

**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 - June 7, 2007**  
**Regular Monthly Meeting**

*The Chairman called the meeting to order at 7:00 p.m. at Mallory Town Hall. Commissioners present were: Chairman David N. Hopkins, Commissioner J. Paul Voorhees, Clay Cope, Robert Ostrosky, Richard Hudson, Alternates John Dwyer and Al Burgasser. Absent Commissioners were: Barbara Ackerman, Joel Bruzinski, and Alternate Mark Weber. Alternates Dwyer and Burgasser filled in for absent Commissioners. There was no one sound recording.*

*The Chairman asked the Commission if they could add an item to the agenda after the New Business #1. This item was a request from the 1<sup>st</sup> Selectman regarding Richard & Elizabeth Rowberry's garage which is in the Town's right-of-way on Gelston Road. Commissioner Hudson moved to add the item with Commissioner Dwyer seconding. Motion carried with Commissioner Voorhees, Cope, Ostrosky, Hudson and Burgasser in favor. None opposed.*

**Executive Session** - Discussion of pending litigation.

*The Chairman asked that the Executive Session be delayed until Attorney Fuller arrives.*

**Old Business**

1.) **Chapel Hill Road maintenance** - Discussion

*There was no one in the audience for Chapel Hill so the Commission postponed the item until later in the meeting.*

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

*The Chairman stated that the Commission would be reviewing a letter dated June 7, 2006 that was sent to River Oaks of Sherman. This letter was just a partial list of remaining issues of the original approval for the River Oaks of Sherman Subdivision and Special Permit approved on June 30, 2001.*

*Mrs. Donna Tuck, representing River Oaks of Sherman attended the meeting and submitted the following: 1.) authorization letter dated May 30, 2007 from Malcolm McCluskey, Owner, River Oaks of Sherman; 2.) a document given to each property owner outlining the property owners association and related agreements; 3.) letter dated October 18, 2006 from Collins-Morrow Insurance, Inc.; 4.) declaration page from the underwriters at Lloyd's, London dated November 30, 2005; and 5.) copy of a deed to Naromi Land Trust, Inc. dated November 6, 2002.*

*The Commission reviewed the June 7, 2006 letter with the following comments: Regarding the subdivision approval: 1.) Commissioner Voorhees said that one of the fire suppression tank hydrants should be turned and that maybe the Fire Department might pay for the cost, which is approximately \$200.00. Mrs. Tuck gave authorization to turn the hydrant. She said that when the Fire Department finds out the exact cost to let her know and she will speak with the owner. She also said that the access for the fire trucks at lot #28 will be noted on the new map. Mrs. Tuck said that they will keep the*

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access passable.; 2.) Yes, and Mrs. Tuck submitted the deed at tonight's meeting.; 3.) Yes, and Mrs. Tuck submitted the document at tonight's meeting.; 4.) Mrs. Tuck said that the information was in the ESM Associates Report in the Wetlands File.; 5.) A note should be placed on the map. This item is on-hold for now.; 6.) The Chairman said that the LUEO, on behalf of the Commission and the Board of Selectmen, will have a separate discussion. The Chairman will have the LUEO report at the next meeting. Mrs. Tuck said that the cul-de-sac had been omitted from the road plan. The road is not yet finished due to more construction that will be taking place in the subdivision. She said that the original road was constructed in the 80's. Commissioner Voorhees said that there was an area that was supposed have a roughed out parking for 3-4 vehicles.; 7.) Yes, located in the property owners manual received a tonight's meeting. The plan and the restrictions are on file in the land records. The note should be on the final map.; 8.) The key map will be located on the final map.; 9.) Mrs. Tuck said yes, but she didn't know if the road had been monumented. The LUEO would know if the road has been monumented. The 1<sup>st</sup> Selectman said that the monuments are important and should be located.; 10.) Yes, the Commission has two copies. One for the subdivision and one for the special permit. Regarding the Golf Course Community approval. 1.) Waiting for, but will review what map we have on file. Mrs. Tuck submitted a Golf Course Construction Project Manual dated August 31, 2001.: 2) Waiting for, but will review what map we have on file. The Composite map has not been filed.; 3.) They have been filed with SIWWCC. P&Z C can get copies from SIWWCC. and 4.) Mrs./Tuck said that if there were any they would be on the final map.

The Chairman said that they will continue their review and have the current status to complete the list for the next meeting. The Commission will take a site visit on June 21, 2007 at 6:30 p.m. at River Oaks.

Commissioner Cope moved to go into executive session to discuss pending litigation. Commissioner Hudson seconding. Motion carried unanimously. The Commission went into executive session at 7:42 p.m. Commissioner Dwyer moved to come out of executive session with Commissioner Hudson seconding. Motion carried unanimously. The Commission came out of executive session at 9:00 p.m.

The Commission took a short break from 9:01 p.m. to 9:06 p.m.

**Chapel Hill Road - maintenance**

The Chairman read the following letters into the record: 1.) e-mail dated May 29, 2007 from Commissioner Barbara Ackerman and e-mail dated May 16, 2007 from Donald Lowe. First Selectman O'Connor attended the meeting and said that she had walked the road with the LUEO. She said that she had also spoken with the neighbors about their concerns. She had submitted a copy to the Planning and Zoning Commission of a proposal dated May 24, 2007 from our Town Engineer, Joe Zarecki. Commissioner Dwyer asked the 1st Selectman what the cost of the road would be. She said about \$135,000. Commissioner Voorhees said that a road 20' wide would be reasonable and 24' would be ideal. He said he was looking at the road for safety reasons also. The First Selectman said that the road was marked by Don at 24' and alot

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came very close to mature trees, fences etc. would ruin the scenic features. She said that Chapel Hill Road was one of the worst roads in town.

