

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MINUTES – REGULAR MEETING
MONDAY, FEBRUARY 25, 2008 AT 7:00 PM
POMFRET COMMUNITY SCHOOL CAFETERIA**

In Attendance: Commission Members Michael Wolchesky, Phil Allegretti, Leah Schad, Robert Blackmer, Ted Tsanjoures, Alternates Carolyn Hopkins, Bev Champany, Tony Amaral. Town Planner James Rabbitt, ZEO Ryan Brais, First Selectman James Rivers. Approximately 20 citizens. Commission Members not present: Walter Hinchman, Maureen Nicholson.

I. Public Hearing – Opened at 7:10 PM. P. Allegretti moved to seat C. Hopkins and T. Amaral. T. Tsanjoures seconded. All in favor. B. Champany stated she was recusing herself from participation of this meeting.

1. CT Real Estate Holding, LLC, Searles Road, Map 42, Block C, Lot 2.01 and 7.0, Special Permit, Gravel Excavation – Terry Chambers with KWP was present for the applicant. He distributed a plan for review that reflected plan changes since the last public hearing and was the same plan that had been approved by the Wetlands Commission. The plan adheres to a 100' buffer from wetlands areas, the width of the access road has been changed to 14' with some turn-outs and a 20' paved section. They anticipate that this road will be loamed and seeded once the project is complete. Mr. Chambers reviewed the traffic count that had been completed noting that the eighty-five percentile speed was 44 mph. Approximately 3 – 4 trucks per hour are anticipated on weekdays, eight months of the year. Little or no impact on adjacent street traffic is anticipated. Mr. Chambers reviewed a memo from James Rabbitt dated 2/25/08. The applicant has previously stated that the intended end use is for non-motorized commercial recreational use. No screening will be done on the site. They feel the proposal stays consistent with Pomfret's Plan of Conservation and Development. Water monitoring wells are on site and results of readings from these will be immediately available. There will be a paved fueling pad on site with a spill kit. There will be no fuel storage. J. Rabbitt reviewed a draft motion he had prepared with it's original 17 conditions and an eighteenth was added requiring plans to show areas of ledge. Terry Chambers also stated that all truck traffic will exit only due north onto Searles Road. Paul Hennen asked about the soil composition in the windrows of loam. He felt the requirement for this was 80% - 90% organic matter. Charles Boster asked for the applicant to clearly state the hours of operation and also asked about the noise levels at the property lines. He also asked about a plan of 'spill control' for dust and gravel that the trucks track onto Searles Road. Mr. Chambers stated that the hours of operation will be from 7 AM to 6 PM Monday thru Friday and is stated on the plan. There is a 50' long anti-track device in addition to the paved area on the access road that should contain any debris from reaching the road. He has not heard of that percentage of organic matter. In the analysis KWP does for the State and Municipalities the organic matter required is 8% - 15%. These windrows are not permanent and will later be used for reclamation. The State requirement is 65 decibels at the property line. They would not anticipate anything that loud. M. Wolchesky read a letter from Paul Hennen into the record asking the Commission to view Wetland Commission findings as advisory only and that there were still many concerns to be addressed. M. Wolchesky asked about clarity of hours at 7 AM to 5 PM. Mr. Chambers stated that yes, they would meet the regulations. Charles

Boster asked how the applicant has addressed securing the site and about emergency access. A vehicle gate with boulders will be up. They can supply the Fire Department with a key if that is desired. Barbara Gagnon asked about the traffic count, stating that the posted speed limit on the road is 30 mph. The traffic count indicates 200 cars per day going over the speed limit. Cooney Road is at intersection with Searles Road right in this same area as well. Paul Hennen asked if caution signs could be put on Searles Road. Charles Boster asked about the applicant installing a trip light to alert motorists to trucks turning onto the road. T. Tsanjoures made a motion to close the public hearing. Leah Schad seconded. All in favor.

II. Regular Meeting – Regular meeting opened at 8:15 PM.

1. **Current Business**

1. **Approve Minutes of January 28, 2008, February 12, 2008** – P. Allegretti made a motion to approve the minutes of January 28, 2008. R. Blackmer seconded. All in favor. P. Allegretti made a motion to approve the minutes of February 12, 2008. T. Tsanjoures seconded. All in favor. L. Schad and R. Blackmer abstained.

2. **Items to Add to Agenda** – M. Wolchesky stated that after Correspondence he would like to add Introduction of Town Engineer. A citizen stated he would like to have added the question of whether a quorum was present. No action was taken.

2. **CT Real Estate Holding, LLC, Searles Road, Map 42, Block C, Lot 2.01 and 7.0, Special Permit, Gravel Excavation** – The addition of a 19th condition was noted, stating ‘Slow – Trucks Entering’ signs be placed on Searles Road both north and south of access road. Some discussion. P. Allegretti made a motion to approve the Special Permit for CT Real Estate Holdings, LLC for gravel excavation on Searles Road with the nineteen conditions stated in memo by James Rabbitt dated February 25, 2008. Leah Schad seconded. All in favor.

