

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/MEETING MINUTES
WEDNESDAY, AUGUST 21, 2019 AT 7:00 PM
OLD TOWN HOUSE**

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

I. Public Hearing –

- A. Robert Reeder, 294 Wrights Crossing Road**, special permit application for a 3000+ square foot barn/garage. Robert and Lorraine Reeder were present for the meeting. Mr. Reeder stated he has recently planted 400 fruit trees on the property consisting of apple, peach, and pear. The barn will be on the back of the property. The bottom floor is 1700 sq. ft. with an additional top floor. The barn will eventually have a cupola on it, but the barn itself won't be seen from the road. He would like to start work by September. Jamie went over the logistics of the application. He visited the site and reviewed the plans by KWP. He said he would feel comfortable accepting the site plan for KWP in lieu of waiver of Section. 14.4.2a-cc. B. Champany moved to close the public hearing. P. Allegretti seconded and it was approved.
- B. Town of Pomfret, 5 Haven Road**, text amendment regarding agriculture. Jamie spoke with the First Selectman and she would like to have this continued until the September meeting. R. DiBonaventura made a motion to continue until next month. L. Grossman seconded and it was approved.
- C. Town of Pomfret, 5 Haven Road**, text amendment regarding environmental depot. Jamie informed the commission that the First Selectman is supposed to be at the meeting but hasn't arrived yet. He would like to delay the opening of the public hearing until 7:20 pm. Opened this up at 7:20 pm. The language to be used for the text amendment has been updated and re-submitted via Jamie. This is to be a bulky waste/household hazardous waste (possibility of having batteries and old prescriptions). It would be a regional entity via special permit. Jamie went through the updates he made to the text amendment. P. Allegretti asked if it would be permitting or licensing. M. Nicholson said DEEP (town would hold license) as it will be a regional facility. Phil then asked how this fits into our Plan of Conservation and Development. M. Nicholson said the town currently has a bulky waste facility and this would piggy-back it. Phil asked if anyone had any questions. Phil then asked what the costs would be and if any research had been done. M. Nicholson said it costs \$15,000 for one day of hazardous waste once a year. Bulky waste, which has three 2-days weekends a year costs \$23,000 per year. Currently we are seeking a grant with NECCOG for an environmental depot. Short discussion of POCD regarding text amendments and special permits. M. Nicholson said they would open the front of the Murdock property to lure in more business there. The piece of land at the end of Nora Lane is very isolated. Jamie proposed the commission have a building that is heavily and well landscaped with buffering. The Murdock property is targeted for future commercial/business use. Phil wondered about the environmental depot having other towns coming in, how would it impact the town. M. Nicholson said she is unsure of Willington, but there would not be an overly amount of extra traffic; it's a safe facility for

the region (only NECCOG and 16 towns and some of them are using Willington already). Jamie said there is a substantial cost for hazardous waste. The facility would not be open 5 days a week for 52 weeks a year. It would have limited hours and days of operation. B. Champany asked about bulky waste. M. Nicholson said it might be open more but not all the time. Phil asked how Maureen could get more details/ideas on Willington and give us an idea of the number of cars/use, etc. R. DiBonaventura said that when we get to the special permit, we can then set the standard for the come and go; this is not pertinent to the text amendment. Phil would like to know the plan for success – how many cars and trucks. R. DiBonaventura said we'd address that in the special permit. Phil asked if they could approve 20-200 trips a day. Jamie said they would limit the number of hours and number of days rather than the number of cars (impossible to enforce). The text amendment gives the opportunity to apply for a special permit. The scale of the project is unknown right now. Phil asked for an idea of the scale of Willington and other facilities. L. Grossman said this belong under the special permit, not the text amendment. Phil then asked for an approximation. M. Nicholson said she has no exact numbers right now. She doesn't know how many towns participate in Willington. The facility in Pomfret would be the first totally enclosed facility in the State of Connecticut. It is not designed yet but will have restrooms and office space. Jamie looked up Willington and it has 15 towns and is only open 2 days a month. L. Grossman asked if there was any consideration for different towns to come on alternating weekends. Phil then asked if the grant was already in place. Maureen said not but they're working on it. This centralized facility is a benefit to our town, and it would help to alleviate illegal dumping. R. DiBonaventura said he feels that he has heard enough testimony. Jamie mentioned that the commission's decision is a legislative act. R. DiBonaventura moved to close the public hearing. L. Grossman seconded and it was approved.

We now returned to Section II D3 of the agenda.

II. Regular Meeting –

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

B. Items to add to the agenda – none

C. Approve minutes of July 17, 2019 and July 31, 2019– R. DiBonaventura made a motion to approve the minutes of 7/17/19 as amended. R. Huoppi seconded and it was approved. There were two abstentions. B. Champany made a motion to approve the 7/31/19 minutes as amended. R. Wishart seconded and it was approved. There were two abstentions.

