
Members Absent: None

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

Audience: A. Branson, C. Hagadorn, M. Josephson, D. Borkowski, R. Hudson,

Call to Order: Chair J. Borrano Called the Regular Meeting to Order at 7:02 pm

Public Hearing I:

AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION - 57 Wakeman Hill Road (M-8, L-47) - CT Audubon, Deer Pond Farm- to expand the existing parking area to accommodate an additional 10 parking spaces, in accordance with Section 324.1 e Accessory Uses to Conservation Organizations as shown on submitted map entitled "The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road," Prepared by: Sara N. daSilva Quintal, Dated February 7, 2017. Zone A.

Chair J. Borrano opened the Public Hearing for the Amendment to An Existing Special Permit Application 57 Wakeman Hill Road (M-8, L-47) - CT Audubon, Deer Pond Farm. Secretary M. Lee read the Legal Notice into record. The Notice was published in the Town Tribune on May 24th and again on May 31st, 2018. Forty five neighboring abutters were sent certified notice. No correspondence was received. CT. Audubon, Deer Pond Director C. Hagadorn was present to speak on behalf of the proposed Amendment to the Special Permit. The proposed amendment is to allow an additional ten parking spaces. The Commissioners had no comments or questions regarding the proposed amendment to the Special Permit. There were no comments from the audience.

N. Volkmar Moved to Close the Public Hearing for an Amendment to An Existing Special Permit Application - 57 Wakeman Hill Road (M-8, L-47) - CT Audubon, Deer Pond Farm. Zone A.

Seconded by: M. Lee

Vote: For: Unanimous

Public Hearing II:

SPECIAL PERMIT APPLICATION- Crooked Furrows Lane (M-24, L-11 ) NAROMI Land Trust, Brookland Preserve- to allow a 20’ x 60’ designated parking area, an access gate, sign and kiosk in accordance with Section 324.1 e Accessory Uses to Conservation Organizations as shown on submitted map entitled "Property Survey, prepared for NAROMI Land Trust, Dated October 30, 2017. Zone A.

Chair J. Borrano opened the Public Hearing for the Special Permit Application for Crooked Furrows Lane (M-24, L-11 ) NAROMI Land Trust, Brookland Preserve. Secretary M. Lee read the Legal Notice into record. The Notice was published in the Town Tribune on May 24th and again on May 31st, 2018. Three neighboring abutters were sent certified notice. No correspondence was received. NAROMI’s Executive Director, A. Branson was present to speak on behalf of the application. From the audience, M. Josephson gave the Commission a brief history of the land now referred as "Brookland Preserve", stating the trail was established over 30 years ago with a fifty foot right of way to access the trail. The right of way has been used for parking and access to the property, over the years there have been reports of inappropriate use of the land, such as partying at night, camping and bonfires. NAROMI wants to work with the neighboring properties to keep the area calm and quiet. A. Branson read from a prepared statement, stating that the area has been open to public access since 1973. NAROMI wishes to re-erect the kiosk to post the the hours of access and rules of use. NAROMI also wishes to erect an iron gate and three established parking spaces. Also from the audience D. Borkowski spoke in opposition, stating the neighboring properties have suffered from people trespassing and some even have had alterations with people who have come to "enjoy" the preserve. Mr. Borkowski stated he has lived next to the preserve for twenty years, he was aware that construction took place in wetlands and would like to know what follow up had taken place to remove the materials that were left in a pile. Mr.
Borkowski shared his concerns regarding the upkeep and maintenance of the preserve if they are opening it up to more opportunities for destructive behavior. Mr. Borkowski requested the Commission not approve the parking area because he feels it is appropriate to park at the church lot and have people walk in. L. Agitino, another abutting neighbor spoke in opposition, sharing similar concerns regarding the misuse of the preserve. She stated she has been dealing for years and years with people coming to the preserve to party and camp and there have been several occasions where the police were called. There have been people using drugs and alcohol at night and letting dogs roam off leash. She opposes the parking area and asked the Commission to consider the use of the church parking lot as an alternative. She stated she does not want to block access to responsible hikers, but is very concerned about those who will abuse the preserve. R. Hudson abutting neighbor, spoke in opposition and read from a prepared statement. R. Hudson has witnessed over the years many occasions where inappropriate behavior has taken place, drug use, alcohol, campers, dogs roaming, and garbage left behind and was threatened by someone holding a baseball bat. From the audience, J. Freed spoke in favor of the application, stating he has accessed the preserve to ride horses on the trails and has never encountered any inappropriate conduct or any garbage left behind. Also from the audience, T. Quinn spoke in favor, stating he has enjoyed the trail for years, with his dog on leash and has never encountered anyone or any garbage. Mr. Hudson spoke again stating he picks up garbage when he sees it, which could be why others might not be witnessing the damages from those who are abusing the preserve. M. Josephson repeated the intent for NAROMI to take responsibility, and appreciates any efforts that have been made in the past to help. The Commission reviewed the language on the proposed sign which shows the hours of access and other rules of conduct. Discussion followed regarding the intent of the gate and when it shall be locked and unlocked. The Commission agreed to conduct a site walk. ZEO R. Cooper requested NAROMI work out an agreement with the neighbors for maintenance. Chair, J. Burrumano requested the ZEO research the original wetlands approval for this parcel and bring the information to the July Meeting.

N. Volkmart Moved to Continue Public Hearing II: SPECIAL PERMIT APPLICATION- Crooked Furrows Lane (M-24, L-11) NAROMI Land Trust, Brookland Preserve to the July 5, 2018 Regular Meeting and set a site walk for June 19, 2018 beginning at 6:00pm.

Seconded by: M. Lee

Vote: For: Unanimous

Old Business:

DELIBERATION OF SPECIAL PERMIT I

AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION - 57 Wakeman Hill Road (M-8, L-47) - CT Audubon, Deer Pond Farm- to expand the existing parking area to accommodate an additional 10 parking spaces, in accordance with Section 324.1 e Accessory Uses to Conservation Organizations as shown on submitted map entitled "The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road," Prepared by: Sura N. daSilva Quintal, Dated February 7, 2017. Zone A.

P. Voorhees Moved to Approve AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION - 57 Wakeman Hill Road (M-8, L-47) - CT Audubon, Deer Pond Farm- to expand the existing parking area to accommodate an additional 10 parking spaces, in accordance with Section 324.1 e Accessory Uses to Conservation Organizations as shown on submitted map entitled "The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road," Prepared by: Sura N. daSilva Quintal, Dated February 7, 2017. Zone A.

Seconded by: R. Lenihan

Vote: For: Unanimous

New Business: None

Approval of Minutes: Regular Monthly Meeting of May 3, 2018

M. Lee Moved to Approve the P&Z Minutes of Regular Monthly Meeting of May 3, 2018 as written.

Seconded by: R. Lenihan

Vote: For: Unanimous

Approval of Minutes: Mid Month Meeting of May 17, 2018

M. Lee Moved to Approve the Minutes of Mid Month Meeting May 17th, 2018 as written.

Seconded by: J. Siegel

Vote: For: Unanimous

Correspondence: No correspondence was received.
Zoning Enforcement Officer’s Report: May 2018

Zoning Enforcement Officer Ron Cooper submitted a Report for May 2018. There were five Zoning applications approved. Six Statements of Intent were approved. No applications were withdrawn. Three applications were denied. None were returned for lack of information. Eleven applications remain under review. Several cases were discussed that are under continued review.

N. Volkmar Moved to Accept the Zoning Enforcement Officer’s May 2018 Report as presented. Seconded by: M. Lee Vote: For: Unanimous

Public Comment: No one was present to speak.

Committee Reports: No reports were submitted.

Chairman Report: J. Burruano reported Attorney M. Zizka will be presenting a joint Board Land Use Seminar this coming Monday, June 11, 2018, beginning at 7:00 pm.

Regulation Review:

The Commission discussed amendments for Zoning Regulations 333.1L Automotive Service Stations and Amendments to Section 324.3A Septic Systems for Accessory Buildings and set Public Hearings for August 2, 2018 beginning at 7:00 pm.

R. Lenihan Moved to Accept the Proposed Amendment To The Zoning Regulations: Amendment to Section 333.1. L - Automotive Service Stations: L. Automotive service stations- as defined in section 610, provided that any such station is located in a place approved by the Commission as not interfering with the normal operation of the movement of pedestrian and vehicular traffic thereto and there from. Amendment to Section 610, Definitions: Automotive Service Station-A retail place of business engaged in the sale of petroleum products and/or the supplying of goods and services required in the operation and routine maintenance of automotive vehicles and the filling of motorists’ immediate needs. These may include recharging stations for electric vehicles, the sale and servicing of tires, batteries, automotive accessories and replacement items, washing and lubrication servicing and the performance of minor repairs, and other incidental customer services and products, but excluding any body and fender work or painting by mechanical means. A Public Hearing was set for August 2, 2018 at Mallory Town Hall, beginning at 7:00 pm. Seconded by: N. Volkmar Vote: For: Unanimous

R. Lenihan Moved to Accept the Proposed Amendment: Change To The Zoning Regulations: Amendment to Section 324.3A Septic Systems for Accessory Buildings: No structure other than the principal building, Accessory Dwelling or detached Accessory Apartment, on a lot shall have a septic system connection except that the Commission may grant Special Permits to allow a septic system connection for not more than one accessory structure on a lot, provided that the following conditions are met. A Public Hearing was set for August 2, 2018 at Mallory Town Hall, beginning at 7:00 pm. Seconded by: N. Volkmar Vote: For: Unanimous

Adjournment: Commissioner M. Lee Moved to Adjourn the Meeting at 9:45 pm.

Respectfully submitted by:

[Signature]
Christine Branson
June 14, 2018
# Planning & Zoning Office
Sherman, Connecticut

## Zoning Enforcement Officers Report
May 2018

### The Following Applications Have Been Approved:

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Last Name</th>
<th>Address</th>
<th>Description</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7838</td>
<td>Anderson</td>
<td>20 Chapel Hill Rd</td>
<td>Install an 18’ x 40’ in ground pool and equipment</td>
<td>B</td>
</tr>
<tr>
<td>7851</td>
<td>Acosta</td>
<td>12 Candleview Dr</td>
<td>Construct a 24’ x 30’ garage with bonus room above attached to existing dwelling.</td>
<td>B</td>
</tr>
<tr>
<td>7853</td>
<td>Nugent</td>
<td>4 Taber Rd</td>
<td>Construct a 28’ x 40’ detached garage.</td>
<td>A</td>
</tr>
<tr>
<td>7854</td>
<td>Romano</td>
<td>37 Cozier Hill Rd</td>
<td>Construct 12.5’ X 32’ deck attached to the existing dwelling</td>
<td>A</td>
</tr>
<tr>
<td>7857</td>
<td>Lee</td>
<td>6 Eagles Nest</td>
<td>Replace existing pool equipment in the exact footprint.</td>
<td>B</td>
</tr>
</tbody>
</table>

### The Following Statements Of Intents Were Approved:

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Last Name</th>
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<tbody>
<tr>
<td>7844</td>
<td>McCluskey</td>
<td>1 Route 37 East</td>
<td>Change from commercial to residential use</td>
<td>C</td>
</tr>
<tr>
<td>7848</td>
<td>Smith</td>
<td>27 Leach Hollow Rd</td>
<td>Install an emergency standby generator</td>
<td>A</td>
</tr>
<tr>
<td>7849</td>
<td>Miller</td>
<td>143 Route 39 North</td>
<td>Replace Two (2) A/C Condensing Units</td>
<td>A</td>
</tr>
<tr>
<td>7850</td>
<td>Baird</td>
<td>9 Spur Lane</td>
<td>Building an engineered retaining wall approx. 45’ long x 12’ high</td>
<td>B</td>
</tr>
<tr>
<td>7852</td>
<td>Klueb</td>
<td>4 Brookside Lane</td>
<td>Finish basement into living space.</td>
<td>B</td>
</tr>
<tr>
<td>7855</td>
<td>Couture</td>
<td>16 Brinsmade Rd</td>
<td>Construct a fence in the front yard in compliance with the ZBA granted variance.</td>
<td>A</td>
</tr>
</tbody>
</table>

### The Following Statement Of Intents Was Received and Filed for Record Only:

<table>
<thead>
<tr>
<th>Application No.</th>
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<tbody>
<tr>
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</table>

### The Following Applications Were Withdrawn:

<table>
<thead>
<tr>
<th>Application No.</th>
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<tbody>
<tr>
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### The Following Applications Have Been Denied

<table>
<thead>
<tr>
<th>Application No.</th>
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<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7833</td>
<td>Febbraio</td>
<td>8 Sunny Lane</td>
<td>Install a 16’ x 32’ in ground pool w/equip.</td>
<td>A</td>
</tr>
</tbody>
</table>
7835 Bulchandani 3 Quaker Ridge Rd  Hook up existing accessory structure to a septic system A
7813 Doyle 18 Pinewood Shores  Install an 8’ x 8’ hot tub on and existing deck B

