

20140501PZM



**TOWN OF SHERMAN**  
Planning & Zoning Commission  
**REGULAR MONTHLY MEETING MINUTES**  
Thursday, May 1, 2014  
7:00 pm, Mallory Town Hall

FINAL

**Commissioners in Attendance:** Jeannene Burruano, Neil Volkmar, Mary Lee, John Paul Voorhees, Marc Sichel, Jill Finch and Alternate Willy Knaak

**Commissioners Absent:** Ted Hollander and Alternates Marian Edmond, and Lu Li

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

**Call to Order:** Chair, J. Burruano Called the Meeting to Order at 7:05 p.m.

Willy Knaak was Elevated to voting status.

**Public Hearing:**

Temporary and limited moratoria from Medical Marijuana Producers and Dispensary Facilities:  
PROPOSED AMENDMENT TO ZONING REGULATION, NEW SECTION 325

**Purpose:** The purpose of this moratorium is to provide relief from considering applications for Medical Marijuana Producers and Dispensary Facilities. The Planning and Zoning Commission will review the "State of Connecticut Regulation of the Department of Consumer Protection concerning Palliative Use of Marijuana" and the associated application process for producers and dispensary facilities in order to draft and adopt Zoning Regulations regarding the production and distribution of medical marijuana within the Town of Sherman that are the result of a proper review process and planning regarding these new uses.

Chair, J. Burruano asked if the local planning agencies and abutting Towns were properly notified through certified mail. C. Branson, P&Z Admin. Clerk confirmed nine Agencies and abutting Towns were sent certified notice March 27, 2014. All signed receipts were received to date. Correspondence from HVECO stating the Moratorium was a "Category 1: of local concern but with minimal inter-municipal impact." Also read into record was correspondence from NHCOC stating the Moratorium was a "Type 1: No inter-municipal impact expected and referring to the Town of Kent under "Potentially Affecting". From the Audience, Mr. Jerrold Siegel read into record a letter written to the P&Z Commission supporting the Moratorium for one year to allow time to consider new Regulations regarding Medical Marijuana Producers and Dispensary Facilities.

Commissioner N. Volkmar Moved to Close the Public Hearing.  
Seconded by: Commissioner M. Lee Vote: For: Unanimous

**Old Business**

Temporary and limited moratoria from Medical Marijuana Producers and Dispensary Facilities:  
PROPOSED AMENDMENT TO ZONING REGULATION, NEW SECTION 325

Chair, J. Burruano read the proposed Moratorium into record and the Commission briefly discussed.

Commissioner N. Volkmar Moved to Approve a Temporary and limited moratoria from Medical Marijuana Producers and Dispensary Facilities, effective from May 16, 2014 and shall remain in effect until May 16, 2015 in order to draft and adopt NEW SECTION: 325 to the Sherman Zoning Regulations regarding the production and distribution of medical marijuana within the Town of Sherman that are the result of a proper review process and planning regarding these new uses.  
Seconded by: Commissioner W. Knaak Vote: For: Unanimous

## New Business

Discussion and Action to set a Public Hearing, June 19, 2014 to consider amendment to Regulations: Article 1, Section 100, Section 110, Section 111, Article 200, Section 331.4, Section 332.4, Section 333.4, Section 454

Commissioner M. Lee read into record the proposed changes to the Zoning Regulations as discussed and Approved at the last P&Z Commission Regular Monthly Meeting of April 4, 2014. Following a brief discussion, the Commission set the Public Hearing for June 19<sup>th</sup>, 2014. The P&Z Clerk will send notification to the local planning agencies and abutting Towns by certified mail.

**Commissioner M. Lee Moved** to set a Public Hearing for June 19<sup>th</sup>, 2014 at 7:00 p.m. at Mallory Town Hall to consider amendments to Regulations: Article 1, Section 100, Section 110, Section 111, Article 200, Section 331.4, Section 332.4, Section 333.4, Section 454.

**Seconded By:** Commissioner N. Volkmar **Vote: For: Unanimous**

## Approval of Minutes: April 4, 2014 Regular Monthly Minutes

**Commissioner N. Volkmar Moved** to Approve the Minutes of April 4, 2014 Regular Monthly Meeting as Amended.

**Seconded By:** Commissioner M. Sichel **Vote: For: Unanimous**

## Correspondence

C. Cope, First Selectman, Town of Sherman- Requesting input within two weeks regarding a Draft RFP in reference to Happy Acres Farm.

Jessica Williams- Requesting P&Z input and consideration of an informal Zoning Amendment Proposal to add to Sherman Zoning Regulations, Section 323, to include auditory nuisance such as barking dogs- frequently in occurrence or for an extended period of time in a single incident, and add Section 324.1 f to declare a dog kennel as a permitted accessory land use, subject to : A. kennel shall maintain control of dogs at all times; dogs shall not roam free. B. Kennel shall not violate nuisance ordinance set forth in Section 323 in alignment with CGS § 22-363 and CGS § 22- 364.

## Zoning Enforcement Officer's Report- February, March, and April 2014

Ron Cooper, Land Use Enforcement Officer reported Zoning activity for February, March, and April 2014, Applications Approved: 9, Approved Statements of Intent: 11, Withdrawn: 1, Denied: 0, Under Review: 8. Mr. Cooper provided a brief update on ongoing Cases 06-12, 09-12, and 18-12. Mr. Cooper spoke in reference to the informal Zoning Amendment request to control constant barking and roaming dogs. There have been many complaints in reference to this particular property, Mr. Cooper, along with the Health Inspector and State Trooper have visited the site on more than one occasion. The Town does not currently have a leash or noise ordinance. The Commission briefly discussed the proposed amendment to the Zoning Regulations. Chair J. Burruano suggested the BOS consult legal counsel for advisement on the best way for the Town to proceed.

**Commissioner N. Volkmar Moved** to Approve the Zoning Enforcement Officer's Report for February, March, and April 2014 as submitted.

**Seconded by:** Commissioner W. Knaak **Vote: For: Unanimous**

## Chairman Report

Chair, J. Burruano thanked the Commissioners that were able to attend last week workshop. The topics the Land Use Atty. covered were very informative. Mrs. Burruano mentioned there are new reference books available in the Zoning office, Commissioners are encouraged to borrow one and look them over when they have the opportunity.

## Adjournment

**Commissioner N. Volkmar Adjourned the Meeting at 8:45 pm**

Respectfully submitted by:

Christine Branson, Administrative Clerk

May 8, 2014

\*Approved as amended at the 06/05/2014 RMM