



**TOWN OF SHERMAN**  
Planning & Zoning Commission  
**REGULAR MONTHLY MEETING MINUTES**

Thursday, April 7, 2016  
7:00 pm, Mallory Town Hall

**FINAL**

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**Members Present:** J. Burruano, N. Volkmar, T. Hollander, M. Lee, M. Sichel, J. Finch, and Alternates W. Knaak, A. Muoio and R. Peaburn

**Absent:** P. Voorhees

**Audience:** None

**Also Present:** ZEO R. Cooper and Administrative Clerk C. Branson

**Call to Order:** Chair, J. Burruano Called the Meeting to Order at 7:03pm.

Commissioner T. Hollander had recused himself for the duration of the Public Hearing and sat in the audience during the continuation.

Alternate A. Muoio was elevated to Voting status for the duration of the Meeting.

Alternate R. Peaburn was elevated to Voting status for the duration of the Meeting.

**Public Hearing:**

**Special Permit: Warner, Christina B. - 23 Mauweehoo Hill (M- 56, L- 20)** For consideration to allow an Accessory Apartment within the footprint of the existing dwelling, all in accordance with Regulations, Section 340 Special Permit, Section 324.1. A.2 Accessory Apartments, and Section 371.2 Off -Street Parking, as indicated on Floor Plan submitted and the marked- up A-2 Survey plan entitled "Plot Plan of Property of Walter A. & Carey M. Stevens to be conveyed to C. Allen Ellis, Mauweehoo Hill, Sherman, Connecticut", Dated October 1980, Prepared by F. W. Rogers, R.L.S. Zone A

Commission Chair, J. Burruano Opened the Continuation of the Public Hearing. Ms. Warner presented a modified floor plan which shows the originally proposed bathroom moved to the opposite wall of the hallway, opening the hallway completely. Photographs were submitted showing the layout of the bottom floor of the dwelling. Chair, J. Burruano asked the Commission's opinion if this application still meets the criteria for an accessory apartment with the modifications submitted. Ms. Warner submitted a letter requesting her application for an accessory apartment be withdrawn. The Commission agreed unanimously that the application did not meet the criteria for an Accessory Apartment. No Deliberation took place.

Commissioner N. Volkmar Moved to Close the Public Hearing for Special Permit for an Accessory Apartment: Warner, Christina B. 23 Mauweehoo Hill (M- 56, L- 20). The application was withdrawn.

Seconded by: M. Lee

Vote: For: Unanimous

Commissioner N. Volkmar Moved to Amend the Agenda to remove Deliberation of Special Permit: Warner, Christina B. - 23 Mauweehoo Hill and move on to Old Business.

Seconded by: M. Lee

Vote: For: Unanimous

**Old Business:** None

**New Business:**

**Application for a Special Permit: McCluskey Family Limited Partnership. Applicant- Kopp, Christopher M. - 1 Route 37 East, Unit 3, ( M- 77 , L- 20 )** For consideration to allow a Children's Boutique and Consignment retail business within the footprint of the existing building, all in accordance with Regulations, Section 340 Special Permit as indicated on Floor Plan submitted . Zone C- Business Residence Zone.

Commission Chair, J. Burruano reviewed the contents of the application file and confirmed the necessary items have been provided. The applicant, Christopher Kopp was present to speak in reference to the request to open a retail children's consignment boutique located at 1 Route 37 East, Unit 3. Mr. Kopp described his

business, which is currently located in New Milford. A majority of the items are offered and sold online which has reduced the need for a large retail space. Mr. Kopp is a Sherman resident and would like to have his business local. He stated he felt the proposed space was ideal since it will be located in close proximity to the elementary school, music lessons, and an early learning center. The Public Hearing was set for May 5th, 2016.

**Commissioner N. Volkmar Moved to Accept** the application and set the Public Hearing for May 5th, 2016 for a Special Permit: McCluskey Family Limited Partnership. Applicant- Kopp, Christopher M. - 1 Route 37 East, Unit 3, ( M- 77 , L- 20 ) For consideration to allow a Children's Boutique and Consignment retail business within the footprint of the existing building, all in accordance with Regulations, Section 340 Special Permit as indicated on Floor Plan submitted .

