



TOWN OF SHERMAN
 Planning & Zoning Commission
MONTHLY MEETING MINUTES
 Thursday, May 7, 2015
 7:00 pm, Mallory Town Hall

FINAL

Members Present: J. Burruano, T. Hollander, J. Finch, P. Voorhees, M. Lee, M. Sichel, N. Volkmar and
Alternates: W. Knaak and J. Siegel

Absent: None

Audience and Invited: C. Jellen, Atty. P. Scalzo, E. Cedar, L. Cedar, ZEO R. Cooper, and Administrative
 Clerk, C. Branson

Call to Order

Chair, J. Burruano Called the Meeting to Order at 7:02 pm.

Commissioner J. Finch Moved to Amend the Agenda to amend Pfaff, 123 Route
 39 South, Application for a Lot Line Revision from "New Business" to "Old Business",
 and to re-order the Agenda to move Pfaff to the first item of the Agenda.

Seconded by: M. Lee

Vote: For: Unanimous

Old Business

Pfaff, Werner & Elisabeth- 123 Route 39 South- Lot Line Revisions to consolidate 2
 parcels with three pre-existing lots (Ref: Map: 53/ Lot: 23; Map: 48/ Lot 75; and Map 53
 /Lot 3) and reconfigure the property lines of two of the lots as indicated on submitted A- 2 survey
 prepared by Richard A. Brunnell of CCA, LLC dated January 31, 2014 entitled; " Property
 Survey showing property line revisions prepared for Werner E. & Elisabeth M. Pfaff 123, 129 & 133 Route
 39 South, Sherman, CT, " Zone B,

The Commission continued discussion from the May 16th meeting and reviewed the Health approval
 report that was received. ZEO, R. Cooper reported he had the opportunity to walk the property and sees no
 problems that could arise from the lot line changes. Mr. Cooper stated he was unsure of the feasibility of
 future subdivision or if the owners would be forfeited a pre-existing, non-conforming lot since he did not
 conduct a title search. Atty. P. Scalzo spoke on behalf of the property owners, and provided the
 Commission an updated A-2 survey that shows the septic fields. The Commission reviewed the new
 survey, Chair J. Burruano requested a mylar of the A-2 survey delivered to the Zoning office with a
 Commission approval signature box and showing the existing lot lines as dashes on the final revision.

Commissioner T. Hollander Moved to Approve Pfaff, Werner & Elisabeth- 123
Route 39 South- Lot Line Revisions to consolidate 2 parcels with three pre-existing lots
 (Ref: Map: 53/ Lot: 23; Map: 48/ Lot 75; and Map 53/Lot 3) and reconfigure the
 property lines of two of the lots as indicated on submitted A-2 survey prepared by
 Richard A. Brunnell of CCA, LLC dated January 31, 2014 entitled; " Property
 Survey showing property line revisions prepared for Werner E. & Elisabeth M. Pfaff 123,
 129 & 133 Route 39 South, Sherman, CT.

Seconded by: N. Volkmar

Vote: For: Unanimous

Public Hearing 1:

SECTION 325: Moratorium from Medical Marijuana Producers and Dispensary Facilities: Six
 month Extension of the term of the existing Temporary and limited moratorium from Medical
 Marijuana Producers and Dispensary Facilities to expire May 16th, 2015, proposed to remain in
 effect until November 16, 2015.

Chair, J. Burruano Opened the Public Hearing to propose an Amendment
 to SECTION 325: Moratorium from Medical Marijuana Producers and Dispensary
 Facilities.

Secretary M. Lee read the Legal Warning into record. The Legal Warning was published in the Citizen News April 22, 2015 and April 29, 2015. Eleven abutting Towns and Planning Agencies were sent certified notification on February 26, 2015. Twenty two email notifications were sent on April 23, 2015 to interested parties who have registered. Two written responses were received and read into record. The first from NHCOC, date of receipt: May 7, 2015 stating no inter-municipal impact expected. The second response was from Western Connecticut Council of Governments, date of receipt: March 10, 2015 stating the proposed regulation is of local concern, but with minimal inter-municipal impact. There were no audience members present to speak to the proposed Amendment.

Commissioner M. Sichel Closed the Public Hearing to propose an Amendment to SECTION 325: Moratorium from Medical Marijuana Producers and Dispensary Facilities.

Seconded by: J. Finch **Vote: For: Unanimous**

Old Business:

Commissioner M. Lee Moved to Approve Amendment to SECTION 325: Moratorium from Medical Marijuana Producers and Dispensary Facilities: Six month Extension of the term of the existing Temporary and limited moratorium from Medical Marijuana Producers and Dispensary Facilities set to expire May 16th, 2015, to remain in effect until November 16, 2015.

