

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MINUTES – SPECIAL MEETING
MONDAY, DECEMBER 18, 2006 AT 6:30 PM
POMFRET COMMUNITY SCHOOL CAFETERIA**

In Attendance: Commission Members – Walter Hinchman, Robert Blackmer, Charles Boster, Carolyn Hopkins, Maureen Nicholson, Phil Allegretti, Leah Schad. James Rivers, First Selectman. Staff – Ryan Brais, ZEO, James Rabbitt, Town Planner. Approx. 25 citizens. Commission Members not present – Michael Wolchesky, Tony Amaral/alternate

- I. Special Meeting** – Meeting opened at 6:30 PM by Walter Hinchman. Maureen Nicholson made a motion to seat alternate Carolyn Hopkins. Robert Blackmer seconded. All in favor.
1. Current Business
 - a. Approve Minutes of November 27, 2006 – Charles Boster made a motion that the November 27 minutes be tabled to the next meeting. Robert Blackmer seconded. All in favor.
 - b. Items Added to Agenda – as listed on posted agenda
 1. H. & H. Produce – Update – Ryan Brais had documents from the Northeast District Department of Health. He reviewed food service permits and when issued. Charles Boster stated that the Department of Health does not define a restaurant under Town's zoning regulations. He felt the ZEO needed to visit the establishment and determine classification. Discussion. James Rabbitt recommended that the ZEO work with the Town Planner and possibly legal council and report back in January. He felt Ryan currently had limited information in determining definition of restaurant under regulations and may need legal input. Report will be further presented at January meeting.
 2. RLB/PAB, Subdivision, Mylar Extension – Walter Hinchman made a motion to extend filing of this mylar for 90 days as requested in writing. This is for the Mashamoquet & Covell Road subdivision. Maureen Nicholson seconded. All in favor.
Walter Hinchman requested changing the order of items c. and d. on the agenda.
 - c. Lussier/Wetherbee Road Activity – Update – Ryan Brais presented a packet of information received from Mr. Lussier. He reviewed contents for Commission including letters from nearby residents and sworn statements from Robert Lussier and Cindy Sullivan. Walter Hinchman asked if the Commission was ready to make any decisions regarding the trucks on this property or if they wished for time to review file. Discussion. Charles Boster felt the ZEO should contact residents on Wetherbee Road directly for input and if others in area wished to respond as well that would be fine. W. Hinchman asked Ryan to send letters to Wetherbee Road residents with a request of any returned information to be received at the Town Hall by January 12, 2006. Charles Boster moved that the ZEO send letters to property owners on Wetherbee Road. Robert Blackmer seconded. All in favor.

d. Austin Barney, Subdivision Regulations – Text Change – Walter Hinchman reviewed language presented. James Rabbitt stated he had answers to the procedural questions posed at the last meeting. Attorney Zizka had advised him that minor language changes could be made. Any change to content or intent would present a difficulty effecting the notification process. Charles Boster made a motion to deny the application as presented due to substantial changes needed to meet Fire Marshall and Road Foreman recommendations and that the Town Planner and Town Engineer come back with revised wording that meets those requirements. Robert Blackmer seconded. Walter Hinchman asked is that motion was then proposing the Commission come back with a new application. Yes. M. Nicholson asked for the link to Commission coming back with their own text amendment. Discussion. Charles Boster withdrew his motion and Robert Blackmer withdrew his second. Charles Boster made a motion to deny the application. Leah Schad seconded. W. Hinchman read letter from Road Foreman dated 12/18/06 for record. Discussion. W. Hinchman stated he had concerns with the number of parcels that would allow for the 2000'. At the last meeting it was stated just 7 or 8 parcels. He believes there are actually more than 50 parcels where a cul-de-sac could be proposed. Some of these parcels are off gravel roads. He felt this could be detrimental to Public Safety. Discussion. Maureen Nicholson stated her concern in that the maximum amount of lots may be 14, but a 1,000' cul-de-sac may not support that many lots. Extending the cul-de-sac to the 2,000' would increase the likelihood of maximizing the lots at 14. Walter Hinchman stated there was a motion to deny on the table. Motion was called to vote. All in favor to deny the application of Austin Barney, Subdivision Regulations-Text Change. None opposed. Walter Hinchman abstained. Application denied.

2. Citizen's Comments – Mr. McCorrison asked about the reason for denial. James Rabbitt stated there was no specific reason stated in motion. If an appeal was made the reasons would need to be researched. Charles Boster made a motion that Town Planner and Town Engineer meet to review language for another approach other than the 1000' that also meets the Fire Marshall and Road Foreman recommendations. Walter Hinchman seconded for discussion. C. Boster stated he would like some flexibility to determine the best road systems. He feels the current regulations need some work. Walter Hinchman asked if staff could be ready to present their findings in March. Jim Rivers stated this exercise should not be looked at for just safety issues, but also how a change could impact Pomfret's plan for Conservation and Development and potential build-out impacts. Discussion. Motion called to vote. All in favor. None opposed.

Bill Wentworth stated he is an abutter to the Lussier property. He asked if the vehicle registrations and excise tax bills could be looked at to determine their length of time at this property. Also, he would like to see any fly-over photos that were taken during revaluation. He would also like to know when the Great Woods name was registered with the Town. David Abbamonte stated that there still seems to be violations taking place on the property. He sees potentially 9 or

10 of them. He would like to present in writing what he feels these violations are. Bev Champany wanted to know if this presented list would be available to the public. She stated many of the comments in the Pomfret Times were insinuations. Walter Hinchman stated that any information received from citizens would be looked at by the Commission. Mrs. Wentworth submitted in writing the list of information her husband had asked to see.

The meeting of January 22, 2006 will be held at the Pomfret Community School.

II. Adjournment - Robert Blackmer moved to adjourn. Charles Boster seconded. Meeting adjourned at 7:45 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved _____