TOWN OF SHERMAN
Planning & Zoning Commission
REGULAR MONTHLY MEETING MINUTES
Thursday, December 6, 2018, 7:00 pm
MALLORY TOWN HALL, 9 ROUTE 39 NORTH, SHERMAN, CT 06784

Absent: P. Vorhees and J. Finch
Audience and Invited: R. Locascio, A. Pascarella, and SVFD Chief C. Fuchs
Also: ZEO R. Cooper, and Commission Clerk C. Ranson

Call to Order:

Chair, J. Burrano Called the Meeting to Order at 7:03 pm.

Alternates R. Linkletter and J. Seigel elevated to Voting status.

N. Volkmar Moved to Amend the Agenda to add to New Business: Application to Petition the Planning and Zoning Commission for an Amendment to the current Zoning Regulations:
Petitioners: Jerald Greenberg and Aldo Pascarella, Purpose of Proposed Change: To add PRIVATE BURYING GROUNDS as a Principal and Accessory Use in Zone A and Zone B.
Seconded by: M. Lee

Vote: For: Unanimous

Public Hearing I:

PROPOSED: CHANGE TO THE ZONING REGULATIONS:
SECTION 333- ZONE C- BUSINESS AND RESIDENCE ZONE

AMEND:
SECTION 333.6 Maximum Building Coverage for Residential, Commercial or Municipal Use: The land area covered by all principal and accessory buildings shall not be permitted to exceed 15% of the total lot area.

Chair J. Burrano opened the Public Hearing, M. Lee read the Legal Warning into record. The Legal Warning was published in the Town Tribune on November 1st and again on November 8th, 2018. Certified letters were sent to abutting Towns and Planning Agencies on October 11, 2018. One letter of correspondence was received from First Selectman D. Lowe, showing support. Chair Burrano spoke in reference to the proposed Regulation change stating that the change to expand the allowable building coverage within the Business Residence Zone from 10% to 15% was fitting and in keeping with the P.O.C.D. There were no comments from opponents. There were no comments from proponents. The letter in support of the Regulation change from First Selectman, D. Lowe was read into record. There were no questions or comments from the Commission.

N. Volkmar Moved to close the Public Hearing of PROPOSED: CHANGE TO THE ZONING REGULATIONS: SECTION 333- ZONE C- BUSINESS AND RESIDENCE ZONE
AMEND: SECTION 333.6 Maximum Building Coverage

Seconded by: J. Seigel

Vote: For: Unanimous

Old Business:

Deliberation of Public Hearing I:

Proposed: CHANGE TO THE ZONING REGULATIONS:
SECTION 333- ZONE C- BUSINESS AND RESIDENCE ZONE AMEND: SECTION 333.6 Maximum Building Coverage.

J Seigel Moved to Approve the proposed CHANGE TO THE ZONING REGULATIONS:
SECTION 333- ZONE C- BUSINESS AND RESIDENCE ZONE, SECTION 333.6 Maximum Building Coverage for Residential, Commercial or Municipal Use: The land area covered by all principal and accessory buildings shall not be permitted to exceed 15% of the total lot area. THIS AMENDMENT SHALL BECOME EFFECTIVE DECEMBER 28, 2018

Seconded by: N. Volkmar

Vote: For: 6/ Against: 2 (Peburn & Linkletter)
New Business:

Application for an Amendment to an existing Special Permit: Sherman Town Center, 3 Route 39 North, Owner: Sherman Town Center, LLC (M-77, L-8) Proposal: PHASE II—Restoration of and improvements to existing conditions which include the addition of a 10' x 20' open structure (Structure A) and a 10' x 16' open structure (Structure B) as well as improvements to lighting and the overall safety in accordance with submitted property survey entitled "Property Survey, Prepared for Sherman Town Center, LLC, Route 39 North, Sherman, CT" Prepared by: John M. Farnsworth & Associates, dated April 26, 2018 and map entitled "Sherman Town Center, 15 Route 39 (North), Sherman, CT 06784, Schematic Design, Final Master Plan," Prepared by: SANOK Design Group. And a marked up survey showing the proposed lighting pattern prepared by Michael J. Mazzucco, P.C., Project: 3-13 Route 39 North, Sherman, CT. Title: "Site Plan", Dated September 6, 2018 and revised on September 25th, 2018. Zone C.

