

Planning and Zoning Commission
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**PLANNING AND ZONING MEETING MINUTES
MAY 6, 2010**

Chairman Ackerman called the meeting to order at 7:08 p.m. at Mallory Town Hall. Commissioners present: Chairman Barbara Ackerman, Vice Chairman Ted Hollander, Secretary Mark Weber, Jeannene Burruano, Neil Volkmar, Paul Voorhees, and alternates Monty Clark and Bruce Hoag. Absent was Commissioner John Dwyer, Zoning Enforcement Officer Ron Cooper and Michele Battaglia, Clerk. There was no audience member recording or video taping the meeting.

New Business

- 1. Amendment to Resident Contractor Definition:** Commissioner Hollander motioned to schedule a public hearing for June 3, 2010 to change the definition of a resident contractor. Commissioner Volkmar seconded the motion. All voted in favor.
- 2. Home Occupation Special Permit Application Fee:** The words “home occupation” was added to the resident contractor fee waiver policy adopted on February 4, 2010. The last day of the fee waiver is May 31, 2010.
- 3. Resident Contractor Special Permit Application(s):** The following applications were received:
 1. Tim Beatty, Beatty Construction Company: Chairman Ackerman read through the application line by line. It was determined that the application falls under the definition of a resident contractor and that it is not a no-impact business. The applicant will need a special permit. The public hearing for the special permit has been scheduled for the June 3, 2010 meeting due to all material having been submitted.
 2. Evangelos Lambropoulos, Angelos Painting: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
 3. Dennis Witzke, Witzke Landscaping & Tree Service: Chairman Ackerman read through the application line by line. It was determined that the application falls under the definition of a resident contractor and that it is not a no-impact business. The applicant will need a special permit.
 4. Warren Willett, Willett Construction Services, Inc: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
 5. Ron Harrison, R.H. Services, LLC: Chairman Ackerman read through the application line by line. It was determined that the application falls under the definition of a resident contractor and that it is not a no-impact business. The applicant will need a special permit.
 6. Jeffrey Lescynski: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.

7. David Jordan, KP Construction: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
8. Joel Judd, Judd Construction, Inc: Chairman Ackerman read through the application line by line. The Commission discussed the fact that the application does not fall under the resident contractor definition, nor does it fall under the home occupation definition. The Commission stated that more information is needed and that Attorney Fuller would be contacted.
9. Eric Olsen, Slippin Pools, LLC: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.

Chairman Ackerman stated that Mr. Gani Lekaj of 2 Brothers Masonry had submitted an application, pictures, site plan, envelopes, and fee for the resident contractor special permit and set the public hearing for June 3, 2010.

Additional Items

1. **Audience Participation:** There was a question from Janet Hopkins regarding Slippin Pools, LLC. She was wondering if chlorine was considered a hazardous material and the Commission determined that it was not. Mrs. Roberta Judd stated that if the Commission was denying them as a resident contractor, does that then put them as a commercial district. Chairman Ackerman stated that the Commission needs to speak with Attorney Fuller before they can answer the question.
2. **Minutes:** Commissioner Hollander motioned to accept the meeting minutes of April 1, 2010; Commissioner Volkmar seconded the motion. All were in favor. Commissioner Hollander motioned to accept the meeting minutes of April 15, 2010; Commissioner Volkmar seconded the motion. All were in favor.
3. **Correspondence:** Chairman Ackerman read into record an article from the New York Times regarding affordable housing.
4. **Zoning Enforcement Officer's Report:** April 2010 ZEO Report was reviewed by the Commission.
5. **Committee Reports:** There were no committee reports.
6. **Chairman's Report:** Chairman Ackerman pointed out that the Commission has responsibilities of writing regulations, even though the public may not agree with them and formally complain about them. She thanked the commission for being receptive to public input and revising the regulations to reflect what the public had suggested.
7. **Commissioner's Comments:** The Commissioners stated that they will continue to listen and to work with the public.

Commissioner Clark motioned for adjournment. Commissioner Volkmar seconded the motion and all were in favor. Meeting was adjourned at 8:45 p.m.