

**LEGAL NOTICE  
TOWN OF SHERMAN  
PLANNING AND ZONING COMMISSION**

**The Planning and Zoning Commission, at their Regular Monthly Meeting via ZOOM on Thursday, February 3, 2022 made the following decision:**

**DENIED:**        **Application for an Amendment for a Special Permit- 44 Spring Lake Road (Map- 22, Lot-17) Hannah F. Roberts.** Request to Amend the existing Special Permit granted by the P&Z Commission on December 3, 2020 with a modified floor plan to allow for motor vehicles to access the interior of the garage portion of the barn through a rear entrance shown on floor plans marked as “Exhibit A” submitted 11/24/2021 and within the footprint of the existing accessory structure labeled “Barn” shown on A-2 survey entitled, “Existing Foundation Location Map, property of Hannah R. McKinnon, 44 Spring Lake Road, Town of Sherman, County of Fairfield, State of Connecticut”. Dated November 22, 2017. Prepared by: Arthur H. Howland & Associates, P.C. Zone A.

**APPROVED:**    **Application for a Special Permit- 3 Babbling Brook Drive, (Map- 26, Lot-19) Allie Murray-** Purpose: To construct an Accessory Dwelling within the footprint of an existing structure in accordance with Zoning Regulations Section 324.1.A-1 Accessory Dwellings and as shown on submitted floor plans entitled “Project Overview” pages 1 through 6, dated 10/18/2021. The proposed Accessory Dwelling location is marked “shed” shown on submitted A-2 survey entitled “Zoning Location Survey Prepared for Alexandra G. Murray, 3 Babbling Brook Drive, Sherman, Connecticut” Dated: August 20, 2021; Last Revised: October 29, 2021 . Prepared by: Robert L. Hock, Land Surveyor LLC. Zone A.

**CONTINUED:**   **Application for a Special Permit- 44 Briggs Hill Road (Map- 16, Lot- 5) Kadley Farm (CT) LLC, Robert & Tia Gierkink.** Purpose: To construct a new Accessory Dwelling all in accordance with Zoning Regulations Section 324.1.A-1 Accessory Dwellings as shown on submitted floor plans entitled “2 Bedroom Cottage Floor Plan, 44 Briggs Hill Road, 1<sup>st</sup> floor (pg. 1) ,2<sup>nd</sup> floor (pg. 2) December 2021” prepared by: G. Sam and proposed in the exact location shown on submitted B-100-a entitled; “Proposed Cottage Sanitary Disposal System Plan, for Robert Gierkink, 44 Briggs Hill Road, Town of Sherman, County of Fairfield, State of Connecticut”. Dated April 26, 2021. Prepared by: Arthur H. Howland & Associates P.C. “Sheet: SDS.2”. A-2 survey entitled “Alta Land Title Survey, Prepared for Kadley Farm (Connecticut) LLC, 44 Briggs Hill Road, Sherman, Connecticut”. Dated: December 7, 2019. Prepared by: John M. Farnsworth & Associates. Zone A.

**APPROVED:    PROPOSED AMENDMENT TO THE CURRENT ZONING REGULATIONS:**

**AMEND: SECTION 323. NUISANCES AND PROHIBITED USES**

**323.1 Prohibited Uses, General:** Any uses not listed as permitted by these Regulations are deemed to be prohibited. **323.2 Prohibited Uses, Specific:** Without limiting the general prohibition of Section 323.1 above, certain uses are identified in this Section for specific prohibition in any Zone, as principal or accessory uses, and no use category set forth in these Regulations shall be deemed to include any use set forth herein: a. No person shall use, or permit the use of, real property for the purpose of accumulating junk, including motor vehicles and motor vehicle parts, debris, waste and second- hand material, in such quantity and in such a manner as to cause unsightly, offensive and repugnant appearance and/or odors which would tend to depreciate the value of neighboring property or to be inimical to the public health, safety, or general welfare.

**DELETE: b.** Marijuana Dispensary Facility or Production Facility as defined in Section 21a-408-1 of the Regulations of State Agencies, as the same may be amended from time to time. **AMENDMENT EFFECTIVE SEPTEMBER 25, 2015**

**ADD: b.** Cannabis Establishments-as defined in the Responsible and Equitable Regulation of Adult – Use Cannabis Act; P.A. 21-1.

**AMENDMENT SHALL BECOME EFFECTIVE FEBRUARY 11, 2022**

**DELETE: SECTION 325:** Temporary and limited moratoria from Medical Marijuana Producers and Dispensary Facilities: Purpose: The purpose of this moratorium is to provide relief from considering applications for Medical Marijuana Producers and Dispensary Facilities. The Planning and Zoning Commission will review the “State of Connecticut Regulation of the Department of

Consumer Protection concerning Palliative Use of Marijuana” and the associated application process for producers and dispensary facilities in order to draft and adopt Zoning Regulations regarding the production and distribution of medical marijuana within the Town of Sherman that are the result of a proper review process and planning regarding these new uses. Applicability: During this temporary and limited moratorium, no new application for a Medical Producer or Dispensary Facility shall be received or acted upon by the Commission for a period of one (1) year. Effective Date and Term: this temporary moratorium will be effective on May 16, 2014 and shall remain in effect until May 16, 2015. Revisions to the term of the moratorium may be made for good cause through a similar public hearing process as created this Section.

**DELETE: AMENDMENT to 325:** Moratorium from Medical Marijuana Producers and Dispensary Facilities: At the Planning & Zoning Commission Public Hearing on May 7, 2015 the Commission Approved a Six month Extension of the term of the existing Temporary and limited moratorium from Medical Marijuana Producers and Dispensary Facilities set to expire May 16th, 2015, extended to remain in effect until November 16, 2015.

**AMEND: SECTION 610 DEFINITIONS:**

**ADD: Cannabis Establishment-** means a producer, dispensary, facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager or delivery service, all as defined in the Responsible and Equitable Regulation of Adult – Use Cannabis Act; P.A. 21-1.

**AMENDMENT SHALL BECOME EFFECTIVE FEBRUARY 11, 2022**

**Dated at Sherman, Connecticut this 4th day of February, 2022  
PLANNING AND ZONING COMMISSION  
Ryan Peburn, Chair**