



**TOWN OF SHERMAN
PLANNING & ZONING COMMISSION
MALLORY TOWN HALL,
9 ROUTE 39 NORTH, SHERMAN, CT 06784**

DRAFT

REGULAR MONTHLY MEETING MINUTES

Thursday, August 7, 2025

MEMBERS PRESENT: R. Peburn, C. Dacunha, J. Burruano, P. Voorhees, J. Siegel, D. Febbraio A. Weisberg Alternate: L Weber

MEMBERS ABSENT: Alternates: J. Finch, and J. Verlaine

ALSO & INVITED: LUEO, J. Cody, and Administrative Clerk, C. Branson

AUDIENCE: A. Blake, and D. Lowe

CALL TO ORDER: **Chair, R. Peburn Called the Meeting to Order at 7:02 pm.**

Chair, R. Peburn introduced new Land Use Enforcement Officer, John Cody to the Commission.

PUBLIC HEARING:

Amendment to an Existing Special Permit- Sherman Library Association- 1 Route 37 Center- (Map-77, Lot-31)

Proposed: To replace an existing stone walkway for safety, all in accordance with submitted marked up survey showing the existing footprint location entitled, "As-Built/ Existing Conditions Map, Prepared for Sherman Library Association, Inc. CT Route 37 and Sawmill Road, Town of Sherman, County of Fairfield, State of Connecticut". Dated: October 8, 2013. Prepared by: Arthur H. Howland & Associates. Zone D.

Chair, R. Peburn opened the Public Hearing for this application. Secretary J. Burruano read the Legal Notice into the record. Seate for this hearing were Commissioners; R. Peburn, C. Dacunha, J. Burruano, D. Febbraio, P. Voorhees, J. Seigel, A. Weisberg. Clerk, C. Branson stated the contents of the application file; there was a fully executed application, a signed Land Use affidavit, a short narrative explaining the purpose of the application, there was a drawing submitted showing the proposed walkway location, photographs of walkway were submitted showing the existing stone and dirt path to the basement doors, an approved Certificate of Appropriateness from the Historic District Commission was included dated June 16, 2025, a list of previous P&Z, ZBA, and Historic District Approvals for this property was added to this application file by the Clerk for reference, a list of nineteen abutters was in the file with return receipts, and a marked-up copy of an A-2 survey was submitted showing the existing location of the fieldstone and dirt walkway to be replaced with concrete. Clerk, C. Branson stated the Legal Notice was published in the newspaper on July 24th and again on July 31, 2025. Legal Notice was sent by certified mail to nineteen abutters on July 16, 2025. No correspondence was received. Sherman Library Director, Ashleigh Blake presented the Commissioners with a short explanation of the precarious conditions of the existing walkway consisting of dirt and fieldstones compared with the proposed concrete walkway. The Commissioners spoke briefly about the proposed concrete walkway. There were no comments from the audience. There was no further discussion by the Commission.

P. Voorhees Moved to Close the Public Hearing for the Amendment to an Existing Special Permit- Sherman Library Association- 1 Route 37 Center- (Map-77, Lot-31) Proposed: To replace an existing stone walkway for safety, all in accordance with submitted marked up survey showing the existing footprint location entitled, "As-Built/ Existing Conditions Map, Prepared for Sherman Library Association, Inc. CT Route 37 and Sawmill Road, Town of Sherman, County of Fairfield, State of Connecticut". Dated: October 8, 2013. Prepared by: Arthur H. Howland & Associates. Zone D.

Seconded by: J. Burruano

VOTE: FOR: UNANIMOUS

OLD BUSINESS:

DELIBERATION:

Amendment to an Existing Special Permit- Sherman Library Association- 1 Route 37 Center- (Map-77, Lot-31)

Chair, R. Peburn opened discussion for the Deliberations portion of this hearing. Commissioners discussed the proposed concrete walkway and agreed this would greatly improve the conditions. There were no proposed changes to the grading or location of the walkway. There was no further discussion.

J. Burruano Moved to Approve the Amendment to an Existing Special Permit- Sherman Library Association- 1 Route 37 Center- (Map-77, Lot-31) Proposed: To replace an existing stone walkway for safety, all in accordance with submitted marked up survey showing the existing footprint location entitled, "As-Built/ Existing Conditions Map, Prepared for Sherman Library Association, Inc. CT Route 37 and Sawmill Road, Town of Sherman, County of Fairfield, State of Connecticut". Dated: October 8, 2013. Prepared by: Arthur H. Howland & Associates. Zone D.

Seconded by: J. Siegel

VOTE: FOR: UNANIMOUS

NEW BUSINESS:

Application for a Special Permit- Joanna L. Arnold- 3 Mauweehoo Hill Road- (Map- 56, Lot- 14) Proposed:

Construction of an Accessory Apartment within the second floor of an existing detached garage, all in accordance with Zoning Regulations, Section 324.1.a.2; and as shown on submitted building plans entitled "Arnold Residence Proposed Apartment 3 Mauweehoo Hill Road, Sherman CT Floor Plans" Created by: Amelie Rives Rennolds, Architecture, PLLC. Dated: July 4, 2025; and as shown within the existing footprint location (marked as: 24' x 30' POLE BARN) shown on the map entitled "Plot Plan" from Zoning Permit # 3504 dated June 13, 1989. Zone A.

