



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

REGULAR MONTHLY MEETING MINUTES

DRAFT

MALLORY TOWN HALL

Thursday, March 5, 2026

MEMBERS PRESENT: C. Dacunha, D. Febbraio, J. Siegel, J. Burruano, A. Weisberg, S. Addonizio-Butts, P. Voorhees and Alternates: L Weber, J. Verlaine and J. Finch

MEMBERS ABSENT: None

ALSO: Land Use Enforcement Officer, J. Cody and Administrative Clerk, C. Branson

AUDIENCE & INVITED: Ra. Gorman, Re. Gorman, L. Hubbard, T. Gomez, J. Dwyer, and M. Jayson

CALL TO ORDER: Chair, C. Dacunha Called the Meeting to Order at 7:05 pm.

D. Febbraio Moved to remove from New Business: Item I: Special Permit Application- Home Occupation- Jayson, Marc- 6 Pinewood Shores (M: 52, L: 37) PROPOSED: Catering Business; all in accordance with submitted business plan, floor plan (within the existing basement), and as depicted within the footprint location shown on a submitted survey entitled "Plot Plan Prepared for Joseph Capasso at Sherman, CT" Dated: October 5, 1981. Prepared by: John Farnsworth & Association. Zone B. (The applicant has withdrawn the application until Health approval is received).

Seconded by: J. Burruano

VOTE: FOR: Unanimous

OLD BUSINESS: None

NEW BUSINESS:

I. Special Permit Application- Home Occupation- Jayson, Marc- 6 Pinewood Shores (M: 52, L: 37)
PROPOSED: Catering Business; all in accordance with submitted business plan, floor plan (within the existing basement), and as depicted within the footprint location shown on a submitted survey entitled "Plot Plan Prepared for Joseph Capasso at Sherman, CT" Dated: October 5, 1981. Prepared by: John Farnsworth & Association. Zone B.

WITHDRAWN- The applicant, Marc Jayson has withdrawn this Special Permit application to allow additional time for Health approval to be received.

II. Application for an Amendment to the Existing Zoning Regulations- Sherman Artists Association-

PROPOSED: AMENDMENT TO THE CURRENT ZONING REGULATIONS, LAST AMENDED

AMEND: ~~OCTOBER 31, 2025~~

ADD: May 1, 2026

AMEND- Section 610- Definitions-

ADD: ART GALLERY- Operated Not for Profit: An establishment operated by an organization registered with the IRS as a 501(c)(3) organization to foster community appreciation of the visual arts. The gallery may provide space for the exhibition and sale of art including fine arts and crafts, provide space for community to create art and run programs for the teaching of various arts disciplines and techniques. The gallery may conduct art openings and other events for fundraising and to promote the sale of art created by members and non-members of the organization.

Amendment Effective: May 1, 2026.

Chair, C. Dacunha opened the discussion for the Application for an Amendment to the existing Zoning Regulations. Clerk, C. Branson stated the contents of the application file; there was a fully executed application signed by L. Hubbard, President of the Sherman Artists Association; application and certified mailing fees were collected; the text of the proposed amendment was included; there was a list of mailing addresses for seven abutting Towns and Planning Agencies. Clerk, C. Branson added to the record the State Statute regarding a proposed change to the existing Zoning Regulations as well as the WestCOG procedure for proposed Regulations changes for procedural timeline clarification. The applicant; L. Hubbard, President of the Sherman Arts Commission was present to speak on

behalf of the proposed amendment. Ms. Hubbard submitted into record a business outline for the proposed Art Gallery definition. The Commission briefly discussed the application. The Commission Moved to accept the application and set a Public Hearing to take place on April 9, 2026 beginning at 7:00 pm at Mallory Town Hall.

L. Weber Moved to Accept the Application for an Amendment to the Existing Zoning Regulations- Sherman Artists Association and set a Public Hearing to take place on April 9, 2026 beginning at 7:00 pm at Mallory Town Hall to consider the following text amendment:

PROPOSED: AMENDMENT TO THE CURRENT ZONING REGULATIONS, LAST AMENDED

AMEND: ~~OCTOBER 31, 2025~~

ADD: May 1, 2026

AMEND- Section 610- Definitions-

ADD: ART GALLERY- Operated Not for Profit: An establishment operated by an organization registered with the IRS as a 501(c)(3) organization to foster community appreciation of the visual arts. The gallery may provide space for the exhibition and sale of art including fine arts and crafts, provide space for community to create art and run programs for the teaching of various arts disciplines and techniques. The gallery may conduct art openings and other events for fundraising and to promote the sale of art created by members and non-members of the organization.

Amendment Effective: May 1, 2026.

