



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

AGENDA

ZONING BOARD OF APPEALS – REGULAR MEETING

WEDNESDAY, FEBRUARY 24, 2021

SIMSBURY TOWN OFFICES – VIRTUAL MEETING – 7:00 p.m.

The public hearing will be web-based on Zoom at:

<https://zoom.us/j/2574297243>

Meeting ID: 257 429 7243

I. CALL TO ORDER

II. ROLL CALL

1. Appointment of Alternates

III. ELECTION OF OFFICERS

IV. APPLICATIONS

1. Public Hearings

- a. **Application #21-02** of William A. Campbell, Owner/Applicant for a variance of the Simsbury Zoning Regulations Section 3.5.1 to construct a 10'x 12' shed within the front yard at the property located at 2 Cricket Lane (Assessor's Map C19, Block 511, and Lot 002). Zone R-40
- b. **Application #21-03** of 15-39 Simsbury Turnpike Realty, LLC/Owner and Dunkin Donuts/Applicant c/o Russo & Rizzio, LLC for a variance of the Simsbury Zoning Regulations Section 9.2 & 9.3 to permit two (2) 21.6 SF menu order boards which change screens and allow light to project through the face of the sign at existing fast food drive-thru restaurant located at 15-39 Albany Turnpike Lane (Assessor's Map A20, Block 901, and Lot 001 (Zone B-3)

2. Discussion and Possible Action

- a. **Application #21-02** of William A. Campbell, Owner/Applicant for a variance of the Simsbury Zoning Regulations Section 3.5.1 to construct a 10'x 12' shed within the front yard at the property located at 2 Cricket Lane (Assessor's Map C19, Block 511, and Lot 002). Zone R-40
- b. **Application #21-03** of 15-39 Simsbury Turnpike Realty, LLC/Owner and Dunkin Donuts/Applicant c/o Russo & Rizzio, LLC for a variance of the Simsbury Zoning Regulations Section 9.2 & 9.3 to permit two (2) 21.6 SF menu order boards which change screens and allow light to project through the face of the sign at existing fast food drive-

Telephone (860) 658-3245
Facsimile (860) 658-3205

www.simsbury-ct.gov

An Equal Opportunity Employer
8:30 – 7:00 Monday
8:30 - 4:30 Tuesday through Friday

thru restaurant located at 15-39 Albany Turnpike Lane (Assessor's Map A20, Block 901, and Lot 001 (Zone B-3)

V. APPROVAL OF MINUTES of January 27, 2021 special meeting

VI. ADJOURNMENT

PLEASE VERIFY YOUR AVAILABILITY TO ATTEND THIS MEETING BY CONTACTING THOMAS HAZEL BY PHONE AT (860) 658-3252 OR EMAIL AT thazel@simsbury-ct.gov

How to Join us on Zoom for the Public Meeting:

1. Join us on the web: <https://zoom.us/j/2574297243>
2. Join us by phone: +1 646 558 8656
3. Written communications may be emailed to lbarkowski@simsbury-ct.gov by 12:00 p.m. on February 23, 2021 to have comments read into the record at the hearing

How to view application materials:

Visit <https://www.simsbury-ct.gov/zoning-board-of-appeals>

**ZONING BOARD OF APPEALS APPLICATION
TOWN OF SIMSBURY, 933 HOPMEADOW STREET, SIMSBURY, CT 06070**

Application Number: ZBA-21-02

Fee \$ 240

Requested Action (please check appropriate box):

Variance ☒

Appeal Decision of ☐
Zoning Official

Location of Property: 2 Cricket Lane Simsbury, CT
(number and street name)

Simsbury Assessor's Map Number C19 Block Number 511 Lot Number 002

Deed Volume Number 508 Page Number 0339 (property owner must supply copy of the deed)

Applicant - Please Print the Following:

Name: William A. Campbell

Address: 2 Cricket Lane
Simsbury, CT 06070

Email: soup-family@comcast.net

Telephone: 860-604-6818

Signature of Applicant: [Signature] Date: 1-28-2021

Applicant's Interest in Property: William A. Campbell is the owner and resident.

Record Owner of Property: William A. Campbell 2 Cricket Lane Simsbury, CT

(print name & address of owner)

[Signature]
(signature of owner)

Date: 1-28-2021

Property is in Zone R-40 of (applicable section(s) Zoning Regulations 3.5.1

Describe the nature of your application, including the amount of variance requested:

Seeking approval to place a 10' x 12' shed adjacent to the rear end of my asphalt drive. Shed is 10' min away from property line but appears on "side/front" of house--Odd Lot. The primary purpose of the shed is to house a heavy-duty snow blower for snow rmvl.

Describe the specific hardship:

Simsbury zoning Rep visited my home, noting that my corner property is an "odd lot". Compliant to zoning regulations, with the exception of "odd lot" side/front yard variance. Not being able to locate the shed as proposed defeats the purpose of the shed.

