

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/MEETING MINUTES
WEDNESDAY, JANUARY 18, 2017 AT 7:00 PM
OLD TOWN HOUSE**

Before the Public Hearing opened, P. Allegetti made a motion to seat L. Grossman for A. Benway. W. Hinchman seconded and it was approved.

I. Public Hearing

A. M&E Transportation, LLC of 26 Herrick Road for 4 Nora Lane, text amendment for Section 9.4 Special Permit Uses – add Section 9.4.17 Transportation Facility – a facility that functions as a depot for truck, bus, or limousine services, which may include maintenance facilities, vehicle parking and/or vehicle dispatch, but does not include distribution or warehousing of goods or products. Norm Thibeault of Killingly Engineering and Michael Bunning were both present. N. Thibeault spoke regarding the application. He stated that after having a conversation with Mr. Rabbitt, he has made some changes to the proposed wording in the text amendment. This will strictly be a trucking business. He went over all the special permit uses in Section 9.4.17 a-g. The location is set 3 properties back on Nora Lane and he believes there is a 50' landscape buffer deeded on the property. W. Hinchman stated that this is where the commission gathers information during the public hearing and asked if anyone had any questions. Maureen Nicholson was present and said she thought that the use was incompatible to the Town. She wanted to know how many trucks would be allowed. It was stated that there would be 40 units. M. Nicholson thought this amount was excessive. It was explained that during the hours of operation, the bulk of activity is in the morning and then when they come back late in the day to return the trucks and go home. M. Nicholson asked if the trucks would be parked on a hard surface. N. Thibeault said yes. M. Nicholson said her big concern is the number of trucks on site...are all trucks owned by the applicant? N. Thibeault responded yes they are. W. Hinchman asked if there were any other questions. L. Grossman said there are 4 acres...where did you get the numbers from. M. Bunning said he only has 12 tractor trailers. W. Hinchman mentioned that the applicant already has a facility in Killingly. He asked if Mr. Bunning would move it all to Pomfret. M. Bunning said the current facility is too small. R. DiBonaventura said that he would like to see all of these trucks registered to that site on Nora Lane and pay taxes to the Town. N. Thibeault mentioned that the business has grown steadily over the last 8 years. W. Hinchman stated that we have to look at the regulations and the Plan of Conservation and Development to see if this fits. It might be appropriate to show the Economic Development Committee and keep the public hearing open if they have some input on this application. He believes the property would need a 100' buffer (not the 50' in the deed). N. Thibeault looked at the plans and stated that it does show a 100' buffer. M. Nicholson asked if there would be any fuel storage on site. M. Bunning said there is none on site now and there doesn't have to be. He said the commission has the strong arm. J. Rabbitt then read a letter dated 1/17/17. He would like to keep the public hearing open until the February meeting because of the need to change the structure of Section 9.4.17. W. Hinchman said we'll continue the public hearing until 2/15/17. R. DiBonaventura wondered that if we should grant this and Mr. Bunning retires, we'd be opening a door for like Rukstela; don't know if we should leave the word "bus" in the wording. Jamie said he will work with N. Thibeault on the wording regarding vehicle maintenance (only applicant owned vehicles may be repaired on site). W. Hinchman asked if all commission members would give their questions to Jamie who will discuss it with N. Thibeault. M. Nicholson says it mentions an access road; are you calling Nora Lane the driveway? W. Hinchman explained that the new wording will clarify that. N. Thibeault said that whatever wording is needed to comply with the Town, they're happy to oblige. M. Bunning mentioned that the building will 5000-6000 sq. ft. and made of metal. W. Hinchman then said that the public hearing will be continued on 2/15/17 at 7 pm.

II. Regular Meeting –

A. Roll Call- Present: W. Hinchman, P. Allegetti, R. DiBonaventura, B. Champany, R. Wishart; and L. Grossman, Staff: R. Brais, and J. Rabbitt. **Absent:** P. Deary, A. Benway, M. Hart, and A. Amaral.

