



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

FINAL

Members Present: J. Burruano, N. Volkmar, M. Lee, T. Hollander, and Alternates: W. Knaak, and R. Peburn

Members Absent: P. Voorhees, J. Finch and M. Sichel and Alternate A. Muoio

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

Audience: C. Hagadorn CT Audubon Program Director, F. Maignan Four Seasons Therapy, Dr. R. Oppenheimer, L. Oppenheimer, Sherman Cosmetic Dentistry, B. Hickey, S. Allison, T. Brady, and M. Lord

Call To Order: Chair J. Burruano Called the Meeting to Order at 7:00 p.m.

Alternates R. Peburn and W. Knaak were elevated for the duration of the Meeting due to the absence of Commissioners P. Voorhees, J. Finch and M. Sichel.

N. Volkmar Moved to Amend the Agenda to include Carpanzano, Michael- 9 Locust Lane, Special Permit Application for an Accessory Apartment in the New Business portion of the Meeting.

Seconded by: R. Peburn

Vote: For: Unanimous

Public Hearing I- Continued from January 5, 2017

Special Permit Application: 39 Wanzer Hill Road (M-53, L-26) - Murray, Kevin 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 Continuation of the Public Hearing. The Legal Warning was read into record by Secretary M. Lee. Chair J. Burruano stated that the Commission has received a letter of withdraw from the Applicant K. Murray. The letter was read into record. Mr. Murray stated the purpose of his withdraw were to allow time to mediate wetlands violations that were pending. Chair, J. Burruano stated the application has been withdrawn.

Public Hearing II

Special Permit Application: 1 Route 37 East, Building 2, Second Floor. (M-77, L-20) Property Owner: McClusky Family Limited Partnership. Permit Applicant: Fritz Maignan, Four Seasons Therapy, LLC to propose a Mental Health Services /Psychotherapy Office. In accordance with Zoning Regulation 333.1i Permitted Principal Use. Zone C.

Chair J. Burruano opened the Public Hearing. The Legal Warning was read into record by Secretary M. Lee. The Legal Notice was published in the Town Tribune on March 23, 2017 and again on March 30, 2017. Certified letters were sent to 18 property abutters and business owners. No correspondence has been received. Chair J. Burruano reviewed the contents of the application file. There was a letter of permission from property owner M. McClusky Family Limited Partnership. There was a description of the business, a Mental Health Services/ Psychotherapy office, the hours of operation are proposed to be Monday through Sunday 7am to 10pm. There will be 2 employees. The anticipated client flow will be one per hour with possible group sessions provided on a bi-monthly basis. Also submitted was a description and dimensions of a proposed sign and a detail of proposed parking needs. A floor plan was provided to show the lay-out of the office in Unit 2. Health Approval was signed off on February 18, 2017. The applicant, Fritz Maignan of Four Seasons Therapy, LLC was present in the

audience. Chair Burruano asked if there were any questions or comments from the Commission. There were none. Chair Burruano asked if there were any Proponents present in the Audience who wished to comment. There were no comments made. Chair Burruano asked if there were any Opponents present in the Audience who wished to comment. There were no comments made. There were no comments made by the General Public. Hearing no additional comments, Chairman Burruano stated there was sufficient information to Close the Public Hearing.

Commissioner N. Volkmar Moved to Close the Public Hearing for Special Permit Application: 1 Route 37 East, Building 2, Second Floor. (M-77, L-20) Property Owner: McClusky Family Limited Partnership. Permit Applicant: Fritz Maignan, Four Seasons Therapy, LLC.

Seconded by: T. Hollander

Vote: For: Unanimous

Public Hearing III

Special Permit Application: 57 Wakeman Hill Road (M- 8, L- 47) Connecticut Audubon Society, Deer Pond Farm, to allow recreational public access to established walking trails on a 388+ acre parcel as indicated and shown on a detailed map prepared by Connwood Foresters, Inc. Dated August 2008. In accordance with Zoning Regulations, Section 324.1e: Accessory Uses to Conservation Organizations. Zone A.

