

# Planning & Zoning Office Sherman, Connecticut

## Zoning Enforcement Officers Report September 2023

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

**Qty: 15**

8210-A	Greenwald	21 Ledgewood Drive	Construct a 12' x 20' deck with a 4' x 24' wrap around deck extension along the south side of the existing dwelling to a front door landing.	B
8543-A	Palumbo	3 Cedar Lane	Remove exiting 12' x 14' storage shed and replace with larger 14' x 24' foot storage shed	B
8571	Delsener	12 Sawmill Road	Construction of an 18' x 22' detached 1-1/2 story garage with storage above.	B
8578	Kelly	11 Orchard Rest Rd.	Installation of an emergency standby generator next to the existing dwelling.	B
8581	Horihuela	62 Edmonds Road	Enclose an existing attached porch, 12' x 14', to expand the kitchen in the existing dwelling. There will be no increase in the footprint of the existing deck.	A
8582	Holy Trinity Church	15 Rt. 37 Center	"Change of Use" – Interior renovations to convert the existing two car garage into habitable space (den).	C
8587	Williams	2 Route 55 West	Demo the existing garage and construct a new 24' x 36' garage and construct a separate 18' x 24' accessory structure to include an office.	A
8592	Wallock	7 Peace Pipe Lane	Install an emergency standby generator next to the existing dwelling.	A
8596	Budney	2 Big Trail Ext.	Installation of an A/C condenser next to the existing dwelling.	B
8598	Town of Sherman Park & Rec	Allen Cove – Sawmill Rd.	Construct a Gaga Ball Pit in the playground area of the park. The structure will be approx. 22' in diameter and the walls will not exceed 30" in height.	C

8599	Rosh	10 Mill Pond Road	Install an emergency standby generator next to the existing dwelling. This unit replaces an existing unit in the same location.	A
8600	Viola	44 Leach Hollow Rd.	Install a Hyper heat HVAC Cooling and Heat Pump system next to the existing dwelling.	A
8602	Baxter	2 Crawford Lane	Install an emergency standby generator next to the existing dwelling.	A
8605	Jaretsky	18 Coote Hill Road	Install an emergency standby generator next to the existing dwelling.	A
8606	Golimbu	21 Wagon Wheel Rd.	Installation of an emergency standby generator next to the existing dwelling.	B

**The Following Permit Applications Have Been Denied** Qty: 0

**The Following Statements Of Intent Were Approved:** Qty: 0

**The Following Permit Applications Have Been Withdrawn by the Applicant:** Qty: 1

8601	Neil (Rev. Trust)	2 Cove Lane	Installation of an emergency standby generator next to the existing structure.	B
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**The Following Permit Applications Have Been Denied Without Prejudice** Qty: 0

**The Following Applications Were Returned For Lack Of Information:** Qty: 2

8422	Ansorge	3 Oak Drive	Construction of an accessory storage shed. "Post Facto". Open Violation 03-22	B
8430-B	Shea	164 Route 39 So.	Add to existing permit - Construct a shed dormer over a new entrance door and add a 12' x 18' one story addition on the existing shed (no running water or septic hookup from within the shed). Also reconstruct an existing structure into a storage shed within the footprint of the existing legal non-conforming structure.	B

**The Following Applications Were Not Processed Since They Were Duplicates:** Qty: 0

**The Following Statement Of Intents Have Been Approved** Qty: 0

**Driveway Permits Approved** Qty: 0

Driveway Permits Being Reviewed

Qty: 1

DP-03-2023	190 Route 37 South	Finish construction of the interior portion of the driveway within the lot not to exceed 20% grade. Driveway is to create access to an existing dwelling on the lot.	B
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Driveway Bonds Released

Qty: 0

Work Approved in Town Road ROW

Qty: 0

Lot Line Change Map Applications - Approved

Qty: 0

The Following Applications Require Additional Information Or Review:

Qty: 6

8584	Greenwald	21 Ledgewood Drive	Installation of a sauna on a gravel pad that will be accessory to the existing dwelling.	B
8590	Goranson/ Rupright	99 Church Rd.	Construction of and in ground pool with associated equipment with a adjoining terrace.	A
8594	Ten Lake Shore Woods Road	10 Lake Shore Woods Road	Construct three dormers, increase the roof height, alter the front porch, move the existing A/C unit and add anew A/C unit all in accordance with variances granted by the Zoning Board of Appeals. Reference Case 750, Vol 180 pages 28 & 29.	B
8603	Cavalier	18 Orchard Rest Rd.	Rebuild and expand the existing deck that is attached to the dwelling. Approx 20' x 42'.	B
8604	Northwest Land Conservatory	Brookland Preserve	Remove existing dead vegetation and replace with more site specific tolerant shrubs for screening as required by Special Permit	A
8607	Lollo	133 Route 37 South	Construction of a 10' x 14' storage shed accessory to the existing dwelling.	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 Road324.1C.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. Another letter will be sent on March 8, 2022. A letter was sent on May 4, 2022. **The ZEO has not received a response. The ZEO will try to schedule a meeting with the property owners.***

**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. 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. **The ZEO has not received a response. The ZEO will try to schedule a meeting with the property owners.***

**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. A letter to the property owner will be sent on March 8, 2022. A letter was sent on May 4, 2022. The ZEO will try to schedule a meeting with the property owners.*

**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. 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. The ZEO will try to schedule a meeting with the property owners.*

**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. The ZEO will try to schedule a meeting with the property owners.*