Commissioner Dwyer questioned whether or not it is this just a resurfacing or if it's for safety reasons. Commissioner Burgasser said that we should have an engineer consulting on our roads. Commissioner Burgasser said that he didn't see that 4' would make such an impact. He said that he will look at it. The First Selectman said that it was prudent for P&Z Commission to see the road, even though it is only considered routine maintenance. Commissioner Voorhees said that a 20' road is a bare minimum for safety. Commissioner Burgasser said that if we are rebuilding the road then it is not considered routine maintenance. The Chairman read an excerpt from the Scenic Road Ordinance regarding routine maintenance. Commissioner Voorhees said in comparison the reclaiming Mary Bee Lane was cheaper. The First Selectman said that improving drainage is considered maintenance. The First Selectman will keep P&Z Commission involved and that all maintenance for scenic roads will come before the Commission. The Chairman asked if some of the scenic features would be disturbed. The First Selectman said that reclaiming the road would take away some of the dips and curves and road base at a height not to be affected by freezing etc. She also said that she would be talking to the State Traffic Commission to set the road speed. The Chairman said that the Planning and Zoning Commission wants to stay in the loop regarding the scenic roads, and the plans for this road.

**New Business**

- 1.) **First Selectman, Town of Sherman** - Section 8-24 Proposed improvements to municipal property planned with the replacement of the Old Greenwood Road bridge.

First Selectman O'Connor gave an explanation for Old Greenwood Road bridge and extension. She said that the bridge had to be replaced because of the major structural damage to the existing bridge. She submitted a copy of the proposed Old Greenwood Road bridge to the Commission.

Commissioner Dwyer and Voorhees left at 9:35 p.m. for an emergency service call.

The Commissioners also reviewed a larger version of the plan submitted, this was approved by the SIWWCC. In order to replace the bridge the Town would have to acquire some wetlands from a neighboring property. This owner have been at all of the wetlands commission meetings. She is hoping that the owner will donate the property in question.

The Chairman read the procedures for complying with CGS 8-24. There was no one in the audience tonight who had any comments on the project. First Selectman O'Connor said that she had sent notices to the affected property owners with only one replying. She said that she will also send a copy of the plan the Commission reviewed tonight to the affected property owners. Commissioner Hudson will have a draft report at the next meeting. There was some discussion regarding whether or not they would hold a public hearing. Commissioner Cope said that there were some businesses in the

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*area and he thought they it would be beneficial to hold a hearing. The Chairman said that there is a respond date by July 11th. The First Selectman said that the Town would have to spend the money first before being reimbursed for the \$500,000 grant. Commissioner Burgasser moved to hold a public hearing with Commissioner Cope seconding. Motion carried unanimously with Commissioners Cope, Ostrosky, Burgasser and Hudson in favor.*

**Gelston Road - garage in Town road**

*Richard & Elizabeth Rowberry own 5 Gelston Road. First Selectman O'Connor said that this property had a garage on it, which was located in the road right of way, so they built the road around the garage. The Rowberrys' are in the middle of selling their property, but need to get an easement from the Town for the garage. First Selectman O'Connor had submitted and read to the Commissioners a proposed easement between the Town and the Rowberrys'. She also said that the Town's attorney said that CGS 8-24 apply, so the Town needs a report from the Planning and Zoning Commission.*

*After some discussion, Commissioner Ostrosky moved to send a favorable report to the First Selectman and suggested additional wording of "not less than 6 feet" being inserted in the easement, as discussed at tonight's meeting. Commissioner Cope seconded. Motion carried unanimously. Motion carried with Commissioners Ostrosky, Cope, Hudson, and Burgasser in favor. The Chairman asked the Clerk to draft a letter to the First Selectman regarding the above noted.*

**Audience Participation**

*None*

**Minutes**

*Postponed until the July meeting.*

**Correspondence**

*The Commission reviewed the following correspondence: 1.) a publication called the "The Roadscape Guide" by the Champlain Valley Greenbelt Alliance for the Vermont Forum on Sprawl; 2.) project CLEAR presentation information; 3.) information regarding the publication "Planning and Urban Design Standards", 4.) information from HVCEO regarding their meeting held on May 18, 2007; and 5.) e-mail dated June 6, 2007 from Marge Josephson, President , Naromi Land Trust; The Commission decided not to take any action.*

**Enforcement**

*- Land Use Enforcement Officer's Report - postponed until next month*

**Follow-up on approved applications**

*The Chairman gave the status of the Cope & Dodge applications.*

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**Committee Reports**

Office Operations - The Chairman said that the committee did some modifications and the procedures will be sent out to the Commissioners.

Regulations Review - There will be a public hearing on the proposed regulations regarding municipal property. Commissioner Weber was not present. Commissioner Ostrosky sent out a list created October 19, 2006. The Clerk said that the LUEO had some comments regarding the regulations. Commissioner Cope will be helping with the cluster zoning review.

**Commissioners' Comments**

*Chairman Report - none*

*Commissioner Cope asked about the signs around town. The Clerk said that they were temporary signs and that the LUEO knew about them. Commissioner Burgasser asked about the sign on the old Braislin property. The Clerk said that they had gone to the LUEO for a permit.*

*Commissioner Ostrosky moved to close the meeting with Commissioner Hudson seconding. Motion carried unanimously. The meeting was adjourned at 10:18 p.m.*

*Respectfully submitted,*

*Prepared by:*

*Elizabeth-Ann Blois*  
*Clerk*

*Robert Ostrosky*  
*Secretary*