

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING MINUTES
MONDAY, SEPTEMBER 26, 2011 AT 7:00 PM
POMFRET SENIOR CENTER**

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

I. Public Hearing

A. David & Sandra Flath, 280 Hampton Road, in-law apartment, two-car garage, and maintenance equipment storage. Jamie read into record a letter regarding this application. Additional information and waiver requests are necessary. He felt a request should be made to extend the Public Hearing until next month's meeting. W. Hinchman asked D. Flath whether the extension would be an inconvenience to him or not, to which D. Flath responded that it would not be an inconvenience. Jamie then suggested that the commission look at the site plan. D. Flath then handed in the CRR (green cards) from the abutters that had notified them of the public hearing. Jamie then handed out an excerpt from the Pomfret regulations to the members. He stated that the existing lot does not contain enough acreage (Parcels A, B, & C) and that they would have to reconfigure their holdings. One of the conditions of approval should be a lot line adjustment(s). P. Allegretti asked if Mr. Flath's daughter owned the 2 acre lot. D. Flath said yes, that is his daughters, his is 2.25 acres and Sandy's is the other lot. Walter then asked if anyone had any questions. D. Flath mentioned that he would like to file an exemption for the size of the apartment because the proposed living space is 776 sq. ft. and the regulations state 700 sq. ft. He also said that in conversation with Michael (his daughter's husband) that he would like to construct a high-quality barn where the bottom would be the two-car garage and the top would be the in-law apartment. Walter asked if there were any further questions. R. Blackmer made a motion to continue the Public Hearing until October 24th. B. Champany seconded the motion and it was approved unanimously. The Public Hearing concluded at 7:17 pm.

II. Regular Meeting –

A. Current Business

1. Approve Minutes of Public Hearing/Regular Meeting of July 25, 2011 – R. DiBonaventura made a motion to approve the minutes as submitted. M. Paquette seconded the motion. It was approved unanimously with two abstentions.
2. Items to Add to Agenda – W. Hinchman said that he would like to add two items to the agenda. One would be rewrite/improve the Plan of Conservation and Development and the other would be a day care issue regarding Christ Church. He made a motion to add these two items to the agenda under Commission Business. P. Allegretti seconded the motion and it was approved unanimously.

B. Pending Application(s)

1. David & Sandra Flath, 280 Hampton Road, in-law apartment, two-car garage, and maintenance equipment storage. This has been tabled due to the continuance of the Public Hearing to next month.

III. New Business

- A. Acceptance of New Application(s) - None
- B. Citizen's Comments – None
- C. Correspondence – Walter read a letter from the Conservation Commission regarding a stone wall regulation/ordinance. Walter asked the clerk to scan the document and e-mail it to the commission members. R. Blackmer said he is not in favor of a regulation telling people what they can do with their stone walls. Personally, he doesn't see a need for a regulation. Ryan Brais mentioned that there are a lot of rubble walls around town that should come down.

R. Blackmer said this request keeps coming back to the commission. R. DiBonaventura reminded the commission of a letter he wrote last year when this came up that maybe there could be something regarding stone walls in the subdivision regulations but not in the zoning regulations. Walter then said the commission will look at the information from the Conservation Commission and put discussion of stone wall ordinance on the agenda for the October meeting under Commission Business.

1. ZEO Report – Ryan stated that one permit was granted in August for a 24' x 24' detached garage at 33 Babbitt Hill Road (David Coron). There were two permits issued this month. One was the Davis Farm (formerly Murdock Farm) for the construction of a silage bunker approximately 30' x 160'. It will be a three-sided concrete foundation that will be set back into the hillside. The second was for a new house to be constructed on the east side of Cherry Hill Road, almost across from Wade Road. This is where the two lots have been cleared. The applicant is Elizabeth Mackenna. **Violations:** We are still waiting on Messier and Associates to get through Wetlands for 13 Day Road (Bosworth Mobile Home). The application is currently before the Wetlands commission. They are now talking about removing all trailers and putting up two single-family homes on the property. P. Allegretti asked Ryan if he could e-mail his report before the meeting next month so the members could see what's coming up.

IV. **Commission Business**

A. Citizen's Comments – None

B. Rewrite/improve Plan of Conservation and Development – Jamie spoke regarding this issue. He said the municipalities should update their plan every 10 years and we may be close to the 10 year time frame. R. DiBonaventura asked if the commission picks the plan apart and Jamie said yes, pretty much. He said that the municipal plan has to relate to the regional and the regional has to relate to the state. Jamie mentioned a few areas where changes needed to be made. Walter said we will use what we have already and modify it. Jamie said it costs approximately \$70,000 to have someone read and update the plan and he only charges about a third of that. He said the most cost effective choice would be to have someone volunteer to do it and then have Jamie review it. Walter then said that everyone should read Jamie's handout and bring a current copy of the Plan of Conservation and Development to the next meeting.

C. Christ Church – day care issue. It was mentioned that an individual was looking to rent space in Christ Church for day care but the use was abandoned. Ryan said he spoke to the person (J. Baker) and he didn't like Ryan's answers so Ryan told him to call Jamie. Jamie spoke with Mr. Baker and Atty. Steve Adams who said they have day care 52 weeks a year. R. DiBonaventura said it is very hard to prove abandonment. P. Allegretti said he agrees with Rich, it is hard to prove. Jamie then said that if the church has not abandoned day care, then they should be able to produce a list of those in day care during the last month, or two months ago, etc. R. Blackmer said he feels like it's more like someone babysits during mass.

K. Bergendahl recused herself as she is a vestry of Christ Church. Ryan thought they should submit an application and explain their stance and go through the proper channels. Walter then asked Kim who would be the best person to speak to and Kim said Peter Lusa who is the Sr. Warden. She said Steve Adams is the Jr. Warden.

V. **Adjournment**

M. Paquette made a motion to adjourn the meeting. It was seconded by B. Champany and approved unanimously. The meeting adjourned at 8:20 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____