TOWN OF SHERMAN
Planning & Zoning Commission
ANNUAL ORGANIZATIONAL MEETING
REGULAR MONTHLY MEETING MINUTES
Thursday, January 3, 2019, 7:00 pm
MALLORY TOWN HALL, 9 ROUTE 39 NORTH, SHERMAN, CT 06784 DRAFT


Absent: N. Volkmar

Audience and Invited: R. Locascio, T. Beatty, A. Pascarella, F. Gileno, G. Maletz, S. Maletz and SVFD Chief C. Fuchs
Also: ZEO R. Cooper, and Commission Clerk C. Branson

ANNUAL ORGANIZATIONAL MEETING:

Call to Order: Chair, J. Burrano Called the Annual Organizational Meeting to Order at 7:01 pm.

Nominating Committee Chair, P. Vorhees presented the slate of Officers to the Commission for consideration:
Chair: Ryan Peburn, Vice-Chair: Jeannene Burrano, and Secretary: Mary Lee

R. Lenihan Moved to Approve the slate of Officers as presented, each to serve a two year term.
Chair: Ryan Peburn, Vice-Chair: Jeannene Burrano, and Secretary: Mary Lee.
Seconded by J. Finch Vote: For: Unanimous

Adjournment: P. Vorhees Adjourned the Annual Organizational Meeting to Order at 7:02 pm.

REGULAR MONTHLY MEETING:

Call to Order: Chair, R. Peburn Called the Regular Monthly Meeting to Order at 7:02 pm.

In the absence of Commissioner N. Volkmar, Alternate J. Seigel was elevated to voting status.

Public Hearing I:

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. Parnsworth & 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 R. Peburn opened the Public Hearing for 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 and reviewed the file contents. Secretary M. Lee read the Legal Warning into record. The Legal Warning was published in the Town Tribune on December 20, 2018 and in the New Milford Spectrum on December 28, 2018 Eighteen abutting neighbors were sent certified notice December 11, 2018. No correspondence was received. An agent letter from Sherman Town Center, LLC, signed by Phillip B. Korsant, appointing R. Locascio as Acting Agent was read into record. Health Approval has been granted regarding Phase II of this application. A statement from S. B. Addison Larson, Fire Marshal was read into record in reference to the two proposed open pavilion-like structures which stated "Structure A not covered in CT State Fire Safety Code and Structure B not covered in CT State Fire Safety Code. No approval required". A photograph of proposed structures "A, 10’ x 20’” and "B, 10’ x 16’" were in the file. A marked up map showing the placement of Structure A and Structure B was in the file. A photograph of the proposed lamp post was in the file, which is a very close representative to the one located adjacent
to the liquor store was in the file. A light distribution schematic was included in the file, showing the pattern which would be lit from the proposed lamp post. A marked up survey was in the file showing placement of 10 new proposed lamp posts and 6 existing lamp post locations was in the file. The existing lamp posts will be changed to match the new proposed style. A section of an existing conditions map was in the file showing existing maximum building coverage permitted: 10 x 164,435 s.f. = 16,435 s.f. No objections were expressed from the applicant regarding the seated Commissioners. Chair, R. Poburn requested the Commission review Zoning Regulations, Section 322.8 Exterior Lighting. Vice Chair J. Borrano provided photographs of exterior lighting which exist in other locations within the Zone C Business and Residence Zone. The Commission discussed the variety of existing exterior lighting in comparison to the proposed lamp post that was viewed at a site walk previous to this meeting located adjacent to the liquor store in the Sherman Town Center. It was noted that an amendment to these regulations was added in 2003 to include spot lighting. Agent R. Locascio came forward to speak in reference to the application. The Commission discussed the lamp post that was just viewed at the earlier site walk and asked if the height of the "sample lamp post" was the height that is proposed for all. Additionally the Commission shared concerns regarding the intensity and ability to see the exposed bulb(s). Mr. Locascio stated the posts will be shortened by 2 feet, the current post is 16' feet tall and will be reduced to 14' feet tall. Mr. Locascio additionally stated the 10' x 16' structure will be lit from the interior by the cupola during evening events. Mr. Locascio stated that the lights are anticipated to be shut down upon the commencement of business at 10pm daily including the two structures.

There were no additional questions from the Commission. From the Audience, First Selectman D. Lowe stated he understands the concerns of the lighting height and intensity but overall he likes the design as well as location of proposed new lamp posts. Mr. Lowe stated he feels the overall improvement of the Town Center is a "gift" to the Town and the crew has done an equitable job in presenting these phases of the improvement. No further comments were made by the Commission, applicant or members of the audience.