B. Items to add to the agenda – Pomfret School has questions regarding a new project. We need to have an effective date for the POCD. The commission needs to take a quick look at next year's budget and the annual report. W. Hinchman made a motion to add these items under current business on the agenda. B. Champany so moved and it was approved.

C. Current Business –

1. **Ken Kelly regarding 515 Hampton Road;** would like to know if there is any possibility that this building could be made into an art gallery & recovered relics. W. Hinchman said we need to research because it is not a commercially zoned property. K. Kelly asked if it could be grandfathered from former use. W. Hinchman said we need to check on abandonment or grandfathered; there are a number of questions to be asked. He asked Mr. Kelly to leave his name and number so he could be contacted.
2. **Brenda Bullied from Pomfret School;** they are converting a residence into a 7 bedroom dormitory and she wants to know if the site plan could possibly be waived. W. Hinchman mentioned a change of use. Jamie said that in the permitting process, the regulations allow a waiver of information (existing property-existing home owned by school). The commission has waived submission of information previously. W. Hinchman made a motion to proceed with Pomfret School to simplify the process. P. Allegratti seconded the motion and it was approved.
3. **Weston & Sampson new applications;** it has been requested that we hold a special meeting to accept the application. After discussion with commission members. W. Hinchman said that a special meeting will be held on 1/25/17 to receive and accept the application and then schedule a public hearing to be held on 2/15/17. This special meeting will be held at the Town Hall at 5:30 pm.
4. **POCD effective date-** After discussion, P. Allegratti made a motion that 1/30/17 be the effective date of the POCD. W. Hinchman seconded the motion and it was approved.

At this point, Mr. Ken Kelly asked the commission what the cost of the application would be. It was explained by Jamie that we don't have a simple answer because we need to see if it has a pre-existing non-conforming use that is legal and not abandoned. We need to research further so we won't know until all the questions are answered.

5. **Approve minutes of December 21, 2016.** W. Hinchman approved the minutes as amended. B. Champany seconded the motion and the motion carried. .

D. Pending Applications(s) –

1. **M&E Transportation, LLC of 26 Herrick Road for 4 Nora Lane,** text amendment for Section 9.4 Special Permit Uses – add Section 9.4.17 Transportation Facility – a facility that functions as a depot for truck, bus, or limousine services, which may include maintenance facilities, vehicle parking and/or vehicle dispatch, but does not include distribution or warehousing of goods or products.

III. New Business

A. Acceptance of New Application(s) –

B. Citizen's Comments – none

C. Correspondence – letter regarding the modification of cell tower at 398 Pomfret Street; seminar at Wesleyan on Sat. 3/25/17 from 8:30 am – 4:30 pm. Only municipal commission/board members and staff are able to attend. Need to get a head count to have check cut and mailed in for reservations.

1. ZEO Report –Permits issued:
2. Complaints – Jerry Clark, 7 River Road – complaint of a commercial box trailer and overseas shipping container used for storage near the property line. Ryan will send a letter.
 - a. Jamie Stately, 299 Hampton Road, commercial vehicles – permit was granted 7/20/16; Letters were sent to Stately and property owner in November requesting a timeframe for completion of conditions. Have not received a response. Will send a second letter in January.
 - b. Margaret Davis, 59 Jericho Road – tiny house/mobile home on property. A NOV was issued. No new update from Attorney Higgins.

IV. Commission Business

A. Signs –P. Allegratti said we need to take some type of action. He made a motion to move forward with a text amendment. R. Wishart seconded the motion. P. Allegratti handed out a document for potential wording to amend the current text. R. DiBonaventura said that it should probably be spelled out the both sides of a sign can be used. Ryan and Jamie both said that you definitely need to specify that there can

only be 6 signs per property (in addition to permanent signs). P. Allegretti asked if Jamie would polish up the wording to then be discussed at the February meeting.

B. POCD – effective date was established earlier in this meeting as 1/30/17.

C. Air B&B's – no discussion this month

D. Annual report – there were 50 applications of which 1 was withdrawn and there were no subdivisions

E. Budget – after short discussion, the commission voted to keep the budget level

V. Adjournment – B. Champany made a motion to adjourn. Meeting adjourned at 8:47 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: _____