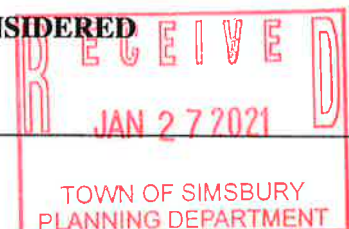
*This application must be accompanied by required fee, site plan and any other information required by the Zoning Regulations, Building Code, or Rules of the Board. **EACH APPLICATION SHALL INCLUDE A LIST OF NAMES AND ADDRESSES OF ALL ABUTTING PROPERTY OWNERS AND ALL PROPERTY OWNERS WITHIN 100 FEET OF THE SUBJECT SITE.** Six complete sets of folded plans and eleven copies of the completed and signed application, and any correspondence, must be submitted with the application. Pictures of the property and letters from the neighbors are very helpful. Applicant and/or Authorized Agent must attend meeting.*

NOTE: PICKUP YOUR PUBLIC HEARING SIGN WHEN APPLICATION IS SUBMITTED.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED

A:\ZONING BOARD OF APPEALS APPLICATION as of MARCH 15, 2011.doc

EXHIBIT 1



Jean D. Zammit
Commissioner of the Superior Court
Notary Public
My Commission Exp. Feb. 28, 2004

SCHEDULE A

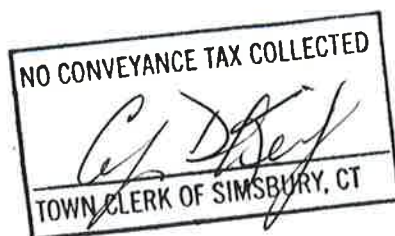
a certain piece or parcel of land, with all buildings and other improvements thereon, situated in the Town of Simsbury, County of Hartford and State of Connecticut, known as Lot #2 on a map or plan entitled, "Map Showing Sub-Division of Property owned by Alfred & Maria Fish Climax Road Simsbury, Conn. Scale 1" = 100' October 1, 1959 I hereby certify this map to be substantially correct and in accordance with Code Class A-2 of Conn. Technical Council, Inc. John C. Delbon", which map or plan is on file in the Simsbury Land Records to which reference is hereby made for a more particular description of said premises, and which piece or parcel of land is more particularly bounded and described as follows, to wit:

NORTHEASTERLY: by land now or formerly of N.F. Moran, Two Hundred Twenty-one and Eight One-hundredths (221.08) feet;

EASTERLY: by Climax Road, One Hundred Seven and Ten One-hundredths (107.10) feet;

SOUTHEASTERLY,
SOUTHERLY, AND
SOUTHWESTERLY: by Cricket Lane, so-called, Three Hundred Forty-one and Twenty-three One Hundredths (341.23) feet; and

NORTHWESTERLY: by Lot No. 3, as shown on said map or plan, Two Hundred Forty-nine and Eighteen One Hundredths (249.18) feet.



PROPERTY
STAKE.



EXHIBIT 4

PROPERTY
LINE STAKE

MIKE
ZAJAC
HOUSE
→



PROPERTY LINE
90° TO ROAD

SHED
STAKES
→



PROPERTY LINE
STAKE

Petition to Support William A. Campbell's Zoning Variance Request

Petition Summary	Mr. William A. Campbell, at 2 Cricket Lane Simsbury, CT, is planning on placing a small 10' x 12' free standing work shed located adjacent to the far end of his asphalt driveway, behind the rear plane of his home. Due to the shape and challenges of his "corner" lot, we understand that Mr. Campbell now requires a Simsbury Zoning Board Variance Request Approval to allow him to move forward.
Action Petitioned For:	We, the undersigned, are fellow neighbors of Mr. William Campbell's property at 2 Cricket Lane Simsbury, CT. Our properties run adjacent to and directly across from his property. After reviewing Mr. Campbell's proposed plan to place a 10' x 12' free standing work shed located as shown below, we have no reservations in supporting his plan and request action from the Simsbury Zoning Board of Appeals to review and approve at you earliest convenience

Representative Image of
Proposed 10' x 12' Shed:



Proposed Shed Location on Plot Plan:

