

Planning & Zoning Office Sherman, Connecticut

Zoning Enforcement Officers Report February 2022

The Following Permit Applications Have Been Approved:

Qty: 7

8369	Longinotti Legacy Land Trust LLC	29 Route 55 West	Construct an Accessory Dwelling within an existing structure.	A
8372	Conner	38 Holiday Point Rd.	Install a new A/C unit, heat pump to be installed next to the existing dwelling	B
8373	Osborn	5 Osborn Road	Installation of an emergency standby generator	A
8374	DaCunha	11 Osborn Road	Installation of a free standing hot tub on grade under an existing deck	A
8377	Marrafini	7 Laurel Hill Road	Install a 14' x 24' above ground pool, heat pump and fence.	B
8378	Kennecky	12 Tandem Lane	Install a 21' x 45' in-ground pool electric heat pump and fence.	A
8380	Fickett	16 Quaker Ridge Rd.	Installation of an Emergency Standby Generator next to the existing dwelling	A

Driveway Permit

Qty: 2

DP 08-2021	13 Evans Hill Road	Construction of a new driveway on a lot that has no dwelling. (Under Review)	A
DP 01-2022	13A Osborn Road	Construction of a new driveway on a lot that has no dwelling. (Approved).	A

Driveway Bond Released

Qty: 0

Work Approved in Town Road ROW

Qty: 0

Lot Line Change Map

Qty: 1

LLR 02-2021	2-4 Memory Lane & Coburn Road East Lot Line Revision – to reduce the size of Lot B-1 to 8.4583 acres and to convey it to Lot B-2 to increase the area to 7.3462 Ac.. (Have not received a complete application – no further action can be taken at this time).	A
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The Following Statements Of Intent Were Approved:

Qty: 0

The Following Statement Of Intent's Were Received And Filed For Record Only: Qty: 0

The Following Applications Were Withdrawn: Qty: 0

The Following Permit Applications Have Been Denied Qty: 2

8379	Castellano	15 Islandview Dr,	Installation of an emergency standby generator next to an accessory building (garage)	B
8381	Higgins	41 Holiday Point Rd.	Construct an addition on the existing dwelling to expand the existing garage, add a family room above the garage, convert a screened in porch to a three season room and to add a mudroom at the east side entrance.	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: 11

8276	Marshall	15 Candleview Dr.	Replace a 15' x 28' deck attached to the existing dwelling.	B
8358	Neier	23 Tabor Road	Installation of an emergency standby generator within 50' of the existing dwelling and no closer than 100' to the nearest property line.	A
8359	Doyle/Shih Hua	8 Woods Road	Installation of an emergency standby generator next to the existing dwelling.	B
8364	Carpanzano	9 Locust Lane	Temporary storage container and play shed.	B
8365	Kadley Farm CT	44 Briggs Hill Road	Construct a new Accessory Dwelling (Needs Special Permit)	A
8366	Smith	6 Highview Lane	Construct a 12' x 24' shed on a gravel pad	A
8368	DeLaurentis	12 Pinewood Shores	Installation of an emergency standby generator.	B
8370	Anderson-Butler	35 Edmonds Road	Finish space above the existing garage. Heat and A/C with no running water	A
8371	Addonizio-Butts	70 Route 55 West	Construct an addition and renovate the existing dwelling. Received a variance form ZBA to increase the footprint.	A

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|------|-----------|----------------------|--|---|
| 8375 | Murray | 3 Babbling Brook Dr. | Convert an accessory building from an office into an accessory dwelling with deck and garage. (Needs Special Permit) | A |
| 8376 | 9 SHD LLC | 9 Sail Harbor Dr. | Construct an addition on the existing dwelling, expand the existing wood deck, install a new swimming pool/pool equipment, pool patio, pavilion and retaining walls. | B |

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 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. 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. Another letter will be sent on March 8, 2022.*
- 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. 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 29th, 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. The ZEO will contact the property owner on March 8, 2022 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 2nd Notice of Violation was sent on 8-28-19. Another letter will be sent. A 3rd Notice of Violation was sent on 03-05-20020. 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. 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 1st as to whether they planning on becoming permanent residents after staying here the past year through COVID. I agreed to give him until June 1st 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. A letter to the property owner will be sent on March 8, 2022.*

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. Since there has been a lack of response, a follow-up letter will be sent on March 8, 2022.*

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. 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. This case is being handled under advisement by the Land Use Attorney Firm.

- 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. This case is being handled under advisement by the Land Use Attorney Firm.***
- 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. The ZEO will contact the property owner on March 8, 2022.*
- 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. A second NOV will be sent on March 8, 2022.*
- 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. A second NOV will be sent on March 8, 2022.*
- 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 2nd Notice of Violation will be sent. A second NOV will be sent on March 8, 2022.*
- 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 2nd Notice of Violation will be sent. A second NOV will be sent on March 8, 2022.*

Case 16-21 13 Wagon Wheel - Advertised on line (Air BnB) is the 2nd 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 2nd Notice of Violation will be sent. A second NOV will be sent on March 8, 2022.*

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. The ZEO has been unable to identify this property, so it will be removed from the report until additional information is received that can help identify if the violation truly exists.*

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. The ZEO will follow-up with the landlord and an NOV will be sent to his address to help bring the property into compliance.*

Case 29-21 Corner of Chimney Hill and Route 39 – Possible firewood processing business. *Under investigation. Complaints have ceased and the ZEO has not gathered information that requires further follow-up at this time. The case will be removed from the list until a violation has been identified.*

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 2nd Notice of Violation will be sent. A second NOV will be sent on March 8, 2022.*

Case 33-21 22 -24 Anderson Road East - *A driveway was constructed without the required permit. A Notice of Violation will be sent. An NOV will be sent on March 8, 2022.*

- 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. A letter will be sent letting the owner know that an application is expected in the next 30 days.*
- Case 40-21** 57 Route 55 West – Temporary housing – campers are being used by persons displaced by the fire in violation of Section 324.1D(4) of the Town of Sherman Zoning Regulations. Fiduciary was assigned on December 1, 2021, but the appointment does not become effective for several weeks. *A meeting was held with the Town Sanitarian, ZEO and the attorneys representing the estate on December 17, 2021. A site inspection was scheduled for December 23rd, but was cancelled pending approval by the Probate Court. The ZEO was heard at a Probate Hearing on February 15, 2022 as a witness on the petition by the fiduciary to obtain permission to inspect and ejectment by the Town of Sherman.*
- ZV 01-22** 70 Chapel Hill Road – Junk, construction debris, waste and second hand materials have accumulated on the property in violation of Section 323.2 “Prohibited Uses, Specific and Section 323.2a. “No person shall use, or permit the use of, real property for the purpose of accumulating junk, including motor vehicles and motor vehicle parts, debris, waste and second-hand material, in such a manner as to cause unsightly, offensive and repugnant appearances and/or odors which would tend to depreciate the value of neighboring property or to be inimical to the public health, safety, or general welfare.” Zone A. *A Notice of Violation was mailed on February 10, 2022. No response to the NOV at this time.*
- ZV 02-22** Corner of Spring Lake Road and Taber Road, A.k.a. Map 026, Lot 002 - Junk, construction debris, waste and second hand materials have accumulated on the property in violation of Section 323.2 “Prohibited Uses, Specific and Section 323.2a. “No person shall use, or permit the use of, real property for the purpose of accumulating junk, including motor vehicles and motor vehicle parts, debris, waste and second-hand material, in such a manner as to cause unsightly, offensive and repugnant appearances and/or odors which would tend to depreciate the value of neighboring property or to be inimical to the public health, safety, or general welfare.” Zone A. *A Notice of Violation was mailed on February 10, 2022. No response to the NOV at this time.*

Zoning Board of Appeals

November – 5 cases heard – see attached Notice of Decisions dated November 3, 2021 (attached)

Case 730 – 170 Green Pond Road – Requesting variances for side and rear yard setbacks for construction of a new single family dwelling.– Zone A - **CONTINUED**

Case 731 – 19 Deer Run Trail – Requesting several variances for side yard setbacks and allow an increase in non-conformity for construction of additions to an existing legal non-conforming dwelling. – Zone B – **DENIED**

Case 732 – 9 Sail Harbor Drive – Requesting variances from a conservation area for setbacks to allow the installation of a pool and associated equipment. Zone B - **DENIED**

Case 733 – 10 Terrace Drive - Requesting variances from front yard setback and Section 321.5 to allow construction of a new single family dwelling with access stairs on a lot that was not previously approved by Planning and Zoning. Zone B - **CONTINUED**