Chair J. Burruano opened the Public Hearing. The Legal Warning was read into record by Secretary M. Lee. The Legal Notice was published in the Town Tribune on March 23, 2017 and again on March 30, 2017. Certified letters were sent to 46 property abutters. Correspondence was received from Fran & John Gileno, and another letter from Heather Williamson, both were read into record and were in favor of the proposed activity. There was a detailed description of proposed a parking location and designated area for portable toilet facilities. Also included in the file was a letter of authorization from the property owner Connecticut Audubon Society Executive Director N. North allowing C. Hagadorn Program Director for the CT Audubon to act on their behalf. Ms. Hagadorn was present to speak on behalf of the application. The Commission conducted a site walk meeting on April 1, 2017 at 10am. to familiarize themselves with the location of the proposed parking area. Chair Burruano asked if there were any questions or comments from the Commission. Alternate W. Knaak stated he hopes there will be an area close to the duck pond where Senior Citizens could sit on a bench and enjoy the scenery. There were no other comments from the Commission. Chair Burruano asked if there were any Proponents present in the Audience who wished to comment. There were no comments made. Chair Burruano asked if there were any Opponents present in the Audience who wished to comment. There were no comments made. One comment was made by the General Public. Tricia Brady asked if dog walking and horseback riding would be permitted along the trails. C. Hagadorn Program Director responded that dogs on leashes would be permitted. Horseback riding would not be permitted at least not on the Connecticut side of the property. Hearing no additional comments, Chairman Burruano stated there was sufficient information to Close the Public Hearing.

Old Business:

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

No action was taken, the Application has been withdrawn.

Deliberation of an Application for a Special Permit for 1 Route 37 East, Building 2, Second Floor. (M-77, L-20) Property Owner: McClusky Family Limited Partnership. Permit Applicant: Fritz Maignan, Four Seasons Therapy, LLC Application for a Special Permit

Commissioner N. Volkmar Moved to Approve the Special Permit Application: 1 Route 37 East, Building 2, Second Floor. (M-77, L-20) Property Owner: McClusky Family Limited Partnership. Permit Applicant: Fritz Maignan, Four Seasons Therapy, LLC to propose a Mental Health Services /Psychotherapy Office in accordance with the business plan submitted and Zoning Regulation 333.1i Permitted Principal Use. Zone C.

Seconded by: T. Hollander

Vote: For: Unanimous

Deliberation of an Application for a Special Permit 57 Wakeman Hill Road (M- 8, L- 47) Connecticut Audubon Society, Deer Pond Farm.

Chair J. Burruano referred the Commission to Zoning Regulation, Section 324.1e Accessory Uses to a Conservation Organization and read into record that section. Additionally read into record was a section from the Town Plan of Conservation and Development, (updated June 20, 2013) Section Rural Town Concept. The Commission agreed that the proposed activity fits within the Zoning Regulations as well as the criteria for the P.O.C.D.

Commissioner T. Hollander Moved to Approve Special Permit Application for 57 Wakeman Hill Road (M- 8, L- 47) Connecticut Audubon Society, Deer Pond Farm in accordance with the parking plan submitted and Zoning Regulation Section 324.1e Accessory Uses to a Conservation Organization.

Seconded by: M. Lee

Vote: For: Unanimous

New Business:

Special Permit Application: 9 Locust Lane, (M- 73, L- 24) - Carpanzano, Michael to allow an Accessory Apartment above a new detached garage with connection to septic.

Chair J. Burruano reviewed the contents of the application file for a Special Permit for an Accessory Apartment above a new detached garage with connection to existing septic. In the file was health approval from the Town , dated March 30, 2017 as well as State Health Approval dated March 27, 2017. Building plans for the proposed garage, which include a floor lay out for the apartment. Also included was a B-100 entitled " Proposed Sanitary Disposal System Plan" showing the proposed location of a 1,000 gallon pump system. The property owner, Michael Carpanzano was present to speak on behalf of the application. The Commission requested clarification from Mr. Carpanzano as to why the proposed floor plan of the apartment exceeds the allowable 750 square feet. Mr. Carpanzano stated he was not considering the staircase or mudroom as part of the apartment. Mr. Carpanzano stated there is a common entry way to the building that is a mudroom then stairs leading to the apartment and a lockable door which separates the apartment from the stairway, if subtracted from the square footage the proposed apartment would be in compliance. The Commission discussed the proposed parking area for the apartment as well as a proposed pool also shown on the plan. Chair J. Burruano requested Mr. Carpanzano add the proposed driveway to the A-2 survey next month. Mr. Carpanzano agreed to meet with ZEO R. Cooper to address a concern regarding the driveway and would discuss the square footage of the proposed apartment. The Commission had no additional questions. The application was accepted, a date was not set for the Public Hearing until pending issues are satisfied.

