Members Present: K. Gubner, K. Fazzone, J. Bonner, W. Jones, A. Chiaramonte and Alternate R. DeVine

Members Absent: None

Also: C. Branson, Board Administrative Clerk


CALL TO ORDER: Chair, K. Gubner Called the ZOOM Meeting to Order at 7:10 pm

PUBLIC HEARING I:
ZBA Case #720- 45 Wanzer Hill Road, (Map- 53, Lot- 28) Jonathan Weiner/ Nap Bay, LLC-
Requesting variance of Section 324.1.A.1.d- Accessory Dwelling- (only one permitted per lot) to allow a second Accessory Dwelling to exist on one lot, within an existing 456 sq. ft. structure which contains one bedroom, one bathroom and a kitchen as shown on submitted Building plans entitled; “ZBA- Cottage One, 45 Wanzer Hill Road, Sherman, CT” Dated 01/20/21, prepared by: P. W. Scott, Engineering & Architecture P. C. and noted as shown (Cottage #1) in the exact footprint shown on submitted A-2 survey entitled; “Partial Topographic Survey, NAP BAY, LLC, 45 Wanzer Hill Road, Town of Sherman, Fairfield County, CT.” Dated June 15, 2019. Prepared by: GeoLogic Land Surveying, PLLC. Zone B.

Chair K. Gubner opened the Public Hearing. Administrative Clerk C. Branson read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. Six abutting neighbors were sent notice by Certified mail also on April 22, 2021. No correspondence was received. In the application file there was an Agent letter appointing Peder Scott as acting Agent. There was a hardship letter, a brief history of the property, building plans and a certified A-2 survey. Mr. Scott was present and asked to speak on behalf of the application. Mr. Scott went over the history of the property and the use of the accessory building now being referred as “Playhouse/Garage” on the application. The applicant is seeking a variance to allow this building to be a second Accessory Dwelling to exist on one property, which does not conform to the current Zoning Regulation, Section 324.1.A.1.d- Accessory Dwelling. The Board discussed and reviewed the submittals. The Board agreed sufficient information has been received to close the Public Hearing.

J. Bonner Moved to Close the Public Hearing portion of ZBA Case #720- 45 Wanzer Hill Road, (Map- 53, Lot- 28) Jonathan Weiner/ Nap Bay, LLC. Deliberations are scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

Seconded by: K. Fazzone

Vote: For: Unanimous

DELIBERATION I:
ZBA Case #720- 45 Wanzer Hill Road, (Map- 53, Lot- 28) Jonathan Weiner/ Nap Bay, LLC-
No deliberations took place at this meeting. Deliberations are scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

PUBLIC HEARING II:
ZBA Case #721- 45 Wanzer Hill Road, (Map- 53, Lot- 28) Jonathan Weiner/ Nap Bay, LLC-
Requesting variance of Section 324.3.A Septic Systems for Accessory Buildings to allow connection of an Accessory Structure (exceeding 400 sq. ft.) in an existing 2,545 sq. ft. structure (referred to as “Playhouse/ Garage” in this application) Requesting Variance of Section 324.3 A (a) Septic Systems for Accessory Buildings, to allow a kitchenette with a sink, stove, refrigerator in another accessory structure which its’ use is not agricultural in nature as shown on submitted Building plans entitled; “ZBA- Playhouse Variance, 45 Wanzer Hill Road, Sherman, CT” Dated 12/04/20, prepared by: P. W. Scott, Engineering & Architecture P. C. and in the exact footprint shown on submitted A-2 survey entitled; “Partial Topographic Survey, NAP BAY, LLC, 45 Wanzer Hill Road, Town of Sherman, Fairfield County, CT.” Dated June 15, 2019. Prepared by: GeoLogic Land Surveying, PLLC. Zone B.
The appointed Agent, P.W. Scott requested the Public Hearing be continued to May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

**K. Fazzone Moved** to Continue the Public Hearing portion of ZBA Case #721- 45 Wanzer Hill Road, (Map- 53, Lot- 28) Jonathan Weiner/ Nap Bay, LLC. Continuation is scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

*Seconded by: W. Jones  Vote: For: Unanimous*

**DELIBERATION II:**

*ZBA Case #721- 45 Wanzer Hill Road, (Map-53, Lot-28) Jonathan Weiner/ Nap Bay, LLC –*

The Public Hearing for this case was requested to be continued and heard on May 11th, 2021 beginning at 6:00 pm at a scheduled ZOOM meeting. No Deliberations took place at this meeting.