D. Pending Application(s) –

- 1. Robert Reeder, 294 Wrights Crossing Road**, special permit application for a 3000+ square foot barn/garage. R. DiBonaventura made a motion to accept the site plan in lieu of waivers of Sections 14.4.2a-cc. M. Hart seconded and it was approved. Jamie read a draft of the approval letter he wrote, which included 4 conditions of approval. L. Grossman made a motion to approve the special permit application with the following 4 conditions of approval; 1) Full architectural rendering and floor plan shall be filed in addition to the site plans as an integral part of the full set of plans required for issuance of a zoning permit; 2) A preconstruction meeting must be held between Commission/Town Staff (i.e., Town Planner, Engineer, ZEO, Building Official) and the building contractor prior to any construction, grading and/or excavation activity

associated with the construction or development of the site. Such meeting shall be scheduled at the mutual convenience of the participants after the architectural renderings specified in item #1 above, are filed with Commission staff; 3) Final as-built plans shall include final grades, curbing, landscaping, buildings, signage, utilities (depth, size, location, type) and drainage. The Town Planner may require additional information deemed necessary to determine compliance with all approvals; and, 4) The applicant shall be responsible for all costs associated with the review and post review of the construction of the barn at 294 Wrights Crossing Road.

2. **Town of Pomfret, 5 Haven Road**, text amendment regarding agriculture. This item was continued until the September meeting.
3. **Town of Pomfret, 5 Haven Road**, text amendment regarding environmental depot. Phil said he is not familiar with a facility like this. He would like to visit a facility to see how it works. He would also like to leave this item on the agenda for another month and have a chance to visit a facility – he’s just not sure what we’re opening the door for. R. DiBonaventura said this facility would be the first of its kind in the State so there is no one alike the one to be built. Jamie mentioned that we cannot bring new information into the discussion now that the public hearing has been closed. R. DiBonaventura made a motion to approve the text amendment with Jamie’s recommendations. R. Wishart seconded the motion. R. DiBonaventura amended his motion to include an effective date of 9/5/19. R. Wishart seconded and it was approved by a vote of 7 for and 1 against.

III. New Business

A. Acceptance of New Application(s) – none

- B. Citizen’s Comments** – Glen Shilosky, President of Tri-State Car Club came to speak to the commission regarding the possibility of putting up lights. He said they have 105 members. All ages race – from ages 5-70. They hold 14 races per year. They would like to be able to run later in the evening. Their facility is 1800’ off the road and 70’ below the road. They know the property is a pre-existing non-conforming lot. They want to know what they can possible do to put up lights. Phil said he’d let Jamie and Ryan explain. Jamie said that although we approved outdoor athletic lighting, it does allow it for a racing track. You would need to submit a proposed amendment to the regulations. You would need to have certain provisions and certain hours, etc. Phil said you need to apply for a text amendment to change the regulations. Glen said someone from Eversource came down and looked at the area. Phil said the best thing Glen could do is to spend some time with the Town Planner. Rich mentioned that the track has been grandfathered in for some 60 years, but if they come in for a text amendment and special permit, there is a possibility of a change in their hours with this coming before the commission. R. Wishart mentioned that kids now run electric cars. Ryan’s initial concern is that the neighbors are used to the daytime track noises, but not like to have evening noises from the track. Leigh suggested that they make sure they have some good support for their application. Jamie said there are three concerns: 1) noise; 2) light pollution; and, 3) shut down at dusk. There would be an extension of noise, a change in the night sky, and a change to later hours. Phil said they need to think about the details and not a change of zone. Maureen asked if it would be feasible to enclose the facility. Glen said it is not financially feasible. Phil asked if there were any more questions or concerns. Noting none, the meeting continued.

- C. Correspondence** – letter from CT Siting Council re: modification of telecommunications facility located at 82 Tyrone Road; letter from CT Siting Council re: modification of telecommunications facility at 398 Pomfret Street. Items were passed around for members to look at.

D. ZEO Report – Permits Issued:

Hamlet Hill – 10'x20' greenhouse
130 Gary School Road - porch

1. Complaints/Violations

- a. Barry Peloquin, 59 Longmeadow Drive – commercial vehicles in a residential zone. The trailer and M35 were to be removed by May 31st. M35 military truck is still in the rear of the property. Counsel is preparing to file for contempt of a court order. He and Ryan are playing phone tag. Phil asked Ryan if the lawyer is going to try to recover the fines from Peloquin. Ryan said yes (8/21/19).
- b. Intersection of Paine and Fay Roads: camper as dwelling – nothing new. Ryan will be speaking with the surveyor who is creating the site plan this week. Plans for a new house are coming (8/21/19).
- c. 73 Fox Hill Road; there are two overseas shipping containers being used as sheds, which is not allowed. One box has been removed. They are working on removing the other. They have asked about constructing a house and garage in the near future. Nothing new (8/21/19).

IV. Commission Business –

- A. **Letters were sent to all applicants who were not receiving a refund.** Three payments have already arrived, totally \$1,276.05 so far.
- B. **Discussion of Air bnb's** – Jamie reviewed Rich's draft; this was tabled until next month
- C. **Medical Pods** - this was tabled until next month

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

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved: _____