

**Planning & Zoning Office  
Sherman, Connecticut**

**Zoning Enforcement Officers Report  
November and December 2019**

**The Following Permit Applications Have Been Approved:**

**Qty: 16**

8006	Romagnuolo	8 Chestnut Hill Rd	Installation of an Emergency Standby Generator	B
8007	Johnson	33 Orchard Rest Rd.	Interior renovations to an existing dwelling, repair an existing deck, and add a shed dormer.	B
8008	Carpanzano	9 Locust Ln.	Installation of a new A/C condenser.	B
8009	Collins	81 Route 39 No.	Installation of an Emergency Standby Generator.	A
8010	Kean	66 Route 39 So.	Construct a 12' x 20' detached garage.	A
8011	O'Shea	18 Route 37 East	Install two new HVAC condensers	A
8012	Corsano	80 Chapel Hill Rd.	Construct a new single family dwelling, install a septic, a well and driveway.	A
8013	Trujillo	1 Mary Bee Ln.	Add a shed roof over the existing front door landing.	B
8014	Darlos	4 Chimney Hill Rd.	Installation of an Emergency Standby Generator.	A
8015	Dowling	5 Coburn Road East	Installation of an Emergency Standby Generator.	A
8017	Caroll	26 Wanzer Hill Road	Installation of a new A/C condenser	A
8018	Marcella Lourd Trustee	5 Binsmade Lane	Construction of a new single family dwelling install a septic, a well and driveway	A
1819	Dowling	5 Coburn Road East	Build 5 roof overhangs over existing entrances to the dwelling	A
1820	Edelman	44 Briggs Hill Road	Construct new 12' x 24' horse run in shed and install a new A/C condenser behind the existing storage building. Both "Post Facto"	A

1821	Fredlund	64 Spring Lake Road	Installation of a new Emergency Standby Generator	A
1822	Shudlick	2 Woods Road	Installation of a new Emergency Standby Generator – “Post Facto”	A

**The Following Statements Of Intent Were Approved:** Qty: 1

8002	DiLeo	9 Farm Road	Renovations to finish basement in existing dwelling.	A
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**The Following Statement Of Intent Were Received And Filed For Record Only:** Qty: 0

**The Following Applications Were Withdrawn:** Qty: 0

**The Following Permit Applications Have Been Denied** Qty: 0

**The Following Permit Applications Have Been Denied Without Prejudice** Qty: 0

**The Following Applications Were Returned For Lack Of Information:** Qty: 0

**The Following Applications Were Not Processed Since They Were Duplicates:** Qty: 0

**The Following Applications Require Additional Information Or Review:** Qty: 3

8001	Bruno	2 Lake Shore Woods Rd	Demo existing dwelling and construct a new single family dwelling, enclosed walk way and a trail elevator to lake..	B
8003	Flanigan	23 Candlewood Lake Dr.	Construct a 10’ retaining wall to support a failed garage foundation.	B
8016	Conti	15 Brookside Lane	Finish Basement of existing dwelling to include 1 bathroom, 1 bedroom and 1 living room/family room	B

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. *Cars have not been parked and posted for sale in front of the property for approx.. 12 mos. An ongoing investigation will continue regarding an automotive repair shop.*
- 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. The Town Attorney will be contacted for a legal opinion on this case.*
- 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. No further complaints have been received.*
- 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 – *An investigation revealed that there are no chickens on the property at this time. No further action required by the ZEO.*
- 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. Multiple drive by inspections were conducted and there is no evidence of chickens/birds being kept on the property at this time. No further action required at this time.*
- 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. The Towns Land Use Attorney will be contacted regarding possible action.*
- 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. One temporary structure remains. A follow-up letter will be sent.*