The Following Applications Were Returned For Lack of Information: Qty: 0

The Following Applications Require Additional Information or Review: Qty: 11

7598 Murray 41 Wanzer Hill Rd  Install a 48’ high fence across the front of the property. B
7773 Noe 140 Route 39 North  Erect 2 hoop house temporary structures A
7816 Wiener 45 Wanzer Hill Road  Install a new tennis court, retaining wall and fencing. B
7831 Anderson 35 Route 39 South  Install a new A/C condenser unit next to the existing dwelling B
7832 Anderson 35 Route 39 South  Install new stairs at rear and side doors of the existing dwelling B
7842 Naromi Land Trust Crooked Furrows  Erect an entrance gate and informational kiosk. A
7845 Aquarion Water Company Eurgy Ln (pump station)  Replace existing standby generator A
7846 Wiener 45 Wanzer Hill Rd  Repair of existing accessory dwelling B
7847 Wiener 45 Wanzer Hill Rd  Repair of existing cottage B
7856 Meenan 2 Shady Farm Lane  Construct a 10’ x 20’ addition on an existing accessory structure A
7858 Aquarion Water Co. 57 Timber Lake Rd  Construct a new 16’ x 28’ “shed” well station B

Old Business:
Case 06-12: 140 Route 39 North – Operating an automotive body and mechanic repair shop. Violation of Town of Sherman’s Zoning Regulations – Not a permitted use in Zone A. Ongoing Investigation.
Case 10-14: 140 Route 39 North – An accessory building erected without the required permit. Violation of Town of Sherman’s Zoning Regulations - Section 410 - Zoning Permits. Zone A. Ongoing investigation.

ZV 01-17 34 Route 39 South – A Temporary Accessory Structure was erected on the property without a permit as required by Section 411 “No buildings or structures shall be erected, constructed, reconstructed, enlarged, altered or moved ... until a zoning permit has been issued by the Planning and Zoning Commission” and Section 324.2.B “Building, Accessory – Temporary – “ of the Zoning Regulations of the Town of Sherman, Connecticut – Zone A. A Notice of Violation was mailed. The property owner is cooperating with the Zoning Enforcement Office and scheduling to have the structure removed. The temporary structure has been removed. No further action required by the ZEO at this time.

ZV 49-17 16 Brinsmade Lane – Fence installed without the required permit. Zone A – The fence is in violation of Section 322.1.b.iv Building Projections (fences and walls greater than 6 feet in height of the Town of Sherman Zoning Regulations. A Notice of Violation was sent. The property owners understand that a variance will have to be granted by ZBA to allow a fence over 6’ high to remain in a non-conforming location or the fence will have to be removed. An application was submitted to ZBA for the necessary variances and the Zoning Board approved a variance during their 5-1-18 meeting. Part of the fence will have to be removed. A portion of the fence has been removed and the rest of the fence is in compliance with the variance that was granted by ZBA.

ZV 53-17 14 Quaker Ridge Road – Accumulation of junk and debris – Including, but not limited to Four (4) Camper Trailers, Multiple junk mowers, snow blowers and miscellaneous waste and second hand materials – Violation of Section 323 of the Town of Sherman Zoning Regulations – Zone A - A Notice of Violation was sent. A meeting was held with the owner’s husband and he agreed to clean up the property. Further follow-up is required.

ZV 60-17 158 Route 37 South - Oversize Real Estate Sign erected on the property in violation of Section 361 of the Town of Sherman Zoning Regulations. Zone A - A Notice of Violation was sent. The original Real Estate Companies sign has been removed, but the new company is in violation for a similar oversize sign. A Notice of Violation will be sent. A Notice of Violation was sent on 5/4/18. The sign has been modified and now complies with the regulations. No further action required by the ZEO.

ZV 65-17 18 Pinewood Shores – Hot Tub installed without the required permit. Zone B - A Notice of Violation was sent. A Zoning Application has been received, and is under review by the ZEO. The current location may require a variance from the Zoning Board of Appeals. An A-2 survey has been received and it was determined by the ZEO that a setback variance from the 440’ contour is required.

Case 68-17 2 Holiday Point Road – Complaint - Raising chickens in Zone B without the required Special Permit. Zone B - Under investigation.

