
Members Absent: J. Finch

Also: Commission Administrative Clerk, C. Branson

Also Absent: ZEO, R. Cooper

Audience: C. Hagadorn, M. Carpanzano, T. Brady, A. Pascarella, D. Lathrop, and M. McNichol

Call to Order: Chair, R. Peburn Called the Meeting to Order at 7:00 pm. Alternate R. Linkletter was elevated to Voting status for the duration of the meeting in the absence of Commissioners J. Finch.

PUBLIC HEARING I:

AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION: 9 Locust Lane (M-73, L-24) – Carpanzano, Michael- to reduce overall elevation of an accessory building, utilize existing topography, change configuration of roof to better accommodate solar photovoltaic array, modify floor plan, footprint, location of Accessory Apartment, as reflected in new floor plans entitled “Sherman Building Design, Sherman Lake House Garage, Dated 04/02/2019 and shown on submitted A-2 survey entitled, “ Proposed Sanitary Disposal System Plan, For Michael Carpanzano, 9 Locust Lane, Town of Sherman, County of Fairfield, State of Connecticut” Dated March 3, 2017, Last Revised 3/22/2019 New Garage Layout. Zone B.

Chair, R. Peburn opened the Public Hearing for 9 Locust Lane and reviewed the application file. Secretary M. Lee read the Legal Warning into record. The Legal Warning was published in the Danbury News Times on April 18th and was published again in the Town Tribune on April 25th, 2019. Six abutting neighbors were sent certified notice. No correspondence was received. Mr. Carpanzano was present to speak on behalf of his application. Mr. Carpanzano had received approval for a structure previously however, due to a clerical error the Special Permit was issued with unintended restrictions that the building be in an exact footprint on the submitted survey. Mr. Carpanzano requested the Commission allow leeway for the exact location of the proposed accessory building due to the abundance of ledge on the property. He has returned to the Commission to request the approval of a modification of his initial plan for an Accessory Structure with the ability to adjust the location as well as the configuration if needed. With a needed adjustment of the structure, the floor plan may need to be modified. Mr. Carpanzano assured the Commission he would not exceed the allowed the 750 square feet for the Accessory Apartment which is proposed on the second floor. Mr. Carpanzano additionally stated he intends on facing the roof orientation to maximize the photovoltaic efficiency. There were no additional comments from the Commission. There were no comments from the audience.

R. Lenihan Moved to Close the Public Hearing for AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION: 9 Locust Lane (M-73, L-24) – Carpanzano, Michael.

Seconded by: M. Lee

Vote: For: Unanimous

PUBLIC HEARING II:

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 20 parking spaces, and a kiosk in the footprint shown on submitted marked up survey entitled ”The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road," Prepared by: Sara N. daSilva Quintal, Dated February 7, 2017 and in accordance with Section 324.1 e Accessory Uses to Conservation Organizations. Zone A.
Chair, R. Peburn opened the Public Hearing for 57 Wakeman Hill Road (M-8, L-47) CT Audubon, Deer Pond Farm. Secretary M. Lee read the Legal Warning into record. The Legal Warning was published in the Danbury News Times on April 18th and was published again in the Town Tribune on April 25th, 2019. Forty four abutting neighbors were sent certified notice. Three letters of correspondence were received. C. Hagadorn, CT. Audubon, Deer Pond Farm Director was present to speak on behalf of the application. The modification to the existing Special Permit is to request approval of 20 additional parking accommodations on a gravel area and placement of an informational kiosk. The intention of this increase in parking will create a more formalized and safer parking environment and allow larger vehicles such as a school bus to be parked in a safer location while maintaining clear access in and out of the facility. The proposed parking area will be gravel with a few logs to designate a middle. There will not be any striping designating individual spaces. A kiosk is proposed adjacent to the new parking area for posting rules and information. The intention is to keep the area as natural looking as possible and to expand an existing garden bed and plant screening between the roadway and proposed parking area. The three letters were read into record by the Chair: (1) Tricia and James Brady of 57 Wakeman Hill Road stated their opposition with concerns about expanding the parking area will negatively impact the enjoyment of their own property which is directly across from Deer Pond Farm. The Brady’s stated in their letter that the current approved conditions have not been a major burden and they generally support the Audubon’s mission. They state that allowing an additional 20 spaces for parking could open the possibilities for increased programming and bus tours. (2) Neighbor Neal Goodwin by email dated May 2, 2019, stated his support for the proposed area for additional 20 parking spaces and kiosk were in a sensible location. (3) Neighbor James & Cheryl Mandracchia stated their opposition to the expansion of parking, pointing out they have witnessed an increase of noise and activity since the opening of the Audubon center last year. They shared concerns that increasing the parking will create more traffic to the area and would amplify the already dangerous conditions on the roadway. Mrs. Brady stated concerns about the center becoming a children’s camp. Ms. Hagadorn stated that is not the intention of the application, proper permits and licensing from the State as well as the Town are required to run children’s camp programs. Also from the audience, Town Fire Marshal, D. Lathrop has stated he has reviewed the proposed plan and agrees with the addition of the 20 space parking stating it would improve overall safety of emergency vehicles traveling in and out of the facility if needed. A. Pascarella stated from the audience he supports the Audubon’s desire to expand, and would encourage educational programs for children. Director, C. Hagadorn stated the intention is to preserve the land and continue running small group programs during daytime hours. Ms. Hagadorn stated expanding the parking area could open an opportunity for school bus visits from local schools, but there is no intention to expand programming to camp programs. M. Carpanzano from the audience asked if screening would be planted along the road. Ms. Hagadorn stated they were planning on planting screening. There were no additional questions or comments from the public. From the Commission, J. Burruano asked why cars were coming and going outside of the hours of operation. Ms. Hagadorn stated her normal office hours are 9am to 5pm and the facility is open to the Public from dawn to dusk however, from time to time she comes to the office earlier or leaves later. Recently there were three false alarms where the Trooper and one of two property managers were alerted late at night. Ms. Hagadorn also stated that the center is approved to hold dawn bird walks. Ms. Hagadorn added she wouldn’t anticipate more than one bus a week, they are not increasing events or programming if this is approved, they are seeking to improve the safety of the parking areas. No further discussion took place.

N. Volkmar Moved to Close the Public Hearing for AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION - 57 Wakeman Hill Road (M-8, L-47) CT Audubon, Deer Pond Farm. Seconded by: M. Lee Vote: For: Unanimous

Old Business:

Deliberation of Public Hearing I:

AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION: 9 Locust Lane (M-73, L-24) – Carpanzano, Michael.

Chair R. Peburn Opened the deliberations for the AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION: 9 Locust Lane (M-73, L-24) – Carpanzano, Michael. Chair, R. Peburn stated this amendment is to accommodate for leeway to the applicant for the exact placement and configuration of the Accessory building due to the difficult terrain and ledge on the property. The Commission discussed the original approval of this accessory building with an apartment and the current modifications to the plan. It was agreed that the approval of the final location of the building and configuration of the accessory apartment above shall be approved by the ZEO.
J. Burruano Moved to Approve the AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION: 9 Locust Lane (M-73, L-24) – Carpanzano, Michael to reduce overall elevation of an accessory building, utilize existing topography, change configuration of roof to better accommodate solar photovoltaic array, modify floor plan, footprint, location of Accessory Apartment, as reflected in new floor plans entitled “Sherman Building Design, Sherman Lake House Garage. Dated 04/02/2019 and referenced on submitted A-2 survey entitled, “Proposed Sanitary Disposal System Plan, For Michael Carpanzano, 9 Locust Lane, Town of Sherman, County of Fairfield, State of Connecticut” Dated March 3, 2017, Last Revised 3/22/2019 New Garage Layout. Zone B. CONDITIONS: This Approval renders null and void the existing Special Permit dated June 23, 2017 for an Accessory Apartment and detached garage. The final approval shall be made by the ZEO and may be subject to a slight variation in orientation and exact footprint due to topography.

Seconded by: M. Lee

Vote: For: Unanimous

Deliberation of Public Hearing II:

AMENDMENT TO AN EXISTING SPECIAL PERMIT APPLICATION - 57 Wakeman Hill Road (M-8, L-47) - CT Audubon, Deer Pond Farm.

The Commission discussed the amendment to the existing Special Permit and the existing parking area for 20 spaces. It was noted that the existing area does not have lines painted to show the actual parking spaces. Discussion followed regarding safety, the general consensus of the Commission was in favor of improving safety. The Commission was of the understanding that the intention of this amendment was not increase programming, but to create a safer parking environment, especially if there were a bus or larger vehicle parking at the facility. The general feeling of The Commission was it would lessen the need for attendees to haphazardly park on the grass or constrict access of the driveway with an additional parking area allowing 20 more spaces. The Commission discussed conditioning the approval to require screening between the new parking area and the road.