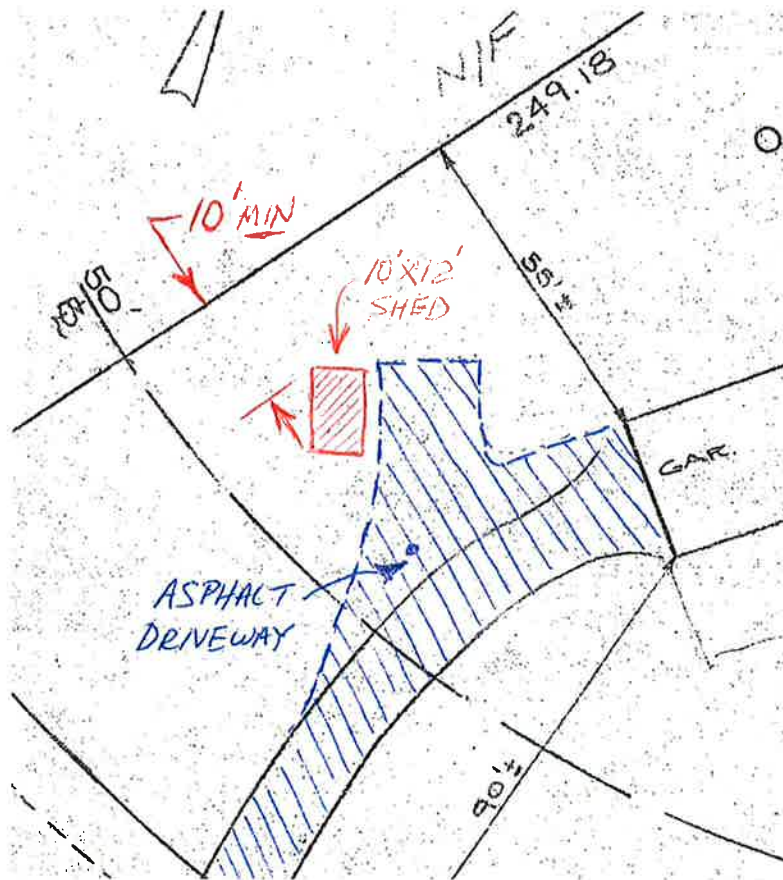
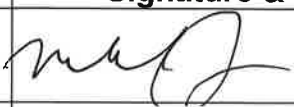
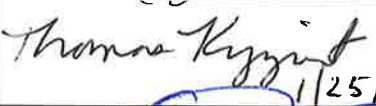
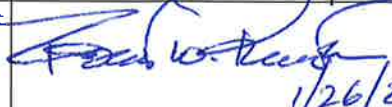


EXHIBIT 5

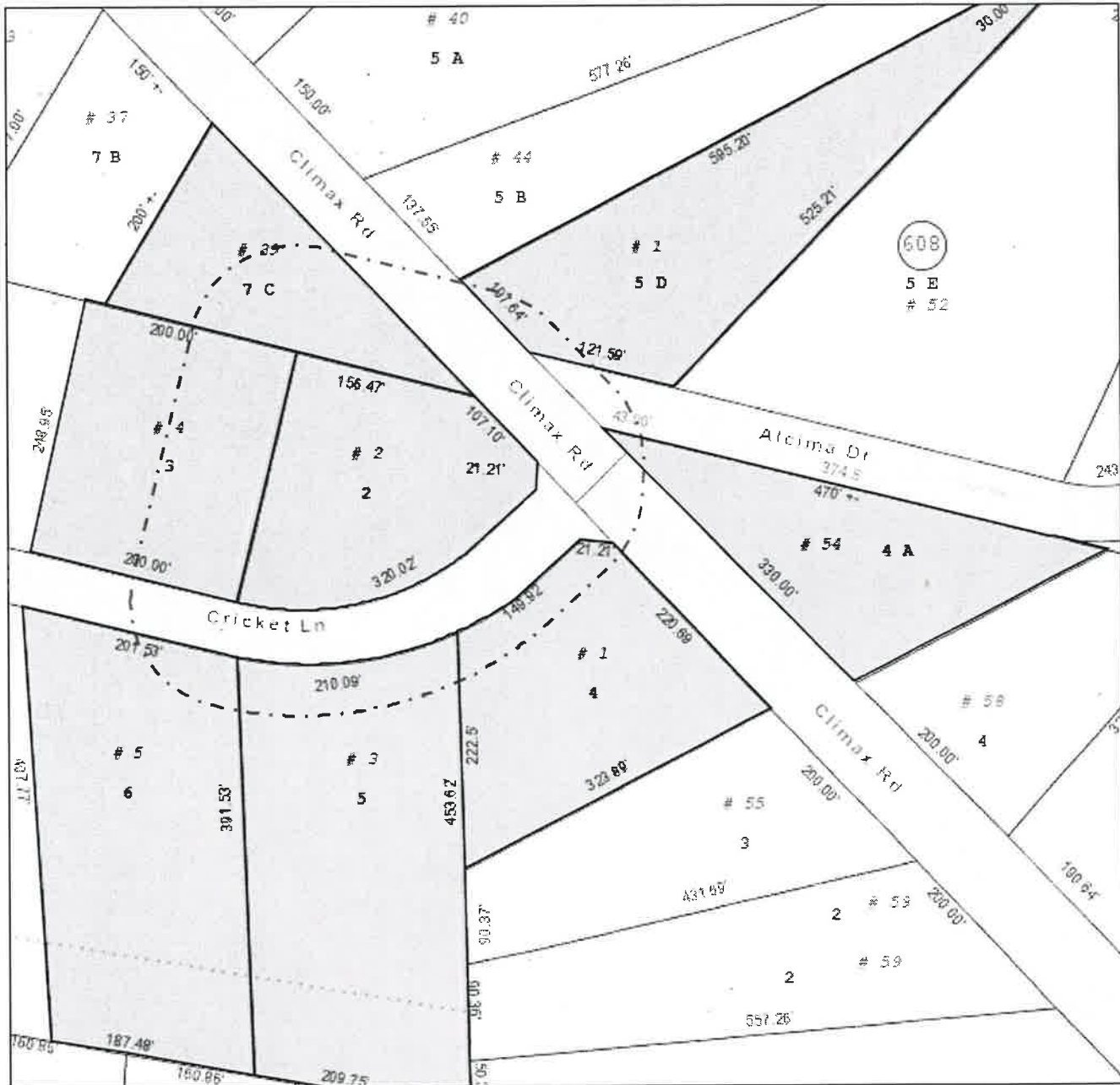
Name	Signature & Date	Address	Comments
Michael Zajac Michael Zajac	 1/26/21	4 Cricket Lane	No issues with this plan.
Thomas Kyziviat	 1/25/21	3 Cricket Lane	No concerns in regard to his plan.
Robert Proctor ROBERT PROCTOR	 1/26/21	4 Cricket Lane	No Issues with this plan

