

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

**P.O. Box 39**  
**Sherman, CT 06784**

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

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**MINUTES – APRIL 5, 2007**  
**REGULAR MONTHLY MEETING**

*The Chairman called the meeting to order at 7:00 p.m. at Mallory Town Hall. Commissioners present: Chairman David N. Hopkins, Vice Chairman Barbara Ackerman, J. Paul Voorhees, Barbara Ackerman, Richard Hudson, Joel Bruzinski, Alternates John Dwyer, Mark Weber and Al Burgasser. Absent Commissioner were Clay Cope and Robert Ostrosky, The Chairman appointed Commissioner Hudson to sit in as Secretary Pro Tem. Alternates Dwyer and Weber filled in for absent Commissioners Cope and Ostrosky.*

**Old Business**

1.) **River Oaks Sub-division and Golf Course** - Review status of permits

*Commissioner Voorhees said that he had spoken with Donna Tuck, representative from River Oaks, and she said that she was ready to address items that are outstanding with the Planning and Zoning Commission. He also said that he would be getting together with LUEO, the Chairman, and Commissioner Cope to make up a complete list of items outstanding. The Clerk will work with Commissioner Voorhees to set up this meeting with the staff and Commissioners. The First Selectman said that she would give the bond language to the Clerk on Tuesday. This item will be on the agenda for the May Regular Monthly Meeting.*

2.) **Planning for the Town Center**

*The Chairman said that the Firehouse and the Library spokespersons gave an overview of the proposed projects. They said that under the planning function of the Commission they have work that has to be done. The Chairman said that under Section 8-24 of the CGS regarding Municipal Projects the Planning Commission of the Town must make a report; after an official submission to the Commission the Commission must make a report concerning the proposal within 35 days. The First Selectman said that the ball fields should have come before the Planning Commission. She said that Veterans Field proposal will be coming to the Planning Commission. The Chairman said that the Commission should have a procedure and what is involved, such as criteria, acceptable or not acceptable, etc.. The Chairman said that he would like to hear the thoughts of the Plan of Conservation and Development Committee on this subject. The Chairman said that this Committee should be looking at the town services, the character of the center and outside the center. Commissioner Burgasser said that the Commission should be looking at the overall planning for the Town.*

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**New Business**

- 1.) Chapel Hill Road maintenance – 1<sup>st</sup> Selectman Andrea O’Connor – Advisory Consultation

*The First Selectman said that because it is a scenic road she is before the Commission for an advisory consultation. She said that she does not have to come before the Commission on this subject because it is maintenance, but she wanted the Commission to understand what she is doing regarding the scenic road. She proceeded to explain to the Commission that instead of repairing the road they would reclaim it, wait and then resurface it. She would also have the Town Engineer look at it and get his recommendations.*

*Commissioner Dwyer asked the First Selectman if it was better for the Town Engineer to review the situation first and then make his recommendations. The First Selectman said that she was following procedure to reclaim the road. Commissioner Voorhees said that most of the road was 24’ width with an 18’ bridge. He said that it would be beneficial that a vehicle could pass a garbage truck or a fire truck at the same time on this road for safety. The First Selectman said that the residents were concerned about the widening of the road. Commissioner Voorhees said that this road was a town collector road. The First Selectman did a count and speed for that road and that there was not a lot of traffic. She said that the residents would like a surface that would slow down vehicles. The First Selectman said that they were looking at surfaces that would be easy to maintain and to slow the vehicles down and also look like a country road. She said that they also have to look at the drainage. She said that they would also be looking at Briggs Hill Road and Leach Hollow Road. She said that she was just informing the Commission of what they are doing and to keep it open so that people can voice their opinion.*

- 2.) Clark Weinreb - Advisory Consultation, 8 Old Greenwoods Road

*Clark Weinreb attended the meeting and submitted information to the Commission for their review. Mr. Weinreb gave an overview Section 333.1 i. of the Zoning Regulations. He would like to operate an art/antique gallery. He feels that he does not have to come before the Commission for a Special Permit. He gave a brief history of the property and the uses, which he said predate zoning. The LUEO said that he reviewed information from Mr. Weinreb and said that there was a hat shop in the 1800’s but there was no shop or retail space in 1937. He felt that they would have to adhere to the regulations thereafter. Commissioner Dwyer said that maybe the use was not permitted. Commissioner Bruzinski said that when the liquor store relocated they came for a change of use; they had gone through the Special Permit process again even though it is retail to retail. It is still a change of occupancy. Commissioner Burgasser*

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said that under Zoning Regulation Section 333.1 i. requires a Special Permit.  
Commissioner Bruzinski said that the Special Permit process is a simple one.

Mr. Weinreb gave the wording of the ordinance. He also said that the Zoning Enforcement Officer/Building Inspector, at the time, would have had to inspect the construction, so then it must have been permitted. Mr. Weinreb said that there were no records at the Town Hall, so there is nothing to verify. Commissioner Burgasser said that it doesn't mean that it could still be allowed. The LUEO said that there are minutes on file in the Town Clerk's Office, and Special Permit are on file in the land records of the Town. He said that the building files are incomplete. Mr. Weinreb said that in 1947 the minutes were incomplete. He said that there were no records in the minutes. He said that at the September 1947 meeting the business/residential zone was established. The Commission will review the information submitted and make a determination at the May Regular Monthly Meeting.

- 3.) 27 Route 37 Center LLC – Certificate of Zoning Compliance, 27 Route 37 Center
  - 4.) 27 Route 37 Center LLC – Special Permit, Real Estate Office, 27 Route 37 Center
- The above items #3 & #4 will be addressed together.

Bill Hunniford and David Day, part owners of the LLC, attended the meeting. Mr. Hunniford gave an overview of the proposed use change. He said that the building is approximately 1,700 sq. feet and they plan on changing the use from residential to business use. The business that will be occupying the building is William Raveis Real Estate. This property is in the C Zone which is zoned business/residential.

The Chairman said that all the paperwork is in the file and is complete. The Commission reviewed the map and floor plans submitted. The Clerk asked the Commissioners if Sunday, April 22<sup>nd</sup> at 1:00 p.m. would be okay for the site walk. The Commissioners agreed. Commissioner Dwyer moved to accept the applications for Certificate of Zoning Compliance and Special Permit for a real estate office from 27 Route 37 Center LLC. Commissioner Bruzinski seconded. Motion carried unanimously. Commissioner Dwyer moved to set a Public Hearing for the May 3, 2007 Regular Monthly Meeting starting at 7:00 p.m. at Mallory Town Hall. Commissioner Ackerman seconded. Motion carried unanimously. Joy Luongo from William Raveis Agency said that after what she heard at the meeting that a temporary permit would most likely not be approved. The Chairman agreed.

- 5.) Farview Farms I and R&K Company, LLC – Advisory Consultation, Affordable Housing, Anderson Road

Paul Szymanski, representing the applicant, attended the meeting and said that they had completed their soil testing and topos and are ready to move forward with an application to the Commission. He said that there would be 4 separate applications for affordable housing. He needed to confirm the fees. He would also like to have from estimate for outside consultants. Mr. Szymanski said that the Commission only has 65 days in order to make a decision. He also said that the Commission would be looking at

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*the safety, health and welfare issues. He said that the applicant was considering drafting regulations for this type of application but it would add extra time to the process. Mr. Szymanski said that it would be a typical site plan review with stormwater management with zero increase. He said that the Commission would see if the parking is adequate. He also said that the Connecticut State Health Department would be reviewing the septic plans. He said that he would be glad to sit down with Betty-Ann and Ron to get estimates, review procedures, etc.*

*Commissioner Burgasser left at 8:33 p.m.*

**Minutes**

*Commissioner Ackerman moved to approve the minutes of March 1, 2007 with Commissioner Dwyer seconding. Motion carried unanimously.*

**Audience Participation**

*No one from the audience spoke.*

**Correspondence**

*The Commission received the following correspondence: 1.) e-mail from the First Selectman regarding the Chapel Hill maintenance, 2.) e-mail from Natalie Sirkin regarding Planning for the Town Center, 3.) Municipal Management Bulletin dated February 20, 2007, 4.) forum on Smart Growth, Development and Conservation on April 11<sup>th</sup>, 5.) letter dated March 8<sup>th</sup> from The Sherman School regarding review of Municipal Zoning Regulations (Commissioner Weber said that it has been addressed in the proposed regulations, 6.) information regarding HVCEO meeting March 16<sup>th</sup>, 7.) Connecticut Nemo Newsletter dated Winter 2007, 8.) information from the Town of Dover, 9.) information from the Town of Pawling, 10.) seminar information from Lorman Education Services.*

