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By Linda Amerighi at 8:16 am, Sep 16, 2022

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 September 14, 2022 at 5:30PM at the Town Hall. Present were regular members Hall, Rand, Lynn and Moskowitz; alternates Kearcher and Loening; Land Use Administrator (LUA) Casey, Peter Felske, Mary Halle, Grace & Edwin Yowell, Attorney Manasse, Florian Palmer, Attorney Grickis, Steve Elms, Stuart Osborne, Attorney Ebersol, Assessor Jennifer Dubray, Deborah Manasse, Roger Liddell, Michael Nadeau, Maureen & Patrick Dore, George Johannesen, Susan Champion, Lynn Mattoon, owner of 37 Herrick Road and the secretary.

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

Mrs. Hall made a motion to adopt the agenda as presented, seconded by Mr. Moskowitz, with all in favor. Mr. Rand announced the members present who would be able to vote on the application of 48 Herrick Road LLC (Moskowitz, Rand, Lynn and Loening). Ms. Loening was made a voting member for the whole meeting.

Mr. Rand read the legal notice as it appeared in the newspaper for the continuation of the hearing for 48 Herrick Road LLC and the Sharon Town Hall Parking Lot Expansion site plan.

48 Herrick Road LLC – LUA Casey reviewed the two additional pieces of correspondence received (one from the property owner and one from Attorney Byrne). Mr. Dore questioned why Board members Hall and Kearcher can't participate in this portion of the hearing. That is because they did not listen to the first part of the hearing tape so they are not familiar with the testimony given. Mr. Elms and Attorney Grickis spoke on how this application meets the Regulations. Mr. Dore and the owner of 37 Herrick Road made comments and asked questions on the application. Attorney Grickis addressed the questions. LUA questioned for clarification although it doesn't change an accessory apartment use per the Regulations, is the apartment for a caregiver or caretaker = caregiver for now. With all questions answered and comments made, Mrs. Lynn made a motion to close the hearing, seconded by Mr. Moskowitz, with all in favor.

Sharon Town Hall Parking Lot Expansion site plan – LUA Casey apologized to those present as the engineer of this project could not attend this hearing and without him present to answer any questions, she feels it is not fair to those who have questions on the plan not get answers. She offered that the hearing should be tabled to the next meeting. Mrs. Lynn made a motion that this hearing be tabled to the next meeting when the engineer can be in attendance, seconded by Mrs. Hall, with all in favor.

Public comment – Michael Nadeau wanted to comment on alternatives for the Town Hall Parking Lot but as the hearing was tabled, he was unable to do so. Any comments need to be made during the hearing. The information was given to LUA Casey.

A correction needed to be made in the 8/10/22 minutes – delete one of "Rand's" as being present. Mr. Moskowitz made a motion to approve the minutes as corrected, seconded by Mrs. Hall, with all in favor.

The permits issued since the last meeting were: Melanie & Jordan Fowler – construct additions; Graham Stanton Development – enlarge deck; Tim Sinclair – construct dwelling; Nancy Green – construct addition; Catherine Braunsdorf – enlarge deck; Sharon Audubon – place tower/antenna; Joshua & Purdy

Eaton – construct carriage building, inground pool and greenhouse; and Greg & Liz Reiss – construct dwelling.

There was no correspondence.

Old Business:

No action taken on the fire protection item – no changes in status.

29 Joray Road LLC – The Commission did receive correspondence last night from Attorney Byrne. Attorney Ebersol commented that Attorney Byrne did a lot of research but he disagrees with one part of the correspondence – Tract 6 can't be approved without subdivision approval – this is not true according to Attorney Ebersol as this has always been one parcel and there never has been a subdivision in this area, they are proposing a lot line adjustment. Attorney Ebersol passed out copied sets of sequence maps to the Commissions showing how they arrived at their proposal. He also suggested a meeting with LUA Casey, Attorney Byrne, Ken Hrica and himself to review the information and feels that this would resolve the remaining issue. He also asked that if this issue gets resolved, can they then just proceed without coming back to the Commission. Mrs. Hall stressed that this issue should come back to the Commission as they need an understanding of the property as the owner will be back in the future for a subdivision, as previously stated. There is no vote to be taken by the Commission on this proposal, they just need to understand what the final plans would be. LUA Casey will contact Attorney Byrne to see how he wants to proceed when there is a disagreement.

