

Planning & Zoning Office Sherman, Connecticut

Zoning Enforcement Officers Report May and June 2022

The Following Permit Applications Have Been Approved:

Qty: 28

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
8385	Vetrosky	65 Spring Lake Rd.	Construct a new detached 3 car garage, 44' x 28' with 10' x 36' shed roof covering open area at rear of structure.	A
8399	Zamorano	11 Sail Harbour	Construction of an addition at the rear of the existing dwelling to expand the kitchen, add a mud room and to expand the bedroom above.	B
8403	Kotenbrink and Murray	1 Taber Road	Construction of a 18' x 42' in ground pool and equipment.	A
8408	Longinotti	29 Route 55 West	Install an A/C condenser on the rear of the newly constructed detached garage.	A
8409	Troy	17 Smoke Ridge Dr.	Remove existing decking, and add 10' to the existing deck that is attached to the existing dwelling making the final deck size 22' x 21'.	A
8410	Wellner	12 Cozier Hill Rd.	Construction of an addition to the existing dwelling. Approx 690 square feet to include a master suite and other interior renovations.	A
8411	Febbfour	4 Sawmill Rd.	Expand the first floor office space within the existing building footprint by eliminating "open to below" space, raise the existing roof, add roof overhang over the front door and add a cupola on top of the roof. Variance granted by ZBA, Case 726, Vol. 174, page 703 SLR.	C
8412	Chemero	2 Pond View Lane	Construction of a new single family dwelling, installation of a well septic and driveway. Also the installation of an A/C unit and emergency standby generation located next to the dwelling foundation.	B

8413	Wrong	53 Timber Lake Rd.	Installation of A/C condensers and an emergency standby generator next to the existing dwelling.	B
8414	Connecticut Audubon	57 Wakeman Hill Rd	Interior renovations, new patio surface, sidewalks, handi-cap parking and parking lot and parking lot lighting to convert the existing residence into a passive recreation/nature center in accordance with the Special Permit Amendment approved by the Planning and Zoning Commission on March 5, 2020 and filed on the Sherman Land Records on March 19, 2020, Vol.169, pages 1011 & 1012 and Special Permit Amendment approved by the Planning and Zoning Commission on May 24, 2019 and filed May 28, 2019, Vol.167, page 630.	A
8415	Miller	143 Route 39 North	Installation of an emergency standby generator next to the existing dwelling.	A
8416	Meenan	2 Shady Lane	Remove existing deck on northeastern section of the existing dwelling and rebuild in the same location.	A
8417	Carroll	26 Wanzer Hill Rd	Installation of a new A/C condenser on patio at rear of the existing dwelling.	B
8419	Till	9 Shelter Cove Road	Construction of a 16' 24' patio/pavilion.	B
8420	Zelaya	21 Deer Run Trail	Construction of a stacked stone wall in the front yard of an existing dwelling including a new driveway and parking area and gravel landscaping between the wall and road travel way. (Partial Approval)	B
8421	Urbanowicz	14 Church Road	Installation of an emergency standby generator next to the existing dwelling.	A
8423	McDonnell/ Chamberlain	1 Pine Hill Trail	Installation of an emergency standby generator next to the existing dwelling.	A
8425	McKinnon	14 Bridgeworth Ln.	Install a new mini split air conditioning unit next to the existing dwelling.	A
8427	Stumpf	11 Chestnut Hill Rd.	Reconstruct the existing deck in same footprint (8' x 20') as existing.	B

8428	Paterno	5 Upland Pastures Rd.	Construct an accessory apartment in the basement of the existing dwelling. Reference Special Permit that was approved by Planning and Zoning Commission on 6-2-2022 – Vol 178 Page 141 filed 06-22-22.	A
8429	Moe	32 Hardscabble Rd.	Replace deck decking and relocate the stairs to the back of the deck. The deck is 13' 10 inches x 11 feet 10 inches with a 3' wide proposed stair case.	A
8430	22, LLC	164 Route 39 South	Reconstruct the existing dwelling on the existing foundation in accordance with the variance granted by ZBA on 2-1-2022, Case 737. File on the Sherman Land Records on 02-03-22, Vol. 176 page 1095.	B
8431	McSpedon	16 Long River Rd.	Replacement of the existing ductless mini split air condensing units located on the roof of the existing dwelling with two new units in the same location as the existing units.	A
8432	Malek	15 Candleview Dr.	Installation of an emergency standby generator next to the existing dwelling.	B
8433	Munn/White	14 Brinsmade Ln.	Construction of a 15' x 21' deck attached to the existing dwelling.	A
8434	Gorman	32 Quaker Ridge Rd.	One story addition on the existing dwelling – to include a master bedroom and bath. Addition includes a deck off the rear of the addition. No increase in bedroom count.	A
8435	Thuesen	7 Crawford Lane	Installation of an emergency standby generator within 50' of the dwelling and no closer than 100' to the nearest property line.	A

Driveway Permits

Qty: 2

DP 08-2021	13 Evans Hill Road	Construction of a new driveway to a lot that has no dwelling. (Requested additional information and is still under Review)	A
DP 04-2022	40 Hubble Mountain Road	Relocation of an existing driveway from Hubble Mountain Road to Fox Run Road. (Approved)	A