Town of Simsbury

Geographic Information System (GIS)



Date Printed: 2/4/2021



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.



EXHIBIT 6

C19 608 005D

✓ DOTSON ADAM M AND LARA N

1 ALCIMA DRIVE

SIMSBURY CT 06070

C19 511 002

CAMPBELL WILLIAM A

2 CRICKET LANE

SIMSBURY CT 06070

✓ C19 511 007C

LANE PATRICK AND DONALDSON CHLOE

39 CLIMAX ROAD

SIMSBURY CT 06070

C19 511 003

✓ ZAJAC MICHAEL

4 CRICKET LANE

SIMSBURY CT 06070

C19 511 006

✓ RUBIN MARGARET M

5 CRICKET LANE

SIMSBURY CT

C19 511 004

✓ PROCTOR ROBERT WALDRON AND

1 CRICKET LANE

SIMSBURY CT 06070

✓ C19 511 005

KYZIVAT THOMAS A AND LAURIE B

3 CRICKET LANE

SIMSBURY CT 06070

✓ C19 608 004A

GOROWSKI GREG AND JOANNA

54 CLIMAX ROAD

SIMSBURY CT 06070

**TOWN OF SIMSBURY
NOTIFICATION OF PUBLIC HEARING – REGULAR MEETING
ZONING BOARD OF APPEALS**

Your property abuts 2 Cricket Lane and you are entitled to notification of the following: The Simsbury Zoning Board of Appeals is holding a Public Hearing at a regular meeting for a variance to the Zoning Regulations to construct a 10'x12' shed at 2 Cricket Lane.

The Public Hearing will be held on Wednesday, February 24, 2021.

Meeting Information

Time: 7:00 p.m.

Via Zoom: <https://zoom.us/j/257429724>

Meeting ID: 257 429 7243

Phone: 1 646 558 8656

Location: Simsbury Town Offices

Via Zoom

At this hearing interested persons may attend via Zoom and be heard, and written communications received prior to February 23, 2021 by 12:00pm will be read into the record.

For more information call 860-658-3245 or email lbarkowski@simsbury-ct.gov



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

**LEGAL NOTICE
TOWN OF SIMSBURY
ZONING BOARD OF APPEALS – REGULAR MEETING**

The Zoning Board of Appeals of the Town of Simsbury will hold a Public Hearing at a Regular Meeting on Wednesday, February 24, 2021, at 7:00 p.m. via Zoom: <https://zoom.us/j/2574297243> on the following:

1. Application #21-02 of William A. Campbell, Owner/Applicant for a variance of the Simsbury Zoning Regulations Section 3.5.1 to construct a 10'x 12' shed within the front yard at the property located at 2 Cricket Lane (Assessor's Map C19, Block 511, and Lot 002). Zone R-40

At this hearing, interested persons may appear via Zoom and be heard on the issues and written communications may be emailed to lbarkowski@simsbury-ct.gov by 12:00 p.m. on February 23, 2021 to have their comments read into the record at the hearing. A copy of the above is on file in the Office of the Simsbury Planning Department, 933 Hopmeadow Street, Simsbury Connecticut, for public inspection.

Katie Martin, Chairman
SIMSBURY ZONING BOARD OF APPEALS

HARTFORD COURANT:

PLEASE PUBLISH THIS ON THURSDAY, FEBRUARY 11, 2021, AND THURSDAY, FEBRUARY 18, 2021 AND ZONE ONLY FOR FARMINGTON VALLEY EDITION.

INVOICE: SIMSBURY ZONING BOARD OF APPEALS acct #CU00254390

EXHIBIT 7



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

To: Simsbury Zoning Board of Appeals

From: Laura Barkowski, Land Use Specialist

Date: February 17, 2021

RE: **Application #21-02** of William A. Campbell, Owner/Applicant for a variance of the Simsbury Zoning Regulations Section 3.5.1 to construct a 10'x 12' shed within the front yard at the property located at 2 Cricket Lane (Assessor's Map C19, Block 511, and Lot 002). Zone R-40

DESCRIPTION OF VARIANCE

The applicant is requesting a variance to Section 3.5.1 of the Zoning Regulations to construct a 120 square foot shed within the front yard of the property. According to the Assessor records this lot contains Contemporary style residence constructed in 1974.