Case 69-17 4 Holiday Point Road – Complaint - Raising chickens in Zone B without the required Special Permit. Zone B - Under investigation.
ZV 72-17 140 Route 39 North – Temporary Structure (Hoop House) erected without the required permit. Zone A. A Notice of Violation was sent. An application has been received and is being reviewed while the property is under investigation.

Case 02-18 3 Deer Run Trail – Multiple temporary structures were erected on the property. Under investigation. Violation of Section 324.2.B, “Building, Accessory – Temporary” of the Town of Sherman Zoning Regulations. A Notice of Violation was sent.

ZV 03-18 10 Locust Lane – Two Real Estate Signs posting property for sale. One on the property and one off the property at the intersection of Locust Lane and Cedar Lane. Zone B A Notice of Violation will be sent. Notice of Violation sent on 5/8/18. The sign at the road intersection has been removed and the remaining sign located in front of the dwelling complies with the zoning regulations.

ZV 04-18 2 Locust Lane – Two Real Estate Signs posted on property for sale. Violation of Section 361 of the Town of Sherman Zoning Regulations. A Notice of Violation will be sent. Notice of Violation sent on 5/8/18. The sign at the road intersection has been removed and the remaining sign located in front of the dwelling complies with the zoning regulations.

New Business:

Case 05-18 3 Deer Run Trail – Operating a Resident Contractor Business without the required determination of “No Impact Business” or issuance of a “Special Permit” by the Planning and Zoning Commission – Violation of Section 324.1C, “Resident Contractor” and Section 324.1C.2, “All Impact Businesses Resident Contractors” of the Town of Sherman Zoning Regulations. A Notice of Violation was mailed on May 10, 2018.

Case 06-18 3 Deer Run Trail – Junk and waste materials are being stored on the property causing an unsightly appearance of the property that impacts the neighbors and general public. Zone B – Violation of Section 323 “Nuisances and Prohibited Uses” of the Town of Sherman Zoning Regulations. - A Notice of Violation was mailed on May 10, 2018.

Case 07-18 3 Deer Run Trail – Off-Street Parking and Storage - The use of the property for storage of boats, jet skis and other equipment is not a permitted accessory use and is a violation of Section 332, Section 332.1 “Permitted Principal Uses” and Section 332.2 “permitted Accessory Uses” of the Town of Sherman Zoning Regulations, Zone B. A Notice of Violation was mailed on May 10, 2018.

Case 08-18 46 Wakeman Hill Road – A Stockade Fence was constructed in the Town Road Right of Way exceeding 4’ in height in violation of Section 322.1.bii of the Town of Sherman Zoning Regulations. A Notice of Violation was mailed on May 10, 2018.

Case 09-18 1 Route 37 East – Amore Ristorante – Violation of Special Permit issued on September 10, 2008. Also Reference Section 340 “Special Permit Approval”, Section 344 “Conditions” and Section 346 “Revocation of Special permit” Of the Zoning Regulations of the Town of Sherman, Connecticut. – Zone C. A Notice of Violation was sent.
Case 10-18  6 Echo Lane South – An illegal accessory dwelling was constructed on the property in Zone B in violation of Section 324.1A.1 “Accessory Dwellings” of the Town of Sherman Zoning Regulations. *The ZEO has spoken to the owners and a formal Notice of Violation will be sent.*

Case 11-18  23 Fox Run - An illegal accessory dwelling was constructed on the property in Zone A in violation of Section 324.1A.1 “Accessory Dwellings” without the required Zoning Permit - Town of Sherman Zoning Regulations. Note: A Special Permit was issued by Planning and Zoning. *The ZEO has spoken to the owners and a formal Notice of Violation will be sent.*

Case 12-18  29 Ledgewood Drive – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 13-18  210 Route 37 South – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 14-18  157 Route 37 South – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 15-18  175 Green Pond Road – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 16-18  6 Spur Lane – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 17-18  12 Orchard Beach Road – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 18-18  20 Terrace Drive – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

Case 19-18  5 Shore Drive – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - *A Notice of Violation was sent*

**Zoning Board of Appeals Decisions** – There were no cases so no meeting was held in May.

**Temporary Liquor Permits under review:**

- The Jewish Community Center, 9 Route 39 South – event date October 13, 2018 – Non-Commercial Organization (On Premises Beer Only)
- Naromi Land Trust, Route 37 East - event date July 28, 2018 - Charitable Organization (On Premises Full Liquor)

[Signature]
Ron Cooper
Zoning Enforcement Officer
Town of Sherman