FINAL

REGULAR MONTHLY MEETING MINUTES
Thursday, November 4, 2021 7:00 pm.

Members Present: R. Peburn, J. Burruano, P. Voorhees, M. Lee, R. Lenihan, R. Linkletter, and J. Seigel and Alternate, C. DaCunha

Absent: J. Finch, and Alternate D. Febbraio

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

Audience & Invited: K. Murray

CALL TO ORDER: R. Peburn Called the Meeting to Order at 7:05 pm.

J. Burruano Moved to Amend the Agenda to add 5 Holiday Point, (Map 78, Lot 15) Gregory Schmitt to New Business.

Seconded by: M. Lee

Vote: For: Unanimous

OLD BUSINESS: None

NEW BUSINESS:

Application to reissue a previously approved Special Permit- 5 Holiday Point Road, (Map- 78, Lot-15)- Gregory Schmitt

Chair, R. Peburn opened the discussion for this request to reissue a previously approved Special Permit to allow an accessory apartment within an existing garage. ZEO R. Cooper provided a background history of this Special Permit which was approved in May of 2003. Mr. Cooper stated the original Special Permit letter was never filed on the Town Land Records and is nowhere to be found. Clerk, C. Branson did an extensive search of existing records to find information regarding the original permit. The Commission was sent a packet of information that was available, including a Zoning Permit regarding the Accessory apartment, an approved Health application, and a building permit all reference the approved Accessory Apartment. The P&Z Commission Meeting Minutes of April 2003 and May 2003 were included in the packet and confirm that the Special Permit was approved. The Commission discussed the information as well as the Zoning Regulations that were in effect at that time. Discussion followed regarding the required connection to the main dwelling and the condition that was stipulated at the time of approval. The condition was: the storage area must be clearly defined and must remain unheated. K. Murray, a co-owner of this property was present to speak on behalf of this request. Chair, R. Peburn stated in the Minutes of April 2003, the applicant referenced that the garage would have to be connected to the main house. The Commission discussed the re-issuance of the Special Permit for an accessory apartment with original Condition to clearly define the storage area which will remain unheated with the originally submitted floor plan. Mr. Cooper stated he did discuss this with the Land Use Attorney and the Attorney agreed it could be reissued as it was approved in 2003 but must have an enclosed, continual, heated connection between the dwelling and the garage.

J. Seigel Moved to Approve the reissue of a Special Permit that was granted May of 2003 to allow an 624 sq. ft. Accessory Apartment within a garage in accordance with the Zoning Regulations, Section 321.8- Accessory Apartments that were in effect in 2003 for 5 Holiday Point, (Map- 78, Lot-15) With Condition- to clearly define the storage area which shall remain unheated. This letter is to be filed with the original floor plan that was submitted at the time of approval with the Land Use Records.

Seconded by: M. Lee

Vote: For: Unanimous
PUBLIC COMMENT: None

APPROVAL OF MINUTES: Minutes of Regular Monthly Meeting October 7, 2021

The Commission tabled the approval of the minutes to the December Meeting.

M. Lee Moved to table the approval of the October 7, 2021 Meeting Minutes to the December 2, 2021 Regular Meeting.

Seconded by: J. Burruano

Vote: For: Unanimous

CORRESPONDENCE:

Cohen & Wolf, P.C.- Copy of a Superior Court Citation- Hannah McKinnon vs. Town of Sherman P&Z Commission dated 10/28/2021.

ZONING ENFORCEMENT OFFICER’S REPORT: October 2021

Zoning Enforcement Officer Ron Cooper submitted a Report for October 2021. There were fifteen Zoning applications approved. No driveway permits were issued. No Driveway Bonds were released. One permit was approved for work on a Town Road Right of Way. One Lot Line Change was approved. One Statement of Intent was approved. No applications were withdrawn. No applications were denied. One application was returned for lack of information. Nine applications remain under review seeking further information. Several ongoing cases were discussed that remain under continued review.

M. Lee Moved to Accept the Zoning Enforcement Officer’s October 2021 Report as presented.

Seconded by: R. Lenihan

Vote: For: Unanimous

COMMITTEE REPORT: None

CHAIRMAN REPORT:

Chair, R. Peburn reminded the Commission that the annual appointment of officers will be coming up. Mr. Peburn stated that there will be an appointment of a Nominating Committee at the December Meeting.

REGULATION REVIEW:

Chair, R. Peburn opened the Regulations Review portion of the meeting. It was discussed a few months back that there would need to be discussion and action regarding the implementation Cannabis Establishment Regulations as defined in the Responsible and Equitable Regulation of Adult- Use Cannabis Act; P.A. 21-1. The Commission discussed a moratorium that was implemented back in 2015 in preparation of medical marijuana producers and facilities. It was agreed that a Mid-Month Meeting would be necessary to develop a Regulation to bring to a Public Hearing. ZEO, R. Cooper stated he would reach out to the Town Atty. to get guidance and confirm the necessary timeline to bring the proposed Regulation to a Public Hearing. Also discussed for future planning was the need to update the P.O.C.D., discussion followed regarding contacting the planning company that worked on the last changes.

ADJOURNMENT:

Chair, R. Peburn Adjourned the Meeting at 8:49pm.

Respectfully submitted by,

Christine Branson, Administrative Commission Clerk
November 19, 2021
APPROVED as written at the December 2, 2021 Meeting