
Members Absent: R. Lenihan

Also: Zoning Enforcement Officer R. Cooper and Administrative Clerk C. Branson

Audience: None

ANNUAL ORGANIZATIONAL MEETING

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

Nominating Committee:

Discussion and Action regarding the Annual Election of Officers

The Chair of the Nominating Committee N. Volkmar presented the slate of officers for 2018-19:
Chair: Jeannene Burruano
Vice Chair: Neil Volkmar
Secretary: Mary Lee

Commissioner P. Voorhees Moved to Approve the Slate of Officers as presented:
Chair: Jeannene Burruano, Vice Chair: Neil Volkmar, and Secretary: Mary Lee to each serve one year terms in these positions.

Seconded by: R. Peburn          Vote: For: Unanimous

Adjournment of the Annual Organizational Meeting:

Commissioner N. Volkmar Moved to Adjourn the Annual Organizational Meeting at 7:03pm

REGULAR MONTHLY MEETING

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

M. Lee Moved to Amend the Agenda to add to Old Business: Discussion and Possible Action regarding proposed updates to the Fees for processing Land Use Applications

Seconded by: N. Volkmar          Vote: For: Unanimous

Alternate J. Siegel was Elevated to Voting Status for the duration of Deliberation for proposed: Changes to the Zoning Regulations, Amend Section: 352, Farming.

Commissioner M. Lee was not present at the Public Hearing for proposed: Changes to the Zoning Regulations, Amend Section: 352, Farming, therefore will not be a seated voting member of the Continuation of the Deliberation.
Old Business I:

Continuation of Deliberation of Public Hearing I:

Chair J. Burrano opened the continuation of deliberations for the proposed amendment to the Zoning Regulations Section: 352, Farming. Land Use Atty. M. Branse provided feedback and clarification on a few minor changes which were read into record. The Commission agreed to implement these changes to the proposed Regulation Section: 352, Farming. There were no additional questions or comments made by the Commission.

**Commissioner J. Finch Moved to Approve** the following Proposed Amendment:

Changes To The Zoning Regulations, Amend Section: 352, Farming, The below Amendment to this Regulation shall become effective February 10, 2018

**Seconded by:** N. Volkmar  **Vote: For:** 6 (Unanimous of those Seated)  
(Not Seated /Abstained: M. Lee and Alternates: R. Linkletter and V. Rehders)

PROPOSED: CHANGES TO THE ZONING REGULATIONS, AMEND SECTION: 352, FARMING

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<td>Article III- GENERAL REGULATIONS</td>
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<td>AMEND:</td>
<td>SECTION 352 Farming</td>
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<td>AMEND:</td>
<td>SECTION 331 (Zone A-Farm-Residence Zone — Permitted Principal Uses)</td>
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It is the intention of the people of Sherman to encourage farming in the town, in accordance with the guidance of the Plan of Conservation and Development, in order to preserve open space, preserve the rural character of the town, maintain the historical integrity of the town, and manage the density of population consistent with the natural resources and the infrastructure in the town. The town recognizes, as well, that farming must be done responsibly, with consideration for the rights of one’s neighbors.

<table>
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This section is intended to allow for diversity and sustainability of agricultural uses and to preserve farm activity in Sherman. Farm activities are permitted to have certain complimentary uses that will help create a viable agricultural endeavor in accordance with all State and Federal laws or regulations governing such activities.

| ADD: | 352 B.2 Lot Size: |

The lot upon which the principal buildings for farming are located shall be at least 200,000 square feet in area. Dwelling use on the same property is permitted but an additional 80,000 square feet shall be required for the dwelling and all requirements for the dwelling and lot must meet these Regulations.

| 352 B.3 | Setbacks: |

Minimum setback requirements for barns housing animals shall be 100 feet from any side or rear lot line and 50 feet from the front lot line or any lot line on a road or 75 feet from the center of the road, whichever is greater. Minimum setback requirements for other farm buildings shall be as in 331.5 and 332.5.

| 352 B.4 | Seasonal Farm Stand: |

The accessory display and sale of farm produce at a Seasonal Farm Stand is considered to be a permitted use provided it meets the conditions below, in addition to Site Plan Approval by the Planning and Zoning Commission before such activity begins. The activities must be conducted on the premises which contain the principal farming activity. Any structures used for this purpose shall meet all the requirements of these regulations.