III. New Business

1. **Acceptance of New Applications**

a. **The Pomfret School, Site Plan, Conversion of Building for Parent Center** – Terry Chambers with KWP was present along with Mike Bala and Kevin Tubridy of N.E. Design. This new Parent Center will be on the Maintenance Facility footprint. Mr. Chambers presented a map showing location for review and discussion by Commission. Mr. Chambers reviewed each item of the Regulations in Site Plan Review. Waivers were requested for Section 14.4.2 items c., d., e., j., and k and the same was presented in writing. Kevin Tubridy presented and reviewed an architectural plan of the building. Pomfret School has determined that an area for parents to meet and gather during sporting and other events was lacking from the school grounds. James Rabbitt presented and reviewed a report dated February 25, 2008. Septic and parking concerns were discussed. J. Rabbitt stated that a letter from the State saying bathrooms in the new building will not effect the current Discharge Permit is appropriate. Leah Schad made a

motion to approve the waiver request of section 14.4.2, items c., d., e., j., and k, by KWP on behalf of the Pomfret School dated 2/25/08. R. Blackmer seconded. All in favor. M. Wolchesky abstained. P. Allegretti moved to approve the application for the Pomfret School for a Parent Center with one condition as stated in memo from J. Rabbitt dated 2/25/08, that the applicant receives approvals from the State of Connecticut for sewer/septic disposal per the Connecticut Public Health code or other appropriate authority prior to the issuance of a building permit and/or permit to discharge. R. Blackmer seconded. All in favor. M. Wolchesky abstained.

- b. Juanita Cristina and Sheila Nabozny, Woods Hill Road, 1-lot subdivision** – No representation present. Ryan Brais stated he had spoken with the applicant today and they wished the Commission to receive the application and take up again in March as they have not received Wetlands approval as of yet.
- c. Pomfret Planning and Zoning Commission, Text Amendment, Historic Resources** – M. Wolchesky noted acceptance of the text supplied by J. Rabbitt dated 2/22/08 and stated that a Public Hearing for Historic Resources amendment will be scheduled on March 24, 2008 at 7:00 PM at Pomfret Community School Cafeteria.
- d. Pomfret Planning and Zoning Commission, Text Amendment, In-Law and Caretaker Apartments** – M. Wolchesky noted acceptance of the text supplied by J. Rabbitt dated 2/22/08 and stated that a Public Hearing for In-Law and Caretaker Apartment amendment will be scheduled on March 24, 2008 at 7:00 PM at the Pomfret Community School Cafeteria.
- e. Pomfret Planning and Zoning Commission, Text Amendment, Home Occupations** – M. Wolchesky noted acceptance of the text supplied by J. Rabbitt dated 2/22/08 and stated that a Public Hearing for Home Occupations amendment will be scheduled on March 24, 2008 at 7:00 PM at the Pomfret Community School Cafeteria.
- f. Pomfret Planning and Zoning Commission, Text Amendment, Home Based Business** – M. Wolchesky noted acceptance of the text supplied by J. Rabbitt dated 2/22/08 and stated that a Public Hearing for Home Based Business amendment will be scheduled on March 24, 2008 at 7:00 PM at the Pomfret Community School Cafeteria.

2. Citizen's Comments – Charles Boster asked if the amendments could be posted on the web.

2. Correspondence

M. Wolchesky read a letter from Bruce Woodis with KWP requesting a 2nd 90 day extension for filing the mylars for Rebecca Loos subdivision on Modock Road. R. Blackmer moved to add this as an agenda item 2.c. P. Allegretti seconded. All in favor. Leah Schad abstained.

- a. **ZEO Report** – R. Brais stated he had nothing new to report this month.
 - b. **Intro Town Engineer** James Rivers introduced Sil Paulie, Regional Engineer for Pomfret and surrounding towns. Mr. Paulie reviewed some of his background for the Commission.
 - c. **90 Day Extension Filing Mylars, Rebecca Loos, Modock Road** – R. Blackmer made a motion to approve the request for a 2nd 90 day extension for filing the mylars. P. Allegretti seconded. All in favor. Leah Schad abstained.
- J. Rabbitt summarized a letter received from Attorney St. Onge regarding property on Cherry Hill Road. The ZEO opinion is that a subdivision is needed to correct the situation. With the Commissions agreement Mr. Rabbitt will concur with Attorney Zizka regarding this. The Commission agreed with this action.

IV. Commission Business

1. Citizen's Comments -None

- V. Adjournment** – T. Tsanjoures made a motion to adjourn. P. Allegretti seconded. All in favor. Meeting adjourned at 9:30 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved_____