Chair J. Brunano reviewed the application file for an Amendment to an existing Special Permit: Sherman Town Center, 3 Route 39 North, Owner: Sherman Town Center, LLC (M-77, L-8) Proposal: PHASE II. The file contained a completed application. Fees were collected. Health Approval has been obtained. There was a note from the Fire Marshal dated November 20, 2018 stating no approval was required, neither structures “A” or “B” were covered in the CT State Fire Safety Code. There was an agent letter dated September 26, 2018 designating Randy Locascio and Mike Mazzucco as acting agents.

A list of abutting property owners was submitted. Building plans were submitted for structures “A” and “B”. An enlarged section of the submitted A2 survey was provided showing the proposed location of structures “A” and “B”. Photographs of the new street lamps were provided. A detailed description of the light distribution was provided. A marked up site plan was submitted showing the proposed lamp locations. Mr. Locascio stated to the Commission that a “sample” street lamp has been installed for the Commission to conduct a site-walk and review the lighting pattern and intensity. There is no landscaping proposed in this phase of permitting. The Commission discussed setting a site walk on January 3rd at 6:45pm to view the street lamp. There were no questions or comments from the Commission.

N. Volkmar Moved to Accept the Application for an Amendment to an existing Special Permit: Sherman Town Center, 3 Route 39 North, Owner: Sherman Town Center, LLC (M-77, L-8) Proposal: PHASE II—Restoration of and improvements to existing conditions which include the addition of a 10' x 20' open structure (Structure A) and a 10' x 16' open structure (Structure B) as well as improvements to lighting and the overall safety in accordance with submitted property survey entitled "Property Survey, Prepared for Sherman Town Center, LLC, Route 39 North, Sherman, CT" Prepared by: John M. Farnsworth & Associates, dated April 26, 2018 and map entitled "Sherman Town Center, 15 Route 39 (North), Sherman, CT 06784, Schematic Design, Final Master Plan," Prepared by: SANOK Design Group. And a marked up survey showing the proposed lighting pattern prepared by Michael J. Mazzucco, P.C., Project: 3-13 Route 39 North, Sherman, CT. Title: "Site Plan", Dated September 6, 2018 and revised on September 25th, 2018. Zone C. A site walk was scheduled for 6:45pm on January 3rd, 2019. The Public Hearing was set for January 3rd, 2019 beginning at 7:00 pm at Mallory Town Hall.

Seconded by: R. Poburn

Vote: For: Unanimous


Chair J. Brunano reviewed the file for an Application for a Special Permit: Town of Sherman, 30 Big Trail Extension (M: 42, L: 50) Proposal: Installation of emergency communications equipment. There was an Agent letter from Aquarion Water Company dated November 12, 2018 designating The Town of Sherman the ability to pull permits on their behalf. A site plan was submitted showing the layout of the proposed generator, fence and tank. A hand drawn site plan was submitted. An A2 certified survey was submitted. Schematics for the generator and outdoor enclosure were also submitted. A list of abutting property owners was also submitted. Sherman Volunteer Fire Chief, Chris Fuchs was present to speak on behalf of the application. This application is for the installation of emergency communications equipment mounted onto existing water tank and related ground equipment. The purpose of this equipment is to enhance safety and communications of the Public Works, Fire Department, and First Responders on the Southern end of town. Currently their radios do not reach this area, making it difficult to communicate. The equipment will act as a relay to receive and send radio signals to others. ZEO R. Cooper stated that he is still waiting on an Easement Map on Timber Trails and Eversource. There were no additional comments or questions from the Commission.

Seconded by: M. Lee  

Vote: For: Unanimous

Application to Petition the Planning and Zoning Commission for an Amendment to the current Zoning Regulations:  
Petitioners: Jerald Greenberg and Aldo Pascarella, Purpose of Proposed Change: To add PRIVATE BURYING GROUNDS as a Principal and Accessory Use in Zone A and Zone B.

Chair J Barnano reviewed the application file. Petitioner: Aldo Pascarella was present to speak on behalf of the application. The Commission read through the proposed Regulation. Mr. Pascarella stated that his family and a partner wish to propose a private burial ground on a parcel of land in Sherman. He was advised by the Zoning Enforcement Officer that there are no Regulations that would allow such activity and to therefore propose an amendment of the current Zoning Regulations to add Private Burying Grounds. Mr. Pascarella stated that he followed the same requirements as the CT State Department of Health and CT General Statutes 19a-313 to come up with the proposed Regulation. The Commission had no additional comments or questions. The proposed Regulation is below:

M. Lee Moved to Accept the Application to Petition the Planning and Zoning Commission for an Amendment to the current Zoning Regulations: Petitioners: Jerald Greenberg and Aldo Pascarella, Purpose of Proposed Change: To add PRIVATE BURYING GROUNDS as a Principal and Accessory Use in Zone A and Zone B. The full proposed Regulation is attached to this Motion. The Public Hearing was set for a Special Meeting on January 17th 2019 beginning at 7:00 pm at Mallory Town Hall.  