J. Borrano Moved to Close the Public Hearing for 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. Seconded by: J. Finch Vote: For: Unanimous

Public Hearing II:


Chair R. Poburn opened the Public Hearing for the Application for a Special Permit: Town of Sherman, 30 Big Trail Extension (M: 42, L: 50) Proposal: Installation of emergency communications equipment mounted onto existing water tank and related ground equipment and reviewed the file contents. Secretary M. Lee read the Legal Warning into record. The Legal Warning was published in the Town Tribune on December 20, 2018 and in the New Milford Spectrum on December 28, 2018. Seven abutting neighbors were sent certified notice December 11, 2018. No correspondence was received. An agent letter from Aquarion Water Company was in the file authorizing the Town of Sherman the ability to speak on their behalf. Also in the file was a site plan showing the footprint of the proposed location of the ground equipment and location of installation of equipment existing water tower. Other plans were in the file showing the height of the antenna at 79'. An additional plan was in the file showing the property line between the Town of Sherman and the Town of New Fairfield. The ground equipment is proposed to be installed on the Sherman portion of the property. A sketch of the footprint was in the file showing various locations of poles. Also in the file was a property survey entitled "Prepared to show land conveyed to Aquarion Water Company of Connecticut off Big Trail Extension, Sherman & New Fairfield, Connecticut." Dated June 2000. Prepared by Robert C. Sterling, Licensed Land Surveyor. In the file was an A-2 entitled, "Basement Map, Depicting Basement Area to be Granted to the Connecticut Light and Power Company DB/A/ Eversource Energy Across the Property of Timber Trails Associates, (Portion of Big Trail Extension) Town of Sherman, Fairfield County, CT. Dated: October 11, 2018 Prepared by the offices of PAH, Inc. Land Surveyors. Additionally in the file were the mechanical specs for the generator as well as the specs for the ground cabinet. Sherman Volunteer Fire Captain Chris Puchy was present to speak on behalf of the application. There were no questions or comments from the Commission. From the audience, G. Maletz read a letter from Timber Trails Associates President T. Hahn stating the Association endorses the addition of the communication equipment. G. Maletz read an additional statement from the Sherman
Telecommunications Committee into record stating full support of the installation of this equipment, signed by A. Zeisler, S. Maletz, G. Maletz and First Selectman D. Lowe. There were no additional comments from the audience or the Commission.

**M. Lee Moved** to Close the Public Hearing for the Application for a Special Permit:
Town of Sherman, 30 Big Trail Extension (M: 42, L: 50) Proposal: Installation of emergency communications equipment.

**Seconded by:** J. Burrano  
**Vote:** For: Unanimous

**Old Business:**

**Deliberation of Public Hearing I:**

**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

The Commission discussed the Zoning Regulations, Section 322.8 Exterior Lighting. Concerns were shared that the sample light presented does not comply without the addition of shading such as frosted glass to buffer the intensity and direction, shading the bulbs would create less of an impact to the adjacent properties and roadways.

**M. Lee Moved** to Approve 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, T.L.C., Route 39 North, Sherman, CT" Prepared by: John J. Fernsworth & Associates, dated April 26, 2018 and map entitled "Sherman Town Center, 15 Route 39 (North), Sherman, CT 06774, Schematic Design, Final Master Plan," Prepared by: SANOK Design Group. And a marked up survey showing the proposed lighting pattern prepared by Michael J. Mazzocco, P.C., Project: 3-13 Route 39 North, Sherman, CT. Title: "Site Plan", Dated September 5, 2018 and revised on September 25th, 2018. Zone C. With Conditions: all lighting shall meet the requirements set forth by Zoning Regulations, Section 322.8 Exterior Lighting and the applicant shall show proof of approval from NAROMI Land Trust.

**Seconded by:** J. Finch  
**Vote:** For: Unanimous

**Deliberation of Public Hearing II:**

**Application for a Special Permit:** Town of Sherman, 30 Big Trail Extension (M: 42, L: 50)

The Commission discussed concerns regarding the proximity of the location of the proposed generator with respect to the Town property line. The generator is proposed in a non-conforming location and approval shall be conditioned.