Chair, R. Peburn opened discussion of this application. Clerk C. Branson stated the contents of the application file into record; there was a fully executed application, a signed Land Use Affidavit, a photocopy of the owner's driver's license was submitted as proof of occupancy, a floor plan entitled "Arnold Residence Proposed Apartment, 3 Mauweehoo Hill Road Sherman, CT FLOOR PLANS" Prepared by: Amelie Rives Renolds Architecture, PLLC Dated 7/4/2025, a parking plan showing two spaces was submitted entitled "Arnold Residence Proposed Apartment 3 Mauweehoo Hill, Sherman, CT SITE PLAN & PHOTOGRAPHS" Prepared by: Amelie Rives Renolds Architecture, PLLC Dated 7/4/2025, an abutters list of two addresses was submitted, a field card was added by the Clerk and the original Zoning approval for the Accessory detached garage along with the plot plan showing the approved location was included in the submittal packet. Clerk, C. Branson stated the owner has submitted their application to the Health Department, approval is pending. The applicant was not present. A Site walk was set to take place August 14, 2025 beginning at 6:00 pm. A Public Hearing was set to take place at Mallory Town Hall on September 4, 2025 beginning at 7:00pm.

J. Burruano Moved to Accept the Application for a Special Permit- Joanna L. Arnold- 3 Mauweehoo Hill Road- (Map- 56, Lot- 14) Proposed: Construction of an Accessory Apartment within the second floor of an existing detached garage, all in accordance with Zoning Regulations, Section 324.1.a.2; and as shown on submitted building plans entitled "Arnold Residence Proposed Apartment 3 Mauweehoo Hill Road, Sherman CT Floor Plans" Created by: Amelie Rives Rennolds, Architecture, PLLC. Dated: July 4, 2025; and as shown within the existing footprint location (marked as: 24' x 30' POLE BARN) shown on the map entitled "Plot Plan" from Zoning Permit # 3504 dated June 13, 1989. Zone A. A Site walk was set to take place on August 14, 2025 beginning at 6:00 pm. A Public Hearing was set to take place at Mallory Town Hall on September 4, 2025 beginning at 7:00pm.

Seconded by: J. Siegel

VOTE: FOR: UNANIMOUS

CORRESPONDENCE:

1. **Town of New Milford-** Office of the Zoning Commission- Legal Warning for a Special Permit- Accessory Apartment
2. **Steven Byrne, Esq.-** List of Planners regarding Review of Zoning Regulations
3. **CT Federation of Planning & Zoning Agencies Quarterly Newsletter-** Summer 2025
4. **Steven Byrne, Esq.-** Training Certificates in reference to the July 15, 2025 Workshop Meeting

PUBLIC COMMENT:

D. Lowe, First Selectman- reported to the Commission that at the July 24, 2025 BoS Meeting the Board agreed to the funding fund a professional overall revision of the current Zoning Regulations.

A. Weisberg, P&Z Commissioner- asked the Commissioners if they received any information on an event hosted by Desegregate Connecticut- a conference, scheduled for September 14 through 16, 2025 in New Haven.

APPROVAL OF MINUTES:

Regular Meeting Minutes of June 5, 2025

J. Burruano Moved to Approve the Regular Meeting Minutes of June 5, 2025 as Amended.
Seconded by: A. Weisberg **VOTE: FOR: UNANIMOUS**

Regular Meeting Minutes of July 10, 2025

A. Weisberg Moved to Approve the Regular Meeting Minutes of July 10, 2025 as written.
Seconded by: C. Dacunha **VOTE: FOR: UNANIMOUS**

Workshop Meeting Minutes of July 15, 2025

J. Seigel Moved to Approve the Workshop Meeting Minutes of July 15, 2025 as Amended.
Seconded by: J. Burruano **VOTE: FOR: UNANIMOUS**

LAND USE ENFORCEMENT OFFICER'S REPORT: July 2025 LUEO Report

Land Use Enforcement Officer, John Cody introduced himself to the Commission, stating he also works part time as LUEO for the Town of Roxbury, and Town of Bridgewater as LUEO. His office hours in Sherman will be Monday 9am. to 4pm., Thursday and Friday 1pm. to 4pm. LUEO, J. Cody presented his report to the Commission- a total of twenty-six Zoning applications have been received and approved for various activities. Additionally, Mr. Cody stated he is familiarizing himself with the office and reviewing the LUEO files and assessing the impacts and priorities. Chair, R. Peburn thanked Commissioner Christian Dacunha for volunteering to act as interim LUEO during the interviewing/ hiring process. Clerk C. Branson also shared gratitude for C. Dacunha's help.

