

**Planning and Zoning Commission**  
**Town of Sherman**

**P.O. Box 394**  
**Sherman, CT 06784**

**Office: (860) 355-3127**  
**E-Mail: [bblois@townofshermanct.org](mailto:bblois@townofshermanct.org)**

**FINAL**

**Special Meeting**  
**Minutes – February 21, 2007**

*The Chairman called the Special Meeting to order at 7:44 p.m. at Mallory Town Hall. The following Commissioners were present at the meeting: Chairman David N. Hopkins, Secretary Robert Ostrosky, Commissioners J. Paul Voorhees, Clay Cope, Joel Bruzinski, Alternates Mark Weber and Al Burgasser. Absent were Commissioners Vice Chairman Barbara Ackerman, Commissioner Richard Hudson, and Alternate John Dwyer.*

*The Chairman gave an overview of the proceedings. Commissioner Voorhees made the following comments: 1.) regarding the Town's Engineers report dated January 31, 2007 (page 2 of Mr. Zarecki's letter of January 29, 2007) the pipe should be changed; 2.) regarding the dry hydrant – the owner(s), Fire Marshal, and the Fire Chief should meet on this item; Catch basins – approximately 7+00 area this should be worked out with our Town Engineer; 3.) open space – he didn't think that it met the regulations – he felt that the conservation easement should be taken out of the area first and then configure the lots showing the accurate acreage; and 4.) existing road – he said that the utilities are in and that the utilities for the proposed lots should be underground. – he felt that it met our regulations.*

*Commissioner Bruzinski commented on the following: 1.) on the open space issue he agreed with Commissioner Voorhees; 2.) he felt that the 7 ½ foot utility easement was not an issue; 3.) regarding the increase in runoff – he felt that there would not be 0% in increase; 4.) needed more information regarding the intersection of Anderson Road, and 5.) big issue was crossing Mr. Jenner's property (2-10' strips) – how can the accessway be approved if it is not contiguous;*

*Commissioner Burgasser said that the road would have to be up to Town's standards and has to be contiguous. If the application was approved Mr. Jenner could stop the construction until the applicant and he came to an agreement. Commissioner Voorhees asked what was in the deeds. The Chairman did not have the deed in front of him, but he said that regarding the 10' strip in the deed from Isokait to the present owners (volume 22 page 525, said that they have a right to pass and repass and also that they do not cause damage to the well, storage tank or pipeline. Commissioner Bruzinski said that there was a huge difference between a right of way & to pass and repass. He explained to the Commissioners that there has to a fair and equitable access to the property. He didn't think the Commission could approve the road.*

*The Chairman said that Mr. Jenner's deed, in regards to the 10' strip for the pipe, that they can pass and repass without making any damage to the pipe. Commissioner Burgasser asked whether or not there could be a contingency of approval regarding the applicant and Mr. Jenner reaching an agreement. Commissioner Voorhees said that the Town doesn't get into a private matter such as this. The Chairman said that the Commission should take a stand on this matter and questioned whether or not it is out of our jurisdiction. Commissioner Weber said that the Commission could not make it a condition of approval.*

*Commissioner Cope commented on the Town Engineer's letter of January 29, 2007. He said that the Commission never reviewed the letter, although he thought that all of the Commissioners read it. He said that Mr. Zarecki had so many "does not meet the*

**Planning and Zoning Commission**  
**Town of Sherman**

**P.O. Box 394**  
**Sherman, CT 06784**

**Office: (860) 355-3127**  
**E-Mail: [bblois@townofshermanct.org](mailto:bblois@townofshermanct.org)**

~~~~~  
regulations.....” in his letter. Commissioner Cope said that the Commission hired Mr. Zarecki as a professional to review the plans and that the application should be denied. He read part of Mr. Zarecki’s letter regarding the road issue into the record.

Commissioner Ostrosky said that the question of health and safety was mentioned in Mr. Zarecki’s letter.

The Chairman pointed out on page 2 Section 6 c. of Mr. Zarecki’s letter of January 29, 2007 regarding water flow. Commissioner Burgasser questioned whether or not this constituted that the application was incomplete. Commissioner Bruzinski pointed out on page 5 #26 of Mr. Zarecki’s letter of January 29, 2007 and thought this was a major issue. The Chairman said that on page 6 of Mr. Zarecki’s letter of January 29, 2007 that the maintenance agreement was an issue.

Commissioner Cope pointed out Section 3 (d) of the Subdivision Regulations and said that a lot things needed to be addressed. Commissioner Weber made comments regarding compliance of Section 4 of the Subdivision Regulations and of Open Space.

The Chairman made various comments regarding the application: 1.) compliance of Section 5 of the Subdivision Regulations on open space; 2.) compliance of Section 4 of the Subdivision Regulations of the accessway; 3.) the 2 10’ strips of land owned by Mr. Jenner; 4.) the completeness of the Stormwater Management Plan; 5.) there were changes to be made to the record map; 6.) comments regarding page 5 of Mr. Zarecki’s letter of January 29, 2007; 7.) the pipe at 10.0 level; 8.) the 10% slope on the 18’ roadway, 9.) the stone wall should be reconstructed elsewhere on the property, 10.) to limit the clear cutting and have only selective cutting on the property, and 11.) the Commission should review the requirements for the road. He felt that if he had to vote he would vote to deny the application.

Commissioner Voorhees said that it is good for the Commission to dot all of the I’s regarding the application. Commissioner Cope thanked the Chairman for his completeness of his comments regarding the review of the application.

The Chairman took a straw pole and it appeared that all of the Commissioners were leaning toward denial of the application.

Commissioner Bruzinski did not feel that the application met Section 4 of the Subdivision Regulations. Commissioner Burgasser said the primary basis for denial is the road issue, and no runoff, and items noted in Mr. Zarecki’s letter of January 29, 2007.

Commissioner Ostrosky moved to continue deliberations of this application to the March 1, 2007 Regular Monthly Meeting with Commissioner Burgasser seconding. Motion carried unanimously.

There will be a resolution for denial ready for the March 1<sup>st</sup> meeting for the Commissioners to review and vote on.

Commissioner Voorhees moved to adjourn the meeting with Commissioner Bruzinski seconding. Motion carried unanimously. The meeting adjourned at 8:50 p.m. at Mallory Town Hall.

Respectfully submitted,

Prepared by:

Elizabeth-Ann Blois, Clerk

Robert Ostrosky, Secretary