Seconded by: N. Volkmar  

Vote: For: Unanimous

APPLICATION TO PETITION THE PLANNING AND ZONING COMMISSION FOR AN AMENDMENT TO THE CURRENT ZONING REGULATIONS:  
PETITIONERS: Jerald Greenberg and Aldo Pascarella  
PURPOSE OF PROPOSED CHANGE: To add PRIVATE BURYING GROUNDS as a Principal and Accessory Use in Zone A and Zone B.  

AMEND: TABLE OF CONTENTS:  
ADD: SECTION 326. PRIVATE BURYING GROUNDS  
ADD: SECTION 326. PRIVATE BURYING GROUNDS  

Purpose - The purpose of this regulation is to provide for Private Burying Grounds in Zone A and B in Sherman.  

226.1 General Requirements  
Application for approval of a Private Burying Grounds shall include the following:  
i. An A-2 Survey/site plan showing the proposed location of the burying grounds, and depicting parking, access, driveways, setbacks from property lines, distance from nearest dwellings, distance from wells, septic systems, wetlands, open water bodies and water courses.  

ii. The application shall specify the total acreage of the property, dimensions of the proposed burying ground, and the number of burying lots proposed.  
iii. The application shall be subject to the requirements of Section 340 Special Permit Approval.  
iv. In order to give due notice, the Commission and/or the State Department of Public Health may have a Legal Notice of the application published in the local newspaper with an opportunity for comment.  
v. The owner shall provide an easement or right-of-way to allow access from the street to the private burying ground, and record a plot plan with said easement or right-of-way written on the deed to the property and filed in the Town land records.
A burial permit must be obtained from the Town Clerk or any other person that is authorized to issue burial permits.

326.2 Standards
i. The burying ground shall be at a distance of at least 350 feet from the nearest house.
ii. The burying ground shall be set back at least 25 feet from any neighboring property lines.
iii. The burying ground shall have good surface drainage and test holes shall be dug to determine the depth of the groundwater level and ledge rock.
iv. The property shall be inspected by a representative of the State to determine the suitability of the site conditions and also to assure that the burying ground will be located sufficiently far from water supply wells, open watercourses, sewage disposal systems and storm drains.
v. If deemed necessary by the Commission, the application shall be subject to approval by the Inland Wetland Commission, the Health Department, and the securing of driveway permits.
vi. State Approval shall be required.

AMEND: SECTION 331.1 Permitted Principal Uses:
ADD: SECTION 331.1, *n. Private Burying Ground, subject to Section 326
AMEND: SECTION 331.2 Permitted Accessory Uses
ADD: SECTION 331.2, *n. Private Burying Ground, subject to Section 326
AMEND: SECTION 332- ZONE B- RESIDENCE ZONE
ADD: SECTION 332.1, *h. Private Burying Ground, subject to Section 326
AMEND: SECTION 332.2 Permitted Accessory Uses
ADD: SECTION 332.2, *m. Private Burying Ground, subject to Section 326
AMEND: Section 610. DEFINITIONS
ADD: Private Burying Ground - A burying ground for the families of the property owners and their descendants related to each other by blood or marriage. Such burying grounds are typically small family plots on relatively large tracts of land and no lots are to be sold.

Public Comment: None

Approval of Minutes: Regular Monthly Meeting of October 4, 2018

J. Seigel Moved to Approve the Minutes of Regular Monthly Meeting of October 4, 2018 as written.
Seconded by: R. Lenihan

Vote: For: 6/ Against: 0 Abstain: 1 (M. Lee)

Approval of Planning & Zoning Commission Schedule of Meetings 2019:

M. Linkletter Moved to Approve the P&Z Schedule of Meetings 2019 as presented.
Seconded by: J. Seigel

Vote: For: Unanimous

Correspondence: No Correspondence was received.

Zoning Enforcement Officer’s Report: October & November 2018

Zoning Enforcement Officer Ron Cooper submitted a combined Report for October- November 2018. There were eleven Zoning applications approved. Two Statements of Intent was approved. One application was withdrawn. One application was denied and will be seeking a Variance from ZBA. None were returned for lack of information. Nine applications remain under review. Several cases were discussed that are under continued review. This report shall be attached herewith.

