

Planning and Zoning Commission

Town of Sherman

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**PLANNING AND ZONING MEETING MINUTES
FEBRUARY 4, 2010**

Chairman Ackerman called the meeting to order at 7:04 p.m. at Mallory Town Hall. Commissioners present: Chairman Barbara Ackerman, Vice Chairman Ted Hollander, Secretary Mark Weber, John Dwyer, Paul Voorhees, and alternates Jill Finch, Bruce Hoag and Monty Clark. Also present were Ron Cooper, Zoning Enforcement Officer and Michele Battaglia, Clerk. There was no audience member recording or video taping the meeting.

Public Hearing

1. Sherman Library Association, Inc.: Secretary Weber read into record the public notice for the project. Chairman Ackerman stated that the project still needed Historic District approval, Health Department approval, and an approval letter from the Fire Marshal. Paul Szymanski, PE, was in attendance representing the applicant. The project consists of a 6,200 sf addition to the existing library and barn. The key points of interest of this revised plan were that the handicap ramp out front has been eliminated, the vestibule area has been bumped out, and an elevator has been proposed for the interior of the building. A full set of plans was submitted into record. Mr. Szymanski described the revised landscaping plan and how the additional landscaping will help soften the look of the exposed barn foundation and that the barn door has been removed from the center of the barn to the side of the building. One way circulation is proposed, the widening of Sawmill Road is proposed, and new drainage is proposed which will include gutters to existing buildings, rain gardens, and catch basins. Garbage is to be handled by existing containers, as well as four (4) more containers being proposed. The parking will be angled at the south of the property; there is a proposed fire lane. Updated plans will need to go to Ernie Winkler, Fire Marshal for his approval. There is a Health Department site walk on Saturday; and revised renderings will need to go to the Historic District for their review.

Ron Cooper, ZEO stated that he had met with the Town Engineer, Joseph Zarecki, to review the plans. Due to the pavement being a key issue in the site design, the main concern was the issue of the porous asphalt and if it will work. Mr. Szymanski felt that a site visit to go up to New Hampshire to view the porous asphalt would be very valuable. Once the trip has been made, Mr. Zarecki will give a report and opinion on the porous asphalt. Commissioner Dwyer questioned the life span of the porous asphalt, the freezing concern, how to treat the asphalt when it comes to sand and salt, and what happens when there are leaks or spills on it. Mr. Szymanski stated that the lifespan is longer than regular asphalt, that the ice will push up through the voids, rather than heaving and that four (4) times a year the surface should be vacuumed to get rid of any clogs that may have been caused by sand and salt. He also stated that in terms of spills and leaks, it is indifferent, but when using the porous asphalt, the spill can be contained in one spot, and that one spot can be saw cut and removed. It was discussed that in the future, Howland and Associates will be maintaining the porous asphalt for the first year, and then something will have to be arranged. Currently, the Town maintains the parking lot.

Vice Chairman Hollander motioned to continue the Public Hearing till March 4, 2010. Commissioner Dwyer seconded the motion. All were in favor.

Commissioner Dwyer motioned to change the agenda so that New Business may take place first, then Old Business. Commissioner Weber seconded the motion. All were in favor.

New Business

- 1. Resident Contractor Special Permit Application Fees:** Chairman Ackerman stated the intent of the resident contractor regulation and that if a special permit is needed, there are fees associated with the permit. She proposed that due to economic times, the commission should revisit and revise the fee schedule. It was discussed that the Town fee should be waived, but that the State of Connecticut fee and the cost to notify the public are paid by the applicant. The applicants have from February 2010 through the end of May 2010 to benefit from this reduced fee. After May 31, 2010, the full amount shall be paid. The fee waiver policy was read into record by Chairman Ackerman. Health department approval will be required for the special permit, and if applicable, wetlands approval.

Secretary Weber motioned to adopt the fee waiver policy as it was read into record. Commissioner Finch seconded the motion. All were in favor.

The meeting was opened to public comments.

Attorney Backer was in attendance representing Joel Judd and felt that there was a bit of ambiguity within Section 353B.3 and also wanted to clear up the meaning of "prior" within this section. Alex Thomson questioned why the regulations were written, as well as, what is a resident contractor. Chairman Ackerman stated that over the past few years there have been many meetings regarding the resident contractors, that the definition of a resident contractor is in the new regulations, and that all the commission is asking is that the resident contractors comply with the new regulations. Gary Albert read and submitted into record a list of complaints he has regarding the passing of the resident contractor regulations. Dave Fabrao commented that the reduction in fees was a help to the resident contractors. Tom Piel brought up a few questions/concerns regarding if anyone knows how many resident contractors are in town; the issue of a no-impact business and who determines this; if applicable, is there a wetlands application fee; the idea that people do not want to come to the commission and that some are afraid to face the board. Chairman Ackerman stated that the commission really wants all of the resident contractors in Town to apply for a special permit. Tom Piel responded by saying that the commission really needs to reach out to the citizens and address this issue.

Old Business

- 1. Interview of Candidates for Vacancy of Position and Possible Decision:** A letter received from Jeannene Burruano was read into record. Ms. Burruano spoke to the board regarding her interest in the position. A paper vote was taken, and all 6 votes were in favor of Jeannene.
- 2. Plan of Conservation and Development:** Chairman Ackerman read the cover sheet for the POCD questionnaire into record. The first public workshop has been scheduled for Saturday, February 6, 2010 at 10:00 a.m. at the Mallory Town Hall.

Additional Business

- 1. Audience Participation:** There was no audience participation.
- 2. Minutes:** Vice Chairman Hollander motioned to accept the meeting minutes of January 7, 2010; Commissioner Weber seconded the motion. All were in favor.
- 3. Correspondence:** Chairman Ackerman read into record a brochure regarding "Making the Best Land Use Decisions", information regarding the 62nd Annual CFPZA Conference, and a letter from HVCOE regarding the recently updated Regional Plan.

- 4. Zoning Enforcement Officer's Report:** Ron Cooper, ZEO read into record the January 2010 ZEO Report. He also received and distributed information regarding the cell tower issue.
- 5. Committee Reports:** Vice Chairman Hollander reviewed the Open Space Development information that was discussed at the January 21, 2010 Special Meeting.
- 6. Chairman's Report:** There were no comments from the Chairman.
- 7. Commissioner's Comments:** There were no comments from the Commissioners.

Commissioner Weber motioned for adjournment. Vice Chairman Hollander seconded the motion and all were in favor. Meeting was adjourned at 10:05 p.m.