**PUBLIC HEARING III:**

*ZBA Case # 722- 6 Echo Lane South, (Map-47, Lot-44) Khue Hoang –*Requesting Variance of Section 213- Proximity to the 440 foot contour line- from 25’’ to 11’ from the 440 foot contour line. Requesting variance of Section 332.5 Minimum Setback Requirements, Side property line setback from 25’’ to 19’’ 6”. Requesting Variance of Section 324.3B Generators, Air Conditioners, Pool Filters, and Other Noise Generating Equipment from a maximum distance within 15’ feet of the principal building being served to 26’’ to allow placement of a generator in the exact footprint shown on a submitted A-2 survey entitled; “Property Survey Prepared For Khue Van Hoang, 6 Echo Lane South, Town of Sherman, Fairfield County, CT”. Revised Date: March 4, 2021 for proposed generator. Prepared by: PAH, INC Land Surveyors. Zone B.

Chair K. Gubner opened the Public Hearing. Administrative Clerk C. Branson read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. Four abutting neighbors were sent notice by Certified mail also on April 22, 2021. Correspondence was received from Daniel & Natalie Hertz which was read into record. In the application file there was an Agent letter appointing Luis Yorio of LS Construction and Atty. Bruce Bennett as their acting Agents. There was a hardship letter, a drawn footprint of the proposed generator, several photographs and a certified A-2 survey, also in the file were previous Variance requests. Atty. Bennett was present and asked to speak on behalf of the application. The Board discussed and reviewed the submittals. The Board agreed sufficient information has been received to close the Public Hearing.

**J. Bonner Moved** to Close the Public Hearing portion of ZBA Case # 722- 6 Echo Lane South, (Map-47, Lot-44) Khue Hoang. Deliberations are scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

*Seconded by: K. Fazzone  Vote: For: Unanimous*

**DELIBERATION III:**

*ZBA Case #722- 6 Echo Lane South, (Map-47, Lot-44) Khue Hoang –*

No deliberations took place at this meeting. Deliberations are scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

**PUBLIC HEARING IV:**

*ZBA Case # 723- 28 Wanzer Hill Road (Map- 48, Lot- 48) Nanette C. Woodage-* Requesting Variance of Sections 322.1.b.(iii), and 322.1.b.(v) to allow the installation of a 6’ tall privacy fence in front of the 50’ Front property line Setback with the closest point no closer than 14’ to the property line in accordance with and as shown in the exact footprint on the submitted A-2 Survey. Requesting Variance of Section 332.5 Minimum Setback Requirements from 75’ to the center line of the road to 73.6’ to allow placement of a hot tub in the exact footprint shown on a submitted A-2 Survey entitled “Record Improvement Location Survey, Lots 8 & 9, Laurel Hill, Prepared for Vincent H. & Nanette C. Woodage, 28 Wanzer Hill Road, Sherman, CT”. Dated: 1/11/2019. Prepared by: CCA, LLC. Zone B.

Chair K. Gubner opened the Public Hearing. Administrative Clerk C. Branson read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. One abutting neighbor was sent notice by Certified mail also on April 22, 2021. No correspondence was received. In the application file there was an Agent letter appointing Russell Posthaur of CCA, LLC as acting Agent. There was a hardship letter explaining the hot tub and fences are post facto, photos of the property, and a certified A-2 survey showing the proposed fences and hot tub locations as well as previous Variances. Mr. Posthaur was present and asked to speak on behalf of the application. The Board discussed the fact that the fences and hot tub are already installed in place and reviewed the submittals. The Board agreed sufficient information has been received to close the Public Hearing.
A Chiaramoto Moved to Close the Public Hearing portion of ZBA Case # 723- 28 Wanzer Hill Road (Map- 48, Lot- 48) Nanette C. Woodage. Deliberations are scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

Seconded by: J. Bonner

Vote: For: Unanimous

DELIBERATION IV:
ZBA Case #723- 28 Wanzer Hill Road (Map- 48, Lot- 48) Nanette C. Woodage.

No deliberations took place at this meeting. Deliberations are scheduled take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

PUBLIC HEARING V:

REQUESTING VARIANCE OF:

1. Variance of Rear property line from 25’ to 4.9’ to allow placement of two air conditioning units. Variance of Sec. 322.5 Minimum Setback Requirements- Rear property line from 50’ to 44.9’ to allow placement of two air conditioning units. Variance of Sec. 322.5 Minimum Setback Requirements- Rear property line from 25’ to 3.7’ to allow placement of an emergency stand-by generator.

2. Variance of Sec. 322.5 Minimum Setback Requirements- Rear property line from 50’ to 29.8’ to allow renovation of existing covered front door entryway currently located at 29.6’. Reference to Section 322.3 Building Projections. Variance of Sec. 322.5 Minimum Setback Requirements- Rear property line from 50’ to 48’ to allow renovation of existing side door covered entryway using existing footprint. Reference to Section 322.3 Building Projections.