Case 734 – 7 Oak Drive – Requesting a variance for side yard to allow an existing shed to remain at the current location. “Post Facto” Zone B - **CONTINUED**

**December – 4 cases heard - see attached Notice of Decisions dated December 8, 2021
(attached)**

Case 730 - 170 Green Pond Road – Requesting variances for side and rear yard setbacks for construction of a new single family dwelling.– Zone A - **CONTINUED**

Case 733 - 10 Terrace Drive - Requesting variances from front yard setback and Section 321.5 to allow construction of a new single family dwelling with access stairs on a lot that was not previously approved by Planning and Zoning. Zone B - **CONTINUED**

Case 734 - 7 Oak Drive – Requesting a variance for side yard to allow an existing shed to remain at the current location. “Post Facto” Zone B - **WITHDRAWN**

Case 735 – 11 Deer Hill Road – Requesting variances for front and side yard setbacks and a variance for increase in non-conformity for the construction of a second story addition within the footprint of the existing legal non-conforming dwelling. Zone B - **DENIED**

**January – 4 cases heard - see attached Notice of Decisions dated January 6, 2022
(attached)**

Case 730 – 170 Green Pond Road – Requesting variances for side and rear yard setbacks for construction of a new single family dwelling – Zone A – **APPROVED WITH CONDITIONS**

Case 736 – 170 Green Pond Road – Requesting variances for bulk lot requirements to have an existing parcel recognized as a lot. Zone A - **APPROVED**

Case 733 - 10 Terrace Drive - Requesting variances from front yard setback and Section 321.5 to allow construction of a new single family dwelling with access stairs on a lot that was not previously approved by Planning and Zoning. Zone B - **CONTINUED**

Case 737 – 164 Route 39 South – Requesting variances for side yard setback, and a variance to increase the non-conformity allowing for an increase in roof height within the foot print of the existing non-conforming dwelling. Zone B - **CONTINUED**

**February – 2 Cases heard - see attached Notice of Decisions dated February 2, 2022
(attached)**


Case 733 - 10 Terrace Drive - Requesting variances from front yard setback and Section 321.5 to allow construction of a new single family dwelling with access stairs on a lot that was not previously approved by Planning and Zoning. Zone B - **WITHDRAWN**

Case 737 - 164 Route 39 South – Requesting variances for side yard setback, and a variance to increase the non-conformity allowing for an increase in roof height within the foot print of the existing non-conforming dwelling. Zone B - **APPROVED WITH CONDITIONS**

On-Going Litigation

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

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: Bauntingham 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 Belling- 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

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, December 7, 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.
- CONTINUED- ZBA CASE # 733- 10 Terrace Drive (Map-68, Lot-80) Mark D. Edwards.- For construction of a wooden staircase to front door to service new home construction: Requesting Variance of Section 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.
- WITHDRAWN- 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.
- DENIED- ZBA Case # 735- 11 Deer Hill Road (Map- 52, Lot- 16)- Peter J. Hardecker- For construction of a two story dwelling in the exact footprint of the existing foundation shown on submitted A-2 Survey. Requesting Variance of Section 332.5 Minimum Setback requirement, Front yard property line setback from 50' to 13.3'. Requesting Variance of Section 332.5 Minimum Setback requirement, Side yard property line setback from 25' to 23.2'. Variance of Section 384 Non-Conformity, Other than Use to build a two story dwelling within the exact footprint of existing foundation as shown on submitted architectural drawings entitled, "Additions & Alterations to Existing Residence for Mr. & Mrs. Hardecker, 11 Deer Hill Road, Sherman, CT (pages A-1 through 4) submitted by Caren Carpenter Architect, and in the exact footprint shown on submitted A-2 Certified survey entitled; "Property Survey Prepared for Peter J. Hardecker, Being Lots 25 & 27 (T.C. Map No. 250) also known as 11 Deer Hill Road, Situate in the Town of Sherman, Fairfield Co., CT. Dated: March 27, 2021. Prepared by GeoLogic Land Surveying, PLLC. Zone B.

Dated at Sherman, Connecticut this 8th day of December 2021
Kenric Gubner, Chairman

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, January 4, 2022 beginning at 7:00 p.m. via ZOOM for the following Cases:

- APPROVED- WITH CONDITIONS** **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." Prepared by: CCA, LLC. Dated: 08/25/2021. Zone A.
CONDITIONS: Dwelling is not to exceed 1,400 square feet in total with a maximum footprint not to exceed 1,000 square feet.
- APPROVED-** **ZBA CASE # 736- 170 Green Pond Road- (Map-64, Lot-44) David Jacobowitz --** Additional Variances required for construction of a new single family dwelling: Requesting Variance of Section 321.5 – New Building on Existing Lot. Requesting Variance of Section 331.3 Minimum Lot Area. Requesting Variance of Section 331.4, Minimum Lot Dimensions. To allow for construction of a new home on Lot 20, Section C of Candlewood Lake Estates as shown on map # 372 (File 109a) filed on July 8, 1954. Additional information submitted with application; Exhibit(s) "A" through "H". Zone A.
- CONTINUED- TO FEB. 1, 2022** **ZBA CASE # 733- 10 Terrace Drive (Map-68, Lot-80) Mark D. Edwards, -** 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- TO FEB. 1, 2022** **ZBA CASE # 737- 164 ROUTE 39 SOUTH- (Map-47, Lot-26) 22, LLC-** For roofline change: Requesting Variance of Section 332.5, Minimum Setback Requirements- to reduce the 25' side yard setback to 3.8'. Requesting Variance of Section 332.5, Minimum Setback Requirements- to reduce the 25' side yard setback to 1.6'. Requesting Variance of Section 384, Non-Conformity, Other Than Use- for vertical volumetric increase of height to alter roof line as shown on submitted building plans and in the exact footprint of the existing, legal non-conforming structure shown on submitted A-2 survey entitled, " Property Survey Prepared for: 22, LLC # 164 Route 39 South, Sherman, CT. Area= 32,386 sq. ft. = 0.74 Acres." Dated 07/28/2021. Prepared by: Riordan Lane Surveying. Zone B.

Dated at Sherman, Connecticut this 6th day of January 2022
Kenric Gubner, Chairman

LEGAL NOTICE
ZONING BOARD OF APPEALS
TOWN OF SHERMAN, CONNECTICUT

The Zoning Board of Appeals made the following decisions at Public Hearings on Tuesday, February 1, 2022 beginning at 7:00 p.m. via ZOOM for the following Cases:

WITHDRAWN-

ZBA CASE # 733- 10 Terrace Drive (Map-68, Lot-80) Mark D. Edwards,- 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.

**APPROVED
WITH
CONDITIONS:**

ZBA CASE # 737- 164 ROUTE 39 SOUTH- (Map-47, Lot-26) 22, LLC- For roofline change, Variance of Section 332.5, Minimum Setback Requirements- to reduce the 25' side yard setback to 3.8'; Variance of Section 332.5, Minimum Setback Requirements- to reduce the 25' side yard setback to 1.6'; Variance of Section 384, Non-Conformity, Other Than Use- for vertical volumetric increase of height to alter roof line as shown on submitted building plans and in the exact footprint of the existing, legal non-conforming structure shown on submitted A-2 survey entitled, " Property Survey Prepared for: 22, LLC # 164 Route 39 South, Sherman, CT. Area= 32,386 sq. ft. = 0.74 Acres." Originally dated 07/28/2021, and as amended through this date; Prepared by: Riordan Lane Surveying, and also per updated plans submitted by DeMotte Architects, PC. Zone B, subject to the **CONDITIONS** that:

1. Prior to the commencement of construction, the applicant's surveyor shall stake the property boundary at each corner of the cottage along the adjacent property line, with the stakes connected by a string line, which stakes and string line shall be maintained throughout the period of construction until the issuance of a Certificate of Zoning Compliance.
2. There shall be no further increase in the height of the proposed roof, in whole or in part, without approval of the Board.
3. There shall be strict compliance with all plans and statements submitted in support of this application, including, but not limited to, the removal of the portion of the patio that encroaches on the adjacent property; the use of the Exhibit A- roof pitch and design (attached to this motion and made a part hereof); and the drainage improvements depicted on the plans, with water dedicated to either a raingarden or an infiltration system, per the statements of the applicant's architect.

Dated at Sherman, Connecticut this 2nd day of February, 2022
Kenric Gubner, Chairman