A. Weisberg Moved to Accept the July 2025 LUEO report.
Seconded by: D. Febbraio **VOTE: FOR: UNANIMOUS**

APPROVAL OF LEGAL BILLS: None

COMMITTEE REPORTS: None

CHAIRMAN REPORT:

Chair, R. Peburn stated a letter was composed by J. Burruano to be sent to the Board of Selectmen. The Commissioners reviewed the letter and agreed to send it to the BoS.

J. Seigel Moved to accept the letter as written and send to the Board of Selectmen.
Seconded by: D. Febbraio **VOTE: FOR: UNANIMOUS**

REGULATION REVIEW:

Chair, R. Peburn opened the discussion for the review of proposed Zoning Regulation changes regarding Section 321: Buildings Uses and Lots. The Commission agreed on the recommendations discussed and moved the proposed Regulations change to a Public Hearing to take place at Mallory Town Hall beginning at 7:00pm. on October 9, 2025.

C. Dacunha Moved to Accept the recommended proposed changes to the current Zoning Regulations and set a Public Hearing to take place at Mallory Town Hall beginning at 7:00pm on October 9, 2025 to consider the following:

PROPOSED: AMENDMENT TO THE CURRENT ZONING REGULATIONS, LAST AMENDED ~~FEBRUARY 13, 2025~~

AMEND: SECTION 610: DEFINITIONS

ADD: DWELLING, AFFORDABLE UNIT- A dwelling to be conveyed by deeds containing covenants or restrictions which shall require that at least 40 (forty) years after the initial occupation of the proposed dwelling, such dwelling units shall be sold or rented at below prices that will preserve the units as housing for which persons and families pay 30% (thirty) or less of their annual income, where such income is more than or equal to 60% (sixty) the median income. For purposes of this definition “median income” shall be as defined in Connecticut General Statutes Section 8-30 g. (a) as amended. Affordable Dwelling Units shall be of comparable quality, workmanship, size and number of bedrooms of other Dwellings in the subject development and shall be evenly distributed throughout the development. Affordable Housing lots shall be administered by the designee of the Planning & Zoning Commission and shall be subject to a restrictive covenant enforceable by the Town and in a form as required by the Town Attorney.

AMEND: AMENDMENT TO THE CURRENT SUBDIVISION REGULATIONS, LAST AMENDED ~~AUGUST 30, 2015~~ TBD

AMEND: SECTION 2: DEFINITIONS

ADD: DWELLING, AFFORDABLE HOUSING- Dwelling Units conveyed by deeds containing covenants or restrictions which shall require that for at least 40 (forty) years after the initial occupation of the proposed dwelling, such dwelling units shall be sold or rented at below prices that will preserve the units as housing for which persons and families pay 30% (thirty) or less of their annual income, where such income is more than or equal to 60% (sixty) the median income. For purposes of this definition “median income” shall be as defined in Connecticut General Statutes Section 8-30 g. (a) as amended.

AMEND: SECTION 3: GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND

ADD: n. Inclusionary Zoning: Any subdivision containing 10 (ten) lots or more shall include 10% (ten) of the total number of lots to be deed restricted for Affordable Dwelling Units as defined in Section 2, Definitions, of these Regulations. For purposes of determining the 10 (ten) lot threshold and the 10% (ten) lot count, the Commission shall consider the lot of record, or adjacent lots of record under common ownership, as of the effective date of this amendment; and the number of lots that could reasonably be placed thereon: provided that the Commission shall not require more than 10% (ten) total lots to be Affordable Dwelling Units in any subdivision application. Where the 10% (ten) of results in a fraction of the lot, the .4 or lower shall be rounded down to the next whole number and fractions of .5 and higher shall be rounded up to the next whole number. Any subdivision developed in phases shall include at least 1 (one) lot designated for an Affordable Dwelling Unit in the first stage of development and 1 (one) additional lot for each additional 10 (ten) lots regardless of any phases or stages of development. Lots designated for Affordable Dwelling Units shall be administered by a designee of the Planning & Zoning Commission and shall be subject to a restrictive covenant enforceable by the Town and in a form as required by the Town Attorney.

Seconded by: D. Febbraio

VOTE: FOR: UNANIMOUS

C. Dacunha Moved to Recess the Regular Monthly Meeting to Move to Executive Session at 8:15pm.

Seconded by: A. Weisberg

VOTE: FOR: UNANIMOUS

EXECUTIVE SESSION: Pending Litigation- 11 Cedar Lane

Members in attendance were: R. Peburn, C. Dacunha, J. Burruano, P. Voorhees, J. Siegel, D. Febbraio A. Weisberg Alternate: L Weber. Also invited were: LUEO, J. Cody, and Administrative Clerk, C. Branson No decisions were made. No votes were taken.

D. Febbraio Moved to Adjourn the Executive Session and reconvene the Regular Monthly Meeting at 8:46pm.

Seconded by: A. Weisberg

VOTE: FOR: UNANIMOUS

ADJOURNMENT:
Respectfully submitted;

Chair, R. Peburn Adjourned the Meeting at 8:55 pm.