Chair K. Gubner opened the Public Hearing and read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. Three abutting neighbors were sent notice by Certified mail also on April 22, 2021. No correspondence was received. In the application file there was a hardship letter explaining the difficult topography and an explanation of the many variances requested to expand the dwelling vertically, photos of the property were supplied, floor plans, and a certified A-2 survey showing the proposed addition location. Health approval was received on October 20, 2020 for this addition. Owners, Amanda Montgomery & Andrew Drewatolitsch were present and asked to speak on behalf of their application. The Board discussed the extensive list of requested variances and reviewed the submittals. The Board shared concerns regarding the addition shall consist of three stories, but shall remain under the 35’ maximum height. The Board requested the opinion of the Fire Marshal due to the fact that there are three stories proposed and the Regulations only allow two and a half stories. The Public Hearing was continued to May 11th, 2021 beginning at 6:00 pm at a scheduled ZOOM meeting.

A Chiaramoto Moved to Continue the Public Hearing for ZBA Case #724- 10 Lake Shore Woods Road (Map- 66, Lot- 40) Ten Lake Shore Woods, LLC: Agents: Amanda Montgomery & Andrew Drewatolitsch- scheduled to take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

Seconded by: W. Jones

Vote: For: Unanimous

DELIBERATION V:

The Public Hearing for this case was continued and set to be heard on May 11th, 2021 beginning at 6:00 pm at a scheduled ZOOM meeting. No Deliberations took place at this meeting.
K. Gubner recessed the Meeting at 8:58 pm.

K. Gubner reconvened the Meeting at 9:04 pm.

PUBLIC HEARING VI:
ZBA Case # 725- 5 Hillside Drive (Map-76, Lot-5) Brian Choquette- Requesting Variance of Section 332.5 Minimum Setback Requirements, Side property line - from 25’ to 20’,11” to allow construction of a 31’ x 2’ garage shed roof. Variance from Section 334.9- Non-Conformity- the proposed garage shed roof and front porch will increase the side and front property line setback non-conformity of the existing dwelling. Variance of Sect. 332.5 Minimum Setback Requirements, Front property line setback from 50’ to 30’,11” to construct a 7’ x 4’ covered front porch all in accordance with submitted building plans entitled “Brian Choquette, 5 Hillside Drive, Sherman, CT” Prepared by: Santos Contracting, LLC. Dated: 11/19/2020 and all in the exact footprints shown on submitted A-2 Survey entitled “Property Survey Prepared for Brian Choquette, 5 Hillside Drive, Town of Sherman, Fairfield County, CT”. Last revised March 9, 2021. Prepared by: PAH, INC. Zone B.

Chair K. Gubner opened the Public Hearing. Administrative Clerk C. Branson read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. Five abutting neighbors were sent notice by Certified mail also on April 22, 2021. One supporting letter of correspondence was received from neighbors James and Geri Taylor at 3 Hillside Drive. In the application file there was a hardship letter, several photos, and a side elevation drawing. Also in the file was a certified A-2 survey showing the footprint of the proposed activity. Owner, Brian Choquette present and spoke on behalf of the application. Abutting neighbor Jacob Wilkins was present at the meeting and spoke in support of the request. The Board discussed and reviewed the submittals. The Board agreed sufficient information has been received to close the Public Hearing.

A Chiaramonte Moved to close the Public Hearing for ZBA Case # ZBA Case # 725- 5 Hillside Drive (Map-76, Lot-5) Brian Choquette- Deliberation is scheduled to take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

Seconded by: J. Bonner

Vote: For: Unanimous

DELIBERATION VI:
ZBA Case # 725- 5 Hillside Drive (Map-76, Lot-5) Brian Choquette-

Deliberations for this case was set for May 11th, 2021 beginning at 6:00 pm at a scheduled ZOOM meeting. No Deliberations took place at this meeting.

PUBLIC HEARING VII:
ZBA Case # 726- 4 Sawmill Road (Map-75, Lot-50) Febbfour, LLC- - Requesting Variance of Section 384 Non-Conformity, other than Use- to allow an increase of non-conformity for the proposed change of the existing roofline by approximately 3’, for construction of a proposed vertical addition, to allow construction of a proposed 4’x 4’ x 4’,6” cupola and construction of a proposed 3’ x 5’ shed roof as shown on submitted building plans entitled “SHS/ FEBBRAIO- 4 Sawmill Road, Existing Massing Plans” Pages 1 and 2. Dated: 4/12/2021, Prepared by: Evolve Design Group, LLC. Requesting Variance of Section 333.5 Front Property Line Setback from 50’ to 1’ (existing structure). Requesting Variance of Section 333.5 Front Property Line Setback from 50’ to 4.5’ to allow the addition of a side entry shed roof. Requesting Variance of Section 333.5 Side Property Line Setback from 15.0’ to 4.1’ for the addition of the raised roof. All in accordance with submitted building plans and submitted A-2 Survey entitled: “Property Survey Prepared for FEBBFOUR, LLC, 4 Saw Mill Road, Sherman, CT.” Dated: Feb. 22, 2021. Prepared by: PAH, INC. Land Surveyors. Zone C.

Chair K. Gubner opened the Public Hearing. Administrative Clerk C. Branson read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. Four abutting neighbors were sent notice by Certified mail also on April 22, 2021. Four supporting letters of correspondence were received from neighbors which were read into record. In the application file there was a hardship letter, several photos showing the interior and exterior of the building, and a side elevation drawing was also submitted. Also in the file was a certified A-2 survey showing the footprint of the proposed activity. Owner David Febbraio and Agent Erich Diller, of Evolve Design Group were present and asked to speak on behalf of the application. The Board discussed the history of the building and reviewed the submittals and asked if there were any restrictions set forth by P&Z or ZBA for this property in the past. The Board continued the Public Hearing for additional information regarding restrictions to the property.

J. Bonner Moved to Continue the Public Hearing for ZBA Case # 726- 4 Sawmill Road (Map-75, Lot-50) Febbfour, LLC- continuation was scheduled to take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

Seconded by: W. Jones

Vote: For: Unanimous
DELIBERATION VII:
ZBA Case # 726 - 4 Sawmill Road (Map- 75, Lot- 50) Febbfour, LLC-

The Public Hearing for this case was continued and set to be heard on May 11th, 2021 beginning at 6:00 pm at a scheduled ZOOM meeting. No Deliberations took place at this meeting.

PUBLIC HEARING VIII:
ZBA Case # 727 - 4 Locust Lane (Map- 73, Lot-19) Rommie L. Duckworth. Requesting Variance of Section 332.5 Front Property Line Setback from 50’ to 0.5’. Requesting Variance of Section 331.5 Side Property Line Setback from 25’ to 12’ for construction of a new 24’ x 26’ two story detached garage. Requesting Variance of Section 331.5 Side Property Line Setback from 25’ to 12’ for construction of a new 6’4” x 10’ vestibule to be attached to the existing dwelling, all in accordance with submitted building plans entitled: “Duckworth Residence, 4 Locust Lane” pages 1 through 5. Dated 03/16/2021. Prepared by: Sherman Building Design and in the exact footprints shown on submitted A-2 Survey entitled: Property Survey Prepared for Rommie L. Duckworth, 4 Locust Lane, Sherman, CT.” Dated: Jan. 11, 2012. Prepared by: PAH, INC. Land Surveyors. Zone B.

Chair K. Gubner opened the Public Hearing and read the Legal Warning into record. The Legal Notice was published on the Town website on April 22, 2021. Three abutting neighbors were sent notice by Certified mail also on April 22, 2021. Two supporting letters of correspondence were received from neighbors. In the application file there was a hardship letter, several photos, and a side elevation drawing. Also in the file was a certified A-2 survey showing the footprint of the proposed activities. Owners, Rommie and Betsy Duckworth were present and spoke on behalf of the application. The Board discussed and reviewed the submittals. The Board agreed sufficient information has been received to close the Public Hearing.

W Jones Moved to Close the Public Hearing for ZBA Case # 727- 4 Locust Lane (Map- 73, Lot-19) Rommie L. Duckworth- deliberations are scheduled to take place on May 11th, 2021 beginning at 6:00pm at a scheduled ZOOM meeting.

Seconded by: J. Bonner

Vote: For: Unanimous

DELIBERATION VIII:
ZBA Case # 727 - 4 Locust Lane (Map- 73, Lot-19) Rommie L. Duckworth-

Deliberations for this case are set for May 11th, 2021 beginning at 6:00 pm at a scheduled ZOOM meeting. No Deliberations took place at this meeting.

APPROVAL OF MINUTES: Zoning Board of Appeals Meeting of March 2, 2021

Approval of the Minutes of March 2, 2021 were tabled to the next Regular Meeting set for June 1, 2021.

ADJOURNMENT: K. Gubner Adjourned the Meeting at 10:49 pm.

Respectfully submitted:
Christine Branson, ZBA Board Administrative Clerk
May 11, 2021
APPROVED AT THE JULY 6, 2021 MEETING