

**TOWN OF POMFRET
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, SEPTEMBER 24, 2007 AT 7:00 PM
POMFRET TOWN HALL**

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

- I. REGULAR MEETING** – Meeting opened at 7:07 PM by Walter Hinchman
- 1. Current Business**
- a. Approve Minutes of August 27, 2007** – R. Blackmer made a motion to approve minutes as presented. P. Allegretti seconded. All in favor, Walter Hinchman abstaining.
- b. Items to Add to Agenda** – W. Hinchman had one item to add: Extension Request for filing Mylars for C. Pritchard subdivision. C. Boster requested adding a discussion concerning handling draft information. W. Hinchman made a motion to add both items to Commission Business between items 3 and 4. P. Allegretti seconded. All in favor.
- II. NEW BUSINESS**
- 1. Acceptance of New Applications**
- a. Keith Wilcox, 53 Tyott Road, 2-lot subdivision** – Pat McLaughlin with KWP was present for the applicant. The application is pending Wetlands approval. The original lot was approved by Wetlands a year ago. That lot needed fill for septic approval which has now been completed and they would now like to subdivide that lot. Discussion. C. Boster requested the application be reviewed by the Town Planner which was agreeable to Commission. J. Rabbitt stated three items are still needed to complete the application: Plans should be labeled Subdivision Plans, development for the easterly lot needs to be shown, property history needs to be included on plans. The applicant will submit necessary information within the next few weeks. Application continued to October.
- 2. Preliminary Discussion, Dennis Duga, 6 Killingly Road** – There was no one present to speak for this discussion.
- 3. Citizen's Comments** – Ford Fay verbally presented a memo he had prepared regarding the Workshop considerations. His points included parking for Home Occupations, addressing those bringing home an employers vehicle vs. the parking and storing of vehicles when the business owner is the tenant of the property. Bill Barton asked about a sign change for his business. The original sign was approved in May of 2005. He wants to move the sign back and enlarge it. J. Rabbitt will review the information and photos Mr. Barton had and advise or possibly refer to R. Brais for approval.
- 4. Correspondence**

a. **ZEO Report** – R. Brais is on vacation. He had forwarded a report to Commission for review which was discussed briefly. C. Boster stated he would like to see more detail on reports. W. Hinchman will discuss with R. Brais.

III. COMMISSION BUSINESS

1. **RLB/PAB, LLC – Release of Bond Request** – Roger Breault requested release of two thousand dollar cash surety bond for subdivision at Covell Road and Route 44. C. Boster made a motion to release remaining bond. M. Nicholson seconded. All in favor.

2. **Discussion – Policies and Procedures** – C. Boster and R. Brais had submitted draft documents some time ago regarding Policy and Procedure. Some discussion. C. Boster will email document out again to members. Members can review with him and further discussion will be taken up at next meeting.

3. **Property Line Adjustment Notice** – Attorney Zizka has advised that a formal notice is not in the best interest of the Town. Some discussion. J. Rabbitt will report back next month after some final clarification from Attorney Zizka.

4. **Mylar Extension – Pritchard Subdivision** – KWP requested for Catherine Pritchard an additional 90 day extension to file mylars. W. Hinchman made a motion to grant the extension. P. Allegretti seconded. All in favor.

5. **Handling of Draft Information** – C. Boster voiced concerns that draft material was not available to the public at the last Workshop meeting. Some discussion. When J. Rabbitt prepares drafts he will mark each page as a draft and have some additional copies available at meetings if the public would like to review them.

6. Workshop Follow-Up

a. **In-Law Apartments** – J. Rabbitt is seeking more input before changing the text. Discussion. The consensus of the Commission was that the following areas be addressed: 1. Combine the two sections addressing in-law and caretaker. 2. Include 'blood, marriage, or adoption' to one or more property owners to clarify relationships. 3. One bedroom to accommodate no more than two persons in residence, two bedrooms to accommodate no more than 4 persons in residence. 4. Owner provides an affidavit initially and at each reevaluation year, statement to include this is a non-income producing unit. 5. Provide language for waiver of screening and parking. 6. Clarify language concerning non-conforming lots.

b. **Home Occupations** – Discussion regarding use of residence, handling of hazardous substances, and size of accessory buildings. It was suggested the Commission have some flexibility in determining use of square footage by using a $\frac{3}{4}$ majority vote. Retail sales and some concerns were discussed. Commission consensus was to address either 25% of residence or 500 square foot outbuilding, provide a clear definition of retail, clarify hazardous items and allowable quantities, address related vehicles – recommending 2 business vehicles not to exceed 18,000 GVW.

c. **Equipment Storage** - J. Rabbitt reviewed idea of Floating Zones and how this could be used. Stringent performance standards can be required that will have to be met before the zone can be granted. W. Hinchman suggested the

Commission further review presented information and come to the next meeting with a list of suggested performance criteria. Discussion.

d. Cemetery Regulations – tabled to next meeting.

A date for next Workshop meeting was discussed. The Commission will plan to hold one on October 15, 2007 at 7:00 PM. C. Boster made a motion to have Cemetery Regulations reviewed by J. Rabbitt and Attorney Zizka. M. Nicholson seconded. All in favor.

7. Citizens' Comments – The following comments were made by citizens: Jim Robbins – He urged caution in definitions of family, clarified 8 acres was intended in 12.19.7 of in-law language. David Abbamonte – Asked that the Commission evaluate the impact to the school system with the addition of in-law apartments to the Town. Rick Hall – How will 'caregiver' be defined. Can this be confirmed with social services. Katerina Rutkowski – Concerns with needed relation to property owner. What if that person of relation dies. She asked for Ann Hennen how the status of the unit will be determined and if there is an improper use how that will be handled. Jim Robbins stated Home Occupations dealt with tangible goods – what about services. David Abbamonte asked if food or bakery items had been included. Katerina Rutkowski stated she supported reevaluating zoning map to expand where retail zones may be allowed. She stated the State of CT does define household quantities of hazardous substances. She felt it might be helpful to limit traffic vs. the type of sales. C. Surdam felt limiting traffic would be a good idea. Limiting hours would also be good. Ford Fay stated the language seemed to be designed for one person for this and Equipment Storage. Jim Robbins stated the key to Floating Zones is the Special Permit. He also referenced the maximum lot coverage and suggested lowering percentages. Rick Hall asked the Commission to give merit to scenic roads. C. Surdam for Cindy Sullivan stated concerns with staging 200' from property line in equipment storage as being too much and concerns with fuel in an enclosed building. Katarina Rutkowsky felt 200' was not enough. She asked the Commission to consider people who had moved to Town for the quiet residential neighborhoods. She would also like to see a tightening on the length of time equipment can idle.

8. Executive Session – Leah Schad made a motion to adjourn to Executive Session to discuss pending litigation. Commission members W. Hinchman, M. Nicholson, C. Boster, P. Allegretti, R. Blackmer, M. Wolchesky, L. Schad to remain present. Also to remain present First Selectman James Rivers and Town Planner James Rabbitt. M. Nicholson seconded. M. Nicholson, P. Allegretti, R. Blackmer, M. Wolchesky, L. Schad voted in favor. C. Boster opposed. W. Hinchman abstained. Commission adjourned to Executive Session at 10:55 PM.

Commission came out of Executive Session at 12:00 AM. P. Allegretti made a motion to adjourn. R. Blackmer seconded. All in favor. Meeting duly adjourned at 12:01 AM with no action taken.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved _____