

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING/REGULAR MEETING MINUTES (AMENDED)  
MONDAY, JUNE 22, 2015 AT 7:00 PM  
POMFRET SENIOR CENTER**

**In Attendance:** Commission Members, Phil Allegretti, Richard DiBonaventura, Eric Pohlman, Beverly Champany, Artie Benway, and Alternate Kim Bergendahl; Staff - James Rabbitt, Town Planner and Ryan Brais, ZEO. **Absent:** Commission Members Walter Hinchman, and Alternate Antonio Amaral.

The Vice Chairman introduced the new commission member, Raymond Wishart, to everyone before he opened the Public Hearings.

The Vice Chairman opened the Public Hearing at 7:05 PM and made a motion to seat K. Bergendahl. B. Champany seconded the motion and it was approved unanimously.

**I. Public Hearing**

- A. John & Karen DeLuca, 236 W. Quasset Road,** application for a special permit for a 90' by 68' barn for equipment storage and workshop. Due to the abutter notices not going out, R. DiBonaventura made a motion to table this item until our next meeting on July 27, 2015. It was seconded by B. Champany and approved unanimously.
- B. Maureen Nicholson for Pomfret Fire House, Hampton Road,** application for a special permit for an addition to the Fire House in a residential zone. M. Nicholson spoke regarding the application and said they plan an addition of a 3<sup>rd</sup> bay on the back of the building. The Fire House was originally designed for 3 bays, but one was cut back in 1976 due to lack of funds. M. Nicholson submitted a letter in response to the letter she received from J. Rabbitt, requesting waivers of certain sections of the Regulations for special permits. She said they will be putting up a 23' by 88' shell that will have a few partitions. The septic has to be moved but that has already been approved by NDDH. Discussion of letter requesting waivers and what they pertain to. R. DiBonaventura thought there was enough information submitted to be able to make a decision and made a motion to close the public hearing. It was seconded by B. Champany and approved unanimously.

**II. Regular Meeting**

- A. Roll Call - done**
- B. Items to add to the agenda** – P. Allegretti made a motion to add:
  - 1. Windham County 4-H Camp** – to Section III C
  - 2. Kristin St. Onge - Release funds for Owl's Nest Day School**  
Motion was seconded by R. Wishart and approved unanimously
- C. Current Business**
  - 1. Approve minutes of May 27, 2105** – E. Pohlman made a motion to approve the minutes as submitted. It was seconded by R. DiBonaventura and approved.
- D. Pending Application(s)**
  - 1. Brian MacKenzie/Iryna Izotova, 757 Wrights Crossing Road,** Class I Home Occupation for bread bakery. The applicants were present. They said they spoke with NDDH who checked the septic and well and said it was OK. They submitted a letter from NDDH regarding the home bakery which stated it was approved pending water sample and

that they have to apply for a bakery license. Jamie drafted a motion and conditions of approval and read them to the commission. B. Champany made a motion to approve the waivers. R. Wishart seconded and it was approved unanimously. R. DiBonaventura made a motion to approve the application from Brian MacKenzie/Iryna Izotova for a Class I Home Occupation permit for a bread bakery with the following conditions, as previously stated by Jamie: 1) the home occupation is limited to the areas depicted on their modified sketch plan; 2) there are no retail sales allowed on site – wholesale only; and 3) all costs associated with the review and processing of the application shall be paid in full by the applicant prior to the issuance of a zoning permit, as required by the regulations. B. Champany seconded the motion and it was approved.

2. **John & Karen DeLuca, 236 W. Quasset Road**, application for a special permit for 90' by 68' barn for equipment storage and workshop. This item was tabled earlier in the meeting.
3. **Maureen Nicholson for Pomfret Fire House, Hampton Road**, application for special permit for an addition to the Fire House in a residential zone. P. Allegretti said he would like the abutters to be listed on the plan. He asked how everyone felt about the landscape buffer. E. Pohlman said it's not needed because one already exists. Jamie read a draft letter he prepared to the commission. A. Benway made a motion to approve the application by the Town of Pomfret on behalf of the Pomfret Fire District for a proposed addition as shown on plans prepared by KWP Associates (sheets 1 & 2 dated 11/28/14) with the following conditions: 1) all site plan improvements shall be completed according to the plans and drawing approved by the Planning & Zoning Commission prior to an issuance of certificate of zoning compliance prior to their use; 1a) minor field adjustments to grading 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 & Zoning Commission to act on their behalf. The Town Planner cannot approve any change that jeopardizes the integrity of the original design (approved plans); 2) change reference from Rural Residential District to Pomfret Street Residential District on the site plan; 3) reference the Town of Pomfret on the Site Plan as the applicant; 4) any new lighting on the building and/or addition shall be dark sky/night sky compliant; and 5) final as-built should be submitted to the Town to determine compliance with the approved plans. As-built should include final grades, curbing, buildings, signage, utilities (depth, size, location, type) and drainage. As-built may include additional information deemed necessary by town staff to determine compliance with approvals. R. DiBonaventura seconded the motion and it was approved.