R. Lenihan Moved to Accept the Zoning Enforcement Officer’s October- November 2018 Report as presented.
Seconded by: M. Lee

Vote: For: Unanimous

Committee Reports:

Chair Burrano reminded the P.O.C.D. Committee that they will be asked to provide a report at the January Meeting.

Appointment of a Nominating Committee:

Chair Burrano appointed P. Voorhees, M. Lee and N. Volkmar as the Nominating Committee and will report a Slate of Officers at the January Meeting.
Chairman Report:

Chair Burrano read a statement into record, she has served on the P&Z Commission for 10+ wonderful years. She has served for the past 5 years as Chair. During this time the Commission has achieved numerous updates to the Zoning Regulations, all while maintaining the integrity of Town’s rural Character. Mrs. Burrano thanked the Commission for keeping this Board respectful and working together in a non-partisan manner and said she hopes this attitude will remain for many, many years to come. Mrs. Burrano will not be seeking re-election as Chair, but shall remain on the Commission at this time.

Regulation Review:

The Commission did not discuss any Regulations.

Adjournment:

N. Volkmar Adjourned the Meeting at 9:45pm.

Respectfully submitted by:

[Signature]
Christine Branson
December 18, 2018
### Planning & Zoning Office
Sherman, Connecticut

### Zoning Enforcement Officers Report
October and November 2018

**The Following Applications Have Been Approved:**

<table>
<thead>
<tr>
<th>Application</th>
<th>Description</th>
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<tbody>
<tr>
<td>7901 Mendell</td>
<td>34 Smoke Ridge Dr. Construct a 7’ x 14’ deck</td>
</tr>
<tr>
<td>7905 Buio, LLC</td>
<td>14 Locust Lane Construct a new Single Family Dwelling, Install well, septic and construct driveway.</td>
</tr>
<tr>
<td>7906 Corbi</td>
<td>4 Pine Hill Trail Installation of Emergency Standby Generator</td>
</tr>
<tr>
<td>7907 Keep Smiling, LLC</td>
<td>24 Fcox Run Road Renovations in existing accessory structure to create an accessory structure</td>
</tr>
<tr>
<td>7908 Bellino</td>
<td>7 Oak Drive Installation of Emergency Standby Generator</td>
</tr>
<tr>
<td>7909 Byrd</td>
<td>3 Cloverleaf Farm Construct a 2nd story addition over existing kitchen in dwelling</td>
</tr>
<tr>
<td>7911 Reinhold/Wozniak</td>
<td>16 Chapel Road Installation of Emergency Standby Generator</td>
</tr>
<tr>
<td>7912 Keep Smiling, LLC</td>
<td>24 Fox Run Road Installation of Emergency Standby Generator</td>
</tr>
<tr>
<td>7913 Parente</td>
<td>126 Route 39 North Installation of an 8’ x 16’ horse run in shed</td>
</tr>
<tr>
<td>7915 Press</td>
<td>9 Worden Point Road Installation of an A/C compressor</td>
</tr>
<tr>
<td>7916 Wozniak</td>
<td>14 Chapel Hill Road Installation of Emergency Standby Generator</td>
</tr>
</tbody>
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**The Following Statements Of Intents Were Approved:**

<table>
<thead>
<tr>
<th>Application</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7910 Hilderbrand</td>
<td>2 Fox Run Road Finish basement in dwelling to create a theatre room and ½ bath.</td>
</tr>
<tr>
<td>7919 Glenbrook Farm</td>
<td>1 Glenbrook Farm Rd. Install an entrance gate with pillars</td>
</tr>
</tbody>
</table>

**The Following Statement Of Intents Were Received and Filed for Record Only:**

<table>
<thead>
<tr>
<th>Application</th>
<th>Description</th>
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<tbody>
<tr>
<td>Qty: 11</td>
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<tr>
<td>Qty: 2</td>
<td></td>
</tr>
<tr>
<td>Qty: 0</td>
<td></td>
</tr>
</tbody>
</table>
The Following Applications Were Withdrawn:
7914  Brace Properties, LLC 7 Sunset Drive  Erection of an 8’ x 10’ shed

The Following Applications Have Been Denied
7904  Mendell  34 Smoke Ridge Dr.  Add a third bay to an existing two car garage

The Following Applications Were Returned For Lack of Information:

