

Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

AGENDA ZONING BOARD OF APPEALS – SPECIAL MEETING WEDNESDAY, MARCH 24, 2021 – 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

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- II. ROLL CALL
 - 1. Appointment of Alternates
- III. APPLICATIONS
 - 1. Public Hearings
 - a. <u>Application #21-04</u> of MACK V LLC, Applicant and Valley Recreation LLC, Owner for a variance of the Simsbury Zoning Regulations Section 4.3 to allow parking within the 25' front yard setback at the property located at 1603 Hopmeadow Street as per plans provided (Assessor's Map H02, Block 403, and Lot 002B). Zone B-2
 - 2. Discussion and Possible Action
 - a. <u>Application #21-04</u> of MACK V LLC, Applicant and Valley Recreation LLC, Owner for a variance of the Simsbury Zoning Regulations Section 4.3 to allow parking within the 25' front yard setback at the property located at 1603 Hopmeadow Street as per plans provided (Assessor's Map H02, Block 403, and Lot 002B). Zone B-2
- IV. APPROVAL OF MINUTES of February 24, 2021 regular meeting
- V. ADJOURNMENT

PLEASE VERIFY YOUR AVAILABILITY TO ATTEND THIS MEETING BY CONTACTING LAURA BARKOWSKI BY PHONE AT (860) 658-3245 OR EMAIL AT LBARKOWSKI@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 March 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	n Number: Fee <u>\$</u>
Requested	Action (please check appropriate box):
	Variance Appeal Decision of Zoning Official
Location of	Property: 1603 Hopmeadow Street
	(number and street name)
Simsbury A	ssessor's Map Number H02 Block Number 403 Lot Number 002B
Deed Volun	ne Number 479 Page Number 941 (property owner must supply copy of the deed)
Applicant -	Please Print the Following:
Name:	MACK V, LLC
Address:	PO Box 370280
	West Hartford, CT 08137-0280
Email:	mark.daddabbo@mackvdevelopment.com Telephone: 860-729-6812
Signature o	f Applicant: Date:
Applicant's	Interest in Property: Contract purchaser / developer
	AND AND PROPERTY AND SERVICE A
Record Own	Walley Recreation, LLC, 65 Nod Road, Avon, CT 06001 (print name & address of owner) (signature of owner) (signature of owner)
Property is in	n Zone B-2 of (applicable section(s) Zoning Regulations 4.3
Describe the	e nature of your application, including the amount of variance requested:
Describe the	e specific hardship:
his applicat	tion must be accompanied by <u>required fee, site plan</u> and any other information required by the Zon

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 C

Owner's Authorization

Location 1603 Hopmeadow Street MBL H02 403 0028 Simsbury, CT 06070

Ownership: Valley Recreations LLC 65 Nod Road Avon CT 08001

Re: Owner's Authorization to tile all necessary epplications for Property located on 1603 Hopmeadow Street, Simabury, CT 06070

To Whom It May Concern

The undersigned, owner of the property referenced above and as said forth in the Real Estate Contract attached, he reby authorizes the firm of MACK V. LLC of Wethersfield, Connecticut, and its attorneys and representatives to file and pursue such applications on the undersigned's behalf with the various land use commissions in the Town of Simsbury. CT and state of Connecticut including but not limited to: Planning and Zoning; In and-Wetlands; Conservation; Design Review along with any other necessary municipal, state or federal governing body (including but not limited to utility companies, Department of Transportation. Army Corps of Engineers) which may be required for the development of said property.

A copy of this authorization may be treated as if it were an original.

Doled: January 15, 2021

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1603 Hopmeadow Street, Simsbury Zoning Board of Appeals Application Continuation Page

Nature of the Application, Including Amount of Variance Requested:

This application for a variance concerns the property at 1603 Hopmeadow Street. Presently, the site contains a 20,464 square foot one-story cinder block building and parking lot and was formerly used as a bowling alley. The parcel is approximately 2.5943 acres and located in the B-2 Business Zone.

The applicant is seeking to redevelop the site for use as a Tractor Supply Company retail store. The layout of the site will be somewhat similar to the existing configuration as far as the general placement of the building, the parking lot, and the main accessway off of Hopmeadow Street.