- 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. A follow-up letter will be sent.*
- 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. The property has been cleared of debris. The play equipment sections have been removed. No further action required at this time.*
- 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 jets 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. The number of boats has been reduced from last year. A search of the tax records will indicate what the property owners personally have registered.*
- 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 bring the property into compliance and will not open the outdoor seating until exterior Special Permit conditions of approval are met. A Letter was sent on March 1, 2019 to the owner of the property and copied to the current tenants stating that the violations still exist and must be address so the Commission can allow continued operation of the restaurant. The ZEO will follow up and do a site inspection in the next couple of weeks. The ZEO conducted a site walk and the bollard has been installed. It also appears the patio is being used in violation of the Special Permit. No activity through the winter. The property will be monitored in the spring.*

- 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 hutch has been removed. Documentation has been received and is being reviewed regarding therapy animals. Still under review and discussion with the Town’s Land Use Attorney.*
- 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. Still under review. Still under review and discussion with the Town’s Land Use Attorney. The town attorney responded and provided recommendations on how the enforcement should proceed.*
- 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. A letter was sent on February 28, 2019 as a reminder that violations still exist on the property and the application that they submitted cannot be processed without the application fee. We determined that the fees had been paid and a second check she provided was returned. She stated she would call to set up a meeting to review what needs to be done to resolve the outstanding issues. The ZEO had a meeting with the property owners the week of 6/3/19 on the property and requested the as-built survey. The property owner called on 6/6/19 and stated that the surveyor is scheduled to come back out to locate the fence, hot tub and shed. She will provide a copy when the work is done. A copy of the survey has been received. The survey shows the proposed location of the hot tub and the actual location of the installed 6’ high fence. The owner plans on applying for a variance to allow a 6’ high fence in front of the 50’ front set back line. As of January 1, 2020 ZBA has not received an application. A letter will be sent.*
- 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. The ZEO will follow up next month after the weather improves. A drive by inspection was conducted and the temporary structure is still in place. A letter will be written to request its removal or the homeowner can provide evidence that it is smaller than 200 sq. ft. in which case it can remain.*
- 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. A letter was sent on February 28, 2019 and I received a response call on March 6, 2019. Since the proposed shed location is up on a steep bank and with the snow cover we have she requested an extension until June to bring the property into compliance. *The ZEO will wait until June to follow up with the owner. The ZEO will make an appointment to walk the site the week of August 5<sup>th</sup>. The ZEO did a drive by and observed that the junk / debris has not been removed. A letter was mailed on 8-28-19 requesting compliance and schedule on when the work will be completed. The Zoning Office never received a response to the letter. Another letter will be sent.*

**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. The property owner came to the office of the ZEO on September 5, 2018 and promised she would clean up the property. A letter was sent on February 28, 2019 and I received a response call on March 6, 2019. Since the proposed shed location is on a steep bank and with the existing snow cover, she requested an extension until June to bring the property into compliance. The ZEO will wait until June to follow up with the owner. The ZEO will make appointment to walk the site the week of August 5<sup>th</sup>. The ZEO did a drive by and observed that the shed was still in the same location. A reminder letter was mailed on 8-28-19 requesting compliance and the schedule on when it will be completed. The Zoning Office never received a response to the letter. Another letter will be sent.*

**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 comes back from Florida he will apply for the required permit or take whatever action is required to resolve the situation. A Letter was sent on March 1, 2019 reminding the owner that the violation still exists and when he travels north in the spring he should schedule a meeting for discussion on how he plans to proceed. The owner did not respond to my letter yet. The property owner responded and stated that the shed will be removed. The ZEO will conduct another site walk. The ZEO conducted another site walk and the walls and roof of the structure have been removed. The platform is still in place which requires another follow up inspection by the ZEO. Requires another inspection. A site inspection was conducted and progress was observed. A letter was mailed on 8-28-19 stating the platform/deck has to be removed. The owner responded via a letter dated September 18, 2019 addressed to the ZEO stating that he would like to meet with him when he is in town next. The ZEO has not heard from him since. Follow up letter required.*