Section 3.5.1. Size & Location of Accessory Structures in Residential Districts

a. In all residential districts, accessory structures shall not be located in front yards except:
i. Properties which are greater than one acre in size and the primary structure is greater than 150 feet from the front property line, the structure can be located in the front yard provided that it is no closer to the property line than the front yard setback for the zoning district.

The subject lot is 1.10 acres and is an odd shaped front corner lot with the primary structure closer than 150 feet from both front property lines.

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday

b. An Accessory Structure shall not exceed a height of 15 feet.

No renderings including dimensions were provided for the shed.

c. An Accessory Structure located in a rear yard shall not exceed 250 square feet of building area; shall be located a minimum of 10 feet from the lot line.

The proposal is for a 10'x12' shed and to be located a minimum of 10' feet from the property line as indicated by hand drawn plan provided by the applicant.

d. An Accessory Structure that exceeds 250 square feet in building area must conform to the building setbacks for the zoning district.

The proposed shed does not exceed 250 square feet.

e. The maximum cumulative building area for all accessory structures on a lot shall not exceed a total of 50% of the building area of the primary building.

This shed appears to be the first accessory structure on the subject property with the primary structure having 2,145 square feet per the property card.

HARDSHIP

The applicant states that the “primary purpose is to house a heavy-duty snow blower” and “not being able to locate the shed as proposed defeats the purpose.” The applicant further states he has an “odd lot” shape. This property has two front yard and two side yards.

STAFF COMMENT

The public hearing notice was to be published in the Hartford Courant on both February 11, 2021 and February 18, 2021. The neighborhood abutters were mailed notification of the public hearing on February 4, 2021

It should be noted that the applicant obtained signatures from the property owners of 1, 3 and 4 Cricket Lane in support of this application.

The Board should determine if a hardship exists and state on the record. Staff suggests the following conditions:

1. The height of shed is not to exceed fifteen feet.
2. The shed shall be placed in that staked location photographed and marked exhibit 4 and is to be located a minimum of 10' from the property line.

**ZONING BOARD OF APPEALS APPLICATION
TOWN OF SIMSBURY, 933 HOPMEADOW STREET, SIMSBURY, CT 06070**

Application Number: _____

Fee \$ _____

Requested Action (please check appropriate box):

Variance ☒

Appeal Decision of
Zoning Official ☐

Location of Property: 15-39 Albany Turnpike

(number and street name)

Simsbury Assessor's Map Number A20 Block Number 901 Lot Number 001

Deed Volume Number 150 Page Number 370 (property owner must supply copy of the deed)

Applicant - Please Print the Following:

Name: Dunkin Donuts

Address: c/o Russo & Rizio, LLC

10 Sasco Hill Rd, Fairfield, CT 06824

Email: Chris@russorizio.com

Telephone: 203-528-0590

Signature of Applicant: _____

Date: 1/25/21

Applicant's Interest in Property: Tenant

Record Owner of Property: Simsbury Turnpike Realty LLC

(print name & address of owner)

(Signature of owner)

Date: 1/25/21

Property is in Zone B-3 of (applicable section(s) Zoning Regulations Art. 7, Sec. G

Describe the nature of your application, including the amount of variance requested:

Variance of Sections 9.2 and 9.3 to permit Two (2) order menu boards (21.6 SF each) which (i) allow light to project through the face of the sign; and (ii) which change its screen on a limited daily basis to support existing fast-food drive-thru restaurant.

Describe the specific hardship:

See Attached

*This application must be accompanied by required fee, site plan and any other information required by the Zoning Regulations, Building Code, or Rules of the Board. **EACH APPLICATION SHALL INCLUDE A LIST OF NAMES AND ADDRESSES OF ALL ABUTTING PROPERTY OWNERS AND ALL PROPERTY OWNERS WITHIN 100 FEET OF THE SUBJECT SITE.** Six complete sets of folded plans and eleven copies of the completed and signed application, and any correspondence, must be submitted with the application. Pictures of the property and letters from the neighbors are very helpful. Applicant and/or Authorized Agent must attend meeting.*

NOTE: PICKUP YOUR PUBLIC HEARING SIGN WHEN APPLICATION IS SUBMITTED.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED



Colin B. Connor
Elizabeth A. Falkoff*
Robert G. Golger
Michael C. Jankovsky
David K. Kurata
Katherine M. Macol
Leah M. Parisi
William M. Petroccio*
Raymond Rizio*
Christopher B. Russo
Robert D. Russo
John J. Ryan
Vanessa R. Wambolt
(*Also Admitted in NY)

January 25, 2021

Michael Glidden
Director of Planning and Community Development
Planning and Land Use Department
933 Hopmeadow Street
Simsbury, CT 06070
HAND-DELIVERED

Re: Petition for Variances – 15 Albany Turnpike

Dear Mr. Glidden:

Please accept, on behalf of the Applicant, the following narrative and enclosed application materials as part of an application for variances for the property located at 15 Albany Turnpike (the “Site”) to renovate an existing Dunkin’ drive-thru restaurant to replace Two (2) existing order menu boards.

