

**Planning & Zoning Office
Sherman, Connecticut**

**Zoning Enforcement Officers Report
March and April 2020**

The Following Permit Applications Have Been Approved: **Qty 8**

8036	Wiener Nap, Bay	45 Wanzer Hill Road	Installation of a pre-fab shed	B
8037	Villarreal-Weisberg	3 Upland Pastures Rd	Construction of a shed and installation of a hot tub,	A
8038	Lahdir	77 Spring Lake Road	Install in-ground pool and equipment	A
8039	Bruckner/Patel	6 Atchison Cove Rd.	Install emergency standby generator	B
7966 Mod.	Carpanzano	9 Locust Lane	Install in-ground pool, equipment patio and retaining walls	B
8040	Lobraico	154 Route 37 South	Install in-ground pool and equipment.	A
8041	Goodwin	1 Orange Pepper Rd.	Install emergency standby generator.	B
8044	Ham	6 River Oaks Lane	Construct a 12' x 16' storage shed	A

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

8043	Schmitt	5 Holiday Point Rd.	Change the roof line on the front of the existing dwelling.	B
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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The Following Applications Were Withdrawn: **Qty: 0**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: 1**

8027 Budney 2 Big Trail Ext. Construct a 36' x 24' detached garage B

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

The Following Applications Require Additional Information Or Review: **Qty: 4**

8018 Lourd 5 Brinsmade Lane New single family dwelling with apartment A

8029 Wiener, Nap, Bay 45 Wanzer Hill Road Construction of multiple retaining walls and a level play area. Earth Moving Permit. B

8035 Thorne 3 Springside Lane Installation of an emergency standby generator B

8042 Lee 37 Big Trail Construct a 12' x 16' storage shed. B

Old Business:

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. A follow up letter will be sent on 3-5-2020. A follow-up letter was mailed on 3-18-2020. The property owner called the week of April 14th to let the ZEO know he had a dumpster filled on site on he removed most of the materials we discussed from the side property and from under the rear deck. The ZEO conducted a drive by and observed a lot of the materials had been removed. The balance of the material appears to have value to the property owner. No further action required by the ZEO 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. A follow up letter will be sent on 3-5-2020. A letter was sent on March 20, 2020 requesting a meeting on the property or at Town Hall.*
- 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. A follow up letter will be sent on 3-5-2020. A letter was sent on March 20, 2020 requesting a meeting on the property or at Town Hall.*
- 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 skies 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. There are a total of 8 vehicles registered in which the owner is paying taxes at this address. A letter was sent on March 20, 2020 requesting a meeting on the property or at Town Hall.*
- 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. A letter was sent on March 18, 2020.*
- 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. A second Notice of Violation was sent on March 17, 2020 requesting an inspection by the ZEO.*
- 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 she has 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 5th. 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. Another letter was sent on 3-5-2020. The ZEO met with the property owner on March 10, 2020. The owner requested 2 weeks to clean up the property. The ZEO agreed. A letter was sent on March 17, 2020 confirming the conversations the ZEO and property owner had the previous week.*
- 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 5th. 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. Another letter was sent on 3-5-2020. The ZEO met with the property owner on March 10, 2020 when he was informed that the shed had been moved the prior week. The ZEO inspected the property on March 11, 2020 and verified the shed was placed in the approved compliant location. A Certificate of Zoning Compliance was issued to the owner on March 11, 2020. No further action required 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 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. A letter was sent on March 5, 2020 requesting a meeting on the property or at the Town Hall.*
- 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 2nd Notice of Violation was sent on 8-28-19. Another letter will be sent. A 3rd Notice of Violation was sent on 03-05-2020. A 4th Notice of Violation was sent on March 18, 2020. This time it was also sent to their New York address.*
- 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. The ZEO sent a 2nd Notice of Violation on March 18, 2020. He had not heard from anyone since the conversation he had with the mother last year.

- 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. A second Notice of Violation was sent on March 5, 2020. ZEO had a meeting with the property owner on 3-13-2020. He was given a driveway permit application and informed that the temporary structures will have to be removed.*
- 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. A second Notice of Violation was sent on March 5, 2020. ZEO had a meeting with the property owner on 3-13-2020. He was given a driveway permit application and informed that the temporary structures will have to be removed.*
- Case 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 owner’s representative and message left for the ZEO revealed the occupants of the trailer refuse to leave. Follow-up with the State Trooper has been done. Danbury Superior Court has been contacted and messages have been left for the property owner to schedule a meeting to discuss the issue. (See Violation 06-20). See ZV 06-20.*
- ZV 02-20** 2 Wanzer Hill 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 on March 5, 2010.*
- ZV 03-20** 8 Wanzer Hill 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 on 3/5/2010. The owner came to the office and March 10, 2020 and admitted that the size of the temporary structures do not meet the regulation requirements. He will remove both structures and apply for a permit to erect one of the structures for 4 months next fall. He will then store his car for the winter.*
- ZV 04-20** 45 Wanzer Hill Road – Violation of Section 358 - Earth Moving Operations, Section 358.4 Erosion Control and Section 358.6 “Permits” - All in accordance with the conditions set forth in the Town of Sherman Zoning Regulations – Zone B. Over 500 cubic yards of material had been removed from the site. *A Notice of Violation was sent on 1/07/2020. A application for an Earth Moving permit has been received, but not processed yet. The property owner needs an approval of their application from Sherman’s Inland Wetlands Commission first. The Sherman’s Inland Wetlands Commission will meet again on April 21st.*

ZV 05-20 45 Wanzer Hill Road – Violation of Section 410 “Zoning Permits” No building shall be erected until a zoning permit has been issued. A shed was constructed without the required permits. – Zone B. *A Notice Of Violation was mailed on 3-5-2020. An application for a permit was received on March 12, 2020. The ZEO issued the permit March 14, 2020. No further enforcement action required at this time.*

ZV 06-20 23 Route 39 North – Violation of Section 324.1D “Keeping of Roomers or Boarders” of the Town of Sherman Zoning Regulations. A camper/trailer has been parked the property for over 6 mos. with people residing inside. - Zone A, *A Notice Of Violation was sent on 2/25/2020. On March 4th, the owner took legal action to have the camper/trailer and its inhabitants removed from the property. (See Case 11-19). No further up date as of April 2, 2020.*

New Business:

ZV 07-20 144 Route 37 South – Violation of Section 323 “Nuisances and Prohibited Uses” - Section 323.2a “Prohibited Uses, Specific”, – “No person shall use, or permit the use of, real property for the purpose of accumulating junk, including motor vehicles and vehicle parts which tend to depreciate the value of neighboring property or to be inimical to the public health, safety, or general welfare.” of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone A. *A Notice of Violation was mailed on March 17, 2020. The ZEO received a phone message on April 20, 2020 from the home owner. She agreed to remove three vehicles from the property. The other two are in probate and will be removed when the estate is settled.*

Case 08-20 1 Sherman Commons - C. Billings Home & Design - Violation of Section 364 Business Signs, and Section 364.3 “Where more than one commercial establishment is located on a lot, each establishment shall be permitted one sign, placed on the building within which the establishment is located, and not exceed 12 square feet in area. In addition, the lot shall be entitled to one additional sign, which may be either freestanding or attached to the building, as follows: b. “A single or double sided sign indicating the name and/or logo of the property and the names of the commercial establishments located thereon. Such sign shall have an area for the name and logo of the property not exceeding 12 square feet, plus an area not exceeding 4 square feet for each commercial establishment, but in no case shall such sign exceed 32 square feet in total per side. – An additional 2’ x 2’ sign has been erected next to the existing common complex sign.” - Zone C - *A Notice of Violation was mailed on March 19, 2020.*

ZV 09-20 1 Sherman Commons - Higher Harmony Natural Cage Free Pet Grooming - Violation of Section 364 Business Signs, and Section 364.3 “Where more than one commercial establishment is located on a lot, each establishment shall be permitted one sign, placed on the building within which the establishment is located, and not exceed 12 square feet in area. In addition, the lot shall be entitled to one additional sign, which may be either freestanding or attached to the building, as follows: b. “A single or double sided sign indicating the name and/or logo of the property and the names of the commercial establishments located thereon. Such sign shall have an area for the name and logo of the property not exceeding 12 square feet, plus an area not exceeding 4 square feet for each commercial establishment, but in no case shall such sign exceed 32 square feet in total per side. – An additional 2’ x 2’ sign has been erected next to the existing common complex sign.” - Zone C - *A Notice of Violation was mailed on March 19, 2020.*

Zoning Board of Appeals Decisions

April Meeting

No cases heard for lack of applications.

May Meeting

No cases heard for lack of applications.



Ron Cooper
Zoning Enforcement Officer
Town of Sherman