The Following Applications Require Additional Information or Review:
7598  Murray  41 Wanzer Hill Rd  Install a 48” high fence across the front of the property.
7773  Noe  140 Route 39 North  Erect 2 hoop house temporary structures
7878  Woodage  28 Wanzer Hill Rd.  Install 12’ x 16’ shed, 6’ tall fence and a hot tub.
7883  Jacknick  9 Mary Bee Lane  Replace 35’ x 9’ deck attached to the existing dwelling.
7917  Mazzeo  Cloverleaf Farm Rd No.  Install an A/C Unit
7918  Glenbrook Farm 1 Glenbrook Farm Rd.  Installation of an Emergency Standby Generator and A/C Unit
7920  Witzki  56 Route 55 West  Add entry door roof to existing front porch on Existing dwelling.
7921  Paetsch  3 Wakeman Hill Road  Install an Emergency Standby Generator
7922  McClasky Family 1 Route 37 East, Unit 1 Limited Partner.  Erect a new sign for the existing Restaurant

Old Business:
Case 06-12:  140 Route 39 North – Operating an automotive body and mechanic repair shop. Violation of Town of Sherman’s Zoning Regulations – Not a permitted use in Zone A. Ongoing Investigation.

Case 10-14:  140 Route 39 North – An accessory building erected without the required permit. Violation of Town of Sherman’s Zoning Regulations - Section 410 - Zoning Permits. Zone A. Ongoing investigation.
ZV 53-17 14 Quaker Ridge Road – Accumulation of junk and debris – Including, but not limited to Four (4) Camper Trailers, Multiple junk mowers, snow blowers and miscellaneous waste and second hand materials – Violation of Section 323 of the Town of Sherman Zoning Regulations – Zone A – A Notice of Violation was sent. A meeting was held with the owner’s husband and he agreed to clean up the property. Further follow-up is required.

ZV 65-17 18 Pinewood Shores – Hot tub installed without the required permit. Zone B – A Notice of Violation was sent. A Zoning Application has been received, and is under review by the ZEO. The current location may require a variance from the Zoning Board of Appeals. An A-2 survey has been received and it was determined by the ZEO that a setback variance from the 440’ contour is required.

Case 68-17 2 Holiday Point Road – Complaint - Raising chickens in Zone B without the required Special Permit. Zone B - Under investigation.

Case 69-17 4 Holiday Point Road – Complaint - Raising chickens in Zone B without the required Special Permit. Zone B - Under investigation. A Notice of Violation was sent on August 21, 2018. The property owners spoke with the ZEO on September 4, 2018 and plan to apply for the required Special Permit.

ZV 72-17 140 Route 39 North – Temporary Structure (Hoop House) erected without the required permit. Zone A. A Notice of Violation was sent. An application has been received and is being reviewed while the property is under investigation.

ZV 02-18 3 Deer Run Trail – Multiple temporary structures were erected on the property. Under investigation. Violation of Section 324.2.B, “Building, Accessory – Temporary” of the Town of Sherman Zoning Regulations. A Notice of Violation was sent on May 10, 2018. Temporary structures are still on the property without the required permits. A second Notice of Violation was sent on September 6, 2018.

ZV 05-18 3 Deer Run Trail – Operating a Resident Contractor Business without the required determination of “No Impact Business” or issuance of a “Special Permit” by the Planning and Zoning Commission – Violation of Section 324.1C, “Resident Contractor” and Section 324.1C.2, “All Impact Businesses Resident Contractors” of the Town of Sherman Zoning Regulations. A Notice of Violation was mailed on May 10, 2018. There is still evidence (construction equipment and vehicles) that a business is being run from the property. A second Notice of Violation was sent on September 6, 2018.

ZV 06-18 3 Deer Run Trail – Junk and waste materials are being stored on the property causing an unsightly appearance of the property that impacts the neighbors and general public. Zone B – Violation of Section 323 “Nuisances and Prohibited Uses” of the Town of Sherman Zoning Regulations. A Notice of Violation was mailed on May 10, 2018. Junk and debris are still stored on the property. A second Notice of Violation was sent on September 6, 2018.
ZV 07-18 3 Deer Run Trail – Off-Street Parking and Storage - The use of the property for storage of boats, jet skis and other equipment is not a permitted accessory use and is a violation of Section 332, Section 332.1 “Permitted Principal Uses” and Section 332.2 “permitted Accessory Uses” of the Town of Sherman Zoning Regulations, Zone B. A Notice of Violation was mailed on May 10, 2018. Many of the boats and jet skis have been removed from the property. The ZEO will continue to keep investigating and a Second Notice of Violation will be sent on September 6, 2018.

