

**TOWN OF POMFRET  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING & SPECIAL MEETING MINUTES  
WEDNESDAY, MAY 26, 2010 AT 7:00 PM  
POMFRET TOWN HALL**

In Attendance: Commission Members Walter Hinchman, Richard DiBonaventura, Phil Allegretti, , Ted Tsanjoures , Beverly Champany; Kimberly Bergendahl, Leah Schad; Staff: James Rabbit, Town Planner and Ryan Brais, ZEO. Absent: Bob Blackmer, Martha Paquette, and Antonio Amaral.

**I. Public Hearing**

- a. Walter McGinn for Pomfret Recreation Park Development Committee, 576 Hampton Road, addition of basketball courts, tennis courts, volleyball court and parking is proposed.** Syl Pauley was present to speak regarding this application. He overviewed the project of the expansion plan for the recreation park. He noted that the 20' access drives had been approved by the IWWC on 5/5/10. A fence was added along portion of parking area to restrict driveway access to the pavilion at certain areas and to direct foot traffic to follow certain patterns as a safety measure for moving vehicles. W. Hinchman asked if the earlier plan submitted to IWWC was not the same as the one presented tonight. S. Pauley said that this plan before them is updated and reflects what the IWWC requested for conditions. At this point, J. Rabbitt explained the IWWC ruling approval. J. Rivers then spoke regarding a \$150,000 grant and budget items regarding this project. This whole project won't be done at one time due to lack of funds. He believes the basketball and tennis courts will be done this year. W. Hinchman then said that his only concern was regarding drainage. There was discussion of the regulations and J. Rabbitt mentioned a landscape requirement. T. Tsanjoures made a motion to close the Public Hearing. It was seconded by P. Allegretti and approved unanimously.
- b. Pomfret School, Inc., 398 Pomfret Street, Construction of Athletic Turf Fields for Field Hockey and Baseball –** Terry Chambers of KWP Associates was present to speak for the applicant. He said that the most recent change was moving the house and relocating the driveway. Overall, the project remains the same. There was discussion regarding tweaking the drainage system and hydrologic calculations. He then reviewed their wavier request letter. J. Rivers asked if they would say what the estimated cost of this project is. T. Malagrino said that it is less than \$3,000,000, but the bids haven't opened yet. J. Rabbitt went over his draft motion of 11 items for condition of approval. There was discussion of said items. P. Allegretti made a motion to close the Public Hearing. It was seconded by T. Tsanjoures and approved unanimously.

**II. Regular Meeting**

**a. Current Business –**

- 1. Approve Minutes of April 26, 2010 –** R. DiBonaventura made a motion to approve the minutes with one minor change. P. Allegretti seconded the motion and it was approved. There were two abstentions.
- 2. Walter McGinn for Pomfret Recreation Park Development Committee, 576 Hampton Road, addition of basketball courts, tennis court, volleyball court and parking is proposed.** W. Hinchman made a

motion to approve this application as presented after approved waivers. Motion to waive Section 14.4.1 by W. Hinchman seconded by P. Allegretti and approved unanimously with one abstention. Motion to waive Section 14.4.2 c by W. Hinchman, seconded by P. Allegretti and approved unanimously with one abstention. Motion to waive Section 14.4.2 d by W. Hinchman, seconded by R. DiBonaventura and approved unanimously with one abstention. Motion to waive Section 14.4.2 e by W. Hinchman, seconded by P. Allegretti and approved unanimously with one abstention. Motion to waive Section 14.4.2 g by W. Hinchman, seconded by T. Tsanjoures and approved unanimously with one abstention. Motion to waive Section 14.4.2 h by P. Allegretti, seconded by R. DiBonaventura and approved unanimously with one abstention. Motion to waive Section 14.4.2 i by T. Tsanjoures, seconded by R. DiBonaventura and approved unanimously with one abstention. Motion to waive Section 14.4.2 j by P. Allegretti, seconded by R. DiBonaventura. At this point there was discussion regarding this section. L. Schad was seated by a motion made by W. Hinchman, seconded by P. Allegretti and approved unanimously. The discussion centered around landscaping and landscape architect. There was concern regarding the large number of trees shown because they felt that landscaping at a park should be kept to a minimum. Motion was approved unanimously with one abstention and a condition of approval to be added to this application that a minimum of 15 trees be planted. Motion to deny Section 14.4.2 k because a note can be shown on the cover sheet by S. Pauley to cover this requirement was made by W. Hinchman, seconded by L. Schad and approved unanimously with one abstention. Motion to waive Section 14.4.2 l by W. Hinchman, seconded by T. Tsanjoures and approved unanimously with one abstention. Motion to waive Section 14.4.2 o by W. Hinchman, seconded by L. Schad and approved unanimously with one abstention. Motion to waive Section 14.4.2 p by W. Hinchman, seconded by P. Allegretti and approved unanimously with one abstention. Motion to waive Section 14.4.2 u by W. Hinchman, seconded by L. Schad and approved unanimously with one abstention. Motion to waive Section 14.4.2 aa by W. Hinchman, seconded by T. Tsanjoures and approved unanimously with one abstention. Motion to waive Section 14.4.2 bb by W. Hinchman, seconded by T. Tsanjoures and approved unanimously with one abstention. Motion to waive Section 14.4.2 cc by W. Hinchman, seconded by T. Tsanjoures and approved unanimously with one abstention. The letters of waivers were granted except item 14.4.2 k. W. Hinchman then made a motion to approve this application with the conditions of approval from J. Rabbitt and the added condition of approval from W. Hinchman. T. Tsanjoures seconded the motion and it was approved unanimously with one abstention.