Variances Requested

Variance of Section 9.2 and 9.3 of the Simsbury Zoning Regulations (the “Regulations”) to permit Two (2) order menu boards (21.6 SF each) with dimensions of 52.163” x 59.58” which (i) allow light to project through the face of the sign; and (ii) which change its screen on a limited daily basis.

Narrative

The Applicant requests variances to permit the replacement of Two (2) existing menu boards in connection with existing accessory drive-through lanes. The Site currently contains an existing Dunkin’ fast food restaurant with Two (2) accessory drive-through lanes. Each drive-through lane contains an menu board, which are approximately 21.6 SF each. It is important to note that the Applicant is not proposing any changes to the existing restaurant or drive-thru layout with this Application.

The Applicant proposes to replace each of the existing free-standing menu boards with a much smaller free-standing digital menu board of 21.6 SF in the same location as the existing boards.

1 Post Road
Fairfield, CT 06824

Tel 203-255-9928
Fax 203-255-6618

The Applicant requests permission to install signs with illumination by mechanical or digital control that will rotate images to display products or items connected to the principal use on the premises. It is important to note, all these proposed structures are intended to improve the efficiency of the existing drive-thru. While the menu boards do advertise food products for sale, its intent is to display popular customer choices and menu items relevant to the specific time of day, so customers can order quickly. Therefore, the sign is actually oriented towards the functionality rather than the advertising of the use and will reduce the impact from existing conditions. Existing static signs must display items for sale for all hours of the day even though they may not be offered when a patron places their order. The proposed digital signs are able to specifically designate to the patron which items are currently for sale. The signs are of such a small size, they could not effectively be considered advertising for off-site vehicles or persons.

Since the Applicant has operated restaurants, the accessory drive-through lane has increasingly represented where patrons place their order. Approximately Seventy percent (70%) of their restaurant's business comes through the drive-through lane. With the rising popularity of UberEats, the drive-thru demand has only increased. The Applicant is the leading operator of drive-through restaurants and has exhaustively studied how to make their drive-thru facilities operate quickly and efficiently. The result has been the addition of digital menu boards, including both the main and pre-browse menu boards.

Hardship

Granting the Petitioner the above-stated variance and modification of the site plans will not substantially affect the comprehensive zoning plan of the Town of Simsbury and strict adherence to the Regulations would cause a unique hardship to the Applicant as the Application actually reduces the intensity of the fast-food restaurant use and it will be beneficial, not injurious, to the surrounding neighborhood as the proposed modifications will significantly improve the efficiency, functionality, and traffic flow of the drive-through facility. Under current circumstances, these restaurants have to display their menu items for all times of day. The proposed signs will allow restaurants to just display what menu items are currently offered. This increases the speed and efficiency to order. It also allows for a significant decrease in size for the main menu board from 40 SF to 21.6 SF each.

The digital aspect of the sign also allows for automatic adjustment of the lighting to ensure the signs dim in the later, darker hours of the day. This prevents light pollution to neighboring properties. A photometric plan has been submitted with the Application, to show the Site will be dark-sky compliant. In fact, the proposed digital sign will be less bright

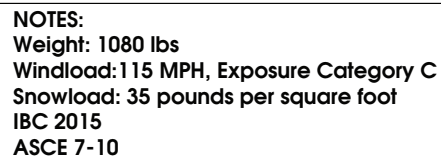
than the existing sign. However, it is also important to note that the existing and proposed signs point out to an undeveloped portion of Canton.