ZV 08-18 46 Wakeman Hill Road – A “Split Rail” Fence was constructed in the Town Road Right of Way exceeding 4’ in height in violation of Section 322.1.bii of the Town of Sherman Zoning Regulations.- A Notice of Violation was mailed. The property owner responded by coming into the office. The fence will be removed from the town ROW. The fence rails have been removed. A second Notice of Violation will be sent reminding the owner to remove the posts.

ZV 09-18 1 Route 37 East – Amore Ristorante – Violation of Special Permit issued on September 10, 2008. Also Reference Section 340 “Special Permit Approval”, Section 344 “Conditions” and Section 346 “Revocation of Special permit” Of the Zoning Regulations of the Town of Sherman, Connecticut. – Zone C. A Notice of Violation was sent. The owner responded in a meeting with Don Lowe and the ZEO. No action has been taken on their part. Follow-up required.

ZV 11-18 23 Fox Run - An illegal accessory dwelling was constructed on the property in Zone A in violation of Section 324.1A.1 “Accessory Dwellings” without the required Zoning Permit - Town of Sherman Zoning Regulations. Since then, a Special Permit was issued by Planning and Zoning. The ZEO has spoken to the owners and a formal Notice of Violation will be sent. The owner has been responsive. The owner submitted a preliminary plan for review by the ZEO prior to applying for the required permits. The plan is under review. The ZEO reviewed a plan, found it acceptable and issued a permit for renovations and conversion to an accessory dwelling.

ZV 12-18 29 Ledgewood Drive – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The addressee responded and informed the ZEO that the property was recently sold and the new owners should be contacted. A Notice of Violation will be sent to the new owners.

ZV 13-18 210 Route 37 South – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The property owner never responded. Follow up is required.

ZV 15-18 175 Green Pond Road – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The NOV was returned as non-deliverable. The ZEO called the owner and informed him that he is in violation. The ZEO will send a formal NOV for record.
ZV 16-18 6 Spur Lane – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The property owner never responded. Follow up is required.

ZV 18-18 20 Terrace Drive – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The property owner never responded. Follow up is required.

ZV 19-18 5 Shore Drive – Short Term Rental - Violation of Section 324.1D of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The property owner never responded. Follow up is required.

ZV 20-18 3 Bench Mark Road – Short Term Rental - Violation of Section 324.1D of the Town of Sherman’s Zoning Regulations. Zone B - A Notice of Violation was sent. Received response letter debating the application of the regulation to “short term” rentals. ZEO will prepare a written response.

ZV 21-18 10 Echo Lane South – An accessory structure was erected without the required permit (Shed). In violation of Section 410 “Zoning Permits” of the Town of Sherman Zoning Regulations. Zone B - A Notice of Violation was sent. The homeowner responded and plans on applying for a variance and an Inland Wetlands Permit. The ZEO requested an A-2 survey from the property owner of 10 Echo Lane South which was received on September 18, 2018. The ZEO is in the process of scheduling separate site visits with both parties and will respond to the complaints after determinations have been made. Zone B. The ZEO has scheduled site walks at 162 Route 39 South and 10 Echo Lane South with the Inland Wetlands Commission to observe the conditions that brought on the complaints. The site walks took place on Saturday November 17, 2018. The ZEO will send a notice to the owner requesting the shed be removed.

ZV 22-18 8 Spur Lane - Complaint - Raising chickens in Zone B without the required Special Permit. Reference Section 332.1 Permitted Uses - Zone B - A Notice of Violation will be sent. A Notice of Violation was sent on August 21, 2018. The property owner responded and plans on applying for a Special Permit – Zone B. The small hut has been removed. Documentation has been received and is being reviewed regarding therapy animals.

ZV 23-18 8 Spur Lane – Complaint - Quantity (2) two - chicken hutches and/or duck houses. Both structures erected without the required permits. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. A Notice of Violation will be sent. A Notice of Violation was sent on August 21, 2018. The property owner responded and plans to apply for a Zoning Permit and Variance. The small hutch has been removed and the large hut will require a variance if it’s decided the chickens and ducks can stay.

ZV 24-18 Route 39 North, Map 29 Lot 12 – Oversize Real Estate sign – In violation of Section 360 “Signs” and Section 361 “Sale, Lease or Contractor’s Sign” of the Town of Sherman Zoning Regulations – Zone A. A Notice of Violation will be sent. Notice of Violation mailed August 10, 2018. The sign has been modified and is now compliant.
ZV 26-18 1 Route 37 East – Amore Ristorante – Sign/Banner – In violation of Section 364 “Business Signs” – “but shall not include billboards or other types of advertising signs” of the Town of Sherman Zoning Regulations – Zone C. A Notice of Violation will be sent. The ZEO spoke with the tenant and the banner/sign was removed. It was re-installed during the week of September 27th. The ZEO requested that it be removed again. The business has been sold and the ZEO held a meeting with the new owners. The banner will not be reinstalled and the bollards will be installed in the spring before the deck is used. They will also apply for permits to cover the new patio that was installed.