**J. Burrano Moved** to Approve the application for a Special Permit: Town of Sherman, 30 Big Trail Extension (M: 42, L: 50) Proposal: Installation of emergency communications equipment mounted onto existing water tank and related ground equipment within the existing footprint shown on proposed Design Exhibit plans submitted, entitled "Town of Sherman VFD-RCP, Big Trail Extension, Sherman, CT" Pages: DE-1, DE-2, and DE-3. Dated 09/03/18, Last Revised 10/03/18. Prepared by: CENTEK Engineering, Centered on Solutions and submitted A-2 Survey entitled, "Basement Map, Depicting Basement Area to be Granted to the Connecticut Light and Power Company D/B/A/ Eversource Energy Across the Property of Timber Trails Associates, (Portion of Big Trail Extension) Town of Sherman, Fairfield County, CT. Dated: October 11, 2018 Prepared by the office of PAH, Inc. Land Surveyors. Zone B. With Conditions: the location of the generator shall meet the requirements set forth by Zoning Regulations, Section 324.3b Generators, Air Conditioners, Pool Filters and Other Noise Generating Equipment.

**Seconded by:** J. Seigel  
**Vote:** For: Unanimous

**New Business:** None
Public Comment:
Fran Gileno, of 56 Wakeman Hill Road spoke in opposition of the sixty-six signs that were recently installed on the road by the State Department of Transportation. She stated confusion as to why a Town owned road has suddenly come under the jurisdiction of the State DoT. Four of these signs are situated in her front yard. She feels the signs could affect the potential sale of her home. Mrs. Gileno stated she reached out to First Selectman D. Lowe as well as the Highway Department requesting the removal of these signs.

Chair R. Peburn stated he did not think the Planning & Zoning Commission would have any control regarding the signs.

ZEo R. Cooper stated the installation of these signs were a total surprise. He was told by the CT DoT they were approved by the Town’s previous administration.

First Selectman D. Lowe stated he would like to offer an explanation and invited Mrs. Gileno to meet in his office following this meeting. He stated that he was just as upset by the installation of these signs but does have some control. He stated he could order a change to the speed limit on Wakeman Hill Road. Another course of action would be, once the Highway Supervisor approves the installation of the State signs, the road then is turned back over to the Town and the First Selectman could order the removal of the signs.

Approval of Minutes: Regular Monthly Meeting of December 6, 2018

M. Lee Moved to Approve the Regular Monthly Meeting Minutes of December 6, 2018 as presented.
Seconded by: R. Lenihan
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 December 2018. There were eight Zoning applications approved. One Statement of Intent was approved. No applications were withdrawn. Three applications were denied. Two applications were returned for lack of information. Two applications remain under review seeking further information. Several cases were discussed that are under continued review. This report shall be attached herewith.

M. Lee Moved to Accept the Zoning Enforcement Officer’s December 2018 Report as presented.
Seconded by: R. Lenihan
Vote: For: Unanimous

Committee Reports: P.O.C.D Action Point Committee Report

M. Lee distributed list of nine discussion points to the Commission. The Commission discussed the relevance of these items and narrowed the focus to two, several of the items were accomplished in the past few years since the adoption of the revised P.O.C.D.

Chairman Report:

Vice-Chair J. Burzano reminded the Commission of an upcoming Land Use seminar on March 23rd, 2019 at Wesleyan University, Middletown CT.

Regulation Review: None

Adjournment: . Seigel Adjourned the Meeting at 9:12pm.

Respectfully submitted by: 
[Signature]
Christine Franaszn
January 10, 2019
<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Address</th>
<th>Description</th>
<th>Zoning Code</th>
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<tbody>
<tr>
<td>7883</td>
<td>Jacknick</td>
<td>9 Mary Bee Lane</td>
<td>Replace a 35' x 9' deck attached to the existing dwelling.</td>
<td>B</td>
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<tr>
<td>7917</td>
<td>Mazzaro</td>
<td>2 Cloverleaf Farm Rd No.</td>
<td>Install an A/C unit.</td>
<td>A</td>
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<tr>
<td>7920</td>
<td>Wizki</td>
<td>56 Route 55 West</td>
<td>Add entry door overhang to existing front porch on existing dwelling.</td>
<td>A</td>
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<tr>
<td>7921</td>
<td>Paetsch</td>
<td>3 Wakeman Hill Road</td>
<td>Install an emergency standby generator.</td>
<td>A</td>
</tr>
<tr>
<td>7923</td>
<td>Byrd</td>
<td>3 Cloverleaf Farm So.</td>
<td>Construct a 22' x 32' attached garage to the existing dwelling.</td>
<td>A</td>
</tr>
<tr>
<td>7926</td>
<td>Scheff Marks</td>
<td>158 Route 37 South</td>
<td>Install a new emergency standby generator.</td>
<td>A</td>
</tr>
<tr>
<td>7928</td>
<td>Pesantez</td>
<td>4 Holiday Point Rd.</td>
<td>Construct a 10' x 22' storage shed.</td>
<td>B</td>
</tr>
<tr>
<td>7929</td>
<td>Maxam</td>
<td>17 Smoke Ridge Rd.</td>
<td>Erect a 24' x 24' pre-fab detached garage.</td>
<td>A</td>
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<tr>
<td>7922</td>
<td>McClusky Family</td>
<td>1 Route 37 East, Unit 1</td>
<td>Erect a new sign for the existing Restaurant.</td>
<td>C</td>
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<tr>
<td>7878</td>
<td>Woodage</td>
<td>28 Wanzer Hill Rd.</td>
<td>Install 12' x 16' shed, 6' tall fence and a hot tub.</td>
<td>A</td>
</tr>
<tr>
<td>7918</td>
<td>Glenbrook Farm</td>
<td>1 Glenbrook Farm Rd.</td>
<td>Installation of an emergency standby generator and A/C unit.</td>
<td>A</td>
</tr>
</tbody>
</table>
7927  Krupman  8 Cedar Point Lane  New single family dwelling, well, septic and driveway.  B

**The Following Applications Were Returned For Lack of Information:**  Qty: 2

7598  Murray  41 Wanzer Hill Rd  Install a 48” high fence across the front of the property.  B

7773  Noe  140 Route 39 North  Erect 2 hoop house temporary structures.  A

**The Following Applications Require Additional Information or Review:**  Qty: 2

7924  Town of Sherman  Allen Cove  Install benches, row boat storage rack and corn hole game.  B

7925  Lukse  152 Route 39 North  Clear brush, install drainage and excavate and existing dwelling.  A

**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. The application is being returned for lack of information. The requested A-2 survey has never been received.**

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 plans to apply for the required Special Permit. The ZEO had another meeting with the property owner on January 2, 2019. He considers the remaining birds (Approx. 30) his pets. A**
letter will be sent reiterating that the birds cannot stay on the property without an approved 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. The application is being returned for lack of information. The requested A-2 survey has never been received.

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. No response received from the property owner.

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. No response received from the property owner.

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. No response received from the property owner.

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 was sent on September 6, 2018. No response received from the property owner.

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.b1 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. The business has been sold and a meeting was held with the new owners. They are bringing the property into compliance and will not open the outdoor seating until exterior Special Permit conditions of approval are met.

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. Enforcement action is under review with the Land Use Attorney.

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. Enforcement action is under review with the Land Use Attorney.

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. Enforcement action is under review with the Land Use Attorney.

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. Enforcement action is under review with the Land Use Attorney.

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. Enforcement action is under review with the Land Use Attorney.

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. Enforcement action is under review with the Land Use Attorney.

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. A Notice of Violation was sent. The property owner never responded. Follow-up is required. Enforcement action is under review with the Land Use Attorney.
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 hatch has been removed. Documentation has been received and is being reviewed regarding therapy animals. Still under review.

ZV 23-18 8 Spur Lane -- Complaint - Quantity (2) two-chicken hutchies 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 hatch has been removed and the large hut will require a variance if it’s decided the chickens and ducks can stay. Still under review. See Case ZV-22-18 above.

Case 28-18 12 Cedar Lane -- Complaint – An illegal apartment was constructed in the basement of the dwelling. Under investigation. The original complaint was filed with the Sherman Health Department who has since dropped their investigation based on a subsequent request by the complainant to drop the case. Zoning has no evidence of the violation other than the original notification by the Health Department. No action by the ZEO is required at this time.

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. The violation has not been corrected yet.

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. The property owner has applied for a zoning permit to move the storage shed to a conforming location. The permit was granted by the ZEO.
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 site is following up on this since it’s an encroachment in their road ROW. Have not heard from the state during the Holidays.

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. I was told the temporary structure will be taken down in the early spring.

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 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.

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. The owner of the property lives in Florida during the winter and was not aware of the size or location of the structure when his contractor started work. When he come back from Florida he will apply for the required permit or take whatever action is required to resolve the situation.

New Business:

No new business to report.

Zoning Board of Appeals Decisions –

December 2018 – No Meeting was held – due to the lack of applications.

[Signature]
Ron Cooper
Zoning Enforcement Officer
Town of Sherman

Accepted and Approved by the Planning and Zoning Commission at their Regular Monthly Meeting on January 3, 2019