Driveway Bond Released

Qty: 2

DP 05-2020	2 Wagon Wheel Rd.	New 2 nd driveway used for motor home storage driveway/parking to a lot that has an existing single family dwelling.	B
DP 03-2020	1 Woods Road	New driveway off Cozier Hill Road for access to a newly constructed single family dwelling.	A

Work Approved in Town Road ROW

Qty: 0

Lot Line Change Map

Qty: 0

The Following Statements Of Intent Were Approved:

Qty: 2

8418	22 LL	164 Route 39 South	Repair the foundation on the north side and add new foundation on the south side of the existing dwelling. All work to be done within the footprint of the existing dwelling.	B
8425	K. D'Amato Trustee	15 Holiday Point Rd.	Installation of a 100' long by 6' high residential fence.	A

The Following Statement Of Intent Were Received And Filed For Record Only:

Qty: 0

8424	Fleischer	2 Edmonds Road	Extend an existing stonewall from side of driveway to the side property line - approx. 60' long- not to exceed 4' high, not to exceed 2' wide.	A
------	-----------	----------------	--	---

The Following Permit Applications Have Been Denied Without Prejudice

Qty: 0

The Following Applications Were Returned For Lack Of Information:

Qty: 1

8368	DeLaurentis	12 Pinewood Shores	Installation of an emergency standby generator. Never received a survey that was required to verify zoning compliance. Returned on 3/22/2022.	B
------	-------------	--------------------	---	---

The Following Applications Were Not Processed Since They Were Duplicates:

Qty: 0

The Following Applications Require Additional Information Or Review:

Qty: 5

8276	Marshall	15 Candleview Dr.	Replace a 15' x 28' deck attached to the existing dwelling.	B
8364	Carpanzano	9 Locust Lane	Temporary storage container and play shed.	B
8393	Arnold	5 Briggs Hill Rd.	Installation of an emergency standby generator installed within 50' of the principal structure (dwelling) and no closer than 100' to the nearest property line. (Need Survey).	A

8407	Rubin	30 Long River Rd.	Installation of a 15' x 32 in ground fiberglass swimming pool and associated equipment. (Need Inland Wetlands Approval).	A
8422	Ansorge	3 Oak Dr.	Construction of accessory storage shed. "Post Facto". (Need Survey)	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. A letter was sent on May 4, 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. The ZEO was unable to contact the property owner, but will try again next week. **A letter was sent on May 4, 2022.**

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. 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. **A letter was sent on May 4, 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. The letter was not sent on 3/8/2022. **A letter was sent on May 4, 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. The ZEO was unable to contact the property owner, but will try again next week. A letter was sent on May 4, 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. The 2nd NOV was not sent on 3/8/2022. A letter was sent on May 4, 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. The 2nd NOV was not sent on 3/8/2022. A letter was sent on May 4, 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. The 2nd NOV was not sent on 3/8/2022. A letter was sent on May 4, 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. **The 2nd NOV was not sent on 3/8/2022, but was sent on May 4, 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. **The 2nd NOV was not sent on 3/8/2022, but was sent on May 4, 2022.***
- 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. **An NOV will be sent next week.***
- 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. **The NOV was not sent on 3/8/2022, but was sent on May 4, 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. **The NOV was not sent on 3/8/2022, but was sent on May 4, 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. On February 16, 2022 the Probate Judge ordered “The fiduciary and their agents are granted full, unfettered access to the property”, “No one should be living on the property.” and “The fiduciary can begin the eviction process.” The ZEO is waiting for an inspection date to be scheduled by the Fiduciary. **The ZEO conducted a site walk on June 23rd and a formal Notice of Violation will be prepared and sent to the administrator of the estate siting all of the Zoning Violations that exist on the property. The estate has spent two solid weeks working towards compliance, but there’s a lot that still has to be addressed.***
- 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. The ZEO spoke to Cliff and Travis Palmer on 3/17 near the front of the property on Spring Lake Road. The meeting was not scheduled and was conducted when all parties involved passed on the road. Travis is the son of the owner and Cliff is the ex-husband. I discussed the situation and how the property has to be cleaned up. Travis will let the contractor that has been storing their equipment on the property overnight and the cars during the day that they can long do that. Travis will be working to clean up the non-agricultural related items. He has already removed three vehicles and has another for sale. **The ZEO will continue to work with Travis to bring the property into compliance.***
- ZV 03-22** 3 Oak Drive – A storage shed was erected on the property without the required zoning permit. Reference: Section 410 Zoning Permits - No buildings, structure, or temporary structure shall be erected, constructed, reconstructed, enlarged, altered or moved, or excavation made therefore, or work begun thereon, or use made of any land until a zoning permit therefore has been issued by the Planning and Zoning Commission. Zone B. ***A Notice of Violation was sent on April 5, 2022.***
- ZV 04-22** 8 Circle Drive – Air BnB Advertised on line is the dwelling for short term rental 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. ***The Sherman Fire Department responded to a fire at the property***

5-31-2022. The people on the property who called for emergency service stated to the fire department that they were staying/renting short term. A copy of the fire call will be added to the file.

Zoning Board of Appeals

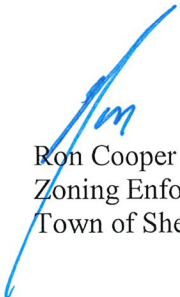
May Meeting – A meeting was not held due to the lack of applications.

June Meeting – A meeting was not held due to the lack of applications.

July Meeting - The next meeting is scheduled for July 12, 2022.

On-Going Litigation

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