ZV 27-18 1 Holiday Point Road – An A/C unit was installed without the required permit. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. The architect has been contacted and a Notice of Violation was sent. The owners applied for a variance to keep the A/C units installed at the location and was granted the variance at The November6, 2018 ZBA meeting. The owner has applied for zoning permit and it was granted. No further violation action required by the ZEO.

Case 28-18 12 Cedar Lane – Complaint – An illegal apartment was constructed in the basement of the dwelling. Under investigation.

ZV 29-18 28 Wanzer Hill Road – A 6’ high stockade fence and hot tub was installed without the required permits. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. The contractor and home owner have both been contacted and a Notice of Violation will be sent. A Notice of Violation was sent on August 22, 2018. An application has been received and will be denied. After discussing the setbacks the owner decided to remove the fence and move the hot tub to a conforming location.

ZV 30-18 4 Holiday Point Road - A shed was constructed without the required permit. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. A Notice of Violation will be sent. A Notice of Violation was sent on August 21, 2018. The property owners spoke with the ZEO on September 4, 2018 and plan to apply for the required Zoning Permit.

ZV 31-18 152 Route 39 South – A Hot tub with electrical hookup was installed in State of Connecticut Road Right of Way. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. The site was inspected by the Town of Sherman’s ZEO, a representative from the States permit division and the Resident State Trooper. A Notice of Violation will be sent. A Notice of Violation was mailed on August 21, 2018. The state is following up on this since it’s an encroachment in their road ROW.

ZV 32-18 63 Church Road – A temporary structure (hoop house) was erected without the required permit. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. A Notice of Violation will be sent. A Notice of Violation was sent on August 22, 2018.
ZV 33-18  
121 Route 39 South – An accumulation of waste, junk and debris exists on the property in violation of Section 323 and Section 323.2 of the Zoning Regulations. Zone B. A Notice of Violation was sent on August 22, 2018. **The property owner came to the office of the ZEO on September 5, 2018 and promised she would clean up the property.**

ZV 34-18  
32 Driggs Hill Road – Oversize Real Estate sign – In violation of Section 360 “Signs” and Section 361 “Sale, Lease or Contractor’s Sign” of the Town of Sherman Zoning Regulations – Zone A. **A Notice of Violation was mailed on August 21, 2018. The sign was modified and is now in compliance.**

ZV 35-18  
45 Wanner Hill Road – Split Rail fence under construction without the required permits. The ZEO spoke with the engineer on the project and a Zoning Permit was submitted and a permit can be granted after they receive the required approval from the Inland and Wetlands Commission. **A permit was issued for installation of the fence outside of the wetlands. A zoning variance will be required if they propose to complete the fence and go around the wetlands and don’t meet front yard setbacks.**

ZV 36-18  
Route 39 South – Oversize Real Estate sign – In violation of Section 360 “Signs” and Section 361 “Sale, Lease or Contractor’s Sign” of the Town of Sherman Zoning Regulations – Zone A. **A Notice of Violation will be sent. The sign has been removed.**

ZV 37-18  
121 Route 39 South – An Accessory Structure has been erected without the required Zoning Permit in violation of Section 410 and Section 411 of the Town of Sherman’s Zoning Regulations. – Zone B. **A Notice of Violation was sent on August 22, 2018.** The property owner came into the ZEO’s office on September 5, 2018 and requested a 30 day extension for moving the shed. The extension was granted by the ZEO.

ZV 38-18  
6 Echo Lane South – An oversize real estate sign was erected in front of the property for sale in violation of Section 360 and 361 of the Town of Sherman’s Zoning Regulations. Zone B. **A Notice of Violation was sent on August 22, 2018. The sign has been removed. No further action by the ZEO is required.**

**New Business:**

Case 39-18  
10 Skyline Drive – An Accessory Structure (shed) is under construction without the required permit in violation of Section 410 Zoning Permits and Section 411 of the Town of Sherman Zoning Regulation – Zone A. **A Notice of Violation was mailed on November 7, 2018**
Zoning Board of Appeals Decisions –

October 2018 Meeting
One (1) case was continued for clarification of survey.
The Legal Notice of Decisions – dated October 5, 2018 – is attached

November 2018 Meeting
Four (4) cases were heard – Two (2) Approved and Two (2) Denied
The Legal Notice of Decisions – dated November 7, 2018 – is attached

/ Ron Cooper
Zoning Enforcement Officer
Town of Sherman
LEGAL NOTICE
ZONING BOARD OF APPEALS
TOWN OF SHERMAN, CONNECTICUT

The Zoning Board of Appeals made the following decisions at these Public Hearings on Tuesday, October 5, 2018 beginning at 7:00 p.m. at the Mallory Town Hall meeting room.