Seconded by: J. Finch **Vote: For: Unanimous**

Public Hearing 2:

SECTION 356. 3 Personal Wireless Service Facilities

Amend: SECTION 356. 3. I-5Towers may be required to be painted in a neutral ...

Add: SECTION 356. 3. I- 6Any eligible facility that requests a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station shall be approved in accordance with 47 CFR 1.40001. "Base station," "collocation," "eligible facilities request," "existing," "site," "substantial change," "transmission equipment," and "tower" are as defined in 47 CFR 1.40001.

Applications will be deemed granted if the Commission does not approve or deny them within 60 days so long as the applicant notifies the Commission in writing after the review period has expired. This 60 day period may be tolled by mutual agreement of the parties if the Commission determines that the application is incomplete.

Chair, J. Burruano Opened the Public Hearing to propose Amendments to SECTIONS 356. 3 Personal Wireless Service Facilities, Amend: SECTION 356. 3. I-5 SECTION 356. 3. I- 6.

Secretary M. Lee had previously read the combined Legal Warning into record at the opening of Public Hearing 1. The Legal Warning was also combined and published in the Citizen News April 22, 2015 and April 29, 2015. Eleven abutting Towns and Planning Agencies were sent certified notification on February 26, 2015. Twenty two email notifications were sent on April 23, 2015 to interested parties who have registered. Two written responses were received and read into record previously. The first from NHCOC, date of receipt: May 7, 2015 stating no inter-municipal impact expected. The second response was from Western Connecticut Council of Governments, date of receipt: March 10, 2015 stating the proposed regulation is of local concern, but with minimal inter-municipal impact (all same as above). There were no audience members present to speak to the proposed Amendments. The Commission briefly discussed the spelling and proper context of the word: "collocation" or "colocation" and the word "tolled". It was confirmed that both collocation and colocation were correct and used in the proper context, the Commission agreed to amend the spelling and use "colocation". "Tolled" is used in the proper context as well.

Commissioner N. Volkmar Closed the Public Hearing to propose Amendments to SECTION 356. 3: Personal Wireless Service Facilities.

Seconded by: M. Sichel **Vote: For: Unanimous**

Old Business

SECTION 356. 3: Personal Wireless Service Facilities

Commissioner N. Volkmar Moved to Approve the amendments to SECTION 356. 3
Personal Wireless Service Facilities: Amend: SECTION 356. 3. I-5 correct the word
"pained" to "painted" Add: SECTION 356. 3. I- 6Any eligible facility that requests a
modification of an existing tower or base station that does not substantially change the
physical dimensions of such tower or base station shall be approved in accordance with
47 CFR 1.40001. "Base station," "colocation," "eligible facilities request," "existing,"
"site," "substantial change," "transmission equipment," and "tower" are as defined in 47
CFR 1.40001. Applications will be deemed granted if the Commission does not approve
or deny them within 60 days so long as the applicant notifies the Commission in writing
after the review period has expired. This 60 day period may be tolled by mutual
agreement of the parties if the Commission determines that the application is incomplete.
Seconded by: J. Finch Vote: For: Unanimous

Approval of Minutes

Regular Monthly Meeting of April 2, 2015

Commissioner N. Volkmar Moved to Approve the Minutes of Regular Monthly
Meeting of April 2, 2015, as written.
Seconded by: M. Lee Vote: For: Unanimous

Mid-Month Meeting of April 16, 2015

Commissioner N. Volkmar Moved to Approve the Minutes of Mid-Month Meeting of
April 16, 2015 with Amendments to Section: New Business; Town of Sherman, Happy
Acres Farm, 2 Taber Road; Statement of Intent. Correct the dimensions of the approved
sign from 4-feet by 4-feet to "4 square feet" in both the discussion as well as the final
Motion to Approve the Statement of Intent.
Seconded by: M. Lee Vote: For: Unanimous

Correspondence

Iriquois Pipeline- Pipeline safety newsletter

ZEO Report- April 2015

The Commission reviewed the April 2015 report submitted by R. Cooper. There were seven Zoning
Applications approved; two Statements of Intent approved; no applications were denied, one was
withdrawn. Two applications remain open for additional review. Additional cases were discussed where
violations were sited, and ongoing investigations were taking place.

Commissioner N. Volkmar Moved to Accept the April 2015 ZEO Report, as submitted.
Seconded by: M. Sichel Vote: For: Unanimous

Adjournment:

Commissioner T. Hollander Moved to Adjourn the Meeting at 8:25 pm.
Seconded by: M. Lee Vote: For: Unanimous

Respectfully submitted:


Christine Branson, Commission Administrative Clerk

May 13, 2015

APPROVED AS FINAL AT THE JUNE 4, 2015 RMM