**ZV 01-19** 21 Holiday Point Road – A shed was constructed without the required permits and not in compliance with the front yard property line setback requirements. Reference Section 410 Zoning Permits and Section 331.5 Minimum Setback Requirements – Zone A. *A Notice*

*Of Violation was mailed on 3-1-19. Follow-up required. A 2<sup>nd</sup> Notice of Violation was sent on 8-28-19. Another letter will be sent.*

- ZV 02-19** 152 Route 39 South – A Hot Tub with electrical hookup has been installed on top of an existing deck in a non-conforming location and without first applying for the required permit. Reference Section 410 and 332.5 of the Town of Sherman Zoning Regulations. Zone B. *A Notice of Violation was sent. The ZEO met with the mother of the man that owns the property. She stated her son is overseas serving in the military and will contact me when he is on leave.*
- ZV 06-19** 4 Taber Road – Two Temporary Structures Erected without the required permit. Reference Section 324.2.B of the Town of Sherman Zoning Regulations. - Zone A. *A Notice of Violation was sent. The NOV was return by the post office. A second NOV will be sent to the location in Sherman.*
- ZV 07-19** 4 Taber Road – Newly constructed driveway without the required permit. Reference Town of Sherman Ordinance and Section 373 of the Town of Sherman Zoning Regulations. - Zone A *A Notice of Violation was sent. A second NOV will be sent to the location in Sherman.*
- ZV 08-19** Map 045, Lot 023 Durgy Lane – Violation of the Special Permit issued with a condition for a “Private Burial Ground”. Condition of permit has not been met. - Zone B *A Notice of Violation was sent. The Special Permit has still not been filed, but the condition that the Connecticut State Approval be filed has not been met. A 2<sup>nd</sup> Notice of Violation will be sent. Spoke to the Special Permit applicant over the phone on December 4, 2019 and he promised to file the paperwork in the next couple of weeks. He located a copy on his computer as we spoke on the phone.*

**New Business:**


- ZV 11-19** 23 Route 39 North – A camper parked on the property is being used as a full time residence in Violation of Section 331.1 (not a permitted use) and 324.1D4 (trailer parks not permitted) of the Town of Sherman Zoning Regulations. The ZEO has discussed this violation with the property owner, *A Notice of Violation will be sent. The ZEO spoke to the owner of the property and he stated the trailer and the occupants would be off the property by 11/22/19. Subsequent conversations with the owners representative and message left for the ZEO revealed the occupants of the trailer refuse to leave. Followup with the State Trooper has been done. Danbury Superior Court has been contacted and message have been left for the property owner to schedule a meeting to discuss the issue.*
- ZV 12-19** 44 Briggs Hill Road – Several campers/ motor homes parked on the property are being used as a full time residence during the summer/seasonal in Violation of Section 331.1 (not a permitted use) and 324.1D4 (trailer parks not permitted) of the Town of Sherman Zoning Regulations. The campers/motor homes are connected to a septic holding tank that was installed without permits. Discussions have taken place with the owner, contractor and property manager. *A Notice of Violation will be sent. Two motor homes and a camper have been removed from the property. The supporting septic system that was shared with the illegal apartment has been removed. (see ZV 13-19). No further action is required at this time.*

**ZV 13-19** 44 Briggs Hill Road – An accessory apartment was constructed and occupied in the large storage building at the rear of the property. The apartment is hooked up to a septic holding tank that was installed without permits. Violation of Section 324.1A.2. and 324.3A of the Town of Sherman Zoning Regulations. Discussions have taken place with the owner, contractor and property manager. *A Notice of Violation will be sent. The kitchen, bathroom and all plumbing has been removed from the storage building. Portion walls will remain and the area will be used for storage. The septic area was excavated and a septic tank, two infiltration chambers and associated piping has been removed from the ground. The removal was witnessed by the town sanitarian and the ZEO. No further action required by the ZEO at this time.*

### Zoning Board of Appeals Decisions

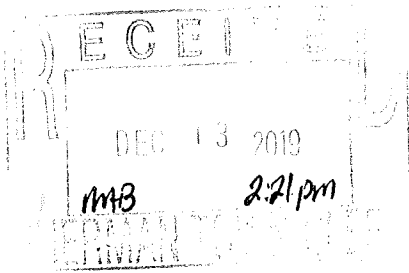
December Meeting – Case # 707 – 33 Orchard Rest Road application for variances to install new A/C units A/C units and an Emergency Standby Generator – DENIED - Decision is attached.