a. **Size and Setbacks:**

A Seasonal Farm Stand shall not exceed 300 square feet in size and shall be placed at least 50 feet from the front lot line; at least 100 feet from any road intersection; and at least one 100 feet from any side or rear lot line. A Seasonal Farm Stand of less than 100 square feet shall be exempted from the front lot setback. An existing barn/building within the 50 foot setback to be used as a Seasonal Farm Stand may be considered by Special Permit subject to the Commission's approval and in accordance with Section 340 of these Regulations.
b. **Sale of Products:**
A majority of the produce offered for sale shall originate on the premises, and at least 70% of the gross value of the products available on site for sale per annum shall be from agricultural goods produced on site.

c. **Parking:**
To ensure public safety Seasonal Farm Stands are required to provide parking for at least 3 cars, not located in a public road right of way or requiring backing out into a public road right of way, with adequate ingress and egress. A detailed plan of the parking area or areas shall be submitted to and approved by the Planning and Zoning Commission in accordance with procedures set forth in Section 372. Parking must be accessible and usable in all weather conditions for visiting vehicles.

d. **Vehicles:**
Vehicles used in connection with such display or sale shall be garaged or otherwise screened and hidden from view of adjoining properties and the adjacent roads when not in use.

e. **Signs:**
Signs shall be permitted as set forth in Section 362.

ADD: 352. B.5 **Farm Store:**
One Farm Store per active farm may be permitted by Special Permit provided the farm store meets all standards of this Section and is sited more than 50 feet from any property boundary. A pre-existing non conforming structure may be converted to farm store use, may be considered by Special Permit subject to the Commission's approval and in accordance with Section 340 of these Regulations.

a. **Statement of Use:**
Every application for a farm store Special Permit shall include a Statement of Use. The Statement of Use shall describe the following as they apply to the proposed farm store use:

i. Hours of operation, number of employees, types of items sold, size of the retail area.

ii. The Statement of Use shall become a part of any Special Permit approval for a farm store use, and the farm store use shall be operated in accordance with the provisions of the Statement of Use. The Statement of Use may be amended by the Commission, at the request of the applicant, without a new public hearing if, in the Commission’s opinion, the requested amendments are minor in nature. If the requested amendments are not minor in nature, the Commission shall require a modification to the Special Permit and hold a new Public Hearing.

iii. Hours of operation shall be no earlier than 10 am and no later than 8 pm except in the case of an event. In the case of an event, hours of operation shall be determined by the corresponding Event Section of these Regulations.

b. **Sale of Products:**
At least 50% of the gross sales per annum of the farm store shall be from agricultural goods produced on the site or processed products made from raw materials produced on site. Locally grown or regionally produced products shall comprise 45% of sales per annum, the remaining 5% may be non-regionally produced products.

c. **Parking:**
To ensure public safety, farm stores are required to have off street parking that is code compliant as it relates to grade and drainage. A parking plan must be included with a Special Permit Application.

352. B.6 **Farm Related Events:**
a. **Event Types:**
Farm Related Events include events such as corn mazes, pick your own, harvest festivals and farm tours, farmers markets, educational demonstrations, hay rides, petting zoos, and other accessory farm uses hereafter, "Farm Related Events". Any such Event shall be subject to any applicable CT. State regulations.

i. Any Event 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.
b. **Parking:**
Farm Related Events are allowed on farms provided adequate off-street parking is provided for guests/customers. One parking space is required for every two guests/customers/employees. Parking does not have to be paved or improved, just accessible to and useable in all weather conditions for visiting vehicles. (a section of field is acceptable, provided it is passable).

c. **Permanent Uses:**
Permanent farm related uses include events on a farm which are accessory to agricultural uses and which occur regularly, such as the processing of farm products and their related activities hereafter, "Farm Related Uses." This includes the sale and service of food produced and prepared on the premises at Farm Related Events.

d. **Site Plan:**
All proposed Farm Related Events must submit a Site Plan to the Commission. The Site Plan must show in detail planned use areas, parking and traffic movements. If lighting and signage is proposed they must be included on the Site Plan.

e. **Statement of Intent:**
Once the Site Plan is approved and all conditions, if any, satisfied, the applicant must annually submit a Statement of Intent of proposed events noting the date, number of persons expected and the nature of the Event. The applicant will not have to receive Site Plan approval on an annual basis so long as the approved activities do not significantly change.

