

PLANNING AND ZONING COMMISSION
Draft until approved at the next regular meeting

A regular meeting of the Sharon P & Z Commission was held on February 14, 2024 at 5:30PM at the Town Hall. Present were regular members MacMillan, Lynn, Moskowitz, Rand and Hall; alternates Kinsolving, Wilbur and Drew; Land Use Administrator (LUA) Casey, Asst. Blass, Kyle Perry (Verogy), Nikki Dow (CT Green Bank), First Selectman Flanagan, Selectmen Brett and Kearcher, approximately 10 residents, reporter Hawken and the secretary.

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

The first item on the agenda was the hearing on the proposed amendment to the Zoning Regulations: new Article III 1.1.6 re: retail sale of marijuana and marijuana products shall not be permitted. The legal notice was read as it appeared in the newspaper as well as the proposed amendment. The required referral to the NW Hills Council of Governments was done with a response received that was also read. The neighboring Towns were also notified of the proposal – no responses received. With no public comments, Mr. MacMillan made a motion to close the hearing, seconded by Mr. Moskowitz, with all in favor. The hearing was closed at 5:33.

Mrs. Lynn made a motion to adopt the agenda as presented, seconded by Mrs. Hall, with all in favor.

Mr. Moskowitz made a motion to approve the minutes of 1/10/24 as written, seconded by Mrs. Hall, with all in favor.

The permits issued since the last meeting were: John Early & Anne-Marie Firth – change portion of barn to studio; and Silver Lake Conference Center – construct open pavilion.

There was no correspondence.

Old Business:

No change in the status on the fire protection for the Huntington Kildare/Metz re-subdivision.

No change in the status regarding the Land Use Application fees.

Kyle Perry of Verogy and Nikki Dow of the CT Green Bank were present to recap the conditions of the approval for 64 Hilltop Road per the minutes. Each condition was reviewed:

#1 – A revised site plan regarding the screening done between the CT Green and the Town (First Selectman Flanagan) was submitted and reviewed. The proposal was for a green mesh fence to be placed over the chain linked fence – not the entire fence. The Town would be responsible for the replacement of the mesh fence, when needed at a current cost of \$7,000. The Commission thought that tree planting would be used for the screening. An alternative plan using 21 trees (a series of 6 ft. trees that would grow at a cost of \$14,000 and again not around the entire fence) was reviewed – the Commission had not seen this before and needs time to review it. First Selectman Flanagan expressed that he was not sure what a comprehensive screening plan was and his goal was to keep the costs down as added expense for this project would increase the price the town would be paying for per kilowatt hour. With the alternative plan, Mr. Perry stated that the trees would be maintained and watered while getting established for one year and they would be planted outside of the nature trail.

#2 – the Town (via a written statement from First Selectman Flanagan) would be responsible to maintain the Nature Trail which is outside of the fencing. Mowing inside the fence and in between the arrays is the responsibility of the CT Green Bank

#3 – A storm water management plan was submitted by Verogy’s civil engineer. Based on the calculations, the velocity of water does not increase. There were conflicting percentages in the plan – this needs to be reviewed by an engineer hired by the Commission.

#4 – the removal of the panels when obsolete or unusable would be the responsibility of the CT Green Bank.

Copies of the options for the screening will be submitted to the Commission for their review and an engineer will review the storm water management plan.

Public comments: Michael Nadeau had a planting plan which consists of 41 plantings (trees and scrubs) that has been seen by SEEC (Sharon Energy & Environment Commission), the CT Green Bank and First Selectman Flanagan but not this Commission as it was not submitted as part of the initial application. This plan would cost \$32,337.60.

Other comments were made by David Levinsen, Ann Stettner and Doug Rick.

New Business:

Mrs. Hall made a motion to adopt the proposed amendment pertaining to the retail sale of marijuana and marijuana products as presented, seconded by Mr. Moskowitz, with all in favor. The hearing and deliberations were recorded and on file at Town Hall.

The Board of Selectmen has requested a report under 8-24 of the Statutes regarding a proposed extension of Joray Road and cul de sac. LUA Casey reminded the Commission that when the developer came before this Commission for the various lot line adjustments on Joray Road, which contains a Recreational Easement, amongst the conversation this Commission suggested the installation of a hammerhead turn around at the end of the road. The letter and plans submitted were reviewed. It was asked if the Town was having an engineer review the plans – First Selectman Flanagan offered that he has asked the developer's engineer to submit all documentation to Cardinal Engineering for their review. It was pointed out that basically this would be a subdivision road and the Ordinance/Regulations require inspections during construction – would Cardinal Engineering be doing this as in its' current condition, the road is difficult? This has not been discussed with them yet. As part of the proposal, the Town would accept the road and maintain it. First Selectman Flanagan stated that the road would not be accepted until completed. This improvement would be an asset to the Town. Ultimately, town meeting needs to approve the plan as it was town meeting that discontinued the road but maintained the Recreational Easement. First Selectman Flanagan also expressed that he has inquired with the Town Attorney about requiring a bond but there has been no discussion with Attorney Ebersol about this. As this concept was part of the Commission's lot line adjustment approvals, Mr. Moskowitz made a motion that the Commission issues a favorable report on the proposal, seconded by Mrs. Lynn, with all in favor.

The Commission discussed their proposed 24-25 budget. Each line item was reviewed and Mr. MacMillan made a motion that the Commission submit: General Expense \$5,000; Legal Counsel \$10,000; Engineer/Consultant \$2,000; and the ZEO/Clerk/Assistant be given the same percentage increase as all other town employees, seconded by Mr. Moskowitz. In the discussion it was noted that no one knows when legal counsel or an engineer would be needed – vote taken - with all in favor.

The Commission was reminded of the workshop with Attorney Byrne to be held February 28, 2024 at 4:30PM.

LUA Casey: The Commission agreed to let LUA Casey find an engineer to review the storm water management plan for the solar project.

With nothing further, Mrs. Lynn made a motion to adjourn, seconded by Mr. Moskowitz, with all in favor. The meeting was adjourned at 6:50.

Respectfully submitted,

Tina Pitcher, Recording Secretary

NEXT REGULAR MEETING: March 13 5:30PM