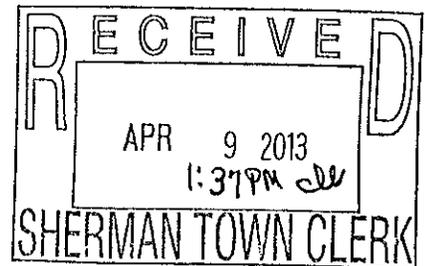




Town of Sherman, CT  
 Planning and Zoning Commission  
 SPECIAL MEETING  
 February 21, 2013 7:00 pm  
 Mallory Town Hall



FINAL

**Commissioners in Attendance:** Commissioners Barbara Ackerman, Neil Volkmar, Mary Lee, Ted Hollander, and Paul Voorhees ; Alternate Marc Sichel

**Commissioners Absent:** Monty Clark, Jan Desiato, Jill Finch and Jeannene Burruano

Also in attendance: Ron Cooper, Land Use Enforcement Officer and Christine Branson, P&Z Clerk.

No audience member audio or video-taping the meeting.

**Chairman Barbara Ackerman called the meeting to Order at 7:05 p.m.**

**Public Hearing**

*The purpose of the Public Hearing is to receive public input on a proposed zoning amendment to the Sherman Zoning Regulations to adopt a 6 month moratorium while the commission considers adding size and location criteria of all accessory buildings proposed in A, B, C and D zones. During the moratorium, the commission will consider revising Sections 324.2, 324.3A and to clarify the definitions of Section 610: "Building Accessory", "Building Height", "Building Coverage", "Garage", "Barn", "Use, Accessory" and other definitions and provisions that may relate to accessory buildings. The proposed changes will not apply to buildings accessory to farming operations on parcels larger than 5 (Five) acres or buildings accessory to farming operations which house animals, per Section 352.4. During the Moratorium, no permits for accessory buildings will be approved in the specified zones.*

Chairman Ackerman spoke in reference to the reason behind proposing a Moratorium. Chairman Ackerman read into record a letter from Paul Szymanski, President of Arthur H. Howland & Associates, P.C. (attached herewith), asking the Commission to re-consider the 6 month Moratorium and simply review and re-write the regulations without stopping construction. Tim Beatty, resident and local excavating contractor spoke also asking the Commission to reconsider the Moratorium. Michael Carpanzano, resident, and contractor said he strongly agrees with the pleas to rewrite the Regulations without a six month hold and supplied several statistics in reference to accessory buildings over the last three years and the financial impact the Moratorium could potentially pose to the Town of Sherman, businesses and the residents. Land Use Enforcement Officer, R. Cooper clarified the Moratorium would not affect Accessory Structures such as the construction of decks, pools, renovations homes, installation of generators. Mr. Cooper stated he researched the amount of applications for Accessory buildings from March 1, 2012 to September 1, 2012 there were 10 approved applications. Also from September 1, 2012 to present, 11 Accessory building applications have been approved. First Selectman Clay Cope asked the Commission what the fees would amount to typically for 10 permits. Mr. Cooper replied the collected fees would amount to approximately \$2,000.00 keeping in mind, with each permit the Town is required to send \$60.00 to the State. First Selectman Cope said he is opposed to the Moratorium. First Selectman Cope suggested the Commission re-write the Regulations without the Moratorium, stating he does not want to lose the permit fees during the six month Moratorium. Local resident Dr. Oppenheimer said there is no question; the Regulations need to be re-written. Dr. Oppenheimer recommended meeting daily, to significantly lessen the financial impact on the Town and speed the process of the Regulation review. Mr. Steve Looney, resident of New Milford, building contractor who works in the Sherman area, stated his concern of the financial impact as a local contractor this would cause, not to himself, but the area businesses.

**Commissioner T. Hollander made a Motion** to close the Public Hearing.  
**Seconded by:** Commissioner N. Volkmar. **Vote: For: Unanimous.**

**Commissioner T. Hollander made a Motion** to change the sequence of the Agenda to allow New Business to be heard first.  
**Seconded by:** Commissioner N. Volkmar. **Vote: For: Unanimous.**

**New Business**

Taraba- 124-126 Route 39 North –Following a brief discussion, the Commission made the motion below:

Commissioner N. Volkmar made a Motion to approve Taraba a 90 day extension of for filing.  
Seconded by: T. Hollander. Vote: For: Unanimous.

**CT Department of Transportation Right of Way** – Review the States offer for the Town to acquire an Old State Road Right of Way between Briggs Hill and Route 37 South.

Commissioner Ackerman and LEO Cooper met with CT DOT representatives regarding the Town’s interest in ownership of a portion of property designated as a road. More information is needed before any proposal can be considered. This discussion was tabled until next Regular Meeting.

**Old Business**

Moratorium - Accessory Buildings -

The Commission discussed the specific need to re-write the regulations regarding Accessory Buildings. Commissioner Ackerman also addressed the economic implications of a 6 month Moratorium as presented by the public. It is not the intent of the Commission to deter any businesses in Town or reduce Town revenue. A Moratorium was suggested by the Town Attorney to allow the Commission time to revise the regulations while not accepting applications. Commissioner Hollander stated several compelling points were made by the public and proposed re-writing the Regulations without the Moratorium. Further discussion followed.

Commissioner N. Volkmar made a Motion to approve 6 Month Moratorium while the Commission considers the Regulations as indicated in the Legal Notice.  
Seconded by: T. Hollander. Vote: AGAINST : Unanimous.

**POCD Final Draft Review by Commissioners**

The Commission discussed final revisions to the POCD. Once the revisions are implemented, the “Final Draft” of the POCD will be submitted to the Board of Selectman. The BoS may hold Public Hearings regarding the POCD. After 65 days, the Commission will approve and finalize the POCD.

**Commissioner’s Comments**

Chairman Ackerman alerted the Commission that the Senior Housing Commission will be coming to the P&Z March Meeting to discuss an affordable senior housing project which will require new regulations. This is time sensitive since the Housing Commission needs the Regulation to be in place before they can apply for Grant Funding. LEO Cooper added there will also need to be an agreement with the Town to lease the property for such purposes.

**Adjournment**

Commissioner N. Volkmar Adjourned the Meeting at 9:15 p.m.

Respectfully submitted,



Christine Branson

Approved with revisions 4-4-2013