

SHARON PLANNING AND ZONING COMMISSION

Draft until approved at the next regular meeting

A regular meeting of the Sharon P & Z Commission was held on May 12, 2021 at 5:30PM at the Town Hall. Present were regular members MacMillan, Hall, Prindle, Rand and Lynn; alternates Wilbur, Moskowitz and Loening; Land Use Administrator (LUA) Casey, Attorney Wm. Manasse, Bruce James, Pamela Moulton, Jim Gillespie, Laura and Arlin DeBoer, Mike & Sharon Shea, Attorney Charles Ebersol, Stewart Osborne, David Ruff and the secretary.

Chairman Prindle called the meeting to order at 5:30.

There were no public comments.

Mr. Rand made a motion to approve the 4/21/21 minutes as written, seconded by Mr. MacMillan, with all in favor.

The permits issued since the last meeting were: Carol Neiley – construct 2nd story addition & entry; 37 Herrick Road LLC – construct inground pool, spa and pool building for storage & changing; Emily Nelson/Carrick Mollenkemp – construct inground pool; and Ronald Rodriguez (Est. John Dempsey) – place greenhouse for private use.

Old Business:

No action taken on the fire protection item.

At the last meeting LUA Casey passed out information from Attorney Byrne regarding recreational marijuana. The Commission needs to discuss if they want to make this a permitted use with reasonable restrictions on retail locations, prohibit altogether or adopt a moratorium. This will be discussed in the future, at a planning session.

New Business:

Attorney Wm. Manasse was present, representing James Gillespie, in the purchase of Lot #3 of the Leonard Kelly, Trustee Subdivision. This subdivision, approved 11/9/1978, is located on Herb Road with the map showing “Old Kelly Road”, essentially a driveway, with a cul-de-sac at the end. Per Attorney Manasse, whatever the requirements were at that time prevail. At the time of the approval, the Subdivision Regulations had no construction standards for the construction of a driveway or a private road nor a requirement that the road and cul-de-sac be built. A driveway was allowed to serve up to 10 lots but the access way to rear lots was required to comply with the gradient and curvature requirements of the town’s specifications for a public road. Attorney Manasse explained what lots have been merged and what ones would have access off of the driveway, which will need to be upgraded. He is asking for written confirmation from the Commission that, at such time in the future as a dwelling is erected on Lot #3, the access to this lot can be via the existing driveway presently located within the 60 ft. access way. The Commission members raised concerns that without having the cul-de-sac shown on the approved map put in, there is an issue with fire protection = if there is a major emergency, there would be a lot of equipment on the driveway without being able to maneuver. There could potentially be three lots on the driveway. Mr. MacMillan made a motion that the Planning and Zoning Commission’s attorney review this issue to see if the installation of the cul-de-sac can be enforced, seconded by Mrs. Lynn, with all in favor. This issue will be on the next regular meeting agenda.

Stewart Osborne, David Ruff and Attorney Charles Ebersol were present with a preliminary application for a 14 lot subdivision on Joray Road. The initial plans, subject to change in order to meet the Subdivision Regulations, were explained – 14 lots with an average area of 9 acres and the average

house to have an estimated sales price from \$1.2 to \$2.2 mil. There would be more land reserved than the mandatory minimum 15% open space. They plan to upgrade Joray Road with drainage, a better base and added width to make sure emergency vehicles and personnel can have reliable access to all future residence. Commission members had questions regarding clear-cutting on the ridge and some of the accesses/driveways. No action was required or taken.

Land Use Administrator:

LUA Casey had attended several meetings on affordable housing. An Affordable Housing Plan is due in 2022. Many Towns have plans in place by their Affordable Housing Committees that the Commission should look at in order to draft ours. Sites are available including plans in place and a guidebook for development of plans. Please email Jamie at sharonlanduse@gmail for links.

Solar Farms, which our Regulations do not allow, go to the Siting Council. The Commission can comment on them as they would be notified. There is potentially a 25 acre solar farm in Sharon.

The wedding venue that was located on Joray Road is no longer available. A proposal for a new location will come before the Commission next month. This requires a hearing.

LUA Casey reviewed with the Commission an email she received May 3, 2021 from an abutting neighbor of the Sharon Valley Tavern. The State has changed the type of license that the Tavern can operate under = from Tavern to Café Liquor. The State has done this to streamline liquor control. In the neighbors' opinion, the change of State license type makes the Tavern no longer Grandfathered within the Zoning Regulations and needs a Zoning exemption to continue operating. With Chairman Prindle's approval, LUA Casey requested that Attorney Byrne address this issue. His May 10th response was read – basically just because the State changed their license type, this does not affect the Non-conforming Use of the Tavern. A copy of this opinion will be sent along with the minutes to the Commission members and one will also be given to the writer of the email. LUA Casey advised the members that no Commission member nor public individual can contact Attorney Byrne directly. It was also reviewed that COVID allowed outdoor seating at establishments where it was not permitted previously. If establishments want to continue with the outdoor seating, they will need to apply for a permit. In order to save time in getting Attorney Byrne's bill paid when received, Mr. MacMillan made a motion to pay the bill once received, seconded by Mrs. Lynn, with all in favor.

Planning sessions should be scheduled and the Board of Selectmen invited to attend so that they can see the various issues before this Commission.

Lion Rock Farm is operating with a full wedding season.

The Commission set a Planning Session for Wednesday, June 23, 2021 at 5:30PM. At the next regular meeting, the Commission will compile a list of what needs to be discussed/addressed in the Planning Sessions.

With nothing further, Mrs. Lynn made a motion to adjourn, seconded by Mr. MacMillan, with all in favor. The meeting was adjourned at 6:40.

Respectfully submitted,

Tina Pitcher, Recording Secretary

NEXT REGULAR MEETING: JUNE 9 5:30PM

PLANNING SESSION: JUNE 23 5:30PM