Approval of Minutes:

Regular Monthly Meeting of March 2, 2017

W. Knaak Moved to Approve the Minutes of March 2, 2017 Regular Monthly Meeting as written.

Seconded by: M. Lee

Vote: For: Unanimous

Correspondence:

Land Use Atty. Mark Branse- Notice Attys. Mark Branse and Matt Willis will be joining with Hartford law firm Halloran & Sage LLP in Hartford.

Commissioner Mark Sichel- Notice of Resignation from the Commission effective immediately due to the sale of his home.

Oppenheimer, Dr. Roger & Linda- In February of 2013 the Commission denied the Oppenheimer's original application for their dental practice to be considered a no-impact home occupation. The Oppenheimer's were advised to apply for a Special Permit to allow a Dental Practice in a residential neighborhood. The Commission approved the Special Permit with restrictions on the number of patients seen daily and days of operation to lessen the potential impact on the neighboring properties. Dr. Oppenheimer feels the restriction is limiting the services they can

provide their patients. Dr. Oppenheimer is requesting the Commission's consideration to have the restrictions removed to allow the ability to offer their patients more flexibility with scheduling and most importantly if an emergency were to occur, see a patient outside of stipulated hours of operation.

Motsinger, John Happy Acres Farm- proposing a different idea for the farm stand this coming summer. Would like the ability to conduct a mini-farmers market offering vendors from local businesses and farms in the community with possible crafts or entertainment on Sundays beginning at 11am to 2pm during the summer months. Parking restrictions will be followed and portable restrooms will be provided as were stipulated with the original farm stand approval.

Zoning Enforcement Officer's Report: March 2017

Zoning Enforcement Officer Ron Cooper submitted a Report for March 2017. There were six applications approved. One Statement of Intent was approved. No applications were withdrawn. One application has been denied. Three 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 March 2017 Report as presented.

Secinded by: M. Lee

Vote: For: Unanimous

Public Comment:

Lord, Mason- would like the Commission to review the process of measuring the exterior of a building to determine the interior square footage of structures. Mr. Lord stated that with high performance building techniques, sometimes an interior wall can be up to twelve inches thick.

Committee Reports:

No reports were given.

Chairman Report:

Chair J. Burruano reported that Carl Zimmerman of WCOGG is offering the Town the ability to use GIS data for mapping purposes such as topographical, aerial and many other useful features. Mr. Zimmerman will attend the May Meeting . The ZBA, IWWC, Conservation Commission, and Board of Selectmen will be invited to attend the presentation. Ms. Burruano reported Alternate Ryan Peburn attended the Land Use Seminar last month and has the supplement if anyone is interested in borrowing it.

Regulation Review:

There will be a Mid Month Workshop Meeting on April 20th where the Commission will review possible amendments to the Farming Regulation proposed new Farm Winery Regulation.

Adjournment:

Commissioner M. Lee Moved to Adjourn the Meeting at 9:46 pm.

Respectfully submitted by:

Christine Branson, Commission Clerk

April 21, 2017

*APPROVED AS FINAL AT THE MAY 4, 2017 RMM



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Audience: C. Hagadorn CT Audubon Program Director, F. Maignan Four Seasons Therapy, Dr. R. Oppenheimer, L. Oppenheimer, Sherman Cosmetic Dentistry, B. Hickey, S. Allison, T. Brady, and M. Lord

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Seconded by: T. Hollander

Vote: For: Unanimous

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Seconded by: M. Lee

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Correspondence:

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Respectfully submitted by:


Christine Branson, Commission Clerk

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