**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 2<sup>nd</sup> NOV was not sent on 3/8/2022. A letter was sent on May 4, 2022. The ZEO will try to schedule a meeting with the property owners.*

**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 2<sup>nd</sup> NOV was not sent on 3/8/2022. A letter was sent on May 4, 2022. The ZEO will try to schedule a meeting with the property owners.*

- 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. A second NOV will be sent on March 8, 2022. The 2<sup>nd</sup> NOV was not sent on 3/8/2022. A letter was sent on May 4, 2022. The ZEO will try to schedule a meeting with the property owners.*
- 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. A second NOV will be sent on March 8, 2022. The 2<sup>nd</sup> NOV was not sent on 3/8/2022, but was sent on May 4, 2022. The ZEO will try to schedule a meeting with the property owners.*
- 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. A second NOV will be sent on March 8, 2022. The 2<sup>nd</sup> NOV was not sent on 3/8/2022, but was sent on May 4, 2022. The ZEO will try to schedule a meeting with the property owners.*
- 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, The ZEO will try to schedule a meeting with the property owners.*
- 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. 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. The ZEO will try to schedule a meeting with the property owners.*

**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. *The ZEO will try to schedule a meeting with the property owners.*

**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 23<sup>rd</sup>, 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 23<sup>rd</sup> 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. Two of the three people that lived on the property after the fire no longer live there. It is the responsibility of the fiduciary to evict the third. The fiduciary has informed me that no one is living on the property at this time. The ZEO will verify.*

**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. The homeowner applied for a permit, but needs to submit a survey to show compliance with the property line setbacks. )))))))*  
*Returned 9/27/2023*

**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. Another Notice of Violation will be sent.*

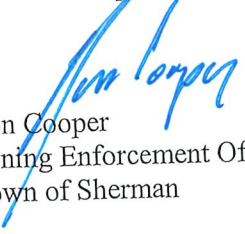
- ZV 09-22** 6 Irene Lane – The property/dwelling is being advertised for short term rental. Reference: Section 324.1D “Keeping of Roomers or Boarders” and Section 324.1D.4 “Nothing in this section shall be construed to permit tourist cabins, trailer camps, apartments, hotels, inns, taverns or roadhouses” and Section 610 “Definitions” the definition of a dwelling is “A building designed or used exclusively as non-transient living quarters, with not less than 600 square feet of enclosed ground floor space. The term shall not be deemed to include automobile court motel, hotel, rooming house, boarding house, house trailer, tourist home or tent.” of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone A - *A Notice Violation was mailed on October 4, 2022. The owner has been in touch with First Selectman Don Lowe. The owners want to be good neighbors, but had an attorney review our regulations and the attorney does not believe they apply to short term rentals. The ZEO will reach out again to the owners and re-enforce the town’s position. The BOS discussed the option of writing an ordinance, but decided on that the Zoning Regulations should be the tool for enforcement. Don Lowe – gave Ron Cooper an e-mail (on 08-00-23) chain going back several month’s from the neighbors. Don requested I send a C&D to the property owners. I’ve been in communications with the Land Use Attorney anticipating litigation. The ZEO cannot discuss this case further. A Cease and Desist was written and sent to the owners via Certified Mail, Return Receipt and First Class Mail.*
- ZV 10-22** 12 Route 39 North – The property/dwelling is being advertised for short term rental. Reference: Section 324.1D “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” and Section 610 “Definitions” the definition of a dwelling is “A building designed or used exclusively as non-transient living quarters, with not less than 600 square feet of enclosed ground floor space. The term shall not be deemed to include automobile court motel, hotel, rooming house, boarding house, house trailer, tourist home or tent.” of the Zoning Regulations Of The Town Of Sherman, Connecticut – Zone A - *A Notice Violation was mailed on October 4, 2022. The owner has been in touch with the First Selectman since their property was singled out during a Board of Selectman’s Meeting after the Selectman’s office received complaints about parties. The ZEO will reach out again to the owners and re-enforce the town’s position.*
- ZV 01-23** 14 Quaker Ridge Road – Junk, debris, waste and second hand material have accumulated on the property including an overflowing dumpster. This is in violation of Section 323.2 Prohibited Uses, Specifically Section 323.2a. of the Town of Sherman Zoning Regulations. *A Notice of Violation was sent and thye dumpster has been removed. The ZEO will schedule a meeting with the property owner to discuss the rest of the clean up..*
- ZV 02-23** 21 Anderson Road East – Construction of a residential fence in the front of the existing dwelling. The height and location does not appear to conform to the required property line setbacks. This is in violation of Section 322.1, Section 3221b. and Section 410 / 411 of the Town of Sherman Zoning regulations. *A Notice of Violation will be sent.*
- ZV 03-23** 21 Quaker Ridge Road – a structure (shed/barn) is under construction without the required permit and does not appear to conform to the required side property line setbacks. The location does not appear to conform to the required property line setbacks. This is in violation of Section 331.5 and Section 410/411 of the Town of Sherman Zoning regulations. *A Notice of Violation will be sent.*



ZV 04-23      1 Taber Road – Installation of pool equipment in a non-conforming location that does not meet the required property line setbacks and distance from the pool. Reference Section 324.3B of the Town of Sherman Zoning Regulations. *A Notice of Violation will be sent.*

**Zoning Board of Appeals**

An update will be given next month.



Ron Cooper  
Zoning Enforcement Officer  
Town of Sherman

