

*Planning and Zoning Commission
Town of Sherman*

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

*Office: (860)355-3127
E-Mail: bblois@townofsherman.org*

MINUTES - APRIL 3, 2008
REGULAR MONTHLY MEETING

Chairman David Hopkins called the Regular Monthly Meeting to order at 7:01 p.m. at Mallory Town Hall. No one in the audience was sound recording. Commissioners Present were: Chairman David N. Hopkins, Vice Chairman Barbara Ackerman, J. Paul Voorhees, Clay Cope, Richard Hudson, Joel Bruzinski, John Dwyer, Alternates Theodore C. Hollander, Jr. and Laurie Stuhrcke and Elizabeth-Ann Blois, Clerk. Absent Commissioner was: Alternate Al Burgasser, and Zoning Enforcement Officer Ronald L. Cooper. Alternates sequence of filling in for absent or recused members will be first Alternate Hollander then Alternate Stuhrcke. Commissioner Hudson will be acting as Secretary Pro Tem for the Firehouse hearing.

Public Hearing

*Town of Sherman – Special Permit, expand existing fire station, 1 Route 39 North
(continuation of March 6, 2008 Public Hearing)
See separate sheet for minutes.*

Old Business

Commissioners Bruzinski and Voorhees sat back at the table and Alternates Hollander and Stuhrcke stepped down. All seven regular members are seated.

Eugene H. & Vivian Rosen – Special Permit, convert 400 square foot of garage to pool house, 19 Sail Harbour Drive

There was some discussion regarding protection that only the 400 square feet would be used of the garage. It would be easy to convert the entire building. Commissioner Dwyer said that he did not feel that the application met Section 321.7 of the Zoning Regulations.

Commissioner Cope moved to deny the Eugene H. & Vivian Rosen's application for a Special Permit to convert 400 square feet of an existing garage to a pool house because it does not conform to Section 321.7a. of the Zoning Regulations. Commissioner Ackerman seconded. Motion carried with Commissioner Voorhees abstaining.

*Town of Sherman – Special Permit, expand existing fire station, 1 Route 39 North
No discussion.*

River Oaks Sub-division and Golf Course - Review status of permits

Chairman Hopkins said that little has changed from last month. They have a new contact up at River Oaks and the Zoning Enforcement Officer will be meeting with him at the site.

*Planning and Zoning Commission
Town of Sherman*

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

*Office: (860)355-3127
E-Mail: bblois@townofsherman.org*

~~~~~  
*Chapel Hill Road – Scenic Road Ordinance – Section 6. Scenic Road Maintenance and Alteration*

*Commissioner Ackerman said that the Commission went out to the site last year and looked at it. She said that the Town Engineer had looked at it. The Commission was concerned about the scenic road aspects of it.*

*First Selectman Andrea O'Connor said that the Town Engineer had established the center line of the road showing an 18' roadway. He had also marked on the map each of the scenic features to be kept. First Selectman O'Connor said that some of the driveways need aprons. She said that she sent a letter to the Town's Attorney regarding the property owners paying for aprons to be put in on the driveways. There is a bridge near the Quadland's property which had to be replaced. She wanted to pave mid to late summer. In the meantime she will be meeting with the Town's Engineer.*

*The Commission told the first Selectman she can come back to P&Z if there are any significant changes or anything that the Commission should be aware of, otherwise the Commission was okay with the project.*

*Fox Run - Detention Basin*

*First Selectman Andrea O'Connor said that Fox Run was a private road and then conveyed to the Town with easements for the culverts. There are still some items that the Town is addressing, but she wanted to bring this item up to the Commission's attention. The Commission said that if there were anything that they should be aware of to come back to them.*

*Farview Farms Subdivision – request for a 90-day extension for the filing of the subdivision plans*

*Chairman Hopkins read a letter dated March 27, 2008 from Paul S. Szymanski, P.E. requesting a 90-day extension for the filing of the subdivision plans for Farview Farms in the office of the Town Clerk, in accordance with Section 8-25 of the Connecticut General Statutes.*

*Commissioner Hudson moved to approve the request for a 90-day extension with Commissioner Voorhees seconding. Motion carried unanimously.*

*Chapel Hill Estates Subdivision – request for a 90-day extension for the filing of the subdivision plans*

*Chairman Hopkins read a letter dated March 27, 2008 from Paul S. Szymanski, P.E. requesting a 90-day extension for the filing of the subdivision plans for Chapel Hill Estates in the office of the Town Clerk, in accordance with Section 8-25 of the Connecticut General Statutes.*

**Planning and Zoning Commission  
Town of Sherman**

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

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

~~~~~  
Commissioner Voorhees moved to approve the request for a 90-day extension with Commissioner Hudson seconding. Motion carried unanimously.