**Seconded by:** M. Lee

**Vote: For: Unanimous**

**Application for a Special Permit: Eadie, Elouise & Ventricella, Jorge- 30 Route 37 East ( M- 18, L- 5)**  
For consideration to allow a Septic system attached to an existing Accessory Building proposed to be used as a horse stable with a half bathroom and laundry room, all in accordance with Regulations, Section 340 Special Permit as indicated on submitted Floor Plan and B100a Survey plan entitled " Proposed B100a Sanitary Code Complying Area Plan, for Elouise Eadie & Jorge Ventricella, 30 Route 37 East, Town of Sherman, County of Fairfield, State of Connecticut, prepared by Arthur H. Howland & Associates, P.C. dated November 6, 2015. Zone A

Commission Chair, J. Burruano reviewed the contents of the application file and confirmed the necessary items have been provided. No one was present to speak on behalf of the application. The Public Hearing was set for May 5th, 2016.

**Commissioner N. Volkmar Moved to Accept** the application and set the Public Hearing for May 5th, 2016 for a Special Permit Eadie, Elouise & Ventricella, Jorge- 30 Route 37 East ( M- 18, L- 5) For consideration to allow a Septic system attached to an existing Accessory Building proposed to be used as a horse stable with a half bathroom and laundry room, all in accordance with Regulations, Section 340 Special Permit as indicated on submitted Floor Plan and B100a Survey plan entitled " Proposed B100a Sanitary Code Complying Area Plan, for Elouise Eadie & Jorge Ventricella, 30 Route 37 East, Town of Sherman, County of Fairfield, State of Connecticut, prepared by Arthur H. Howland & Associates, P.C. dated November 6, 2015.

**Seconded by:** M. Lee

**Vote: For: Unanimous**

**Application for a Special Permit: Edelman, Samuel & Louise- 44 Briggs Hill Road ( M- 16 , L- 5 )**  
For consideration to allow a Septic system attached to an existing Accessory Building proposed to accommodate horse wash stables and two half baths all in accordance with Regulations, Section 340 Special Permit as indicated on submitted Floor Plans and Subsurface Sewage Disposal System Plan Riding Arena/ Horse Stall Addition plan prepared by R.J. Gallagher Jr & Associates, dated 2/23/2016. Zone A

Commission Chair, J. Burruano reviewed the contents of the application file and confirmed the necessary items have been provided. No one was present to speak on behalf of the application. The Public Hearing was set for May 5th, 2016.

**Commissioner N. Volkmar Moved to Accept** the application with the provision that all Health Approval Requirements are met and set the Public Hearing for May 5th, 2016 for a Special Permit Edelman, Samuel & Louise- 44 Briggs Hill Road ( M- 16, L- 5 ) For consideration to allow a Septic system attached to an existing Accessory Building proposed to accommodate horse wash stables and two half baths all in accordance with Regulations, Section 340 Special Permit as indicated on submitted Floor Plans and Subsurface Sewage Disposal System Plan Riding Arena/ Horse Stall Addition plan prepared by R.J. Gallagher Jr & Associates, dated 2/23/2016.

**Seconded by:** M. Lee

**Vote: For: Unanimous**

**Approval of Minutes:** Regular Monthly Meeting of March 3, 2016

**Commissioner T. Hollander Moved to Approve** the Minutes of Regular Monthly Meeting of March 3, 2016 with amendments to the following: Public Hearing, comment from audience, Mr. Edward Rizzi...explained the Covenant (add) " with accompanying deed restriction". Chairman Report- ...New Milford is hosting a fee (change to) "free". Also same section, spelling of advertizing (change to) "advertising". Adjournment: change to "Chair J. Burruano adjourned the meeting."

**Seconded by:** M. Lee

**Vote: For: Unanimous**

**Correspondence:**

Connecticut Siting Council - dated April 1, 2016 abutting town letter in reference to the Long Mountain Road transmission station in New Milford.

Connecticut Siting Council- Minutes from March 24, 2016 reference to Energy and Telecommunications.

Connecticut Siting Council dated March 4, 2016- Notification of date set to render a decision (08/03/2016)

**Zoning Enforcement Officer's Report:**

No report was submitted for March 2016

**Public Comment:** None

**Committee Reports:** None

**Chairman Report:**

Chair, J. Burruano thanked the Commission for a strong attendance at the Land Use Workshops at The Town of New Milford and Land Use Workshop in Haddam CT.

