

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING MINUTES
MONDAY, NOVEMBER 28, 2011 AT 7:00 PM
POMFRET SENIOR CENTER**

In Attendance: Commission Members Walter Hinchman, Phil Allegretti, Eric Pohlman, Ted Tsanjoures , Richard DiBonaventura, Beverly Champany, and Kimberly Bergendahl; Staff - Ryan Brais, ZEO and James Rabbitt, Town Planner. Absent: Martha Paquette, Christopher Burke and Antonio Amaral.

I. Public Hearing

A. Hull Forest Products/Sam Hull, 101 Hampton Road, round log storage

Norm Thibeault from Killing Engineering was present for the applicant. He spoke regarding the leased area that will be used for log storage. Only 5.5 AC of the leased land is usable. They propose to expand the gravel drive to 15-16' wide. In order to comply with special permit, there are items that need waiver requests. He went through each item. B. Hull was present and said that this process started with the IWWC 9/6/10 and has culminated here. They plan to clear some woods and pile some logs on it. J. Martinez wanted to know why he and R Liston weren't notified as abutters. N. Thibeault said the list was updated 9/14/11 and Mr. Liston wasn't on the list. Mr. Martinez spoke regarding people not within 500' were notified and the map shows the NE Labor Training Academy. Mr. Hull spoke regarding this and feels that Mr. Liston is 1000-1500' from the proposed area. W. Hinchman said it was his understanding that there would be no utilities on this new project. N. Thibeault said that is correct, no utilities, just a pole barn. W. Hinchman asked if any other commission members have questions as he wasn't here when the zone change meeting was held. He's like to be sure that all of the technical details have been addressed. Jamie mentioned that the application was received on 10/24/11 and the Public Hearing is being held tonight 11/28/11. You have 35 days to close the hearing and 65 days to decide. Tonight is the first time that staff has seen the waiver request. He noted that the request for a waiver of Section 13.5.1.3 cannot be waived. As the P&Z does not have a meeting in December, there is a possibility to close the Public Hearing tonight or extend it further out. The majority of the waivers requested are ones that the commission has typically waived before. Jamie mentioned that you can't waive anything under special permits 13.5.1 a-f as these are unwaivable items. N. Thibeault then said that as an alternative, they could remove the building from consideration at this point as they have no plan to build for a couple of years. W. Hinchman said that B. Hull would use the area immediately for log storage. B. Hull then mentioned that the building would go over the existing saw dust pile. Bob Wood, an adjacent land owner asked about the terms of the lease Mr. Hull has with Mr. Davis and whether there is a purchase option. He was also concerned about the area becoming more commercial as originally it was about 3/4 AC and now it is 12+ AC and the noise level. B. Hull responded saying that the lease is not public but it does not contain any purchase option. He also said they squared off the property lines which made the 12+ AC. As for the noise issue, it is a concern to everyone but it shouldn't be too bad with the wooded buffer and light use of this area. B. Wood then said he had one other point. If the lease terminates and the property is purchased, would the application roll over? Jamie said that based on his planning knowledge, uses and approvals go with the land. W. Hinchman said he felt that didn't answer Mr. Wood's questions. Jamie then said that applications are for a particular thing, in this case, log storage and saw dust storage. Anything outside of this would need to come back to the commission. W. Hinchman then said that the issue is the building – it can either be removed now or a reasonable rendering would be needed within two weeks at a special meeting. He asked Jamie if it would be legally appropriate for applicant to say they don't want to consider the building. Jamie said that the applicant can amend the application at any time during the hearing. W. Hull said it was best to withdraw the building from the application at this time as

it'll be at least two years. He then respectfully requested to withdraw the building from the application. W. Hinchman then asked if there was any reason no to close the public hearing. R. Brais said that everything seems to be taken care of. Jamie thought it might be worthwhile to review waiver requests. W. Hinchman said there are only two requests for waiver and one of them has become a moot point. At this point, Mr. Hull submitted a written request to remove the building from the application. Jamie then went over the site plan requirements and noted that things are missing from the plan. B. Champany asked if N. Thibeault could add more waiver requests tonight. Jamie said he can add items until the public hearing closes. At this point, there was a recess in the public hearing while N. Thibeault prepared his waiver requests and the regular meeting was opened at 8:24 pm. Walter called the public hearing back into session at 8:52 pm. N. Thibeault of Killingly Engineering submitted a letter with new waiver requests on it for Section 14.4.2 c, d, i, j, k, l, t, and aa. Walter then asked if there was any reason not to close the public hearing. He made a motion to close the hearing and it was seconded by T. Tsanjoures and approved unanimously. We then went to the agenda Section II B 1 – Pending applications. Walter read the waiver requests for each item requested (14.4.2 c, d, i, j, k, l, t, and aa) to which P. Allegretti said so moved, R. DiBonaventura seconded and all were approved unanimously. Having granted the waiver requests, the commission could take action on the request of use of the 12+ AC. B. Champany made a motion to approve the special permit application submitted by Hull Forest Products/Sam Hull (Sawmill Hill, LLC) to construct a round log storage area as shown on sheet 1-4 prepared by Killingly Engineering Associates and dated 10/26/11. T. Tsanjoures seconded the motion and it was approved unanimously.

II. Regular Meeting –

A. Current Business

1. Approve Minutes of Public Hearing/Regular Meeting of October 24, 2011 – R. DiBonaventura made a motion to approve the minutes as written. P. Allegretti seconded the motion. It was approved unanimously with one abstention.

B. Pending Application(s)

1. Hull Forest Products/Sam Hull, 101 Hampton Road, round log storage – this item was skipped at this point due to the recess in the public hearing. We will return to this at a later time.

III. New Business

A. Acceptance of New Application(s) - none

B. Citizen's Comments – None

C. Correspondence –

1. ZEO Report – there were two permits this month, one for 71 Bradley Road for a two-car attached garage and one for 25 Ragged Hill Road for a wood working shop. Both permits were approved.
2. W. Hinchman read into record a letter from Paul Hennen regarding the Abington Mall. At this point, W. Hinchman asked if anyone else had anything to come before the commission. P. Allegretti made a motion to talk about the Plan of Conservation and Development. W. Hinchman seconded the motion. P. Allegretti then asked if anyone had a time frame in mind. Jamie said that it is due by 2013. W. Hinchman said that a report was done by the Conservation Commission but not what is required as a legal requirement by the Planning & Zoning Commission. There are three options to choose from: 1) make no changes; 2) modify existing plan; or 3) start at ground zero with a new plan. P. Allegretti mentioned that when we went through this almost ten years ago, we did a little on it after each meeting. He thought we should schedule one or two special meetings to go over what we have. Walter asked the commission how they feel about this. Phil said it could be called a “workshop”; it is a process and takes some time. Walter said we would need to announce a special meeting and only discuss what's on the agenda. R. DiBonaventura asked if it would be more productive to have a workshop. Phil said yes. Jamie said that a workshop would be held during a set time. Phil had another issue – he wanted to know what our budget allows for this as we'll need it to be looked at by counsel. Walter then said that if the plan of Conservation and Development is not in place, we may be

ineligible for state funds. We must be consistent with the state's plan which is on their website. At this point, Walter called the public hearing back into session.

IV. **Commission Business**

A. Citizen's Comments - None

V. **Adjournment**

T. Tsanjoures made a motion to adjourn the meeting right after the approval of the pending application. It was seconded by B. Champany and approved unanimously. The meeting adjourned at 9:02 pm. It was mentioned that the next meeting will be held on the 4th Monday in January, 2012.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____