352. B. 7 **Non-Farm Related Events and Activities:**

a. **Event Types:**
Non-farm Related Events and activities are uses on a farm that are not necessary to agriculture or tied to farm buildings, structures, equipment and fields. Such uses include, but are not limited to, fee based outdoor recreation such as cross country skiing, mountain biking and event hosting such as charity benefits and movie nights hereafter, "Non-Farm Related Events." This includes the sale and service of food produced and prepared on the premises at Non-Farm Related Events. Any such Event shall be subject to any applicable CT. State regulations. Non-Farm events and activities are allowed on farms only by Special Permit and shall meet Special Permit requirements for Special Events as identified as below:

b. **Outdoor Events:**
All outdoor functions with more than 50 guests, at any given time, not including staff, in the outdoor depicted on the approved Site Plan area 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 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 150 guests unless approved in advance by the Commission and will count towards the total of 15 events exceeding 50 guests per calendar year.

3. The outdoor event area shall be readily accessible from a farm 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 in all weather conditions.

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 50 feet from any property
   line and no closer than 100 feet from any dwelling on an adjacent lot.

7. All entertainment and audio amplification shall terminate at least 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. All applications are to be submitted 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.

11. For any event contained in the approved statement of use, at least 4 days
    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.

352. B. 8 Open Public Events:
Activities allowed on a farm could include artist receptions and artist exhibitions, music
entertainment, farming related seminars, farming related meetings, farm to table dinners including
the sale and service of food prepared and produced on the premises at such events, in accordance
with the conditions as set forth in the approved statement of use. Any such event shall be subject
to any applicable Connecticut State Regulations. Maximum attendance for such events shall be
50 attendees at any given time not including employees. The Statement of Use shall specify the
maximum anticipated attendance for each category of event that may occur at the farm, 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 shall be served or
consumed on the premises, specifically including so-called "BYOB" (Bring Your Own Bottle) unless
expressly authorized in the Statement of Use, such as authorization for properly licensed caterers to
serve alcoholic beverages. Any event 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.

352. B. 9. Design and Site Plan Development Standards for Farm Stands, Farm Stores,
Farm Related Events, and Non-Farm Related Events:
   a. Access and Circulation:
      Where a Lot has frontage on 2 or more streets, the entry and exit from the street shall be
      located so as to minimize traffic congestion and eliminate hazards to traffic and
      pedestrians.
      i. Access driveways shall be of a design and have sufficient capacity to avoid
         queuing of entering vehicles on any street, provide for two-way traffic and be a
         minimum width of 20 feet.
      ii. There shall be no more than 1 driveway connection from any lot to any
          street except that:
          1. Separate entrance and exit driveways may be provided where necessary
             to safeguard against hazards and to avoid congestion.
          2. Additional driveway connections may be provided, particularly for, but
             not limited to, large tracts and uses of extensive scope, if traffic flow in
             the street will be facilitated by the additional connection.

352. B. 10. Application Requirements for Farm Stands, Farm Stores, Farm Related
Events, and Non-Farm Related Events:
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,
including the following:
   a. Written approval from the Sherman Health Department.
   b. Written approval from the Sherman Fire Marshal.
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 farm and farming 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 352B.8 above.

e. The location on the premises, number or frequency, maximum attendance, hours, and schedule for outdoor events proposed under Section 352.B7.b above.

f. Such other information as will enable the Commission to determine the type and character of activities to be conducted on the premises indoor or outdoor 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.

352B.11 Criteria for Evaluation:
In addition to the criteria of Section 340 of these Regulations, the Commission shall consider the following in any application for a 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:

AMEND: Barn- Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of animals, equipment, fodder, or other chattels of an agricultural nature for use in support of agricultural operations, including activities and events subject to Section 352.

ADD: Farm: A tract of land containing 200,000 square feet or more on which the principal use is farming. For the purpose of these Regulations such tract may be dissected by a road.

