

TOWN OF POMFRET
PLANNING & ZONING COMMISSION
MAY 19, 2021, PUBLIC HEARING/MEETING MINUTES

Prior to the Public Hearing, P. Allegritti made a motion to seat L. Grossman for B. Champany and P. Mann for J. Rivers. R. Huoppi seconded. All in favor. The commission clerk swore in N. Stellitano as the newest member of the commission.

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. M. Washburn, a Pomfret citizen and registered soil scientist, says she supports agriculture, but outdoor music does not equal agriculture. Her concerns were that there would be no Town Official at 10:00 pm to enforce a music shutdown. She questioned if the Town would want to regulate something that can't be policed and whether you want to listen to someone else's music until 10:00 pm? A. Forest, a citizen, feels that an environmental impact study should be done. He is concerned about the outdoor music and is opposed to this. T. DeAngelo, a citizen, wrote a letter to the commission regarding this issue. R. DiBonaventura read some of the letter into the record. Mr. DeAngelo is not in favor of this. He is concerned with safety and liquor related conflicts. P. Allegritti asked D. Nagy how critical it is to have live music? D. Nagy said that times are changing, and he wants the text amendment in place for future possibilities. He essentially wants to maintain their outside tastings since the pandemic began and keep a nice atmosphere at our current location. P. Allegritti said so it's an important feature. D. Nagy said that music created ambience, but he doesn't want any negative impacts on the community. R. DiBonaventura stated that farm winery was already here when regulations went into use (conforming). J. Rabbitt read into record a draft letter regarding Farm Distillery Restaurant (proportionality comes into play). M. Nicholson said that because it's a special permit, the size could be dealt with during the special permit process; the number could be made appropriate. J. Rabbitt said M. Nicholson makes a good point. Determine the size of the location with subjective informed decisions. If public hearing closes tonight the commission can't discuss any more. If public hearing remains open discussion can go on. After discussion, P. Allegritti thought we should close the public hearing. The text amendment doesn't even fit the facility and he feels that there is some bias here. D. Nagy said he feels that way too. P. Allegritti made motion to close the public hearing. R. Huoppi seconded. After further discussion, a vote was taken with 2 yeas and 3 nays. The public hearing will remain open. J. Rabbitt spoke with the applicant and will assist them with this issue. P. Mann made a motion to continue the public hearing until June 16, 2021. R. Wishart seconded. All in favor.

II. Regular Meeting

- A. Roll Call – R. DiBonaventura, P. Allegretti, R. Huoppi, R. Wishart, N. Stellitano, L. Grossman P. Mann, R. Brais, J. Rabbitt, D. Nagy, M. Nicholson, M&T Emilio, F. Fay, D. Merriam, D. Porter, M. Washburn. Absent: B. Champany, J. Rivers and M. Hart.
- B. Items to add to the agenda – R. Wishart introduced N. Stellitano to the commission and N. Stellitano told the commission a little about himself. Welcome to the commission.
- C. Approve minutes of meeting of April 21, 2021 – P. Mann made motion to approve the minutes as amended. P. Allegretti seconded. All in favor. There was one abstention.
- D. Pending Applications:
 1. 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 application was continued until the June 16th meeting.
 - 2, M&E Transportation, LLC, 4 Nora Lane. R. DiBonaventura received a letter from N. Thibeault at Killingly Engineering. M&E Transportation, LLC requested to withdraw their application.
 - 3, Lance Sistare for Big Boy's Toys, LLC, 341 Orchard Hill Road, 10'x60' addition to match existing building. NDDH has already approved the B100a. Applicant needs to write a waiver request (Section 14.4.2 and accept site plan prepared by KWP showing the expansion). Need to schedule a public hearing for June. P. Mann made a motion to schedule a public hearing for June 16, 2021. R. Wishart seconded. All in favor.

III. New Business

- A. Acceptance of New Applications –
 1. Jason & Kristin Allard, 12 Putnam Road, special permit application for therapist office on 1st floor and residence on the 2nd floor.
 2. Woodstock Building Associates for Peter Trudo, 2 Evelyn Circle, special permit for an in-law apartment. P. Mann made a motion to schedule a public hearing for June 16, 2021. L. Grossman seconded. All in favor.
- B. Citizen's Comments – none; at this point J. Rabbitt thought we should adjust the agenda, so D. Merriam doesn't have to wait any longer. R. Wishart made a motion to move Section IV A to this position in the agenda.

ADU discussion with D. Merriam regarding ADU regulations. He went over the changes he made to the previous draft. He said there was a missing district in the regulations. He mentioned that a single ADU would be as-of-right but the second would be a special permit. He told the commission members to check the yellow highlights in the

regulations where he made changes. Also discussed attached and detached ADU's. The use of a barn section would be up to 50% (re-purposing a non-residence) and you would need a ¾ vote from the commission. R. DiBonaventura said he felt the Dwight got everything in the regulations. P. Allegretti thought it should go to public hearing. D. Merriam asked if they should have a workshop first. R. DiBonaventura said that we have four public hearings next month, but we could possibly push the workshop off until July. The commission members agreed. Dwight will do a narrative and send it out for the workshop at the July 21st meeting.

Returned to the agenda.

C. Correspondence – none

1. ZEO Report – Permits Issued:

- a. 325 Wrights Crossing Road – 14' x 18' shed
- b. 2 Evelyn Circle – bedroom addition
- c. 255 Searles Road – 24' x 28' two-car garage
- d. 231 Orchard Hill Road - ground

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. Ryan and Atty. Higgins are sending a C&D letter out to the new property owner of record.
- b. Intersection of Paine and Fay Roads – nothing new
- c. 73 Fox Hill Road – nothing new
- d. 4 Nora Lane – P. Allegretti asked where we go from here; should we go into executive session? J. Rabbitt said there's possible litigation that could be discussed in executive session. The fines could be substantial. WE should double check with legal counsel. He is operating without a CO or Certificate of Compliance for over a year. Add to agenda for next month. P. Allegretti mentioned that the lights are a quality-of-life issue. P. Mann asked weren't we trying to get him to comply? J. Rabbitt thought we should have R. Brais seek guidance from Atty. Higgins. P. Mann made a motion to have Ryan speak to Atty. Higgins and then have an executive session. P. Allegretti seconded. All in favor.

IV. Adjournment– P. Allegretti made a motion to adjourn. P. Mann seconded the motion. All in favor. Meeting adjourned at 8:52 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Dated: _____