**Regulation Review:** Section 324.2 Building, Accessory- Temporary

**Commissioner T. Hollander Moved to Accept** the proposed Zoning Regulation, Section 324.2 Building, Accessory- Temporary and set a Public Hearing for June 2, 2016 at 7:00 pm at Mallory Town Hall.

**Seconded by:** M. Lee

**Vote: For: Unanimous**

The proposed Zoning Regulation is attached herewith:

**324.2. B Building, Accessory - Temporary**

**ADD 324.2. Building, Accessory**

**324.2. A Building, Accessory - Permanent**

**324.2. B Building, Accessory - Temporary**

A Zoning Permit shall be required for Accessory-Temporary buildings exceeding 200 square feet.

The following conditions are to be met:

- a. No Accessory Temporary building shall be permitted on a lot without an existing principal building or structure or a principal structure or structure under construction.
- b. Only one Accessory-Temporary building shall be permitted on a lot at one time.
- c. An Accessory-Temporary building shall be permitted for a period of time up to one hundred twenty (120) days. A sixty (60) day extension shall be granted by the Zoning Enforcement Officer for good cause shown, but not to exceed one hundred and eighty (180) days, total. Use of an Accessory-Temporary building for more than one hundred and eighty (180) days shall require approval by the Commission.
- d. Existing Accessory-Temporary Buildings identified as "temporary" in the application for Zoning Permit which are in place as of the effective date of this section of these Regulations shall have 120 days from that date to obtain a Zoning Permit for such building under this section, or remove the Accessory-Temporary Building from the property.

- e. Accessory-Temporary Buildings shall meet all setbacks and other Zoning requirements for the applicable Zone and shall not be placed in the Front Lot as defined in these Regulations.
- f. A separate fee will not be required for an Accessory-Temporary construction office or storage facility associated and incidental to a permitted building under construction on the same property, for which a Zoning Permit has been issued. The Accessory-Temporary construction office must meet all the conditions for Accessory-Temporary buildings as outlined in this section
- g. Accessory-Temporary Buildings require the following:
  - i. No adverse noise impact, no public or private disturbances, no nuisances.
  - ii. No unsafe impediments, distractions, or congestion for vehicular or pedestrian movement.
  - iii. No permanent alterations to the affected site. Submit a photo, documenting location and existing conditions, with permit application.
  - iv. Proper security, trash removal and other services an event or situation may require shall be provided by the owner/operator.
  - v. An Accessory- Temporary building will not be permitted if the Commission determines there will be an adverse impact to the abutting property owners, cause risk of injury to persons, if there is a likelihood it will cause damage to public or private property, or cause a detriment to surrounding property.

**AMEND Section 610 Definitions**

**ADD Building, Accessory-Temporary:** An Accessory building which has no permanent foundation or footing and which is removed after the assigned time period, activity or use for which the Accessory-Temporary building was erected. Types of Accessory-Temporary Buildings include:

- 1. Membrane/Canopy Buildings, supported in any manner including the contents it protects.
- 2. Non-membrane Buildings built of rigid or non-rigid material of any kind, and exhibiting the intent, by their method of construction, to be of a temporary nature.
- 3. Manufactured containers/trailers standing on wheels, blocks, jacks, or other supports, that are towed or hauled by another vehicle and used for carrying materials, goods or objects. Recreational vehicles, such as boat, snowmobile, or similar trailers or campers are not considered Temporary- Accessory Buildings provided that they are registered with the Connecticut Department of Motor Vehicles and are capable of movement on public highways.
- 4. A temporary construction office for a building or other development for which a Zoning Permit has been issued.
- 5. An Accessory-Temporary building shall not include buildings accessory to principal farming uses, such as hoop houses, high tunnels, storage of hay or fodder under cover, or similar customary agricultural storage structures.

**ADD Zone A Section 331.2 Permitted Accessory Uses**

- d. Accessory-Temporary Buildings less than 200 square feet for up to 180 days, as permitted by Section 324.2 of these Regulations.

**ADD Zone B Section 332.2. D Permitted Accessory Uses**

- d. Accessory-Temporary Buildings less than 200 square feet for up to 180 days, as permitted by Section 324.2.B of these Regulations.

**AMEND Section 411 to read as:**

No building, structure, or temporary building shall be erected....

**Adjournment:**

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

Respectfully submitted,

  
Christine Branson, Commission Clerk

April 14, 2016

\*APPROVED AS AMENDED AT THE MAY 5, 2016 RMM