

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
MINUTES – REGULAR MEETING
MONDAY, OCTOBER 22, 2007 AT 7:00 PM
POMFRET TOWN HALL**

In Attendance: Commission Members Walter Hinchman, Maureen Nicholson, Leah Schad, Charles Boster, Alternates Carolyn Hopkins, Tony Amaral. Staff – Ryan Brais, ZEO, James Rabbitt, Town Planner, First Selectman James Rivers, approximately 10 citizens. Commission Members not present: Michael Wolchesky, Robert Blackmer, Phil Allegretti

- I. Regular Meeting** – Meeting opened at 7:05 by Walter Hinchman. C. Boster made a motion to seat Carolyn Hopkins as regular member. L. Schad seconded. All in favor.
1. Current Business
- a. **Approve Minutes of September 17, 2007 and September 24, 2007** – L. Schad made a motion to approve minutes of September 24, 2007. C. Hopkins seconded. All in favor. L. Schad made a motion to accept the minutes of September 17, 2007. C. Hopkins seconded. All in favor.
 - b. **Items to Add to Agenda** – W. Hinchman made a motion to add Correspondence regarding Rebecca Loos application to New Business. L. Schad seconded. All in favor.
 - c. **Keith Wilcox, 53 Tyott Road, 2-lot subdivision** – L. Schad recused herself from discussion. Terry Chambers from KWP was present to represent applicant. C. Boster stated he would like to review some of his concerns before presentation was made as the concerns could then be addressed during that time. C. Boster had concerns regarding completeness of application, Planner and/or ZEO review, property history, number of parcels shown on plan, notice to adjacent property owners, NDDH approval, Wetlands approval being apparently for lot 1 only, road trees, possible resubdivision. W. Hinchman shared some of these concerns. Discussion. Terry Chambers presented green cards from abutter notifications. He presented review of maps and property history. One lot had been in need of fill for NDDH approval at an earlier date. This has been completed and is the basis for this current application. Letters from NDDH were reviewed and related to the corresponding lots. The date of the notification mailings were discussed as they were sent later than what is required. Open Space was discussed and Mr. Chambers stated the applicant was proposing a Conservation easement along lot 3.0 Mr. Chambers asked for flexibility in the noticing and for a Special Meeting to further review this application. J. Rabbitt suggested a meeting with the Town Engineer at the site. Keith Wilcox submitted letter of withdrawal of this application. It will be resubmitted before the Special Meeting and adjacent property owners will be notified in a timely manner. W. Hinchman made a motion that Jamie Rabbitt's letter with recommendations dated 10/22/07 be part of the record. M. Nicholson seconded. All in favor. C. Boster noted for the

record that he had in his possession 1 of the 3 plan copies that were submitted. He will retain for review and then return them to the file. Walter Hinchman made a motion to hold a Special Meeting on November 19, 2007 at 8:30 AM at the Town Hall. The Wilcox application to be submitted will be considered at that time. M. Nicholson seconded. All in favor, C. Boster abstained.

- II. New Business** – W. Hinchman made a motion to seat Tony Amaral. M. Nicholson seconded. All in favor. C Hopkins suggested sending KWP a copy of the Subdivision Regulations. W. Hinchman asked if there were any objections to moving item 2. to the top of New Business.
1. **Subdivision Clarification, Attorney St. Onge for Serrine Estate, 243 Taft Pond Rd.** – L. Schad recused herself from the discussion. W. Hinchman read a letter received from Attorney St. Onge outlining the property history. Tracy Mulinary from the Attorney's office was present and gave a brief history of the mutual distribution to siblings. A map was not recorded and the deeds are not filed. Walter Hinchman advised that a note be put on the map stating 'division of land has not been approved as a developable lot for building purposes' and to reference State Statutes with the notation. A copy of the letter and map will be kept on file.
 2. Acceptance of New Applications
 - a. **CT Real Estate Holdings, LLC, Searles Road, Map 42, Block C, Lot 2.01 and 7.0, Special Permit, Gravel Excavation** – Terry Chambers from KWP was present to represent the applicant. He presented plans and gave an overview of history and what is requested with application. Discussion. Mr. Chambers submitted a request to withdraw the application at this time and requested it be accepted at the meeting of November 26, 2007.
 - b. **The Miller Family, LLC, 73 Tyott Road, Special Permit, Interior Lot** – Withdrawn per letter submitted.
 3. **Dennis Duga, 6 Killingly Road, Preliminary Discussion** – There was no one present to present this discussion.
 4. **Citizen's Comments** - None
 5. **Correspondence**
 - a. **Loos Application – Mylar Extension** – Maureen Nicholson made a motion to extend the filing of the mylars for Rebecca Loos, Modock Road subdivision application by 90 days. Carolyn Hopkins seconded. All in favor. L. Schad and C. Boster abstained.
 - b. **ZEO Report** – Distributed and reviewed. M. Nicholson asked about the response to the dog trials complaint.
 - c. **Correspondence** – W. Hinchman read two letters regarding the zoning of some properties on Mashamoquet Road. Copies of the letters were distributed for review. The properties are existing non-conforming. The owners are concerned about the restrictions on these businesses being in a rural residential zone and would like to see a change to commercial. Discussion, no action.
- III. Commission Business**
1. **Discussion – Policies and Procedures** - Tabled

2. Property Line Adjustment Notice – Update – No further updates. To be removed from discussion.

3. Workshop Follow-Up Discussion

a. Accessory Apartments – Discussion. J. Rabbitt will forward non-redline copy to Commission and Attorney Zizka for review.

b. Home Occupations – Discussion. J. Rabbitt will forward non-redline copy to Commission and Attorney Zizka for review.

c. Equipment Storage Tabled until meeting of November 26, 2007.

d. Cemetery Regulations - Discussion. M. Nicholson voiced concerns about the 50 foot setback requirement. It was suggested a waiver provision be added. J. Rabbitt will review text proposed. He will package this with Accessory Apartments and Home Occupations for Attorney Zizka and Commission.

4. Citizen's Comments - None

IV. Adjournment M. Nicholson moved to adjourn. W. Hinchman seconded. Meeting adjourned at 11:10 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved _____