



**Town of Sherman
Planning & Zoning Commission
Regular Monthly Meeting Minutes
Thursday, July 6, 2017, 7:00 p.m.
Mallory Town Hall**

Corrected Draft

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

Members Absent: J. Finch, R. Peburn and Alternate: A. Muoio

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

Audience: R. Oppenheimer, L. Oppenheimer, K. Murray, L. Seder, G. Pfaff, R. Gorman, E. Gorman, N. Picco, V. Picco, M. Lord, C. Shulman, K. Harrison, and R. LaCassio

Call To Order: Chair J. Burruano Called the Meeting to Order at 7:03 p.m.

Alternates W. Knaak and J. Siegel were Elevated to Voting status due the absence of Commissioners J. Finch and R. Peburn for the first Public Hearing.

Public Hearing I: PROPOSED CHANGES TO THE ZONING REGULATIONS, NEW SECTION: 352 A, FARM WINERY

Chair J. Burruano opened the Public Hearing. Secretary M. Lee read the proposed Regulation into record. The full proposed Regulation was published in the Town Tribune on June 22nd and again on June 29th, 2017. Nine abutting Towns and Planning Agencies were notified by certified mail. One letter was received from NHCOG stating no apparent conflict with regional plans and policies to neighboring towns. A sign-up sheet was offered to the audience for anyone who wished to speak, no one signed. From the audience, E. Gorman of the White Silo Farm Winery stated his family was in agreement with the proposed Regulation as it is written. One piece of correspondence was received from M. Josephson and was read into record, stating concern regarding limiting the amount to 50 people allowed in attendance at an event throughout the course of a day, stating it seemed unfair. There were no additional comments from the Commission. There were no additional comments from the audience.

Commissioner N. Volkmar Moved to close the Public Hearing for proposed changes to the Zoning Regulations, Section 352 A, FARM WINERY

Seconded by: T. Hollander

Vote: For: Unanimous

Public Hearing II:

Continuation of Special Permit Application: 39 Wanzer Hill Road- Murray, Kevin (M-53, L-26) to allow a horse farm on a 29.5 acre property located in the B Zone as shown on an A-2 Survey entitled "Existing Conditions Map", prepared for Kevin Murray, Owners of Record, Mary E. Coyne and James E. Coyne, Trustees, 41 Wanzer Hill Road and Wanzer Hill Road, Town of Sherman, County of Fairfield, State of Connecticut" prepared on November 7, 2014, by Arthur H. Howland & Associates, P.C. Zone B.

Chair J. Burruano opened the Public Hearing. Secretary M. Lee read the Legal Warning into record. The warning was published in the Town Tribune on June 22nd and again on June 29th, 2017. Alternate W. Knaak continued to be recused for this Hearing. Five abutting property owners were notified by certified mail. Three letters of correspondence were received and read into record. The first letter was from Gary Pfaff on behalf of his father Warner Pfaff stating concern of the negative impact the proposed equine farm will have on his parent's property. Specifically, Mr. Pfaff expressed concerns regarding the location of the manure storage and proximity to waterways, wells and septic fields in relation to his parent's home. The second letter read into record was from Loraine Pfaff Seder, also on behalf of her parent's, requesting the Commission create conditions if this application is approved. The conditions stated were; 1. Relocation of the manure storage to the opposite side of the barn. 2. Storm water management to control water damage, erosion, and prevent drainage from coming onto the Pfaff's property. 3. Height of fence increased from 4.5 feet to 5 feet minimum. Additional concerns shared in the letter from Mrs. Seder

are the potential impact of water contamination to two streams that will travel to Squantz Pond and Candlewood Lake. A third letter read into record was from Candlewood Lake Authority Executive Director, Larry Marsicano stating concerns of the negative impact caused by the proposed equine farm and close proximity of to Candlewood Lake and Squantz Pond. A sign-up sheet was offered to the audience for anyone who wished to speak. Gary Pfaff and Lorraine Pfaff Seder signed and came forward to speak reiterating their concerns previously stated in the letters. The Applicant, Kevin Murray was present to speak regarding the proposed equine farm. Mr. Murray provided the Chair a topographical map with the proposed location of the equine farm. Showing slopes, waterways, streams, property lines and ridge lines. Additionally Mr. Murray provided a document entitled "Storm water Management Plan" which was read into record. At the last meeting of the Commission requested input from the Zoning Enforcement Officer to clarify a swale to the left of the horse barn near the Pfaff's property line. ZEO R. Cooper spoke in reference to the Inland Wetlands approval. Additionally Mr. Cooper spoke about the difference between a natural swale and manmade. Mr. Cooper pointed to the left of the proposed barn and stated the swale shown on the map is natural, and considered an intermittent watercourse. Mr. Cooper stated the IWWC approved Mr. Murray's plan in the footprint submitted. The Commission discussed concerns that were stated in the letters and possible conditions of approval. The Commission considered a limitation on the number of horses allowed at any given time and that no boarding for profit shall take place. The Commission asked Mr. Murray if any other animals were intended for the farm. Mr. Murray stated there would only be horses. Mr. Murray stated the proposed horse barn will also be used to store farm equipment such as a small excavator, a bobcat, and a tractor as well as a tack room and wash station. Mr. Murray stated there will be no bulk fuel stored on the property. There were no additional questions or comments from the Commission. Mrs. Pfaff Seder spoke from the audience and provided the Commission Chair a signed version of her letter previously read, along with several color photographs illustrating the proximity of her parent's dwelling to the proposed barn and facility also attached to the letter was a small map showing an alternate location for the manure facility. Mr. Pfaff spoke from the audience, thanking the Commission for their consideration regarding the concerns stated in the letters. The Commissioners had no additional comments.

Commissioner J. Siegel Moved to close the Public Hearing for Special Permit Application: 39 Wanzer Hill Road- Murray, Kevin (M-53, L-26) to allow a horse farm on a 29.5 acre property located in the B Zone.

Seconded by: N. Volkmar

Vote: For: Unanimous

Public Hearing III:

Modification of a Special Permit: 12 Chimney Hill Road- Dr. Oppenheimer, Roger & Linda (M- 17, L- 6) to modify flexibility of number of patients, days and hours of operation.

Chair J. Burruano opened the Public Hearing. Secretary M. Lee read the Legal Warning into record. The warning was published in the Town Tribune on June 22nd and again on June 29th, 2017. Twenty two abutting property owners were notified by certified mail. Five letters of correspondence were received and read into record. The first letter from A. Kaplan of Babbling Brook Drive was in favor of the modification. The second letter was from C. Shulman, of 9 Route 39 N also in favor of the modification. The third letter was from M. Munch of 41 Briggs Hill Road, also in favor of the modification. The fourth letter was from E. Mard, of 47 Briggs Hill Road, also in favor. The fifth letter was from S. Daniels, of 7 Doctor Fallon Lane in Pawling N.Y. (patient) also in favor. Dr. and Mrs. Oppenheimer were present to speak on behalf of their application to Modify their Special Permit. Four audience members signed the sheet to be able to speak in the Public Comment portion of the hearing. Dr. Oppenheimer submitted to the Chair a list of approximately 100 signatures of those in favor of the modification, of those signatures 65 were Sherman residents as well as abutters and 18 were out of town patients. From the audience T. Peil spoke in support of the modification. C. Shulman from the audience also spoke in support of the modification. R. Gorman additionally spoke in support of the modification. From the audience, direct abutting neighbor K. Dellamere spoke in support of the modification, saying since the Oppenheimer's moved next door there has been no impact at all created by the dental office and sees no reason why there should be any reason to restrict the operating hours or number of patients seen on a daily basis. Chair J. Burruano addressed Dr. Oppenheimer's request to consider how other Towns approve home Doctor's offices, stating that the ability to have a home occupation still requires the need for a Special Permit and must take into consideration the possibility of an impact on the neighbors and community. The previous Special Permit granted by the Commission on June 6th, 2013 was conditioned that no more than five clients are seen per day, and the practice is restricted to be open four days a week. The Special Permit letter was filed on the Land Use records June 18th, 2013 Volume 152, Page 539. Dr. Oppenheimer stated that he has no intention of impacting his neighbors and did not want to go against the previous Special Permit conditions nor the

352A.1. General:

In order to allow for diversity and sustainability of agricultural uses and to preserve farm activity in Sherman, this section is intended to allow for the use of farm land as a normal part of a farm winery use and, therefore, allowed by Special Permit. Such farm wineries are permitted to have certain complimentary uses that will help create a viable agricultural endeavor. All farm winery activities associated with the manufacture, storage, bottling, production, distribution or sale of wine, wine based, and winery distilled products shall be in accordance with all State and Federal laws or regulations governing such activities. In accordance with provisions of the approved statement of use submitted with a Farm Winery Special Permit application, or as modified by the Commission, a farm winery permit issued pursuant hereto shall authorize the permittee

1. to sell wine in bulk from the premises where the wine is manufactured pursuant to such permit;
2. to sell wine manufactured on the premises to a retailer in original sealed containers;
3. to sell or deliver such wine to persons outside the state;
4. to offer free samples of such wine to visitors and prospective retail customers for tasting and consumption on the premises;
5. to sell at retail from the premises sealed bottles or other sealed containers of such wine for consumption off the premises;
6. to sell at retail from the premises wine by the glass, bottle or other sealed container to visitors for consumption on the premises; and
7. to allow the sale and service of food prepared and consumed on the premises, as well as the accommodation of special group events such as public and outdoor events to be held on the premises when such activities are accessory to farm winery use and specified in the statement of use described below. No farm winery permitted hereunder may sell any such wine not manufactured in such winery.

ADD: 352A.2. Minimum Bulk Requirements:

A farm winery shall be located on a lot or lots having a minimum aggregate area of ten (10) acres under single ownership and management. The lot must maintain a minimum of 60,000 square feet of planted vineyard area prior to the issuance of a Special Permit. In reviewing a Special Permit application under this Section, the Commission shall consider that a Farm Winery is an accessory use to a vineyard and may reduce the size and scope of activities permitted based on the size of the vineyard.

ADD: 352A.3. Uses Permitted:

The following uses are permitted as accessory to a farm vineyard, if authorized by Special Permit in accordance with this Section.

- a. **Farm Winery:**
This use includes the commercial making of wine and wine based products on the premises.
- b. **Retail Sale of Wine and Tasting Room:**
A building or a portion of a building or adjoining deck or patio located on the farm vineyard may be established for the sale of wine and wine based products by the bottle, bulk or other sealed container and related winery distilled products provided that the percentage of the products produced on the premises and the percentage of wine and winery products made from grapes or other fruit grown on the premises shall be in accordance with the laws of the State of Connecticut and the regulations for a farm winery liquor permit for the Connecticut Liquor Control Commission. Any building, deck or patio not in use for the purpose of a tasting room after the adoption of these Regulations shall have minimum setbacks of 100 feet from the side and rear lot lines and 50 feet from the front lot line or any lot line on a road or 75 feet from the center of the road. Said area may include the retail sale of wine, wine based, and winery distilled products featured as products produced at the farm winery and the tasting of wine products produced on the premises. The hours of operation of the Retail Sale of Wine and Tasting Room shall be no earlier than 10 am to no later than 9 pm Sunday through Thursday, no earlier than 10 am to no later than 10 pm Friday and Saturday. The serving of hors d'oeuvres and/or pastries is permitted as an accessory use to a tasting room. Serving of lunch, dinner or banquet food shall be stated expressly in the approved

statement of use, except that a "boxed lunch" provided as part of a farm tour need not be stated in the approved statement of use.

c. **Winery Retail Store:**

The farm winery may include the accessory sale of vineyard and wine related goods to the general public including wine related food products and other locally produced products. At least 50% of the gross sales of the retail store shall be made from raw materials produced on the premises or processed products made from raw materials produced on the premises, 45% must be locally grown or regionally produced products, the remaining 5% may be non-regionally produced products. The area of retail sales, including wine sales, must be located within or contiguous to the wine tasting area, and shall be no greater than the total floor area dedicated to the wine retail and tasting room described in paragraph "a" above. The hours of the winery retail store shall be no greater than the hours of the Retail Sale of Wine and Tasting room as set forth in Section 352.A 3 b.