January Meeting- no meeting was held for lack of applications.

  
Ron Cooper  
Zoning Enforcement Officer  
Town of Sherman

*Accepted as submitted to the  
Planning and Zoning Commission  
at their regular meeting on  
January 9, 2020.*





**TOWN OF SHERMAN**  
Planning & Zoning Commission  
**SITE-WALK MEETING MINUTES**  
1 Glenbrook Farms Road, Sherman, CT 06784  
Wednesday, December 11, 2019, 4:00 pm

**DRAFT**

**Members Present:** R. Peburn, J. Burruano, and Alternate: R. Linkletter

**Members Absent:** M. Lee, R. Lenihan, P. Voorhees, N. Volkmar, J. Finch and Alternate: J. Siegel

**Also:** ZEO, R. Cooper and Appointed Agent Gary Piest

**Call to Order:** R. Peburn Called the Site Walk Meeting to Order at 4:02 pm.

**PURPOSE:** The Planning & Zoning Commission Conducted a Site Walk at 1 Glenbrook Farms Road, to view the proposed site activity for a Special Permit Application referenced below.

**APPLICATION FOR A SPECIAL PERMIT-** 1 Glenbrook Farms Road (M- 29, L- 21) Glenbrook Farm, LLC- Special Permit to allow the Change of Use of the existing principal dwelling with septic connection to an Accessory Dwelling in accordance with Zoning Regulations, Section 324 .1.A.1, and Section 324.3.A in accordance with submitted floor plans and as shown on submitted A-2 survey entitled " Property Survey Prepared for Glen Brook Farm LLC, 1 Glen Brook Farm Road, Town of Sherman, Fairfield County." Prepared by: PAH, INC. Last revised: December 13, 2017 and Zone A.

**Adjournment:** R. Peburn Adjourned the Meeting at 4:35 pm.

Respectfully submitted by:

Christine Branson, Administrative Clerk to the Commission  
December 13, 2019

**LEGAL NOTICE  
ZONING BOARD OF APPEALS  
TOWN OF SHERMAN, CONNECTICUT**

The Zoning Board of Appeals made the following decision at a Public Hearing on Tuesday, February 4, 2020 beginning at 7:00 p.m. at Mallory Town Hall for the following Case:

**DENIED-**        **ZBA CASE # 708- 17 CANDLEWOOD LAKE DRIVE (M. - 68, L. -12)- HANDELSMAN, LAUREN** Requesting Variance of Section 332.5 Minimum Setback Requirements, Side Yard Setback, from 25' to 13.0' (southwest corner of proposed addition on southern property line) for construction of a second story within the existing dwelling footprint. Requesting Variance of Section 384- Increase of Non-Conformity Other Than Use, to construct a second story addition as proposed within the existing footprint of the first floor, as shown on submitted building plans entitled; "The Handelsman Residence, 17 Candlewood Lake Drive, Sherman, CT 06784, RENOVATION + ADDITION". Prepared by: Moschella + Roberts Architects, LLP and within in the exact footprint of the existing first floor location as shown on submitted A-2 survey entitled; " Existing Conditions & Topographic Survey, Prepared for Lauren K. Handelsman , # 17 Candlewood Lake Drive, Sherman, Connecticut. " Dated January 12, 2017, Last Revised: September 25, 2019. Prepared by: Michael J. Riordan, Riordan Land Surveying. Zone B.

**Dated at Sherman, Connecticut this 5th day of February, 2020  
Kenric Gubner, Chairman**