

**Planning & Zoning Office  
Sherman, Connecticut**

**Zoning Enforcement Officers Report  
May, June July and August 2020**

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

**Qty: 33**

8035	Thorne	3 Springside Lane	Installation of an emergency standby generator	B
8042	Lee	37 Big Trail	Construction of a 12' x 16' storage shed.	B
8045	Williams	10 Blackberry Lane	Installation of an emergency standby generator	A
8046	Schlesinger	8 Cloverleaf Farm No.	Installation of an emergency standby generator	A
8047	Clancy	12 Anderson Rd. East	Finish space over garage	A
8050	Kilcourse	48 Skyline Drive	Construct a New Single Family Dwelling, install a well, septic and construct a driveway.	A
8051	Foley	96 Route 37 South	Expand the deck at the rear of the existing dwelling.	A
8052	Kessler	11 Pepper Pond Rd.	Install a hot tub on a platform.	A
8053	Lourd	5 Brinsmade Lane	Construct a New Single Family Dwelling w/accessory apartment, installation of a well, septic and construct a driveway.	A
8054	Pedersen	41 Route 37 East	Construct a New Single Family Dwelling, Installation of a well, septic and construct a driveway.	A
8055	Paplauskas	14 Quaker Ridge Rd.	Install an above ground pool and equipment.	A
8056	McNerney	20 Farm Rd.	Install an above ground pool and equipment.	A
8057	Budney	2 Big Trail Ext.	Construct a 22' x 32' detached garage.	B
8058	Finch	6 Pepper Pond Trail	Repair and enlarge the a deck attached to the existing dwelling.	B
8059	Leonetti	9 Osborn Rd.	Install an in-ground pool and equipment.	A
8060	Mandracchia	62 Wakeman Hill Rd.	Install an above ground pool and equipment.	A

8061	Colen	28 Big Run Trail	Renovate the existing dwelling complete with additions, patios, decks, porches, A/C units and emergency standby generator.	B
8062	O'Brien	140 Green Pond Rd.	Install an A/C unit. Variance granted by ZBA.	B
8063	Murray	41 Wanzer Hill Rd.	Install a 34' x 18' in-ground pool w/equipment.	B
8064	Goldring	46 Mill Pond Rd.	Construction of a New Single Family Dwelling w/attached two car garage, install a driveway, well and septic system.	B
8066	Riley	3 Bench Mark Rd.	Construct a 10' x 16' storage shed.	B
8067	Finch	6 Pepper Pond Rd.	Install an emergency standby generator.	B
8068	Brown	2 Chimney Hill Rd.	Construct of an addition to the exiting dwelling including a lower level garage.	A
8069	Lekaj	6 Mauweehoo Lane	Construct a 10' x 14' storage shed.	B
8073	Lubbers	25 Osborn Rd.	Construct a covered area by extending the existing roof with a shed roof supported by posts attached to an accessory building..	A
8074	Weiss	79 Route 39 No.	Installation of a new mini split air conditioner/ heat unit.	A
8075	Schulmam	8 Spur Lane	Installation of a 3' high split rail fence.	B
8077	Reed	27 Deer Run Trail	Repair/replace an existing deck in same or smaller footprint and remove upper deck and replace with roof to cover first floor deck.	B
8078	Hackett	23 Cozier Hill Rd.	Construct a new deck on an existing dwelling.	A
8080	Dwyer	10 Spring Lake Rd.	Install an emergency standby generator.	A
8081	Flood	1 Woods Rd.	Construct a New Single Family Dwelling, install a septic system, driveway and well.	A
8082	Diemer	15 Anderson Rd.	Install an emergency standby generator.	A
8084	Damato	15 Holiday Point Rd.	Construct a New Single Family Dwelling, install a septic system, driveway and well.	A

**The Following Statements Of Intents Were Approved:** **Qty: 3**

8029	Wiener, Nap, Bay	45 Wanzer Hill Rd.	Construction of multiple retaining walls and a level play area. Earth Moving Permit.	B
8048	Hackett	14 Cozier Hill Rd.	Refurbish existing garage. No increase in the existing footprint.	A
8049	Hall	41 Chapel Hill Rd.	Tear down existing Single Family Dwelling.	A

**The Following Statement Of Intents Were Received And Filed For Record Only:** **Qty: 0**

**The Following Applications Were Withdrawn:** **Qty: 2**

8018	Lourd	5 Brinsmade Lane	Construction of New Single Family Dwelling with apartment.	A
8079	Kelse	12 Chestnut Hill Rd.	Install a hot tub on a concrete pad	A

**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: 6**

8065	Palumbo	3 Cedar Lane	Finish the storage space over garage into an Accessory apartment.	B
8070	Flanagan	23 Candlewood Lake Dr.	Install a new HVAC Unit.	B
8071	Elliman & Branch	256 Old Forge Rd.	Construct a 24' x 24' detached garage.	A
8072	Nasri	4 Sunset Dr./194 Green Pond	Construct an extension to an existing deck and rebuild exterior stairs.	B
8076	Heine	1 Evans Hill Rd.	Installation of a 4' high fence.	A
8083	Arnold	5 Briggs Hill Rd.	Construct a 16' x 24' screened-in porch Attached to the existing dwelling.	A

