

# Planning & Zoning Office Sherman, Connecticut

## Zoning Enforcement Officers Report October 2021

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

**Qty: 15**

8267	TJ Property Investors LLC	70 Lavelle	New front entry canopy with steps up to landing B Approx. 8' x 5" on existing dwelling.	
8272	TJ Property Investors, LLC	70 Lavalley Ave.	Installation of (1) one A/C condenser next to the existing dwelling.	B
8284	Worden (amended)	1 Sherwood Hill Road	Installation of an emergency standby generator next to the existing dwelling.	A
8305	Waag	42 Hubbell Mountain	Construction of a 12' x 20' Storage Shed	A
8306	Vigliotti	10 Coburn Road E.	Construction of a 12' x 20' Storage Shed	A
8316	Hytner	40 Hubble Mountain Rd.	Installation of an emergency standby generator next to the existing dwelling.	B
8319	Bennett	66 Briggs Hill Rd.	Installation of an emergency standby generator next to the existing dwelling.	A
8325	Wolf	82 Route 37 South	Convert attic space over garage to habitable space (no running water)	A
8326	Owens	3 Stonewall Lane	Installation of new exterior patio stairs to pool area and construct a new accessory storage shed (10' x 20')	A
8332	Cohen/Harrison	28 Deer Run Trail	Construction of an accessory storage shed. Approx. 6' 7'	B
8333	Duckworth	4 Locust Lane	Construct a vestibule – 6'4" x 10' x 12' high max. – attached to the front of the existing dwelling at the front door in accordance with approved variance granted by ZBA on 5-11-2021. Reference Case #727.	B
8337	Lenihan	15 Osborn Road	Installation of an emergency standby generator next to the existing dwelling.	A

8340	Warner	23 Mauweehoo Hill	Installation of an emergency standby generator within 50' of the existing dwelling.	A
8341	Gierkink	44 Briggs Hill Road	Construction of an accessory dwelling as part of the existing garage/storage building.	A
8342	Mordus/Doody	4 Echo Road	Erect a split rail fence, 4' high, in the rear/side of the house.	B

**Driveway Permit**

**Qty: 0**

**Driveway Bond Released**

**Qty: 0**

**Work Approved in Town Road ROW**

**Qty: 1**

01-21-RB	15 Quaker Ridge Road	Under Ground Construction - trenching to be parallel to the travel way of the road and disturb an existing paved driveway. A Bond is being held to ensure the driveway is repaved in the area of disturbance and the shoulder of the road is graded and seeded on the completion of the work.
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**Lot Line Change Map**

**Qty: 1**

LLR -21-02	70 Lavelle Ave.	Lot Line Change Map merging Lots 68, 70, 72, 74, 84, 85 and 86 @ 70 Lavelle Ave. – The map was signed by the P&Z Chairman and filed by the applicant on October 21, 2021.
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**The Following Statements Of Intent Were Approved:**

**Qty: 1**

8336	Zammona	11 Sail Harbor	Installation of a mini split air heating/cooling system for attic storage.	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**

8335	Town of Sherman	43 Route 39 No.	Installation of an emergency standby generator installed next to the Town Hall.	A
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**The Following Applications Were Not Processed Since They Were Duplicates:**

**Qty: 0**

**The Following Applications Require Additional Information Or Review:** **Qty: 9**

8276	Marshall	15 Candleview Dr.	Replace a 15' x 28' deck attached to the existing dwelling.	B
8330	Parente	159 Route 37 South	Contruction of a 30' x 15. deck attached to the existing dwelling.	A
8331	Diotte	30 Hubble Mt. Road	Construction of a 22' x 28' addition on the existing dwelling. Addition to include: a walk out basement garsge, family room and mud room on the first floor and a master bedroom and bath on the second floor.	A
8338	Murray/ Kotenbrink	1 Taber Road	Construct a 10' x 20' deck to extend the existing deck behind the existing dwelling.	A
8339	D'Amato	15 Holiday Point Rd.	Installation of an emergency standby generator and an A/C condenser installed next to the Existing dwelling.	A
8343	Adams	181 Green Pond Rd.	Construct an 10' x 20' deck addition on to an existing deck attached to the rear of the existing dwelling.	B
8344	Fleischer	2 Edmonds Road	Install an A/C condenser next to the existing dwelling.	A
8445	Yeager	3 Brookside Dr.	Construct a 460 sq. ft. addition consisting of 2 bedrooms with a roof deck on top and a second addition on the existing bathroom for a bathroom.	B
8346	Byrnes	5 Woods Road	Install a 8' x 8' shed and a 12' x 16' shed	A

**Old Business:**

**ZV 05-18** 3 Deer Run Trail – Operating a Residential 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 form 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 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. 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. Met with owner on 3/25/2021 at Town Hall when she stopped in to conduct business in another department. She stated she is on schedule for clean up by the end of July. As observed during a drive by on June 29<sup>th</sup>, considerable progress is being made with the cleanup effort. A drive by inspection was conducted and continued progress is being made. The owner will be contacted to schedule an onsite inspection.*

**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. 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. I had a meeting on April 7, 2021 with property owner. He and his family are part time residents in Sherman and they store their snow blower in the shed at the end of the driveway so when they comes up in the winter after it has snowed, he can plow the driveway before he attempts to drive up the driveway. He will be making a decision before June 1<sup>st</sup> as to whether they planning on becoming permanent residents after staying here the past year through COVID. I agreed to give him until June 1<sup>st</sup> to make his decision, at which time, he will have to remove the shed or apply for a front property line setback. A follow-up call will be made to the owner. The shed is still in place and ZBA has not received an application.*

**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. 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 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. There are currently two eviction moratoriums in place for people who live in Connecticut: The federal eviction moratorium has been extended until at least June 30, 2021. What's new: The Connecticut eviction moratorium has been extended until the end of the public health emergency, which is currently May 20, 2021.*

**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 03-21**

2A Terrace Drive - Advertised on-line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *A Notice of Violation was*

*sent on 5-28-21. The owner sent an e-mail on Monday June 21, 2021 and explained that they do not advertise with a two day minimum, but have rented in the past for periods less than 30 days. He requested a phone call to make adjustments if necessary. The ZEO will return his call.*

- Case 04-21** 186 Green Pond Road- Advertised on-line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *A Notice of Violation was sent on 5-28-21*
- Case 08-21** 32 Edmonds Road- Advertised on line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone A. *A Notice of Violation was sent on 5-28-21*
- Case 10-21** 201 Route 37 South - Advertised on line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *A Notice of Violation was sent on 5-28-21. The owner of the property has not responded. A 2<sup>nd</sup> Notice of Violation will be sent.*
- Case 12-21** 10 Hemlock Point Road - Advertised on line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone A. *A Notice of Violation will be sent. The owner of the property has not responded. A 2<sup>nd</sup> Notice of Violation will be sent.*
- Case 13-21** 8 Circle Drive - Advertised on line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *A Notice of Violation will be sent. The owner of the property called on 10/24/2, he stated he revised his posting on Air BNB and is now in compliance.*
- Case 16-21** 13 Wagon Wheel - Advertised on line (Air BnB) is the 2<sup>nd</sup> floor of the detached garage for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *A Notice of Violation was sent on 5-28-21. The owner of the property has not responded. A 2<sup>nd</sup> Notice of Violation will be sent.*

- Case 17-21** in Atchinson Cove - Advertised on line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D "Keeping of Roomers or Boarders" and Section 324.1D.4 "Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses" of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *The property has yet to be identified.*
- Case 18-21** 9 Farm Road – An apartment was created without the required Special Permit from the Planning and Zoning Commission. The apartment is greater than 750 square feet in size. *A Notice of Violation will be sent. Spoke with the home owner on 10-12-2021. The electrical wiring run for the cook top/oven will be removed/cut short at both ends from the outlet and breaker panel.*
- Case 19-21** 12 Farm Road – Two Solar Panels Arrays, One approximately 8'6" by 28' and the other 26'8" x 13'3" along with 1 21' high experimental wind turbine has been erected without the required permits in violation of Section 410 "Zoning Permits" of the Town of Sherman Zoning Regulations. "No buildings, structure or temporary structure shall be erected .....until a zoning permit has been issued by the Planning and Zoning Commission." – Zone A. *The ZEO spoke with the owner of the property and he has since applied for permits that are under review. Reference Permit Application # 8259. A Notice of Violation was not sent. After the ZEO completed his review of the permit it was decided to approve the solar arrays that were mounted to the wood structure, but to deny the 25' high experimental wind turbine. No further action required by the ZEO at this time.*
- Case 21-21** 1 Route 37 East – Building 2 ("C") Unit # 5 - Change in Occupancy from Holistic Dog Grooming Service and Studio Apartment (unit #5) to a full apartment occupancy. *The ZEO reached out to the Renter who is in Florida. Further discussions about applying for a permit will take place on his return. To the best of my knowledge, the renter has not returned from Florida.*
- Case 23-21** 5 Fox Run –An illegal accessory apartment was constructed to accommodate short term rentals (see ZV 02-21) without the required permits in violation of "Section 410 Zoning Permits" – "No building, structure, or temporary structure shall be erected, constructed, reconstructed enlarged, altered or moved, ..... until a zoning permit therefore has been issued by the Planning and Zoning Commission and a Special Permit issued in accordance with Section 324.1.A.2. "Accessory Apartments" by the Planning and Zoning Commission in accordance with the Town of Sherman Zoning Regulations. Zone A *A Notice of Violation will be sent. A Notice of Violation was mailed on August 10, 2021. The owner will remove the stove and open the area between the main house and the second kitchen. He will take photos and send them to the ZEO for record. On October 27, 2021, the owner of the property sent an e-mail including photos to the ZEO showing the cook top/oven being removed and a wine refrigerator install in it's place. The door knob on the door between the two spaces has been change (no lock) to make the areas "common". This corrects the non-conformity that existed during the ZEO's site visit. No further action is required at this time by the ZEO.*

- Case 27-22** 14 Edmonds Road - An illegal accessory apartment was constructed to accommodate short term rentals (see ZV 02-21) without the required permits in violation of “Section 410 Zoning Permits” – “No building, structure, or temporary structure shall be erected, constructed, reconstructed enlarged, altered or moved, ..... until a zoning permit therefore has been issued by the Planning and Zoning Commission and a Special Permit issued in accordance with Section 324.1.A.2. “Accessory Apartments” by the Planning and Zoning Commission in accordance with the Town of Sherman Zoning Regulations. Zone A *A Notice of Violation will be sent. A Notice of Violation was mailed on August 10, 2021. The owners called and stated that a Special Permit (granted on May, 20, 1999) was issued for creation of an accessory apartment to be located in the home at 14 Edmonds Road. A copy of the Special Permit was not located in the Zoning file, but was later found in the Land Records in the Town Clerk Office. The ZEO called the current property owner and told them the NOV was sent in error and a note to that effect will be placed in the file.*
- Case 29-21** Corner of Chimney Hill and Route 39 – *Possible firewood processing business. Under investigation.*
- Case 32-21** 13 Wagon Road - An illegal accessory apartment was constructed to accommodate short term rentals (see ZV 16-21) without the required permits in violation of “Section 410 Zoning Permits” – “No building, structure, or temporary structure shall be erected, constructed, reconstructed enlarged, altered or moved, ..... until a zoning permit therefore has been issued by the Planning and Zoning Commission and a Special Permit issued in accordance with Section 324.1.A.2. “Accessory Apartments” by the Planning and Zoning Commission in accordance with the Town of Sherman Zoning Regulations. Zone A *A Notice of Violation will be sent. A Notice of Violation was mailed on August 10, 2021. The owner of the property has not responded. A 2<sup>nd</sup> Notice of Violation will be sent.*
- Case 33-21** Driveway - Anderson Road East - *A driveway was constructed without the required permit. A Notice of Violation will be sent.*
- Case 34-21** Intersection of Spring Lake Road and Taber Road - A real estate sign is posted in front of the property that exceeds the permitted size in violation of Section 360 “Signs” and Section 361 “Sale, For Lease or Contractor Sign” of the Zoning Regulations Of The Town of Sherman, Connecticut – Zone A - One sign advertising the sale or lease of a property is permitted provided that it is located on such property and further provided that no such sign shall exceed (4) square feet in area. Zone B. *A Notice of Violation will be sent. A Notice of Violation was mailed on August 13, 2021. The sign has been removed. No further action required by the ZEO.*
- Case 35-21** 133 Route 37 South - A real estate sign is posted in front of the property that exceeds the permitted size in violation of Section 360 “Signs” and Section 361 “Sale, For Lease or Contractor Sign” of the Zoning Regulations Of The Town of Sherman, Connecticut – Zone A - One sign advertising the sale or lease of a property is permitted provided that it is located on such property and further provided that no such sign shall exceed (4) square feet in area. Zone B. *A Notice of Violation will be sent. A Notice of Violation was mailed on August 13, 2021. The sign was removed. No further action required by the ZEO.*



- Case 36-21** 9 Farm Road – A chicken house/shed was constructed without the required permit in Violation of Section 410 “Zoning Permits” of the Town of Sherman Zoning Regulations. *A Notice of Violation will be sent. A Notice of Violation was sent on 10/19/2021. The owner responded and the ZEO gave the owner until spring to relocate the structure to a conforming location after he obtains the required permits.*
- Case 38-21** 1 Sherwood Hill Road - Advertised on line (Air BnB) is the dwelling for short term rental with a minimum stay 2 nights in violation of Section 324.1.D “Keeping of Roomers or Boarders” and Section 324.1D.4 “Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses” of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone B. *A Notice of Violation will be sent. A Notice of Violation was sent on 10/19/2021. The owner has responded and she stated that the Air BNB advertising has been removed from on-line. The ZEO will verify.*
- Case 39-21** 1 Sherwood Hill Road - An illegal accessory apartment was constructed to accommodate short term rentals (see ZV 38-21) without the required permits in violation of “Section 410 Zoning Permits” – “No building, structure, or temporary structure shall be erected, constructed, reconstructed enlarged, altered or moved, ..... until a zoning permit therefore has been issued by the Planning and Zoning Commission and a Special Permit issued in accordance with Section 324.1.A.2. “Accessory Apartments” by the Planning and Zoning Commission in accordance with the Town of Sherman Zoning Regulations. Zone A *A Notice of Violation will be sent. A Notice of Violation was sent on 10/19/2021. A site inspection is scheduled to verify compliance.*

### **Zoning Board of Appeals**

November 2021 - Five (5) cases rolled over from last months’ meeting that was canceled

**Decisions Made** ( see Attachment).

**Case 730** - 170 Green Pond Road – Two property line variances requested for the proposed construction of a new single family dwelling in Candlewood Lake Estates. Proof that the parcel was previously approved as a lot by the Planning and Zoning Commission is required. Zone A - **CONTINUED**

**Case 731** – 19 Deer Run Trail – Requested variance for increases in non-conformity and side line setbacks to expand an existing deck that is attached to the rear/side of the dwelling and to add a second story to the dwelling within the footprint of the existing structure. – Zone B - **DENIED**

**Case 732** – 9 Sail Harbour – Requested variances for setbacks to a conservation easement for installation of an in-ground pool and related equipment. Zone B - **DENIED**


**Case 733** – 10 Terrace Drive - One property line variance requested for the proposed construction of a wood stair case to a new single family dwelling in Candlewood Lake Estates. Proof that the parcel was previously approved as a lot by the Planning and Zoning Commission is required. Zone A - **CONTINUED**

**Case 734** – 7 Oak Drive – Requested a variance from the side property line for the installation of a storage shed. “Post Facto” Zone B - **CONTINUED**

**On-Going Litigation**

**ZBA** - 6 Echo Lane South – Accessory Dwelling Recognition of existing accessory Building Denied without Prejudice – Decision Appealed in Danbury Superior Court.

**Planning and Zoning** – 44 Spring Lake Road – A request for an amendment to the Special Permit that was granted by the Planning and Zoning Commission was denied. – 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 Public Hearing on Tuesday, November 2, 2021 beginning at 7:00 p.m. via ZOOM for the following Cases:

- CONTINUED- ZBA CASE # 730- 170 Green Pond Road- (Map-64, Lot-44) David Jacobowitz -** For construction of a new single family dwelling: Requesting Variance of Section 331.5, Minimum Setback Requirements, Side Property Line Setback from 40' to 24'. Requesting Variance of Section 331.5, Rear Property Line Setback from 40' to 23', 5", as shown in the exact footprint location shown on submitted A-2 survey entitled; "Proposed Zoning Location Survey, Prepared for David & Barbara Jacobowitz, MBLU 64-44, Candlewood Lake Estates, Lot 20- Section C, 170 Green Pond Road, Sherman, Connecticut." Dated: 08/25/2021. Zone A.
- DENIED- ZBA CASE # 731- 19 Deer Run Trail (Map-69, Lot-28) Argento, Joseph & Lisa-** For a proposed deck expansion: Requesting Variance of Section 384- Increase of Non-Conformity, Other than Use. Requesting Variance of Section 332.5, Minimum Setback Requirements, Side Property Line from 25' to 22' foot setback. For construction of a second story addition: Requesting Variance of Section 384- Increase of Non-Conformity, Other than Use. **Southwestern Property Line:** Requesting Variance of Section Requesting Variance of Section 332.5, Minimum Setback Requirements, Side Property Line from 25' to 22.8'. Requesting Variance of Section 332.5, Minimum Setback Requirements, Side Property Line from 25' to 24.2'. **Southeastern Property Line:** Requesting Variance of Section 332.5, Minimum Setback Requirements, Side Property Line from 25' to 22'. Requesting Variance of Section 332.5, Minimum Setback Requirements, Side Property Line from 25' to 19.3'. Requesting Variance of Section 332.5, Minimum Setback Requirements, Side Property Line from 25' to 23', all in accordance with submitted building plans entitled: "Argento Residence, 19 Deer Run Trail, Sherman, CT" pages 1 through 5, prepared by: Zimmerman Architecture. Last Revised: 8/22/2021 and in the exact footprints shown on submitted A-2 Survey entitled; "Property Survey Prepared for Joseph & Lisa Argento, 19 Deer Run Trail, Town of Sherman, Fairfield County, CT" Last Revised: September 3, 2021. Prepared by: PAH, INC Land Surveyors. Zone B.
- DENIED- ZBA CASE # 732- 9 Sail Harbour Drive (Map- 54, Lot- 3) Nine SHD, LLC-** For construction of a 20' x 40' swimming pool and related equipment: Requesting Variance of Section 332.5, Minimum Setback Requirements, Conservation Buffer Line from 25' to 0' in accordance with a B-100 plan entitled; "9 Sail Harbour Drive (Lot 5) Sherman, CT, Prepared for Lokhin Residence". Prepared by: R. J. Gallagher, Jr. & Associates. Dated December 3, 2007, Last revised September 1, 2021 and in the exact footprint location shown on submitted A-2 Survey entitled; "Zoning Location Survey, prepared for 9 SHD, LLC, 9 Sail Harbour Drive, Sherman, CT". Dated August 30, 2021. Prepared by: Bautingham Land Surveyors, P.C. Zone B.
- CONTINUED- ZBA CASE # 733- 10 Terrace Drive (Map-68, Lot-80) Edwards, Mark D.-** For construction of a wooden staircase to front door to service new home construction: Requesting Variance of Section of 332.5, Minimum Setback Requirements- to reduce the 50" front yard setback to 0' front yard setback to allow for the construction of a wooden staircase to service new home construction and Section 321.5, New Building on Existing Lots- to allow for construction on a lot that was not in separate ownership on September 5, 1947, but has been identified as lot #34 on a subdivision map entitled , Candlewood Lake Estates, Section A, Sherman, Connecticut", which was originally filed in Map Book # 3, page 8, that was filed on August 29, 1959 and has been in separate ownership since then. Staircase in accordance as shown in the exact footprint location on submitted B-100 Septic plan entitled; "System Design prepared for Mark D. Edwards, MBLU 68-80, Candlewood Lake Estates, Lot 34, Section A, 10 Terrace Drive, Sherman, Connecticut". Dated October 23, 2018. Prepared by: CCA, LLC. Zone B.
- CONTINUED- ZBA CASE # 734- 7 Oak Drive (Map-74, Lot-11)- Salvatore & Maureen Bellino- POST FACTO-** For placement of a 8' x 10' storage shed: Requesting Variance of Section 332.5 Minimum Setback requirement, Side yard property line setback from 25' to 0' for placement of a 8' x 10' storage shed (POST FACTO) in the exact footprint location shown on submitted marked-up A-2 Survey entitled, "Property Survey Prepared for Salvatore & Maureen P. Bellino, 7 Oak Drive, Town of Sherman, Fairfield County, CT" dated July 10, 2006 with the last revision dated June 14, 2017; Update and Proposed Addition". Prepared by the office of PAH, Inc. Land Surveyors. Zone B.

Dated at Sherman, Connecticut this 3rd day of November 2021

Kenric Gubner, Chairman