**Enforcement**

**- Land Use Enforcement Officer's Report**

*The LUEO gave an overview of applications requiring further information and of the cases.*

*Case #04-07 Robbyn German – Commissioner Ackerman said that there are advertisements regarding Ms. German operating a Montessori School. She said that she had listened to the cd and what she is advertising is not what the Special Permit was approved for. The Chairman said that the paperwork that was required from the State, Fire Marshal and the Building Department had been received. Commissioner Hudson said that Ms. German said that she would be operating a Mommy & Me with the parent staying. The First Selectman said that she would send the advertisements to the State. The LUEO said that he had been out to the house and had not seen any activity.*

*Case #06-07 cell phone antenna at White Silo Farm – The LUEO said that he thought that maybe the Commission would walk the property. He thought that the*

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*applicant had not constructed the silo as presented, since they had put on the outside stiffeners, ladder, hatch and a cat walk. The Commission instructed the LUEO to have them comply with what was approved.*

*Commissioner moved to accept the LUEO's report dated April 1, 2007 with Commissioner Hudson seconding. Motion carried unanimously.*

***Follow-up on approved applications***

*The Chairman gave an overview of the report.*

***Committee Reports***

*Office Operations Committee: The Chairman said that they had met on March 12<sup>th</sup> and that Commissioner Ostrosky was preparing a chart showing the process for Special Permits and Subdivisions. He will be working with the staff on any changes, afterwards the chart will be reviewed by the Commission.*

*Plan of Conservation and Development: Commissioner Hudson said that he would like to hold their first meeting on April 19<sup>th</sup> at 7:00 p.m.. The Clerk will work with Commissioner Hudson on the warning for the meeting.*

***Commissioners' Comments***

*The Chairman gave the status on the following cases in litigation: 1.) Farview Farms regarding the 4 acre up-zoning – to trial this summer, 2.) Farview Farms regarding denial of 18-lot subdivision – trial after the summer, 3.) Roberts regarding denial – to trial this summer, and 4.) Chapel Hill approval – the Attorney has the record.*

*Commissioner Ackerman asked about education regarding affordable housing since it is possible in the near future. The Chairman asked the Commissioners to think about who could educate us on affordable housing. In the meantime the Chairman will look into finding someone to come in. The First Selectman said that they have to find what should be in the record and what to address, and what is crucial to the Town.*

*The First Selectman had two clarifications to the Commission. First the Pedestrian Plan came out of the Master Plan. Afterwards she will come to the Commission to make a decision. Second with regard to the planning for Mallory Town Hall has gone nowhere and they are taking the configuration of this space out of the plan. The kitchen had been merged into the meeting room, reducing the size of the meeting room. The First Selectman said that some of the record storage from Mallory Town Hall will be in the Old Town Hall and that they are looking at other storage options for the near future.*

*Regulations Review – Commissioner Weber said that the Committee met on March 27<sup>th</sup> and he gave an overview to the Commission regarding the Municipal Zone Regulations. The Commissioners discussed them. Commissioner Voorhees said that the firehouse should not be in the Historic District and that Mallory Town Hall should be taken out of the Historic District.*

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*Janet Hopkins of the Historic District Commission said that they wouldn't add the firehouse unless they want to be included. The Chairman said that the Commission cannot change the Historic District. Commissioner Weber will update the draft regulations and send it to the Chairman who in turn will send them out to Attorney Fuller for review.*

*The First Selectman showed a map to the Commission concerning a pavilion to be placed at Veterans Field. She said that the municipal zone regulations would help in this area. She said that there is a grant which they must use the money soon. The Commission advised that the Town should do a lot line change to alleviate the problem.*

**Chairman Report**

- 1.) *statements on e-mails*  
*To be discussed at a later time.*

*Commissioner Bruzinski moved to adjourn the meeting with Commissioner Dwyer seconding. Motion carried unanimously. The meeting was adjourned at 10:10 p.m. at Mallory Town Hall.*

*Respectfully submitted,*

*Prepared by:*  
*Elizabeth-Ann Blois*  
*Clerk*

*Richard Hudson*  
*Secretary Pro Tem*