CONTINUED- ZBA Case 687- Colen, Stephen R., (M-69, L-30), 28 Deer Run Trail, Sherman, CT 06784. Requesting Variance of Section 332.5 Minimum Setback Requirements, Front Yard- From 50' to 27.7'; Requesting Variance of Section 332.5 Minimum Setback Requirements, Front Yard- From 50' to 38.5'; Requesting Variance of Section 384 Increase of Non-Conformity, Other than Use- to allow construction of an 18' x 23.7' addition in the exact proposed location and footprint shown on submitted A-2 Survey entitled: "Zoning Location Survey, Lot 27, Deer Run Shores, Sect. A, R/O Stephen Colen & Helen Colen, 28 Deer Run Trail, Sherman, CT." Prepared by: Compass Engineering Group, LLC. Dated September 7, 2018. Zone

Dated at Sherman, Connecticut this 5th day of October, 2018.
Samantha Addonizio- Butts, Chairman
LEGAL NOTICE
ZONING BOARD OF APPEALS
TOWN OF SHERMAN, CONNECTICUT

The Zoning Board of Appeals made the following decisions at these Public Hearings on Tuesday, November 6, 2018 beginning at 7:00 p.m. at the Mallory Town Hall meeting room.

DENIED- ZBA Case 687- Colen, Stephen R., (M-69, L-30), 28 Deer Run Trail, Sherman, CT 06784.
Requesting Variance of Section 332.5 Minimum Setback Requirements, Front Yard- From 50' to 27.7'; Requesting Variance of Section 332.5 Minimum Setback Requirements, Front Yard- From 50' to 38.5'; Requesting Variance of Section 384 Increase of Non-Conformity, Other than Use- to allow construction of an 18' x 23.7' addition in the exact proposed location and footprint shown on submitted A-2 Survey entitled: "Zoning Location Survey, Lot 27, Deer Run Shores, Sect. A, W/F Stephen Colen & Helen Colen, 28 Deer Run Trail, Sherman, CT." Prepared by: Compass Engineering Group, LLC. Dated September 7, 2018. Zone

APPROVED- ZBA Case 688: Cleary, Kevin & Meredith- 1 Holiday Point, Sherman, CT 06784. (M-78, L-13)
Requesting a variance of Section 331.5 Front Yard Set-Back, from 75' to the center line of the roadway to 38.0' from the centerline of the road for placement of an HVAC unit in a non-conforming area shown in the exact footprint on the submitted survey. All in accordance and in the exact footprint shown on an A-2 Survey submitted entitled "Property Survey prepared for Kevin & Meredith Cleary, 1 Holiday Point Road, Town of Sherman, Fairfield County, CT". Dated May 31, 2017, (Latest Revision dated: September 20, 2018 for update/ as built) prepared by PAH, Inc. Land Surveyors. Zone A.

DENIED- ZBA Case 689: Mendell, Jerome- 34 Smoke Ridge Drive, Sherman CT 06784. (M-34, L-12)

APPROVED- ZBA Case 691: Reinhold, Victoria S, Wozniak, Ronald, & Wozniak- Brown, Joanna- 14 Chapel Hill Road, Sherman, CT 06784- (M-7, L- 45): Requesting variance of Section 324. 3B Generators, Air Conditioners, Pool Filters, and Other Noise Generating Equipment- from within 50' of the principal building while maintaining the required 100' setback from the nearest property line to allow proposed placement of a generator in the exact footprint shown on an A-2 survey submitted entitled, "Property Survey Prepared for Victoria Reinhold, Et Al, Parcel 'B'- Town Clerk Map No. 2001, 14 Chapel Hill Road, Town of Sherman, Fairfield County, Connecticut." Prepared by Paul A. Hiro, P.C., Dated: October 18, 2012. Zone A.

Dated at Sherman, Connecticut this 7th day of November, 2018.
Samantha Addonizio- Butts, Chairman