Amendment to a Special Permit (Change of Occupancy)

Building #2, Unit #2 – 1 Route 37 East – McCluskey Limited Family Partnership - Name change from – PhoCusWright to Fourth and Pride – same space without change of use (clerical space) with only 2 employees (less intense than previous use with 8 employees). No walk-ins, no deliveries or shipments, no clients or visitors. Clerical work is “customer service via phone”. Only two parking spaces required. **Granted by ZEO on 7-14-2020.**

**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. Due to extenuating circumstances, the case will be taken off the list.*

**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 14<sup>th</sup> to let the ZEO know he had a dumpster filled on site and 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. Due to extenuating circumstances, the case will be taken off the list.*

**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. There has been no response from the home owner. The one remaining temporary structure is less than 200 square feet in size, less than the square footage that requires a permit.*

- 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. There has been no response from the home owner. Another the letter will be sent.*
- 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. There has been no response from the property owner. Another inspection was competed and it appears the volume of boats stored has diminished. This may be due to the fact that it is summer and the boats are in the lake. This case will be taken off the list, but the situation will be monitored this fall and winter to see if the activity starts again.*
- 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. A special needs situation exists. The tenant has agreed to fill out new forms updating those the town has on file. The forms will be sent by the ZEO next week.*
- 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. The ZEO had a meeting with the tenants to discuss the current issues and concerns. The number of chickens has been reduced to four and there is only one small hutch. It was agreed that more birds will not be brought to the property and when the existing ones pass they will not be replaced. The hutch will be removed when there are no more birds. See case ZV 22-18.*

- 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. The property owner has not responded. Another 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. A second Notice of Violation was sent on March 17, 2020 requesting an inspection by the ZEO. The property owner has not responded. Another letter will be sent.*
- 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 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. 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. The property owner has not responded. Another letter will be sent since the property has not been cleaned up.*

- 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. The owner, Mark Dienstag called on May 21<sup>st</sup> from Florida. Just opened my letter from March. Apologized for not responding sooner. Having a hard time with the state of affairs (Corona Pandemic). Will provide photos, maps and other documentation that the shed has been there for an extended period of time. He asked for my patients as he has been addressing other matters with his business.*
- 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. A 3<sup>rd</sup> Notice of Violation was sent on 03-05-2020. A 4<sup>th</sup> Notice of Violation was sent on March 18, 2020. This time it was also sent to their New York address. The property owner has not responded. 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. The ZEO sent a 2<sup>nd</sup> Notice of Violation on March 18, 2020. He had not heard from anyone since the conversation he had with the mother last year. The property owner has not responded. Another letter will be sent.*
- 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.*

*A meeting is scheduled with the property owner on Friday September 4. A schedule will be discussed to remove the structures and to bring the property into compliance.*

- 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. The 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. A meeting is scheduled with the property owner on Friday September 4<sup>th</sup>. The driveway specification, location, width and apron size will be discussed.*
- ZV 11-19 and 06-20** 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. A Notice Of Violation was sent on 2/25/2020. On March 4<sup>th</sup>, the owner took legal action to have the camper/trailer and its inhabitants removed from the property. No further up date as of April 2, 2020. No further up date as of July 8, 2020. The ZEO spoke with the property owner's attorney and there is no further action that can be taken until the courts issue an Eviction Notice.*
- 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. The two Temporary Structures have been removed. No further action required by the ZEO.*
- 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. The two Temporary Structures have been removed. No further action required by the ZEO.*
- 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 21<sup>st</sup>. The Inland Wetlands Commission issued a permit and the ZEO granted the Zoning Permit. No additional materials to be removed from the property. No further action required by the ZEO at this time.*



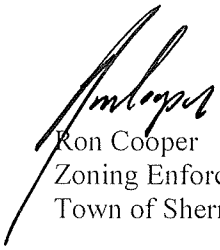
- ZV 07-20** 144 Route 37 South – Violation of Section 323 “Nuisances and Prohibited Uses” - Section 323.2a “Prohibited Uses, Specific”, – “No person shall use, or permit the use of, real property for the purpose of accumulating junk, including motor vehicles and vehicle parts ..... which tend to depreciate 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 and has removed 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. The sign has been removed. No further action required by the ZEO.*
- 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. The sign has been removed. No further action required by the ZEO.*

**New Business:**

**Case 10-20** 1 Spring Lake Road and 23 Route 39 North –A written complaint was received 5-12-2020 questioning possible non-conforming uses of property. *Under investigation.*

**Zoning Board of Appeals Decisions**

June July and August Meetings - No cases heard for lack of applications.



Ron Cooper  
Zoning Enforcement Officer  
Town of Sherman