3. **Pomfret School, 398 Pomfret Street, Construction of Athletic Turf Fields for Field Hockey and Baseball** – W. Hinchman made a motion to approve but to possibly consider the conditions of approval and after approved waivers. Motion to waive Section 14.4.2 c by W. Hinchman, seconded by L. Schad and approved unanimously. Motion to waive Section 14.4.2 d by W. Hinchman, seconded by P. Allegretti and

approved unanimously. Motion to waive Section 14.4.2 g by W. Hinchman, seconded by L. Schad and approved unanimously. Motion to deny Section 14.4.2 K by W. Hinchman and seconded by L. Schad and approved unanimously, because a note can be placed on the cover sheet to cover this requirement. Motion to waive Section 14.4.2 n by W. Hinchman, seconded by L. Schad and approved unanimously. Motion to waive Section 14.4.2 o by W. Hinchman, seconded by P. Allegretti and approved unanimously. Motion to waive Section 14.4.2 r by W. Hinchman, seconded by P. Allegretti and approved unanimously. Motion to waive Section 14.4.2 w by W. Hinchman, seconded by P. Allegretti and approved unanimously. Motion to waive Section 14.4.2 x by W. Hinchman, seconded by P. Allegretti and approved unanimously. Motion to waive Section 14.4.2 y by W. Hinchman, seconded by P. Allegretti and approved unanimously. J. Rabbitt then went over his list of waivers this project would need. A motion was made by W. Hinchman to waive Section 14.4.2 f, seconded by P. Allegretti and approved unanimously. All other waivers J. Rabbitt had were already taken care of. W. Hinchman then asked if there were any conditions to be attached. P. Allegretti said the J. Rabbitt's list of conditions #1-11 should be attached. There was discussion regarding the plans and two more conditions were added, for a total of 13 conditions. W. Hinchman made a motion to approve the application with J. Rabbitt's list of 13 conditions attached. L. Schad seconded the motion and it was approved unanimously.

### III. New Business

a. **Acceptance of New Applications** - None

b. **Citizen's Comments** – None

c. **Correspondence**

1. **ZEO Report** – this is being moved down after item III d

d. **Other**

1. **Kevin Huff re: Big Boy Toys, Orchard Hill Road**, preliminary review of addition – Mr. Huff wished to get a general feeling regarding the addition before it got carried away. He met with J. Rabbitt and T. Chambers and discussed the addition. It will either be block or brick half way up and everything else will be painted red. The buildings are steel with metal skins. P. Allegretti asked about the size. K. Huff said the front will be 72 ft., the back 64-65 ft. with the 20 ft. being offices. P. Allegretti then asked J. Rabbitt if the size fits the regulations. J. Rabbitt said that it is OK regarding set backs. The most questions raised were about the architecture. W. Hinchman asked if anyone saw the proposal as not acceptable. There was no response. He then told K. Huff to come back with his application.

2. **ZEO Report** – R. Brais submitted a report of inspections done from March to May. 7/7/10 inspected and approved permit for a new house at the intersection of Kerney Road and Killingly Road owned by John Brannighan. 7/7/10 inspected and approved a barn at 195 Fay Rd. for Glen Holden. 7/17/10 inspected and approved a permit for a deck at 194 Orchard Hill Rd. for Chris and Cindy Surdham.

7/17/10 inspected and signed off on a C.O. for a new house on Fox Hill Rd. constructed by Steve Barry.

Complaints: A complaint came in today regarding the retail sale of yard-sale-type items at 21 Wrights Crossing Road. This is the old Colonial located on the south side of the Wrights Crossing Bridge near RTE 101. Complainant stated that the yard sales are every weekend and with the tenants of the house bringing in new items weekly. He informed the complainant that he would inspect on the weekends and take action, if necessary. He is still looking into the complaint of dog training at the intersection of Valentine Road and Orchard Hill. There are obstacles in the field for dogs to climb on and run through. The complainants stated that this happens about every other weekend, with people setting up campers and staying overnight. He has not yet seen any activity on the weekends.

**IV. Commission Business**

- a. Citizen's Comments – None
- b. Discussion of stone walls – W. Hinchman stated that the stone wall issue isn't a part of our zoning regulations and there is really no place for it. There was discussion of the packet of stone wall information sent to all the commission members. P. Allegretti asked what the procedure would be if it was sent on to the Selectmen. He was told that it would go to the Selectmen and would then have to be brought to a Town Meeting to be voted on. There was further discussion regarding different types of walls (i.e., rubble walls, neatly constructed walls, non New England walls) which all deserve preservation. There was further discussion about interior stone walls. W. Hinchman said that the real question is whether there should be a regulation regarding protection of state/town boundary walls in town. Lisette mentioned that it would only be for walls on state/town roads and subdivision property lines. W. Hinchman said it should go to the Selectmen because it isn't a part of the zoning regulations. P. Allegretti agreed with this and thought it should be sent to the Board of Selectmen for review. At this point, J. Rabbitt mentioned that the Selectmen had already seen this and didn't want it. They thought it could be added to the dimensional requirements in the zoning regulations. L. Schad then made a motion in support of the Conservation Commission to send to the Board of Selectmen this ordinance proposal to protect stone walls in Pomfret. It was seconded by P. Allegretti and approved unanimously.

**V. Adjournment**

- B. Champany motioned to adjourn. T. Tsanjoures seconded the motion, it was duly approved. The meeting adjourned at 9:52 PM.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved \_\_\_\_\_