



Town of Simsbury

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Rachel Blatt

Conservation / Inland Wetlands

Zoning Compliance Officer

Planning Analyst

To : Simsbury Planning Commission

From: Rachel Blatt, Assistant Town Planner

Date : September 5, 2014

Re : **Application #14-01 of Ed Lally and Associates, Inc., Agent; Randy E. and Shelly Swinford, Owners; requesting re-subdivision of the property located at 5 Pinnacle Mountain Road (Map H11, Block 106, Lot 001) to create 2 lots. Zone R-40.**

This re-subdivision application is being submitted for consideration, pursuant to the requirements of Chapter 126, Section 8-25 of the Connecticut General Statutes, and the requirements of Section IX of the Simsbury Subdivision Regulations.

Existing Conditions: The overall parcel being considered for subdivision is 7.163 acres in size, and is located in the R-40 zone which requires a minimum lot size of 40,000 square feet or .92 acres. The individual lots proposed in this application are 3.399 acres and 3.764 acres in size. Each proposed lot meets the minimum lot frontage requirement of 200 feet. There is one pre-existing structures located within the required yards, a tennis court. There are no building department or zoning enforcement records related to the tennis court construction, however a review of available aerial imagery from 2009, 2006, 2004, and 1990 indicates the presence of the tennis court in each of those years, confirming that it has been in place for more than 3 years and is a non-conforming structure. There are no proposed structures in the required yards.

Proposed Re-subdivision: The Re-subdivision Plan indicates the proposed new lot boundaries, the approximate location of the proposed new house and septic system, and the approximate limits of tree clearing. The subject property was subdivided in 1971, and was identified as Lot 1 in Phase 1 of the Pinnacle Mountain Estates development.

A statement of septic system feasibility was issued by the Farmington Valley Health Department. The FVHD review included testing for the proposed new lot and confirmed sufficient septic reserve for the existing house at 5 Pinnacle Mountain Road. The property is currently served by public water and a 30 ft. water main easement runs through the eastern portion of the property, on the proposed Lot 2. Lot 2 is proposed to tie into the existing water main on Pinnacle Mountain Road through a trench approximately 115 ft. southwest of the driveway. The applicants have proposed a 25 ft. wide drainage easement on proposed Lot 2 to be deeded to the Town.

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From a Planning Commission perspective, the proposed lots meet the requirements as well. Each home site meets the “buildable area” requirements of the regulations, and Farmington Valley Health District has reviewed the proposed septic system layout. Regrading is proposed around the house and driveway. Proposed erosion and sedimentation controls are shown to be silt fencing around the downslope edges of the construction area (house and septic areas). The construction entrance pad, located at proposed driveway cut, includes maintenance note requiring that any sediment moving onto the public right-of-way be removed immediately.

The applicant has submitted a proposal to pay a fee of \$2,500 in lieu of open space. There are public lands within 100 ft. of the subject property but none that share a property line with 5 Pinnacle Mountain Road. The Commission should determine if FILO is acceptable.

Staff has reviewed the plans presented for consistency with the Town Subdivision and Zoning Regulations. The current plans are compliant with all pertinent zoning regulations for this zone.

Details to Consider: This is a sloped site and staff would recommend that it be confirmed that the site meets the definition of developable area and that Low-Impact Development strategies be considered wherever feasible. The narrative and sequence of Erosion and Sedimentation controls is also something that is recommended for consideration. Finally, staff has reached out to Aquarion Water Company for comments related to the location of the water line connection.