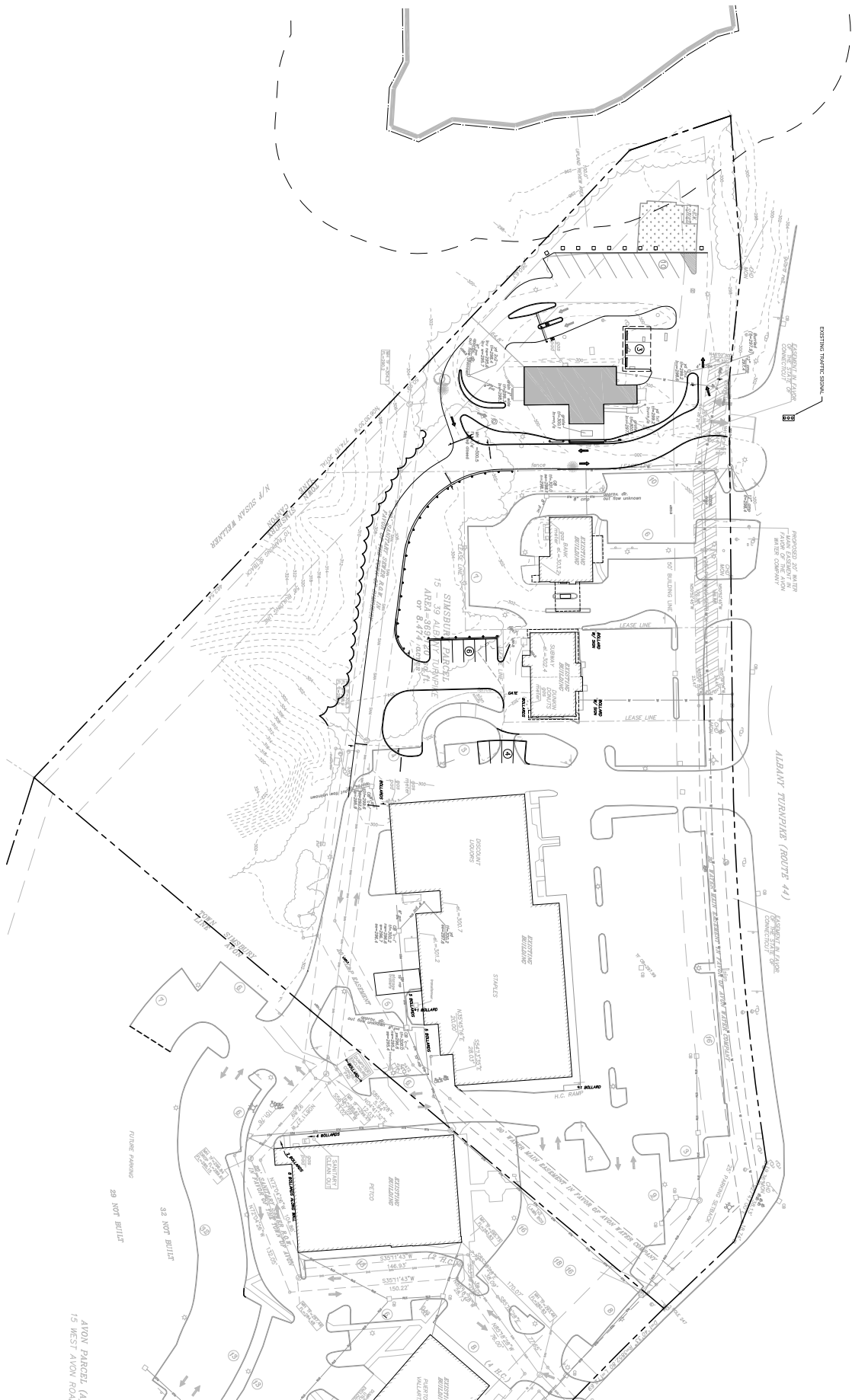
The Application will be beneficial, not injurious, to the surrounding neighborhood as the proposed modifications will significantly improve the efficiency, functionality, and traffic flow of the drive-through facilities to meet the demand of its patrons, which overwhelmingly utilize their vehicles to order food. It will help ensure traffic does not back up and impede the Site, which can become a concern during rush hour. In all, the proposed improvements result in a meaningful upgrade to the efficiency and functionality of the drive-through facility with minimal alteration to existing Site conditions.

Sincerely,



Christopher Russo



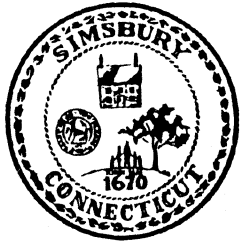


INTERIORS COVERAGE IN SIMSBURY (AC) - TOTAL SITE = 4.47 AC.			
PERMITTED	EXISTING	PROPOSED	
0.00	4.47 (100.0%)	4.47 (100.0%)	

** ALL PROPOSED WORK TO BE IN SIMSBURY (AC) PARCEL (A)

** ALL PROPOSED WORK TO BE IN WEST AVON (AC) PARCEL (A)

MASTER PLAN SIMSBURY TURNPIKE REALTY, LLC PROPERTY 15-39 ALBANY TURNPIKE SIMSBURY AND AVON, CONNECTICUT		<table border="1"> <tr> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> <tr> <td>CAR WASH LAYOUT</td> <td>APRIL 29, 2013</td> <td>CM</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	DESCRIPTION	DATE	BY	CAR WASH LAYOUT	APRIL 29, 2013	CM																<p>99 Realty Drive Cheshire, Connecticut 06010 (203) 271-1773 Fax (203) 272-9733 www.miloneandmacbroom.com</p>	
DESCRIPTION	DATE	BY																							
CAR WASH LAYOUT	APRIL 29, 2013	CM																							
MP 1 OF 1	4581-01 NOVEMBER 19, 2012	CAR CAR TO	1"=40' 1"=40'	1"=40' 1"=40'																					



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

February 8, 2021

Ann Dearstyne, Town Clerk
Town of Avon
60 West Main Street
Avon, Connecticut 06001

Re: **Application #21-03** of 15-39 Simsbury Turnpike Realty, LLC/Owner and Dunkin Donuts/Applicant c/o Russo & Rizzio, LLC for variance(s) of the Simsbury Zoning Regulations Section 9.2 & 9.3 to permit two (2) 21.6 SF menu order boards which change screens and allow light to project through the face of the sign at existing fast food drive-thru restaurant located at 15-39 Albany Turnpike Lane (Assessor's Map A20, Block 901, and Lot 001 (Zone B-3)

Dear Ms. Smith:

I am writing you to provide notice of an application to the Simsbury Zoning Board of Appeals. This correspondence is intended to serve as official notice of the application pursuant to 8-7d (f) of Connecticut General Statutes.

