

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS/MEETING MINUTES
WEDNESDAY, DECEMBER 19, 2018 AT 7:00 PM
OLD TOWN HOUSE**

Meeting was opened by Chairman Walter Hinchman at 7:02 pm. P. Allegretti made a motion to seat L. Grossman for A. Benway and P. Mann for R. DiBonaventura. W. Hinchman seconded the motion and it was approved.

I. Public Hearing

- A. Jonathan Ricciardelli, 469 Taft Pond Road,** text amendment regarding a dog boarding and training facility. J. Ricciardelli, 49 Taft Pond Road, was present and submitted an amended text amendment for Section 12.23, Dog Board and Train Facility (Special Permit required) containing nine sub-sections. 12.23.1 – 12.23.9. Jamie explained to the commission that a 65-day extension was granted (due to no meeting in November). P. Mann asked if Jonathan had contacted the State for the State rules. Jamie said that this is an application for a pet facility, but by State regulations, more than 6 dogs, the facility becomes a kennel. He also mentioned that a final zoning permit cannot be issued unless all State regulations are met. The floors need to be impervious surfaces that can be cleaned and disinfected. P. Allegretti said he went on the State website and read about the different licenses regarding dogs, and there are many (i.e. kennel, pet sales, training, etc.). Jamie said you can train dogs but if they stay overnight, then the State standards come into play. W. Hinchman asked if there were any more questions or concerns because once the hearing closes, there can be no more input from applicant and no new testimony given. W. Hinchman then moved to close the public hearing. B. Champany seconded the motion and it was approved unanimously.
- B. Allison Britt for Garden Gate Florist, LLC, 30 Putnam Road,** special permit application for a florist/retail shop. Allison Britt and others were present for Garden Gate Florist. They requested a waiver of the site plan requirement. They submitted a letter describing the business and what it entails. The CRR cards were not in the folder but will be brought to the Town Hall to be placed in the file. P. Mann asked if this will be a permanent location. Allison said yes and that there is parking in front of the building for customers and around back for deliveries to be received. P. Mann asked if there were any responses to the letter sent to the abutters. A. Britt said she received no written responses. W. Hinchman mentioned that Doris LaConta had called in to the clerk with a positive response. L. Grossman asked if they have any concern about parking. W. Hinchman asked if there were any further questions. R. Brais said this is a pre-existing structure and the use is similar to the previous use, so there is no issue with it. Jamie did mention that there could be no outside retail sales/display. P. Allegretti made a

motion to close the public hearing. P. Mann seconded the motion and it was approved unanimously.

II. **Regular Meeting –**

A. Roll Call – W. Hinchman, Chairman; P. Allegretti, Vice Chairman; B. Champany, Member; R. Wishart, Member; L. Grossman, Alternate. P. Mann, Alternate; Staff: Ryan Brais, ZEO; and James Rabbitt Town Planner. **Absent:** R. DiBonaventura, Member; R. Huoppi, Member; A. Benway, Member; and M. Hart, Alternate.

B. Items to add to the agenda – none

C. Approve minutes of October 17, 2018– P. Mann made a motion to accept the minutes as amended. L. Grossman seconded the motion and it was approved. There was one abstention.

D. Pending Application(s) –

1. Jonathan Ricciardelli, 469 Taft Pond Road, text amendment regarding a dog boarding and training facility. P. Allegretti asked if the text should reference the State statute? Jamie said that changes to the State statute could cause issues with this amendment. P. Allegretti then mentioned that he read the State statutes and they're broken down into different licenses for different issues and feels this can work in Pomfret. L. Grossman said he would like to see a more specific definition. W. Hinchman said that if we act tonight, we allow this new use to be anywhere in Town in the RR district. It will require a special permit. P. Allegretti felt that it was more like a home-based business. B. Champany made a motion to approve the text amendment by adding dog boarding/training facility under special permit Section 4.2 and 12.23 supplemental (only in RR district). R. Wishart seconded the motion. B. Champany then amended her motion to include that this text amendment will have an effective date of January 7, 2019. Motion was seconded and approved unanimously.

2. Allison Britt for Garden Gate Florist, Inc., 30 Putnam Road, special permit application for a florist/retail shop. There is a letter requesting a waiver of the site plan requirements, Section 14.4.2 a-cc. Also, as a condition of approval, it should state that there can not be any outdoor retail sales or display. They also need to add a map of the property to the file. L. Grossman made a motion to approve the waivers. P. Allegretti seconded the motion and it was approved unanimously. Jamie mentioned Section 10.9 Outdoor Storage (decorative is different than display). L. Grossman made a motion to approve the application with the following conditions: 1) CRR green cards must be submitted for the file; 2) must put a recent aerial photo of the property in the file; and, 3) must be contingent on Section 10.9. P. Allegretti seconded the motion and it was approved unanimously.

III. New Business

A. Acceptance of New Application(s) –none

B. Discussion of future uses of 33 Pomfret Street – It was discussed that the building was originally a school. It is the land owner's responsibility to prove what has been in that building through the years. We had a call about this building and whether it could be made into apartments. Ryan said he would call the potential buyer and check the assessor's card on this location.

C. Citizen's Comments – L. Grossman said he received a complaint from someone about dirt being put on her property. Staff said he has been on site at 4 Nora Lane and they are being compliant in what they are doing there.

D. Correspondence – Handout from a realtor group

E. ZEO Report – Permits Issued:

102 Paine Road – Roy – new house

110 Rich Road – Anthony – new house

1. Complaints/Violations

- a. Barry Peloquin, 59 Longmeadow Drive – commercial vehicles in a residential zone. A stipulated judgment has been reached. All vehicles (commercial) must be removed by December 31, 2018. Mr. Peloquin will pay the Town \$2,434.00 for legal fees. Any future violations of this judgment will result in a \$250 per day fine.
- b. Jamie Stately, 299 Hampton Road – special permit for tree removal business allowed for 4 unique vehicles/pieces of equipment. Neighbor claims Mr. Stately is not abiding by the terms of the special permit. Chip Land submitted numerous pictures but none of them show more than 4 vehicles on site in the photos (Mr. Stately owns 6 trucks and 2 chippers). Discussion was held with the commission members. Ryan will call Atty. Williams regarding this issue.
- c. Intersection of Paine and Fay Roads: complaint received regarding a camper being used for a home (submitted to Wetlands Commission). Ryan brought this over to the P&Z commission. The building inspection issued a permit for temporary power. The owner stated that they will be constructing a house in the spring. A temporary dwelling (camper) is permitted if a building permit is current for a new house. Ryan will be sending a warning letter that the occupants must: 1) obtain a building permit for a new house; 2) obtain a zoning permit for the camper; and, 3) obtain approvals from NDDH and building for the camper.

IV. Commission Business –

A. Election of Officers: B. Champany moved to keep the existing slate of officers. P. Mann seconded the motion and it was approved unanimously.

B. 2019 Meeting Schedule draft for possible approval – W. Hinchman made a motion to approve the schedule as submitted. P. Allegetti seconded the motion and it was approved unanimously.

- C. Discussion of Air bnb's:** This was continued to next month.
- D. Medical Pods:** Jamie is working on the regulations to potentially allow them. Jamie is going to send some information electronically.

V. Adjournment – B. Champany made a motion to adjourn. P. Mann seconded. The meeting adjourned at 8:40 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved:_____