J. Burruano Moved to Approve the 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 20 parking spaces, and a kiosk in the footprint shown on submitted marked up survey entitled “The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road,” Prepared by: Sara N. daSilva Quintal, Dated February 7, 2017 and in accordance with Section 324.1 e Accessory Uses to Conservation Organizations. Zone A. CONDITIONS: Conifer screening shall be required for screening between the new parking area and the road.

Seconded by: M. Lee

Vote: For: 4 / Opposed: 2 (Lenihan & Linkletter)

New Business:


Chair, R. Peburn reviewed the Application file for the SPECIAL PERMIT APPLICATION: Pascarella, Aldo A.K.A. Timber Trails Associates- (M-42, L-23) Purpose: Private Burying Ground. Mr. Pascarella was present to speak on behalf of his application. Mr. Pascarella stated he was advised by the ZEO to withdraw his application last month to go before the Inlands, Wetlands and Watercourses Commission because Mr. Cooper discovered possible wetlands near the proposed site. The Zoning Regulation requires approval from IWWC prior to coming before the P&Z Commission. Mr. Pascarella stated he is set to be heard by the IWWC on May 21st, 2019. Chair, R. Peburn stated to Mr. Pascarella, if the approval is not issued by June 6th, 2019, additional warnings would need to be published, the fees for this would be Mr. Pascarella’s responsibility. Mr. Pascarella agreed.
P. Voorhees Moved to Accept the Special Permit Application for: Pascarella, Aldo A.K.A. Timber Trails Associates- (M-42, L-23) Purpose: Private Burying Ground in accordance with Section 326 of the Town of Sherman Zoning Regulations and in the location shown on submitted A-2 survey entitled, “Limited Property Survey, Showing Proposed Cemetery Parcel Prepared for Timber Trails Associates, Durgy Lane, Town of Sherman, Fairfield County, CT” Dated October 25, 2018. Zone A. A Public Hearing was set for June 6th, 2019 beginning at 7:00pm at Mallory Town Hall.

Seconded by: R. Lenihan  
Vote: For: Unanimous

SPECIAL PERMIT APPLICATION: Lakhdhir, David & Linda- 77 Spring Lake Road (M-26, L-1)  

Chair, R. Peburn reviewed the Application file for the SPECIAL PERMIT APPLICATION: Lakhdhir, David & Linda- 77 Spring Lake Road (M-26, L-1) Purpose: To allow a septic connection to a proposed pool house with bathroom. Health Approval was received with conditions. The Commission reviewed the survey submitted. The septic system to the accessory building was not depicted on the survey. There were building plans for the Pool House submitted. This property owner has also applied for a new single family dwelling, a tennis court, and a pool. The Commission agreed that they would require additional information before accepting this application for a Public Hearing, specifically showing the septic plan on the A-2 survey to the Accessory Structure (pool house).

N. Volkmar Moved to Accept the SPECIAL PERMIT APPLICATION: Lakhdhir, David & Linda- 77 Spring Lake Road (M-26, L-1) Purpose: To allow a septic connection to a proposed pool house with bathroom.  
Seconded by: R. Lenihan  
Vote: For: 0 / Against: 7

Public Comment: There were no comments from the Public.

Approval of Minutes: Regular Monthly Meeting of April 4, 2019

J. Burruano Moved to Approve the Minutes of Regular Monthly Meeting of April 4, 2019 as Amended.  
Seconded by: M. Lee  
Vote: For: Unanimous

Correspondence: No correspondence was received.

Zoning Enforcement Officer’s Report: None

Committee Reports: No reports.

Chairman Report:

Chair, R. Peburn stated he is working with the Land Use Attorney to iron out dates for a Commission Workshop. Dates will be shared once he hears back.

Regulation Review:

At the April meeting, there was discussion about generator applications and how many have gone before ZBA for a Variance. Administrative Clerk, C. Branson compiled a three year report of generator applications; in all there were 51 applications for generators from January 2016 to present. 47 applications were approved, 4 were denied due to a non-compliant location proposed, and 6 received a variance for location.

Adjournment:

R. Peburn Adjourned the Meeting at 8:48 pm.

Respectfully submitted by:

Christine Branson, Commission Administrative Clerk
May 9, 2019