

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MINUTES – PUBLIC HEARING AND REGULAR MEETING
MONDAY, JULY 23, 2007 AT 7:00 PM
POMFRET COMMUNITY SCHOOL CAFETERIA**

In Attendance: Commission Members - Michael Wolchesky, Phil Allegretti, Leah Schad, Charles Boster. Staff - Ryan Brais, ZEO, James Rabbitt, Town Planner. First Selectman James Rivers. Approximately 12 citizens. Commission Members not Present – Walter Hinchman, Robert Blackmer, Maureen Nicholson, Alternates Carolyn Hopkins, Tony Amaral

I. Public Hearing – Opened at 7:00 PM by M. Wolchesky. He stated that a quorum was present but only three of those present were able to vote on the applications of Rebecca Loos if warranted tonight. Therefore, the Public Hearings scheduled for Rebecca Loos, 40 Modock Road, for a 4-lot resubdivision and a Special Permit for an Interior Lot will be held at 7:00 PM Wednesday, July 25, 2007 at the Pomfret Community School, to be followed by the Workshop Meeting.

1. Jason Lavallee, 320 Underwood Road, Special Permit, Excavation – Mr. Lavallee gave brief review of the information submitted at the last meeting. His letter referencing bonding amounts has been forwarded to Commission. J. Rabbitt stated that \$5,000.00 is recommended for bonding. Mr. Lavallee stated that would be acceptable and asked if a Surety bond would be acceptable. James Rabbitt reviewed letter from J&D Engineers that outlined items from which the applicant was seeking relief. Charles Boster asked about the time frame for the excavation. Mr. Lavallee stated for the record that the project would be completed within 24 months. Charles Boster moved to close the Public Hearing. Leah Schad seconded. All in favor.

II. Regular Meeting

1. Current Business

a. Approve Minutes of May 31, 2007 and June 25, 2007 – Charles Boster referenced his questions of June 25 concerning FOI requirements of Executive Session. He would like clarity from Planner on what is required. He also referenced his comments toward Policy and Procedures. He would like this topic to stay on agenda and report concerning this from the Town Planner. Phil Allegretti made a motion to approve the minutes of June 25, 2007 as written. Leah Schad seconded. All in favor. Minutes of May 31 tables to August meeting. Not enough members present that are able to vote.

b. Items to Add to Agenda – M. Wolchesky stated he would like to add Kniffin House/Pomfret School fees to Commission Business.

c. Rebecca Loos, 40 Modock Road, Special Permit, Interior lot – rescheduled to July 25, 2007 at 7:00 PM at Pomfret Community School.

d. Rebecca Loos, 40 Modock Road, 4-lot resubdivision – rescheduled to July 25, 2007 at 7:00 PM at the Pomfret Community School.

e. Jason Lavallee, 320 Underwood Road, Special Permit, Excavation – James Rabbitt read a draft motion to approve the application to remove 5,000 cubic yards of material with six conditions. (Attachment A). So moved by Leah Schad. Charles Boster seconded. J. Rabbitt stated that if the bond requested by wetlands is accessible then an Insurance bond would be acceptable here. If not, then a cash bond would be necessary. The applicants request for waivers for the cross section and for disturbance within the 100' buffer area were reviewed. Call for vote – All in favor to approve application with conditions and requested waivers.

III. New Business

1. Acceptance of New Applications

a. Sabrina Putnam, Special Permit, Service Business in Village Zone – Ms. Putnam stated she would like to rent a room from Aesthetics Hair Salon business for a Reikki Healing business at 26 Putnam Road. Application and associated fees were reviewed. A Public Hearing will be scheduled for August 27, 2007 at 7:00 PM at the Pomfret Community School, if available.

2. Citizen's Comments – One citizens stated they didn't see why a Special Permit was needed in an existing business in a village zone.

3. Correspondence – None

a. ZEO Report – R. Brais reviewed past month's permits issued or denied and complaints received. He had received a complaint concerning gunshots and dog trials at the Dean property. Ryan has spoken with Mr. Dean who was present this evening. Mr. Dean explained the use that day to the Commission and stated he would provide some documentation to staff for their review regarding use. Mr. Brais stated he had also received a complaint on Deerfield Road. He reviewed action taken to date. He has sent a letter to the property owner and is waiting for a response. J. Rivers stated he has spoken with the DOT regarding signs on State right of ways. These are not allowed and can be removed at any time. CL & P has a fine structure in place for signs on utility poles.

IV. Commission Business

1. RLB/PAB, LLC, Mashamoquet & Covell Road, Request for Bond Release – J. Rabbitt stated he has inspected the site and it is in compliance. P. Allegretti made a motion to release the \$5,000.00 remaining bond. Leah Schad seconded. All in favor.

1.a. Kniffin House/Pomfret School – There is currently a credit of fees paid in the amount of \$379.00. This can be returned to the school unless staff foresees further expense. P. Allegretti made a motion to credit the Pomfret School for \$379.00 as presented. L. Schad seconded. All in favor.

2. Discussion – Policies and Procedures – Tabled to August.

3. Property Line Adjustment Notice – J. Rabbitt will check into and possibly get some clarity for desired use of this notice from the Town Clerk.

4. Citizen's Comments – Tom Garrett brought up the gunshot complaints and asked who decides which sounds are annoying and which are not. Discussion of complaint reviews. Chris Surdam stated that gunshot complaints should be referred to Statute. Bev Champany asked how this would've been handled if the trials were held on a different property. Tom Garrett asked what is the magic number of people allowed at a function before a permit would be required. Sabrina Putnam stated that maybe the regulations could allow some provisions for small businesses.

V. Adjournment – P. Allegretti moved to adjourn. L. Schad seconded. All in favor. Meeting adjourned at 8:55 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved _____