



Town of Sherman
Planning & Zoning Commission
REGULAR MONTHLY MEETING
May 2, 2013, 7:00 pm
Mallory Town Hall

FINAL

Commissioners in Attendance: Commissioners Barbara Ackerman, Monty Clark, Neil Volkmar, John Paul Voorhees, Mary Lee, Ted Hollander, Jeannene Burruano, and Alternates Marc Sichel and Jill Finch

Commissioners Absent: Alternate Jan Desiato

Also in attendance: Ron Cooper, Land Use Enforcement Officer and Christine Branson, P&Z Administrative Clerk. No audience member audio or video-taped the meeting.

Chairman Barbara Ackerman called the meeting to Order at 7:01 p.m.
Commissioner Volkmar opened the Public Hearing at 7:02 p.m.

Public Hearing

Oppenheimer- 12 Chimney Hill Road: Application for Amendments of Section 324.1 B " Home Occupations" and the Definition of "Home Occupation" in Section 600 which reads: "no more than two clients per day" to Zoning Regulations of the Town of Sherman, Connecticut, last amended September 7, 2011. Proposed amendment to the regulation is as follows: "the number of clients per day to be determined by the Planning and Zoning Commission".

Dr. Roger Oppenheimer spoke, requesting more than two clients per day, stating such limitations would make it very difficult to successfully operate. Mrs. Oppenheimer stated they are applying to change the number of clients to better serve the community. Kathleen Harrison stated she is in support of Dr. Oppenheimer's request, and agreed the existing Regulation was restrictive. The Commission discussed Dr. Oppenheimer's original application submitted at the January 2013 meeting. The application submitted was for a no-impact business. The Commission did not see this business fitting into the traditional definition of a Home Occupation, but more as a no-impact business. However upon further scrutiny, the Commission determined this application would better fit the "Special Permit Application" criteria.

Commissioner N. Volkmar moved to close the Public Hearing at 7:24 p.m.
Seconded by: Commissioner T. Hollander. **Vote: For: Unanimous**

Old Business

Oppenheimer- 12 Chimney Hill Road: Application for Amendments of Section 324.1 B " Home Occupations" and the Definition of "Home Occupation" in Section 600 which reads: "no more than two clients per day" to Zoning Regulations of the Town of Sherman, Connecticut, last amended September 7, 2011. Proposed amendment to the regulation is as follows: "the number of clients per day to be determined by the Planning and Zoning Commission".

The Commission discussed the proposed Regulation change and shared concerns in making determinations on a case by case basis. The Commission discussed the purpose of a "Special Permit" and agreed the Regulations as they are written require clarification, in reference to the Regulations, Section 324.1 B "Home Occupation" and the definition. The Commission stated Dr. Oppenheimer's specific business fits best under a "Special Permit", allowing more flexibility. The Commission recommended Dr. Oppenheimer apply for a Special Permit.

Commissioner T. Hollander moved to accept the proposed Regulation change to the number of clients per day to be determined by the Planning and Zoning Commission.
Seconded by: Commissioner N. Volkmar. **Vote: For: 0 / Against: Unanimous The motion did not carry**

New Business

Oppenheimer, 12 Chimney Hill Road, Application for Special Permit

Chairman B. Ackerman moved to accept the Application of a Special Permit for Oppenheimer, 12 Chimney Hill Road to be heard at the June 6, 2013 Regular Meeting.

Seconded by: Commissioner M. Lee Vote: For: Unanimous

Minutes-

Commissioner N. Volkmar moved to Approve the Minutes of Regular Monthly Meeting of April 4, 2013 as amended. Seconded by: Commissioner T. Hollander Vote: For: Unanimous

Correspondence

Invitation from Sherman Commission on Aging, Breakfast Saturday May 18th at 8:30 a.m.
Commissioners: Ted Hollander and Jill Finch will attend.

Zoning Enforcement Officer's Report for April 2013

ZEO Cooper submitted a report for April 2013. Seven applications have been approved, eight statements of intent have been approved, seven applications are under review, and two applications have been denied. ZEO Cooper discussed details of a few cases that have been on-going. Additionally, ZEO Cooper informed the Commission of a dug-out which has been constructed on Town property without any of the required permits by a Boy Scout seeking Eagle Scout recognition. The property falls below the 440- line which would have needed permit approval from First Light. This construction would have required an 8-24 request from the Board of Selectman. The Building Department also would have required a Permit Application. The Building Official has determined this structure unsafe and presently caution tape surrounds the structure. Town funds were used to purchase the materials used to construct the dug-out. ZEO Cooper is in the process of compiling a letter of violation in reference to the dug-out.

Commissioner N. Volkmar moved to Approve the ZEO Report of April 2013 as presented.

Seconded by: Commissioner M. Lee Vote: For: Unanimous

Committee Reports

Commissioner Hollander spoke in reference to the Mid-Month Workshop of April 18, 2013 where preliminary discussion took place about Regulation revisions. Chairman B. Ackerman thanked those who were involved for the work done. A continuation of the reviews will take place at the May Mid-Month meeting on June 16th, 2013.

Chairman Report

Chairman B. Ackerman spoke in reference to a joint meeting with the Board of Selectman, Town Attorney, Sherman Housing Commission, ZEO R. Cooper and herself. Chairman Ackerman requested this meeting in hopes to clarify the intent of the Housing Commission to determine the type of Regulations that would need to be drafted to best suit the proposed Senior Housing project. Selectman C. Jellen thanked Chairman Ackerman for requesting the meeting, saying it provided the opportunity to hear the concerns of the related Boards and Commissions.

Adjournment

Commissioner N. Volkmar moved to Adjourn the Meeting at 8:20 pm.

Seconded by: Commissioner M. Lee Vote: For: Unanimous

Respectfully submitted:



Christine Branson

May 8, 2013

- Amendments applied and approved at 6/6/2013 Regular Monthly Meeting