### **III. New Business –**

#### **A. Acceptance of New Application(s)**

1. **Pomfret Community School, 20 Pomfret Street**, install permanent school sign. Jamie spoke for the application and said the new sign is free standing and 32 square feet. The commission needs to determine if it's in compliance. P. Allegretti said a 32 square foot sign is within the commission's regulations. A. Benway made a motion to approve the sign but it must be no taller than 6' and wider than 10'. B. Champany seconded the motion and it was approved.
- B. **First Congregational Church, Inc., 13 Church Road**, preliminary discussion. M. Bonitz and B. Woodis were present and stated that they intend to submit an application in July for the church and discussed many concerns and questions associated with the upcoming application,

(i.e., water and sewer, IWWC approval, moving a road, setbacks, legal description of land to be donated, architectural drawings, etc.). Once discussion was over, M. Bonitz asked if the commission is willing, could they meet with Jamie prior to submitting the application to make sure they've got thing in order. P. Allegretti said that is a wise decision because this is a large project. Jamie said it could be done either preliminary or during the application process.

- C. **Windham County 4-H Camp, Taft Pond Road**, regarding compliance. Jamie said he is working with the contractor regarding site compliance and that a temporary CO has been issued. B. Rider spoke regarding grading and drainage, material used, and quality of topsoil. He said that definite work is still needed but the trees are larger than the minimum requirements. He also said the topsoil was amended with manure and the grass is growing well. Jamie said that regarding landscaping, it is noted on the plan which species of trees can be used. The trees they received (Norway maple) are considered an invasive species. They planted much larger trees and many of them only have a 50% canopy. They were supposed to use 4" of screened topsoil, not gravel, amended with manure. The drainage does not meet the specs on the plans. B. Rider said one of his comments was taken out of context. They had help from the supplier of the seed and also had 2 master gardeners work with them. Topsoil was put down, not gravel. P. Allegretti spoke to the members regarding Staff inspection. How does the commission want to have Jamie proceed with this? The drainage needs fixing and he doesn't believe topsoil needs to be brought in – how do the commission members feel? Bev recused herself. E. Pohlman believes the grass is growing well so topsoil doesn't need replacing and the trees may re-grow what's missing. Jamie again mentioned that the Norway maple is on the invasive species list. E. Pohlman said he would grant the 4-H some leeway. A. Benway asked Jamie if he feels the topsoil is OK as it's growing now to which Jamie said no. R. DiBonaventura asked what means they'll be using to repair drainage. B. Rider said is holding the contractor liable for grading issues. Jamie said a temporary CO has been issued until October 2015. J&D Engineering is going out to do elevations to come into compliance. The site is relatively stable. John Dinsdale said that he read the regulations carefully and wanted to know since when do trees or shrubs have anything to do with Certificate of Occupancy? There are invasive species all over Town. He also stated he would like a job description for the Town Planner. P. Allegretti told John that Jamie acts an agent of behalf of the commission. He works for the Town of Pomfret but the commission gives Jamie direction. P Allegretti then made a motion that going forward, the plants/trees are OK, topsoil is OK, but the drainage is not and it needs to be fixed. R. DiBonaventura seconded the motion. There were 5 votes for, 1 opposed, and 1 abstention.

D. **Citizen's Comments** – none

E. **Correspondence**

1. ZEO Report
  - a. 28' by 28' shed at 52 Paine Road
  - b. 18' by 18' shed at 521 Hampton Road
  - c. In ground pool at 195 Fay Road
2. Complaints
  - a. Ryan checked Chubbick property and there was no equipment in site

#### **IV. Commission Business**

A. Citizen's Comments – none

- B. Discussion of sewer project regarding conformance with Plan of Conservation and Development. M. Nicholson told the commission that she needs an approval from Planning & Zoning that the sewer project is in compliance with the Plan of Conservation and Development. The project was approved by USDA for \$5.9 million but the route and cost has

changed to \$7.4 million. Pomfret School has paid money so far. Jamie submitted a letter to the commission as an official referral under CT General Statutes 8-24 (Development/Construction of a forced main sewer line from Rectory School and Loos and Company to the Airline Trail and then on to Putnam's Waste Water Treatment Plant). The official referral states that the development of the proposed municipal forced main sewer line is consistent with the goals and objectives of the Town's Plan of Conservation and Development as well as the State of Connecticut's plans of Conservation and Development. A. Benway asked if there are any provisions for homes to hook-up to this line. M. Nicholson said no, they can't hook up. B. Champany made a motion to approve the official referral that the sewer line is in compliance with the Town's Plan of Conservation and Development. R. Wishart seconded the motion and it was approved.

- C. Discussion of Plan of Conservation and Development – Jamie said there have been some changes made in the POCD such as the sewer avoidance analysis. The deadline for the POCD has been extended until 7/1/16 but we are continuing with our update and plan to get it done by the fall.
  - D. Outstanding funds – B. Champany made a motion to write-off these funds. It was seconded by R. Wishart and approved with a vote of 4 to 3.
  - E. Owl's Nest Day School release of funds – Jamie said he needs to do a final site inspection on the property. If commission so desires, Staff can confirm it is ready and funds can be released. R. DiBonaventura so moved Jamie's statement. It was seconded by E. Pohlman and approved.
- V. **Adjournment** – B. Champany made a motion to adjourn. It was seconded by K. Bergendahl. The meeting adjourned at 10:28 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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