d. **Public Events:**

Activities allowed in a wine retail and tasting room could include artist receptions and artist exhibitions, music entertainment, wine related seminars, wine related meetings and wine tastings in such location, of such frequency and size, and in accordance with the conditions as set forth in the approved statement of use. Maximum attendance for such events shall be *50 guests at any one time, not including staff*. The statement of use shall specify the maximum anticipated attendance for each category of event that may occur at the winery, location on property, and hours of such events. Such information need not list every single event by date, but may group them by category. The Commission may modify any such proposed number, schedule, maximum attendance, location, and hours of such events. No alcoholic beverages, other than wines and wine based, and winery distilled products produced at the farm winery, shall be served or consumed on the premises, specifically including so-called "BYOB" ("Bring Your Own Bottle) unless expressly authorized the statement of use, such as authorization for properly licensed caterers to serve alcoholic beverages but shall not include wine not produced on the premises. Hours are limited to operating hours set forth in Section 352.A 3 b.

e. **Outdoor Functions:**

All outdoor functions with more than *50 guests at any one time, not including staff*, in the outdoor area shall be in accordance with the conditions set forth in the approved statement of use and shall require an Event Permit from the Zoning Enforcement Officer and must meet the following criteria:

1. Such functions (whether open to the general public or invitation only) shall be held no more than 15 times per calendar year. The Zoning Enforcement Officer must receive an Event Permit application at least four (4) days prior to such a function.
2. The maximum occupancy for all such functions, whether held indoors or outdoors or any combination thereof, shall not exceed one hundred fifty (150) guests unless approved in advance by the Commission and will count towards the total of 15 events exceeding *50 guests at any one time, not including staff*.
3. The outdoor event area shall be readily accessible from the principal Farm Winery building, and outside tables must be located in such a manner as to maintain access to the building for emergency purposes. Areas in which parking is required by the approved Special Permit cannot be used for outdoor event activities. The designated outdoor event area must be clearly identified on the submitted plans with the Event Permit. Parking must be accessible and useable in all weather conditions for visiting vehicles. A section of field is acceptable, provided it is passable. See Section 352.4 a below.
4. Any event held in the outdoor event area shall begin no earlier than 10 am and end no later than 10 pm on Friday and Saturday nights; and no earlier than 10 am and end no later than 9 pm Sunday through Thursday nights, unless the following Monday is a State or Federal holiday, in which case the event must end no later than 10 pm.
5. The outdoor event area shall be largely open to the elements, however may be enclosed with a canopy or tent, in accordance with Section 324.2 b, Temporary Buildings.

6. The property owner is responsible for cleanup of all trash generated from the outdoor dining area. All refuse containers shall be screened from view from offsite and located no closer than fifty (50') from any property line and no closer than one hundred (100') from any dwelling on an adjacent lot.
 7. All entertainment and audio amplification shall terminate at least thirty (30) minutes prior to the closing times set forth in paragraph (4) above.
 8. Lighting of the outdoor dining area must meet the criteria set forth in Section 322.8 of these regulations.
 9. All outside dining is required to maintain all licensing from the State of Connecticut, Department of Consumer Protection and Liquor Control Division, and must submit all applications to the Zoning Enforcement Officer for approval and signatures.
 10. The outdoor event area may include a service bar operating under caterer's liquor permit when private functions are occurring on the premises. This service bar must be entirely separate from the tasting room.
 11. For any event contained in the approved statement of use, at least four (4) days as previously recommended prior to any such event, an Event Permit application shall be submitted to the Zoning Enforcement Officer. The applicant shall provide the date of the event(s) and the number of estimated guests and such other information required by this section and the statement of use.
- f. **Festivals and Farm Tours:**
Festivals and Farm Tours directly related to the harvest of farm produce grown on the permitted location will not count towards the maximum number of events and do not require an Event Permit.