48 Herrick Road LLC – Mrs. Lynn made a motion to approve the application, seconded by Ms. Loening. In the discussion it was noted that the Commission should follow their attorney's opinion on ownership and that there has been a lot of speculation and hear say about this property. It was also stated that the application meets the Regulations. Vote taken on motion – unanimously carried. Both the hearing and deliberations were recorded and are on file at the Town Hall.

New Business:

Town Hall Parking Expansion site plan – As the hearing was tabled there was no discussion.

Florien Palmer, Attorney Manasse and George Johannesen of Allied Engineering – were present with a preliminary/informal presentation of a development in the Village Center Residential Housing Zone for property at 82 Amenia Road and 67 Hospital Hill Road – the total acreage is 8.08. The formal submission will require a special exception application and site plan. Mr. Johannesen went over the preliminary site plans explaining how their proposal meets the Regulations and commented on the sewer easement that Mr. Palmer has offered to the Sewer & Water Commission that would go all the way to Amenia Road. There was discussion on open space and the width of the private road right-of-way. It was emphasized that they would be seeking site plan approval first and the architectural designs second. The designs can't be done until after the site plan is approved.

18 Butter Road – LUA Casey explained that property has been sold or is about to be sold that did not exist. Attorney Kelly has requested that she write a letter of Zoning Compliance, which she refused to do it. The owner has filed a map with boundary line adjustments upon which the map actually states that it does not meet Zoning or Health regulations. Surveyor Kiefer is doing a new map to be filed with the proper documents referencing the new map dated September 13, 2022. Once all the re-filing is done with the corrected map and documents, then she will write the requested letter. She has consulted with Attorney Byrne on this issue and he has talked to Attorney Kelly.

22 River Road – property has been sold with map showing some kind of a division along with an affidavit. LUA Casey believes it is time again for the Commission to look into the Ordinance requiring the filing of an affidavit. Also she believes the Commission should have procedures for boundary line adjustments. Warren may have procedures that should be reviewed. It was agreed to locate the

previous proposal on the affidavit and have Attorney Byrne review it and determine if this can be made part of the Regulations or does it have to be an Ordinance. Additionally determine if procedures for boundary line adjustments can be made part of the Regulations.

LAND USE ADMINISTRATOR:

Quella property – LUA Casey explained that by deed, the Quella's have 4 parcels totaling 15.05 acres but only one tax bill with the tax maps showing one parcel – these parcels were never merged. The Quella's are proposing to construct a dwelling on one of these parcels – parcel #4 – now to be 14 Sharon Mountain Road. After short discussion, Mr. Moskowitz made a motion to authorize a Zoning Permit be issued for a single family dwelling at 14 Sharon Mountain Road, seconded by Mrs. Hall, with all in favor.

Lion Rock Farm –complaints have been received and distributed. Also a letter has been received from Mary Oppenheimer requesting that the Commission enforce the State Noise Regulations. Mrs. Hall made a motion that a letter be sent to Mary Oppenheimer stating the Commission can only enforce the Sharon Zoning Regulations and they have no jurisdiction over State Regulations, seconded by Mrs. Lynn, with all in favor.

Quella parcels – Mrs. Hall made a motion that Mr. Rand inform the Assessor that the records reflect the existence of 4 separate parcels owned by the Quella's, seconded by Mrs. Lynn, with all in favor.

Solar project for Sharon Center School – Town meeting approved the proposal now Zoning is waiting for the actual site plan from the engineer before they can make a final decision.

Mrs. Lynn made a motion to approve the bill from Attorney Byrne in the amount of \$857.50 that is for services rendered for the Commission on 29 Joray Road LLC, seconded by Mr. Moskowitz, with all in favor.

With nothing further, Mr. Moskowitz made a motion to adjourn, seconded by Mrs. Lynn, with all in favor. The meeting was adjourned at 7:14.

Respectfully submitted,

Tina Pitcher, Recording Secretary

NEXT REGULAR MEETING: OCTOBER 12 5:30PM