, October 28, 2013 at 7 pm before the commission's regular monthly meeting. It was seconded by T. Tsanjoures and approved unanimously.

**II. Regular Meeting –**

**A. Current Business.**

1. Items to add to the agenda - none
2. Approve Minutes of Regular Meeting of August 26, 2013 – W. Hinchman made a motion to approve the minutes as submitted. P. Allegretti seconded the motion and it was approved unanimously. There were two abstentions.

**B. Pending Application(s)**

1. Atty. Ernest Cotnoir for Woodstock Academy, text amendment for student housing. Public hearing was continued to 10/28/13.

**III. New Business**

**A. Acceptance of New Application(s) - none**

**B. Citizen's Comments –none**

- C. Correspondence –** letter from the Town of Woodstock regarding a text amendment they're doing to their regulations; two articles from the State of Connecticut Siting Council regarding the Algonquin Gas Transmission LLC petition with a meeting to be held on 9/25/13 at the Chaplin Compressor Station located at 539 Tower Hill Rd. in Chaplin at 9:30 am.

**1. ZEO Report –** return to this item when Ryan arrives

Permits:

- a. One permit issued to Jonathan Fahey for the construction of a new home at the corner of Wrights Crossing and Putnam Road.

Violations:

- a. Barry Peloquin, 59 Longmeadow Drive - a cease and desist was issued to Barry Peloquin of 59 Longmeadow Dr. for the storage of commercial vehicles on a residential property. Evidence was discovered after the C&D was issued

that he is operating a tree business. Per my order, all vehicles were to be removed from the property by September 11, 2013. Upon last inspection on the 18<sup>th</sup>, those vehicles were still on the property. Mr. Peloquin is not complying with the C&D and Ryan would like the commission's approval to contact the Town Attorney regarding this issue. P. Allegretti made a motion to have Ryan take further action regarding this issue by contacting Atty. Ed Higgins. It was seconded by T. Tsanjoures and approved unanimously.

- b. Pixie Rahe of Old Rte. 44 – a cease and desist was issued today to Pixie Rahe of 10 Old Route 44 for operating a retail use on a residential property. Her “Barn Sale” has been going on for most of the summer, and it appears that she has been restocking her items as they are sold with other second hand items. It does not appear as if she is simply selling items that she has owned, but finding new items, similar to a flea market rather than a yard sale. Once the C&D is received, she must immediately cease all sales and remove all signs around town within 24 hours. We are awaiting a response from Pixie Rahe.

**Complaints:**

W. Hinchman mentioned that there's a new building going up behind Kevin Huff's house on Orchard Hill Rd. Ryan said that he has not issued any permits for anything there.

**IV. Commission Business**

**A.** Citizen's Comments – None

**B.** CL&P is seeking approval to put in a 25" wide off-ROW permanent access road through the Murdock property to install new high intensity wires (see maps). W. Hinchman and J. Rabbitt had a discussion regarding this piece of property that the town owns that could be developed and that this right of way could hinder development at a later date. Jamie said that according to the agenda item, there was no correspondence received from the First Selectman but his assumption is that the intent is under Section 8-24 of the CT Statutes regarding Municipal powers and referrals section, and he is para-phrasing here, that anything proposed to be sold, leased, ROWs granted, improved on public property/land needs to be referred to the Planning & Zoning Commission to determine consistency with the Plan of Conservation and Development. W. Hinchman mentioned that he had received minutes from the Board of Selectmen meeting but he didn't notice this item in the minutes. Jamie said that the commission could ask for formal information from the Board of Selectmen. After an involved discussion, P. Allegretti made a motion to send a letter to the Board of Selectmen from the Planning & Zoning Commission stating that they received the map but found it inconsistent with the Plan of Conservation and Development, as presented. E. Pohlman seconded the motion and it was approved unanimously.

**IV. Adjournment**

K. Bergendahl made a motion to adjourn the meeting. It was seconded by T. Tsanjoures and approved unanimously. The meeting adjourned at 7:44 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved \_\_\_\_\_