

TOWN OF POMFRET  
PLANNING & ZONING COMMISSION  
APRIL 21, 2021 PUBLIC HEARING/MEETING MINUTES

I. Public Hearing

- A. Watercure Farm, 426 Mashamoquet Road, proposed text amendment to the Town's Zoning Regulations to allow Farm Distilleries to sell and serve food and beverage prepared on site and develop facilities to hold special events (i.e., wedding, dinners, luncheons, corporate parties) with up to 200 guests. The proposed text amendment includes provisions to allow special events to be held until 10:00 pm and include a provision to allow outdoor music. The proposed amendment would be applicable to residentially zoned property in town. D. Nagy was present to speak for the application. R. DiBonaventura said that we don't have enough information to act on this tonight, but we can discuss it. D. Nagy said he would like farm distilleries to be allowed further opportunities and would like to continue with outdoor service. He said he is willing to work with the commission. P. Mann wanted to know why the full text wasn't noted in the Public Hearing notice. J. Rabbitt said that a Public Hearing notice needs to note the time and date of the Public Hearing and an overview of the text. There is no requirement to publish the entire text. R. DiBnaventura read the minutes into the record (as written by D. Nagy). There was a long discussion regarding what Sections of the Regulations need to be amended. Need to know how it would be permitted, either by special permit or as-of-right and in what zones it would be allowed. It is up to D. Nagy to write the proper text amendment. B. Champany made a motion to continue the Public Hearing to Mary 19 at 7pm. R. Huoppi seconded. All in favor.
- B. M&E Transportation, LLC, 4 Nora Lane, special permit application to make modifications to the existing approved site plan. N. Thibeault of Killingly Engineering was present to speak to the application. He submitted a summary regarding the substitutions Mr. Bunning made to the approved plan. After discussion about things that were changed, a neighbor of 4 Nora Lane spoke to the commission. Daryl Sapp of 25 Searles Road said that the lights that were put up shine brightly on his property (showed photos). He also said the berm is much higher on their side than on M&E side. Sometime as midnight and every 3 am they can hear trucks running and it is a big nuisance to him and his family. J. Rabbitt asked if Mr. Sapp would supply copies of the photos to the Town and he said he would. N. Thibeault said he was unaware of the light situation and would speak with Mr. Bunning about it. J. Rabbitt wrote a draft letter regarding the revised site plan whose purpose is to further address the NOV. There have already been 2 previously approved site plans. He has no draft motion at this time. Commission members are concerned regarding the request for a 3<sup>rd</sup> approval when the 2<sup>nd</sup> approval hasn't been complied with. N. Thibeault said he

is there representing Mr. Bunning, who knows he is under NOV. M. Nicholson said they have asked for modifications twice. They are washing vehicles on sight and storing materials, also. They are not in compliance at all. R. Huoppi said he is not sure why we would entertain new modifications when they haven't complied with earlier approvals. R. DiBonaventura stated that the commission could continue, deny, etc. this application. B. Champany said if we continue, we still have a lot of issues with this application. J. Rabbitt also mentioned that the 3 Marine style spotlights are visible through the curtains at the Sapp home at 6pm. B. Champany made a motion to continue the public hearing. R. Huoppi seconded. P. Mann said that this 3<sup>rd</sup> time without complying, he would close and deny the application. J. Rabbitt said closing the public hearing won't allow you to receive any additional information other than from staff. Only way applicant can give up information is by keeping the public hearing open. B. Champany withdrew her motion. R. Huoppi withdrew his 2<sup>nd</sup>. N. Thibeault said he saw the photos regarding the lighting and wondered if Mr. Bunning had ever been approached on this issue. It was stated that this issue was brought up last May when Mrs. Sapp gave testimony. R. Wishart made a motion to close the public hearing. R. Huoppi seconded. R. Wishart said the responsibility is in the ballpark of M&E. B. Champany made a motion to seat P. Mann and M. Hart. R. Wishart seconded. All in favor. Vote was taken on motion to close the public hearing. There were 6 ayes and 1 nay.

## II. Regular Meeting

- A. Roll Call – R. DiBonaventura, P. Allegetti, R. Huoppi, B. Champany, R. Wishart, M. Hart, P. Mann, R. Brais, J. Rabbitt, D. Nagy, M. Nicholson, M&T Emilio, F. Fay, D. Merriam, N. Thibeault, E. Sistare, and N. Stellitano. Absent: J. Rivers and L. Grossman.
- B. Items to add to the agenda - none
- C. Approve minutes of meeting of March 17, 2021 – P. Mann made motion to approve the minutes as presented. R. Wishart seconded. All in favor.

R. DiBonaventura said he would entertain a motion to move item IV Commission Business up to this position in the meeting. P. Mann made a motion to allow D. Merriam to do his presentation regarding ADUs. R. Huoppi seconded. All in favor.

## IV. Commission Business

- A. Discussion of ADU regulation with Dwight Merriam. D. Merriam spoke about meeting the current needs of the residents, additional income, and whether the ADUs would be as-of-right, by site plan, or by special permit. He discussed the 3 types of ADUs; conversion, attached, and detached. Went over his draft for the regulations with discussion and input from the commission members. D. Merriam will send a re-draft in a week or so.

Return to item II D pending applications:

Pending Applications:

- A. M&E Transportation, LLC, 4 Nora Lane. P. Mann made a motion to table this item for now. R. Wishart seconded. P. Mann hopes it will prompt Mr. Bunning to do what needs to be done. R. DiBonaventura said we have 65 days to see if anything gets done. M. Nicholson asked how does tabling get you where you want to be. P. Mann said it give the applicant time to do the work. R. DiBonaventura asked for a vote on the motion. Every member voted aye.

### III. New Business

- A. Acceptance of New Applications -none.
- B. Citizen's Comments - E. Sistare asked if an application from L. Sistare was received. Clerk said she doesn't remember seeing a new application. If an application is in the office, it will be accepted tonight.
- C. Correspondence – received application today for a therapist office in the former Hazelwood property. Property was not approved as a therapist office (not approved use). Ryan will talk to the applicant.
  - 1. ZEO Report – Permits Issued:
    - a. 90 Wrights Crossing Road – Cardinal – 28'x33' master bedroom, 24'x28' attached garage with 8'x21' breezeway to house
    - b. 2 Sanda Circle – 24'x24' addition to garage
    - c. 34 Wetherbee Road – Cardinal – demo existing house; new 2200 square foot house with attached 2 car garage
  - 2. Complaints/Violations
    - a. Barry Peloquin, 59 Longmeadow Drive, no change to property. Ed Higgins stated that the courts should be open around the end of May. He suggested sending a new NOV/C&D to the new owner of record. That will be drafted and sent to Atty. Higgins for review.
    - b. Intersection of Paine and Fay Roads – nothing new
    - c. 73 Fox Hill Road – nothing new
    - d. 4 Nora Lane – on agenda for new special permit
  - 3. Other – questions regarding Cos for approved barns
    - a. 123 Paine Road – no CO issued
    - b. 294 Wrights Crossing – no CO issued
    - c. 532 Taft Pond Road – no building permit found in file

- IV. Adjournment – B. Champany made a motion to adjourn. P. Mann seconded the motion. All in favor. Meeting adjourned at 10:03 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Dated: \_\_\_\_\_