352A.4. Farm Winery Parking:

Onsite Parking shall be provided for in accordance with 340 (Special Permits) of these Regulations, and there shall be at least one (1) parking space per two (2) persons authorized by Special Permit to be on the site at any given time. Only passenger motor vehicles, limousines, and passenger buses are allowed to park at the permit property. In keeping with the agricultural purpose of this regulation, the Commission may allow portions of the parking area to not be paved and may be maintained as lawn parking so as to maintain the agricultural and aesthetic nature of this use; or may allow reinforced pavers in grass areas for portions of the parking. All handicap parking regulations shall be complied with. To the maximum extent possible consistent with good planning for the use of the site, parking lots shall be located in areas on the site where they will be the least visible from access roads and adjoining properties.

352A.5. Farm Winery Signage:

Signage shall be in accordance with Section 360 of these Regulations.

352A.6. Application Requirements:

In addition to the requirements of Section 340 (Special Permits) of these Regulations, the Applicant shall submit a statement of use indicating the activities to be conducted at the farm winery, including the following:

- a. Written approval from the Sherman Health Department. A copy of such approval shall be submitted to the Commission as part of the Special Permit application.
- b. Written approval from the Sherman Fire Marshal. A copy of such approval shall be submitted to the Commission as part of the Special Permit application.
- c. The specific types of activities to be conducted on the premises; the location of such activities on the premises with the dimensions of such area; the typical and maximum attendance for such activities, either individually or by categories; the hours of such activities; the food, if any, to be served at such activities or products sold or offered for sale, other than wine and winery-related products; the frequency of such activities if to be conducted on a periodic or other than daily schedule.
- d. The location on the premises, number or frequency, maximum attendance, hours, and schedule for events proposed under Section 352A.3.c above.
- e. The location on the premises, number or frequency, maximum attendance, hours, and schedule for outdoor functions proposed under Section 352A.3.e above.

- f. Such other information as will enable the Commission to determine the type and character of activities to be conducted on the farm winery property and the potential impact of such activities on the neighborhood and the local road system, and to establish that such activities meet the definition of accessory uses in these Regulations.

352A.7 Criteria for Evaluation: In addition to the criteria of Section 340 of these Regulations, the Commission shall consider the following in any application for farm winery special permit:

- a. The type, number, frequency, size, potential traffic generation, and other aspects of the proposed activities in consideration of the fact that such activities are to be accessory to the farm use, and not to become principal commercial facilities in residential zones.
- b. The potential impact on adjacent properties including, but not limited to, noise, light, traffic, litter, and environmental impact.
- c. The relationship of the proposed activities to the farming operation being conducted on the premises, and how such activities would enhance the viability of such farming operations.

AMEND: SECTION 610 (DEFINITIONS)

ADD: NEW DEFINITIONS:

Farm Vineyard - Land located on a farm per Section 352 of these Regulations which grows grapes or fruit for the manufacture and sale of wine.

ADD: **Farm Winery** An accessory use to a vineyard, which use includes the manufacture, storage, bottling and production of wine and winery by-products or spirits, which manufacture, storage, bottling and distillery must be in compliance with the State and Federal laws and regulations. The winery may provide for storage facilities on the farm premises in buildings approved by the State and Federal authorities for the storage or production of wine and/or spirits, and such other accessory uses as are authorized in accordance with Section 331 and Section 352.A of these Regulations.

Deliberation of Special Permit Application: 39 Wanzer Hill Road- Murray, Kevin (M-53, L-26):

Chair J. Burruano opened the deliberation of Proposed Special Permit Application for 39 Wanzer Hill Road- Murray, Kevin (M-53, L-26) to allow a horse farm on a 29.5 acre property located in the B Zone. The Commission discussed the concerns stated in the letters that were previously read into record and expressed during Public Comment by the abutting property owners. Additionally discussed was the concern of potential boarding of horses for profit. The Chair referenced Zoning Regulation 355. Riding Stables or Academies, Nurseries and Commercial Greenhouses. The Commission discussed that boarding for compensation is permitted only in Zone A. The letter of intent was read again into record. The Commission agreed that boarding horses for compensation would not fit the criteria for Zone B and agreed to condition the Special Permit if it is approved. The Commission discussed the following conditions: no boarding for compensation shall be permitted; the number of horses at any given time shall not exceed ten; the manure facility shall be relocated farther away from the neighboring property subject to the final approval of the ZEO. (Alternate Commissioner W. Knaak left the meeting at 9:07 pm).