AMEND: Farming- The raising of crops or livestock and other domestic animals as permitted by these Regulations, excluding commercial dog kennels; commercial livery and boarding stables; commercial nurseries; commercial/ industrial operations which do not directly relate to the production of raw unprocessed agricultural goods.

ADD: Farm Store- A permanent accessory building or structure or area of land used by the Farm for the year round sale of raw and/or processed agricultural or horticultural products which is in compliance with Section 352.B 5 of these Regulations.

ADD: Regionally produced- Items produced within a 50 mile radius of Sherman Connecticut.

ADD: Seasonal Farm Stand- An accessory building, structure, or area of land used by a Farm for the temporary seasonal sale of raw and/or processed agricultural and horticultural products which is in compliance with Section 352.B4 or these Regulations and is closed annually for no less than six consecutive weeks.

AMENDMENT TO THIS REGULATION SHALL BECOME EFFECTIVE February 10, 2018

Commissioner M. Lee was re-seated as a voting Commissioner and Alternate R. Linkletter was seated in the Absence of Commissioner R. Lenihan.

Old Business II: Discussion and Possible Action regarding proposed updates to the Fees for processing Land Use Applications

Chair J. Burrano opened the continued discussion regarding proposed amendments to the Land Use Application Fees. At the last meeting the Commission requested the ZEO look into what other Towns are charging for certain activities for clarification.

Commissioner M. Lee Moved to Approve the proposed changes as amended to the Land use Fees and to present to the BoS to bring to a Town Meeting for approval.

Seconded by: P. Voorhees Vote: For: Unanimous
New Business: Special Permit Application: Gorman, Ralph, White Silo Farm Winery, 32 Route 37 East (M-18, L-4) for a Farm Winery and events in accordance with Zoning Regulations, Section 352 A Farm Winery.

Chair J. Burruano reviewed the application file, which included a Statement of Intent outlining the business plan, events description, parking plan, health approval, and a list of mailing addresses for abutting neighbors within 500 feet. The Commission determined there was sufficient information to set the application for a Public Hearing.

Commissioner N. Volkmar Moved to Accept the Special Permit Application for Gorman, Ralph, White Silo Farm Winery, 32 Route 37 East (M-18, L-4) for a Farm Winery and events in accordance with Zoning Regulations, Section 352 A Farm Winery, and set a Public Hearing for March 1st, 2018 beginning at 7:00pm at Mallory Town Hall. Seconded by: M. Lee Vote: For: Unanimous

Approval of Minutes:

Regular Monthly Meeting of December 7, 2017

Commissioner P. Voorhees Moved to Approve the Regular Monthly Meeting Minutes of December 7, 2017 as Amended (Correct the Adjournment made by T. Hollander and Seconded by W. Knaak). Seconded by: N. Volkmar Vote: For: Unanimous

Correspondence:

Board of Selectmen- FY 2018-19 Budget Request

Zoning Enforcement Officer's Report: December 2017

Zoning Enforcement Officer Ron Cooper submitted a Report for December 2017. There were seven Zoning applications approved. Four Statements of Intent were approved. No applications were withdrawn. Seven applications were denied. Three were returned for lack of information. Seven applications remain under review. Several cases were discussed that are under continued review.

Commissioner N. Volkmar Moved to Accept the Zoning Enforcement Officer’s December 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 welcomed new Commission Alternates R. Linkletter and V. Rehders and read into record the Commission Primer. Additionally, Chair Burruano distributed information regarding an up-coming workshop sponsored by Naugatuck Valley Council of Governments. The Commission discussed recommending a candidate to the BoS to serve as Zoning Hearing Officer. The Commission discussed publishing the Zoning Enforcement Officer’s monthly report with the Monthly Minutes. The Commission discussed possible changes to the process to require a Certificate of Zoning Compliance for existing structures when a new application is received.

Regulation Review: The Commission discussed a few topics and procedures that may be presented for review in the future.

Adjournment: Commissioner N. Volkmar Moved to Adjourn the Meeting at 9:43 pm.

Respectfully submitted by:

_______________________________
Christine Branson
January 25, 2018

APPROVED AS FINAL AT THE FEBRUARY 1, 2018 RMM