

Planning & Zoning Office Sherman, Connecticut

Zoning Enforcement Officers Report February 2021

The Following Permit Applications Have Been Approved: **Qty: 9**

8083	Arnold	5 Briggs Hill Rd.	Construct a 16' x 24' screened-in porch Attached to the existing dwelling.	A
8166	Nap Bay, Chestnut Holdings	45 Wanzer Hill Road	Convert existing detached garage into play room.	B
8177	Hausler	27 Osborn Road	Construct a 30' x 24' Horse Barn (3 box stalls and 1 tack room) and installation of approx. 1,100 linear feet of agricultural fencing.	A
8180	Kuring	5 Coote Hill Road	Install an in-ground pool, pool equipment, fence and patio.	A
8182	Quinn	33 Osborn Road	Conversion of existing dwelling basement from storage to habitable space	A
8183	Tzenis	4 Evergreen Drive	Install an Emergency Standby Generator.	A
8184	Kantor	72 Wakeman Hill Rd.	Install an Emergency Standby Generator.	A
8185	Quaranto	14 Coote Hill Road	Install an Emergency Standby Generator.	A
8186	Rosenberg	22 Brinsmade Lane	Install an Emergency Standby Generator.	A

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

8188	Connecticut Audubon	36 Chapel Hill Road	Demolish an existing two car garage and wood barn, remove a pressure treated retaining wall, remove utility poles/lines and remove subsurface drainage pipes.	A
------	------------------------	---------------------	---	---

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The Following Applications Were Withdrawn: **Qty: 0**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: 1**

8150	Drewatolitsch	10 Lake Woods Shore Dr.	Renovate existing dwelling – add another story	B
------	---------------	-------------------------	--	---

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

8115	Butscher	11 Old Forest Drive	Construction of a 12' x 16' shed.	B
8176	Choquette	5 Hill Side Drive	Relocate front porch, add garage door overhang.	B
8178	Rosenberg	22 Brinsmade Lane	Construct a 13' x 13' shed.	A
8179	Zamorano/Dua	11 Sail Harbour Drive	Install a 20' x 35 in-ground pool including a 5' x 20' basin with a 7' x 7' hot tub/spa & pool equipment.	B
8181	Genn	31 Route 39 South	Construct a 12' x 12' pavilion on top of an existing platform.	B
8187	Owens	3 Stonewall Lane	Finish basement in existing dwelling. Add a shower to the existing basement bathroom, add an office, recreation room and storage room.	A

Old Business:

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 May10, 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. The letter will be mailed 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021. The certified copy was returned on 2/26/2021 by the Post Office as unclaimed. Another letter will be sent.*

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. The forms will be sent 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021.

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. The property owner has not responded. Another letter will be sent since the property has not been cleaned up. The letter will be sent on 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021. The ZEO spoke with the owner on 2-24-2021. She requested that I give her more time. She would like until July. I agreed, but, I let her know that enforcement action will be stepped up if the property is still not compliant with the regulations.*

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. The property owner has not responded. Another letter will be sent. The letter will be sent on 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021. The first class mail was returned by the New York Post Office as unclaimed. I did not receive confirmation of the certified mail receipt.*

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. The property owner has not responded. Another letter will be sent. The letter will be sent 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021.*

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 returned 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. The meeting was held on September 23rd and a schedule was discussed to remove the cargo carrier. It will be moved from the property in the following two weeks. The other structure will be measured to determine if the footprint is over 200 square feet. The structure has not been measured by the ZEO yet. The phone number the ZEO had is no longer in service. Several attempts have been made to catch the property owner at home during the day, but there has been no success. A letter will be sent requesting permission to enter the property. A letter was sent on 2-4-2021. Received a call from the owner. She said they're going through hard times. I told her the smaller unit has to go and she can apply for a permit for the larger structure that should get them through the renovation of the dwelling. Materials stored in the structure are needed in the house.*

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 4th, 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. The state has extended eviction proceedings until October 1st.*

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.*

Case 11-20 48 Route 37 South – Possible non-conforming use of property. *Under Investigation. The owner called the neighbor (complainant) and stated that the firewood is for their own use and they are not processing for sale. The ZEO has no evidence to the contrary and the complainant has not reached out to the ZEO since notification during the phone call.. No further action required by the ZEO at this time.*

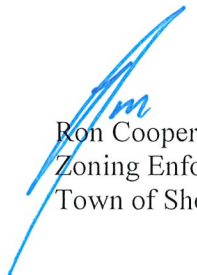
No New Business:

Zoning Board of Appeals

March Meeting –

Three applications for variances were heard and all three requests were granted. See the attached Legal Notice for details on the applications.

Litigation - 6 Echo Lane South – Accessory Dwelling Denied without Prejudice – Decision Appealed in Danbury Superior Court.



Ron Cooper
Zoning Enforcement Officer
Town of Sherman

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

The Zoning Board of Appeals made the following decisions at a ZOOM Public Hearing on Tuesday, March 2, 2021 beginning at 7:00 p.m. at Mallory Town Hall for the following Cases:

APPROVED- ZBA Case # 717- 17 Deer Run Trail (Map- 69 , Lot- 27), Barbara Hoag- Requesting Variance of Zoning Regulation, Section 332.5- Minimum Setback Requirement, Side Yard- From 25' to 0.5' to allow the placement of a generator in the exact proposed footprint location shown on submitted A-2 survey entitled "Proposed Zoning Location Survey, Prepared For Barbara Hoag, 17 Deer Run Trail, Sherman, CT." Dated: November 9, 2020. Last Revised: December 29, 2020. Prepared by: CCA, LLC. Zone B.

APPROVED WITH CONDITIONS- ZBA Case # 718- 70 Route 55 West (Map- 34, Lot- 40), Samantha Addonizio- Butts & William Butts- Requesting Variance of Zoning Regulation, Section 331.5 Minimum Setback Requirement, Front Yard- from 50' to 35'. Requesting Variance, from Section 384 Increase of Non-Conformity, Other than Use, for the construction of an addition, entry way and steps, as shown in the exact proposed footprint location shown on submitted A-2 Survey entitled "Property Survey Prepared For William C. Butts & Samantha Addonizio- Butts, 70 Route 55 West, Sherman, CT. Dated June 11, 2020. Last Revised: January 12, 2021 for proposed addition. Prepared by: PAH, Inc. Land Surveyors, and in accordance with submitted floor plans entitled "Butts Residence", 70 Route 55 West, Created by: Proctor Architects. Dated: October 13, 2020. Zone A. **CONDITIONS- EXTERIOR COVERED PORCH ENTRY SHALL NEVER BECOME ENCLOSED LIVING SPACE.**

APPROVED- ZBA Case # 719- 19 Holiday Point Road (Map- 76, Lot- 22), Sharon McQuaide- Reference to Zoning Regulation, Section 324.3 B Generators, Air Conditioners and Noise Generating Equipment. Reference to Zoning Regulation, Section 332.5 Minimum Setback Requirement, Front Yard Set-Back – for installation of a generator shown in the exact footprint on submitted A-2 survey entitled; "Proposed Zoning Location Survey Prepared for John Enrenreich & Sharon McQuaide, 19 Holiday Point Road, Sherman, CT" Dated: 01/15/2021. Prepared by: CCA, LLC. Zone B.

Dated at Sherman, Connecticut this 3rd day of March 2021
Kenric Gubner, Chairman