Commissioner N. Volkmar Moved to Approve Special Permit Application for 39 Wanzer Hill Road- Murray, Kevin (M-53, L-26) to allow a horse farm on a 29.5 acre property located in the B Zone as shown on an A-2 Survey entitled "Existing Conditions Map", prepared for Kevin Murray, Owners of Record, Mary E. Coyne and James E. Coyne, Trustees, 41 Wanzer Hill Road and Wanzer Hill Road, Town of Sherman, County of Fairfield, State of Connecticut" prepared on November 7, 2014, by Arthur H. Howland & Associates, P.C. Zone B. with the following conditions: there shall be no boarding for compensation; the number of horses at any given time shall not exceed ten; the manure facility shall be relocated farther away from the neighboring property subject to the final approval of the ZEO.

Seconded by: M. Lee

Vote: For: Unanimous

Deliberation of Modification of a Special Permit: 12 Chimney Hill Road- Dr. Oppenheimer, Roger & Linda (M- 17, L- 6)

Chair J. Burruano opened the deliberation of Proposed Modification. The Commission noted that most of the people who expressed concerns at the initial hearing to allow the dental office are now in favor to the proposed modification. The Commission agreed that the modification to remove restrictions of days and hours of operation

and number of clients seen on a daily basis would not impact the neighborhood as long as the practice was limited to one Doctor.

Commissioner N. Volkmar Moved to Approve the Modification of a Special Permit: for a home dental practice located at 12 Chimney Hill Road- Dr. Oppenheimer, Roger & Linda (M- 17, L- 6) to remove restrictions of days and hours of operation and number of clients seen on a daily basis, with the following condition; the practice shall be limited one Doctor.

Seconded by: M. Lee

Vote: For: Unanimous

Deliberation of Special Permit: 46 Route 39 North, - Beatty, Elizabeth S. L/U, Beatty, George, Allen, Timothy (M-23, L- 45)

Chair J. Burruano opened the deliberation of Proposed Special Permit: 46 Route 39 North, - Beatty, Elizabeth S. L/U, Beatty, George, Allen, Timothy (M-23, L- 45 to allow an Accessory Apartment, not to exceed 750 square feet, constructed within an existing dwelling with connection to existing septic. No further discussion took place.

Commissioner N. Volkmar Moved to Approve Special Permit: 46 Route 39 North, - Beatty, Elizabeth S. L/U, Beatty, George, Allen, Timothy (M-23, L- 45) to allow an Accessory Apartment, not to exceed 750 square feet, constructed within an existing dwelling with connection to existing septic, all in accordance with Zoning Regulations, Section 324.1.A.2 Accessory Apartments as indicated on submitted floor plans. Zone A

Seconded by: J. Siegel

Vote: For: Unanimous

New Business:

Application for a Special Permit: Picco, Nat & Vickie- 8 River Oaks Lane (M- 37, L-34)- to allow an accessory building with connection to existing septic all in accordance with Zoning Regulations, Section 324.3A Septic Systems for Accessory Buildings- for construction of a 10' x 10' pool cabana with a shower as shown in the exact footprint on a marked up A-2 survey submitted.

Chair J. Burruano opened the application file and reviewed the contents. The application included a marked up survey showing the proposed location of the 10' x 10' x 10' pool cabana. Building plans were submitted, showing the height and width of the cabana. A list of 13 abutting property owners was provided for certified mailing. Health approval is pending. Mr. Picco was present to speak on behalf of the application. The Commission determined there was sufficient information provided to set the Public Hearing for August 3rd, 2017 beginning at 7:00pm at Mallory Town Hall.

Commissioner J. Siegel Moved to Accept the Application for a Special Permit: Picco, Nat & Vickie- 8 River Oaks Lane (M- 37, L-34)- to allow an accessory building with connection to existing septic all in accordance with Zoning Regulations, Section 324.3A Septic Systems for Accessory Buildings- for construction of a 10' x 10' pool cabana with a shower as shown in the exact footprint on a marked up A-2 survey submitted and set the Public Hearing for August 3rd, 2017 beginning at 7:00pm at Mallory Town Hall.