New Business

Fox Run - Detention Basin

Moved to Old Business after Chapel Hill Road.

Jeffrey W. & Julie Bowes – Special Permit/Home Occupation – 1 Cloverleaf Farm South

Julie Bowes attended the meeting and gave an overview of her proposed Home Occupation to operate a jewelry business to be known as “Jewel Tree, LLC” out of their home located at 1 Cloverleaf Farm South. She said that there would not be any employees. She would be selling the jewelry over the internet. There would no be any customers coming to the house. She said that there might be a delivery every two weeks. She also said that there was no need for a sign.

Chairman Hopkins reviewed the contents of the file with the Commission.

Commissioner Dwyer moved to accept Jeffrey & Julie Bowes application for a Special Permit for a Home Occupation to operate an internet jewelry business out of their home located at 1 Cloverleaf Farm South. Commissioner Cope seconded. Motion carried unanimously.

Commissioner Ackerman moved to set a public hearing for the Bowes’ application for May 1, 2008 at their Regular Monthly Meeting starting at 7:00 p.m. at Mallory Town Hall. Commissioner Dwyer seconded. Motion carried unanimously.

Commissioner Dwyer felt there was no need for a site walk. The Commissioners agreed.

Murray L. Jr. & Linda M. Penn - Special Permit/Home Occupation – 31 Route 55 West

Murray Penn attended the meeting and gave an overview of his proposed Home Occupation to operate an internet auction business to be known as “This N That Outlet, LLC” out of their home located at 31 Route 55 West. He said that he would be selling things on E-Bay and that there would be no employees. Deliveries would be normal UPS or Fed Ex. He would not require a sign.

Commissioner Bruzinski moved to accept Murray & Linda Penn’s application for a Special Permit for a Home Occupation to operate an internet auction business out of their home located at 31 Route 55 West. Commissioner Cope seconded. Motion carried unanimously.

Commissioner Ackerman moved to set a public hearing for the Penn’s application for May 1, 2008 at their Regular Monthly Meeting as Public Hearing #2 immediately following the Bowes’ Public Hearing. Commissioner Cope seconded. Motion carried unanimously. The Commission decided that no site walk was needed.

Richard & Kerri Ann Hofer – Special Permit to connect a septic system to an accessory building – 8 Route 37 East

**Planning and Zoning Commission
Town of Sherman**

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

**Office: (860)355-3127
E-Mail: bblois@townofsherman.org**

~~~~~

*Richard Hofer attended the meeting and gave an overview of his proposed project using a copy of the septic plan. He said that he would use the barn for storage and the loft for a wood working shop. The Clerk gave an overview of the ZBA approval for this property. She told the Commission if they wanted her to pull copies of the ZBA approval she would do that. She said that the Zoning Enforcement Officer told Mr. Hofer that he would have to come before the Commission for a Special Permit for a connection to a new septic system. Commissioner Hollander said that he felt that Section 321.7 may not apply. Commissioner Hollander said that it seemed as though this was the principal use of the property and not an accessory use. The consensus of the Commission was that Mr. Hofer withdraw his application and see the Zoning Enforcement Officer. Mr. Hofer withdrew his application.*

**Audience Participation**

*There was no audience participation.*

**Minutes**

*Commissioner Dwyer moved to approve the minutes of the January 31, 2008 Special Meeting with Commissioner Hudson seconding. Motion carried unanimously.*

*Commissioner Cope moved to approve the minutes of the February 7, 2008 Regular Monthly Meeting with Commissioner Dwyer seconding. Motion carried unanimously.*

*Commissioner Dwyer moved to approve the minutes of the February 21, 2008 Special Meeting with Commissioner Hollander seconding. Motion carried unanimously.*

*Commissioner Hudson moved to approve the minutes of the March 2, 2008 Site Visit with Commissioner Cope seconding. Motion carried unanimously.*

*Commissioner Dwyer moved to approve the minutes of the March 6, 2008 Regular Monthly Meeting with Commissioner Ackerman seconding. Motion carried unanimously.*

*Commissioner Ackerman moved to approve the minutes of the March 6, 2008 Public Hearing for the Firehouse with Commissioner Cope seconding. Motion carried unanimously.*

*Commissioner Dwyer moved to approve the minutes of the March 20, 2008 Special Meeting with Commissioner Ackerman seconding. Motion carried unanimously.*

*Commissioner Dwyer moved to approve the minutes of the March 20, 2008 Special Meeting with Commissioner Ackerman seconding. Motion carried unanimously.*

*Commissioner Hollander moved to approve the minutes of the March 30, 2008 Site Visit with Commissioner Hudson seconding. Motion carried unanimously.*

**Correspondence**

*The Commission reviewed the following correspondence:*

*April correspondence: Information from HVCEO regarding their March 14, 2008 meeting, Letter dated March 13, 2008 from the Tax Collector's Officer regarding tax sales, Iroquois Report dated March 2008, Letter dated March 21, 2008 from the Town of New Milford*

**Planning and Zoning Commission  
Town of Sherman**

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

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