Written correspondence concerning this application should be mailed to:

**Simsbury Zoning Board of Appeals
c/o Michael Glidden, Director of Planning & Community Development
Planning Department
933 Hopmeadow Street
Simsbury, Connecticut 06070**

The application referenced above is scheduled for the February 24, 2021 regular meeting of the Simsbury Zoning Board of Appeals. The meeting is scheduled to begin at 7:00 pm in via Zoom: <https://zoom.us/j/2574297243>
Phone: 1 646-558-8656, Meeting ID: 257 429 7243. Interested parties are encouraged to attend. Please contact Michael Glidden, Director of Planning & Community Development, if you have any questions or concerns regarding this matter. He can be reached at 860-658-3252 or mglidden@simsbury-ct.gov.

Very Truly Yours,

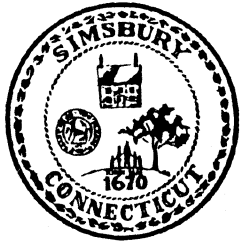
Laura Barkowski
Land Use Specialist

cc: Hiram Peck AICP, Director of Planning and Community Development
Subject File

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

February 8, 2021

Linda Smith, Town Clerk
Canton Town Hall
4 Market Street
PO Box 168
Collinsville, CT 06022

Re: **Application #21-03** of 15-39 Simsbury Turnpike Realty, LLC/Owner and Dunkin Donuts/Applicant c/o Russo & Rizzio, LLC for variance(s) of the Simsbury Zoning Regulations Section 9.2 & 9.3 to permit two (2) 21.6 SF menu order boards which change screens and allow light to project through the face of the sign at existing fast food drive-thru restaurant located at 15-39 Albany Turnpike Lane (Assessor's Map A20, Block 901, and Lot 001 (Zone B-3)

Dear Ms. Smith:

I am writing you to provide notice of an application to the Simsbury Zoning Board of Appeals. This correspondence is intended to serve as official notice of the application pursuant to 8-7d (f) of Connecticut General Statutes.

Written correspondence concerning this application should be mailed to:

**Simsbury Zoning Board of Appeals
c/o Michael Glidden, Director of Planning & Community Development
Planning Department
933 Hopmeadow Street
Simsbury, Connecticut 06070**

The application referenced above is scheduled for the February 24, 2021 regular meeting of the Simsbury Zoning Board of Appeals. The meeting is scheduled to begin at 7:00 pm in via Zoom: <https://zoom.us/j/2574297243>
Phone: 1 646-558-8656, Meeting ID: 257 429 7243. Interested parties are encouraged to attend. Please contact Michael Glidden, Director of Planning & Community Development, if you have any questions or concerns regarding this matter. He can be reached at 860-658-3252 or mglidden@simsbury-ct.gov.

Very Truly Yours,

Laura Barkowski
Land Use Specialist

Cc: Neil Pade AICP, Director of Planning and Community Development
Subject File

Telephone (860) 658-3245
Facsimile (860) 658-3206

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www.simsbury-ct.gov

8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

February 10, 2021

Tom Hazel
Assistant Town Planner
Simsbury, CT

STAFF COMMENTS

15- 39 Albany Tpk. Simsbury, CT 06070. Dunkin Donuts sign variance. Assessors Map A20, Block 901, Lot 001. Variance of Section 9.3 c, 9.3 h. of the Simsbury Zoning Regulations



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Commissioners:

Dunkin Donuts, AKA Simsbury Turnpike Realty LLC, represented by agent Christopher Russo of Russo & Rizio, LLC, has applied for variances to the Simsbury Zoning Regulations:

Section 9.3 c - Free standing signs shall not exceed ten (10) feet in total height (including all supporting structures), as measured at the average grade, or twelve (12) feet in length (including all supporting structures).

Section 9.3 c - The minimum height from the ground to the bottom of the sign area shall be twenty-four (24) inches.

Section 9.3 h. - Signs may be externally lighted or back-lit, but shall be designed so as not to allow any light to project through the face of the sign nor shall the lights themselves make up the lettering.

The proposed sign as submitted in exhibit 5 of the packet shows the height of the sign and support structure as 120.565 inches (10.05 feet). This is an increase over the 10 foot maximum.

The proposed sign as submitted in exhibit 5 of the packet shows the base of the sign approximately 16.14 inches (1.345 feet) from grade. This is a decrease of the 24 inch minimum.

The proposed sign as submitted in exhibit 5 of the packet shows the sign to be a digital sign, aka internally lit sign. This is a variance to the sign lighting standards.

Included in this report are several pictures regarding existing temporary sign violations on the property. The agent for the applicant has been made aware of these issues and has been asked to bring the property into compliance in order to receive any applied for variances. As the Assistant Town Planner I, will update the commission at the time of the meeting on February 24, 2021 and give guidance.

It is noted that the reduction of the size of the sign is eliminating an existing non conformity. The existing sign is 40 square feet in area while the new sign will be 21.6 square feet bringing it into compliance with Section 9.3 a. which allows for a maximum square footage of 32 square feet.



Banner
Drive thru

2/10/2021



Poke sign

2/10/2021



Window Ads.

2/10/2021