Seconded by: M. Lee

Vote: For: Unanimous

Application for a Special Permit: Korsant, Philip & Catherine- 20 Spring Lake Road (M- 80, L-666) to allow an accessory dwelling not to exceed 1,200 square feet in accordance with Zoning Regulations, Section 324.1 A.1 Accessory Dwellings as shown in the exact footprint on a submitted A-2 survey.

Chair J. Burruano opened the application file and reviewed the contents. The application included an A-2 survey showing the primary dwelling and proposed accessory dwelling. There will be a lot line revision subsequent to the approval of this application and the new property lines are reflected on the survey. The floor lay out for both dwellings was included in the file. There are no additional abutters for this property since the owner also owns the surrounding properties. Health approval is pending. Agent for the applicant, R. LaCassio was present to speak on behalf of the application. Mr. LaCassio explained that the intent for the Lot Line Revision was to take three lots that all contain a dwelling and make two properties, one with an a primary dwelling and an Accessory Dwelling. The Commission determined there was sufficient information provided to set the Public Hearing for August 3rd, 2017 beginning at 7:00pm at Mallory Town Hall. (Commissioner Holland left the Meeting at 9:26 pm.).

Commissioner N. Volkmar Moved to Accept the Application for Special Permit: Korsant, Philip & Catherine- 20 Spring Lake Road (M- 80, L-666) to allow an accessory dwelling not to exceed 1,200 square feet in accordance with Zoning Regulations, Section 324.1 A.1 Accessory Dwellings as shown in the exact footprint on a submitted A-2 survey entitled "Lot Line Revision Map, Prepared for Philip B. Korsant, Lots 1R, 2R, and 3R, 22 Spring Lake Road, Town of Sherman, County of Fairfield, State of Connecticut". Dated March 11, 2017. Prepared by: Arthur Howland & Associates, P.C. and set the Public Hearing for August 3rd, 2017 beginning at 7:00pm at Mallory Town Hall.
Seconded by: M. Lee **Vote: For: Unanimous**

Approval of Minutes:

Regular Monthly Meeting of June 1, 2017

Commissioner J. Siegel Moved Approve the Minutes of Regular Monthly Meeting of June 1, 2017 as written.
Seconded by: M. Lee **Vote: For: Unanimous**

Correspondence:

Town of Pawling NY, Zoning Department- Notice of a Public Hearing for an Amendment to the Zoning Regulations. To create a Commercial Highway Business District.

Zoning Enforcement Officer's Report: May- June 2017

Zoning Enforcement Officer Ron Cooper submitted a combined Report for May - June 2017. There were seventeen applications approved. Seven Statements of Intent was approved. No applications were withdrawn. Two applications have been denied. Twelve applications remain under review. The ZEO reported updates on several cases that have required ongoing investigation as well as follow up on several Violation Notices sent due to oversized Real Estate signs.

Commissioner N. Volkmar Moved to Accept the Zoning Enforcement Officer's May - June 2017 Report as presented.
Seconded by: M. Lee **Vote: For: Unanimous**

Public Comment: No one was present to speak.

Committee Reports: None

Chairman Report:

Chair J. Burruano requested of the First Selectman to see the Will from Tony Happanowich to see if there were specific restrictions regarding the farm. The First Selectman only stated there were no restrictions but would not share the document. , she went to the Probate Court and was not able to obtain the information because it is held in a trust which is exempt from the Freedom of Information Act. Mrs. Burruano stated she feels the wishes of Mr. Happanowich regarding the farm should be taken into consideration and do affect the Town.

Regulation Review:

Proposed Amendment to Zoning Regulations, Section 352 Farming-

Tabled to a Mid-Month Workshop July 20, 2017.

Adjournment:

Commissioner M. Lee Moved to Adjourn the Meeting at 9:57 pm.

Respectfully submitted by



Christine Branson, Administrative Clerk

June 15, 2017