~~~~~  
regarding a 2-lot re-subdivision, Letter dated March 20, 2008 from the State of Connecticut Department of Motor Vehicles regarding the licensing of dealers and repairers, Letter dated March 27, 2008 from the State of Connecticut Office of Policy and Management regarding "incentive housing zones". This item will be placed in the Affordable Housing folder and Letter dated March 27, 2008 from the Town of New Milford regarding a variance for 50 Green Pond Road in New Milford.

March correspondence: Information from the Connecticut Land Use Academy for area courses, Letter dated February 8, 2008 from Naromi Land Trust, Inc regarding Farview Farms Subdivision, Letter dated February 5, 2008 from the Northeast Utilities System regarding the Connecticut Economic Review, Letter dated February 14, 2008 from the HVCEO regarding transmittal of recent HVCEO research reports relating to economic development, Letter dated February 15, 2008 from Pinney Payne, P.C. regarding Thomas Hackett. JLG Properties, Information from the Northwest Conservation District regarding Earth Day Plant Sale, Information from Lorman Education Services regarding seminars for AIA Contracts, Information from the University of Connecticut regarding Jordan Cove urban watershed project, Information from The Over My Dead Body! Series – A Workbook for Community Involvement, and Information from HVCEO for their February 15, 2008 meeting.

Land Use Enforcement Officer's Report

Alternate Hollander mentioned the fact that during his ride around Town gathering information pertaining to clear cutting etc., with the Zoning Enforcement Officer, he became aware of some clear cutting up on Mill Pond. He gave an overview of the situation to the Commission. The Commission thought that this item should have been on the ZEO Report.

Commissioner Dwyer commented on the Rhodes property and the multiple cuts that have been made to the property. He also mentioned that the property had been sold. Commissioner Ackerman said that if that property comes before the Commission for a cut that the Commission would look at the total of the original properties for open space. Chairman Hopkins said that he checked with Attorney Fuller and that the Commission cannot place anything on the land records regarding that if the property were to be divided that it would have to come before the Commission. Regarding Case #06-07Nextel tower, the Zoning Enforcement Officer will be inviting them to the May meeting to discuss the compliance issue. Chairman Hopkins asked that each Commissioner go to the site and see for themselves the tower.

Follow-up on approved applications

No discussion.

By-Laws

Postponed until the May Regular Monthly Meeting.

Committee Reports

*Planning and Zoning Commission
Town of Sherman*

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

*Office: (860)355-3127
E-Mail: bblois@townofsherman.org*

~~~~~  
*Chairman Hopkins stated that the Plan of Conservation and Development and Regulations Review Committees met on March 20th. The proposed regulation change for Section 331.7 of the Zoning Regulations Maximum Building Height was ready to go into the folder for a future public hearing.*

*Commissioner Ackerman reminded everyone about the Plan of Conservation and Development Workshop by Jim Gibbons on April 17<sup>th</sup> starting at 5:00 p.m. at Mallory Town Hall.*

*Commissioner Dwyer said that they were meeting twice a month now and that if they wanted to hold a committee meeting they can do it after the Public Hearing/Special Meeting on April 8<sup>th</sup>. The Commission decided to hold a Special Meeting on April 8<sup>th</sup> immediately following the Gorman Public Hearing/Special Meeting. The agenda would be as follows: 1.) Regulations Review and 2.) Plan of Conservation and Development.*

**Commissioners' Comments**

*Commissioner Dwyer said that he attended his first meeting of the Land Acquisition Advisory Board. He gave an overview of the meeting.*

**Chairman Report**

*No report this month.*

*Commissioner Bruzinski moved to adjourn the meeting with Commissioner Dwyer seconding. Motion carried unanimously. The meeting was adjourned at 10:48 p.m. at Mallory Town Hall.*

*Respectfully submitted,*

*Prepared by:  
Elizabeth-Ann Blois  
Clerk*

*Richard Hudson  
Secretary Pro Tem*