Seconded by: J. Burrzano

VOTE: FOR: Unanimous

CORRESPONDENCE:

Town of Kent- Notice of a proposed change to the current Zoning Regulations to include Temporary Uses Section 9300.12

APPROVAL OF MINUTES: P&Z Regular Monthly Meeting of February 5, 2026

P. Voorhees Moved to Approve the Regular Monthly Meeting Minutes of February 5, 2026 as Amended.

Seconded by: A. Weisberg

VOTE: FOR: Unanimous

LAND USE ENFORCEMENT OFFICER'S REPORT: February 2026 LUEO Report

LUEO, John Cody reported four new Zoning permits have been approved, one is pending. Mr. Cody reported updates to the following ongoing Enforcement cases;

12 Sawmill- Complaint received from property owner regarding light from the Sherman School renovations intruding onto their property. LUEO, J. Cody stated he met with the Project Superintendent, M. Olshefski, and found they already put up a tarp to appease the neighbor.

11 Route 39 North- Daily Market- Mr. Cody was contacted by the business owner R. Parente to discuss a Cease & Desist issued by the Health Department regarding the serving of prepared food in a "restaurant setting" within the grocery store. Mr. Cody informed Mr. Parente that he must have Health approval first and will then need to apply for and receive approval from the P&Z Commission for an Amendment to the Existing Special Permit to allow prepared food to be served to seated patrons. Mr. Cody stated he would issue a Notice Of Violation if this activity continues without proper approvals and permits. R. Parente agreed to apply for an Amendment to the existing Special Permit to reflect any proposed changes including seated dining.

50 Route 37 East- Boats- Mr. Cody reported a discussion with property owner, F. Bartolomeo regarding the need to apply for a Special Permit for a business. F. Bartolomeo has agreed to apply and is actively looking for someone to conduct a traffic study for his future Special Permit application.

Regulations rewrite- LUEO, J. Cody informed the Commission that he emailed the American Planning Association CT chapter, seeking interested parties for the re-write of the current Zoning Regulations. LUEO, John Cody reported to date there have been fourteen responses so far.

1 Spring Lake Road- LUEO, J. Cody stated Mr. Judd came to the office late this afternoon to report the "largest" contractor has cleared out and more materials have been removed from his property. LUEO, J. Cody set up a property visit to take place this Monday, March 9, 2026 to view the activities on the Judd's property.

Veterans Gratitude Tree- LUEO, J. Cody stated he intends to continue the discussion of the tree and monument relocation with the Veterans Association this spring once the snow has melted.

D. Febbraio Moved to Accept the February 2026 LUEO Report as written.

Seconded by: A. Weisberg

VOTE: For: Unanimous

PUBLIC COMMENT:

J. Dwyer - 10 Spring Lake Road- asked if an update would be provided regarding the Judd's property at 1 Spring Lake Road since it is not included in the February 2026 LUEO report. Mr. Dwyer shared his growing frustration regarding the length of time that has passed since the May 2025 Court Decision. Mr. Dwyer additionally stated he would like to be kept up to date on any progress moving forward. Mr. Dwyer suggested the Commission read the Court's Memorandum of Decision.

LUEO, J. Cody - responded to Mr. Dwyer that the report did not include the Judd's property because Mr. Judd came in at the end of the day and he has not been to the property. Mr. Cody stated there is not a lot that can be done until spring. Mr. Cody stated there are decades of accumulation on the property and asked that Mr. Dwyer be patient with this process. LUEO, J. Cody has made an appointment to meet on the Judds property this coming Monday, March 9, 2026 to view the activities. LUEO, J. Cody stated that if unsatisfied with the way he is moving through this process, Mr. Dwyer should perhaps pursue a Civil Suit, as was suggested by the Land Use Attorney.

J. Siegel, Commissioner- responded to Mr. Dwyer's comment regarding the Judd's property stating that Mr. Dwyer has a difference of opinion regarding the method in which the LUEO approaches enforcement action. Mr. Siegel stated the LUEO and the Commission are doing their due diligence and will continue to the best of their ability.

APPROVAL OF LEGAL BILLS:

Halloran & Sage- Invoice # 11488267

J. Burruano Moved to Approve payment of Halloran & Sage- Invoice # 11488267 in the amount of \$1,082.00.

Seconded by: J. Siegel

VOTE: For: Unanimous

COMMITTEE REPORTS: None

CHAIRMAN REPORT:

Discussion of 2026 Commission Goals:

Chair, C. Dacunha stated he will be appointing two sub-committees next month; Affordable Housing and Regulation Rewrite three members to each. The purpose for the Regulations Rewrite Sub-Committee is to review the applicants credentials, it was discussed that the First Selectman should be included in the vetting process as well. The purpose of the Affordable Housing Sub-Committee tasks will be defined in the future in accordance with guidance and recommendations from WESTCoG. Chair, C. Dacunha asked the Commissioners who will be attending the Connecticut Federation of Planning & Zoning Agencies 8th Annual Conference on March 26, 2026. Approximately seven members showed interest in attending the Conference. The Commission thanked Alternate, L. Weber for generating the Housing Report that was shared last month.

REGULATION REVIEW: None

ADJOURNMENT: Chair, C. Dacunha Adjourned the Meeting at 8:53 pm.

Respectfully submitted;

Christine Branson, Administrative Clerk
March 11, 2026