The applicant is seeking a variance from Section 4.3 (Dimensional Requirements) to allow parking in the 25' front yard setback.

Description of Specific Hardship:

The site is irregularly shaped and is presently non-conforming as to the rear yard setback. The current design as proposed eliminates this issue. In preparing this design, the applicant focused on eliminating the rear yard non-conformity as the property abuts residential neighborhoods so as to preserve the character and to reduce any potential impact on the abutting properties. In doing so, however, the applicant was limited in its ability to develop a site plan containing a parking lot design that was also able to meet the front yard setbacks due to the irregular shape of the lot.

The proposed design does reduce the overall amount of impervious coverage in the 25' front yard setback through the elimination of one of the accessways off of Hopmeadow Street. The current site has 2,681 square feet in the 25' front yard setback and the proposed plan has 1,862 square feet in the 25' front yard setback, which is an overall reduction of 819 square feet or 30.5%.

VOL. 479 PAGE 0941 WARRANTEE DEED

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TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, THAT, FARMINGTON VALLEY RECREATION, INC., a Connecticute Corporation having a principal place of business in the Town of Simsbury, County of Hartford and State of Connecticut, for the consideration of SIX HUNDRED THOUSAND AND 00/100 (\$600,000.00) DOLLARS, received to its full satisfaction of VALLEY RECREATION, LLC, a Connecticut Limited Liability Company having it's principal place of business in the Town of Simsbury, County of Hartford and State of Connecticut, does give, grant, bargain, sell and confirm unto the said VALLEY RECREATION, LLC and its successors and assigns forever, the following described real property situated in the Town of Simsbury, County of Hartford, and State of Connecticut:

A certain piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Simsbury, County of Hartford and State of Connecticut, known as 1603 Hopmeadow Street and as shown on a map or plan entitled "Site Plan of Development Showing Existing and Proposed Improvements FARMINGTON YALLEY RECREATION, INC. Prepared for VICTOR PHIA #1603 Hopmeadow Street, Simsbury, Connecticut B-1 Zone Henry Charles Cotton Consultant & Land Surveyor 41 East Granby Rd., Granby Conn. 06035 Scale 1=40' Date Sept. 20, 1985 Rev. 11-15-1985, 2-18-1986, 3-11-1986, 3-31-1986, 5-9-1986" which map or plan is on file in the Simsbury Town Clerk's Office and to which reference may be had. Said premises are more particularly bounded and described as follows:

Beginning at a point on the westerly street line of Hopmeadow Street marking the northeasterly corner of land now or formerly of Barbara Gates Shaw, Trustee and being located .40 feet southerly of a Connecticut Highway Department marker; thence running S 80°-00'-40" W along land now or formerly of Barbara Gates Shaw, Trustee a distance of 200.00 feet to a point; thence running N 9°-52'-39" W along other land now or formerly of Barbara Gates Shaw, Trustee a distance of 239.62 feet to an iron pin; thence running N 88°-21'16" W along other land now or formerly of Barbara Gates Shaw, Trustee a distance of 176.57 feet to an iron pin; thence running N 5°-17'-10" W along land now or formerly of Robert A. and Beverly A. Luff a distance of 229.53 feet to an iron pin; thence running S 76°-44'-30" E along other land now or formerly of Robert A. and Beverly A. Luff a distance of 377.28 feet to an iron pin; thence running S 11°-07'-12" E along Hopmeadow Street a distance of 355.14 feet to an iron bar marking the point and place of the beginning.

Being the same premises as conveyed to Farmington Valley Recreation, Inc. by Warrantee Deed of Simsbury Recreation Center, Inc. dated June 16, 1976 and recorded in the Simsbury Land Records in Volume 220 at Page 1025.

Said premises are subject to building, building line and zoning restrictions of the Town of Simsbury and to taxes owing to the Town of Simsbury on the Lists of October 1, 1996 and October 1, 1997, which the Grantee herein assumes and agrees to pay as part consideration for this deed.

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, and unto its successors and assigns forever, to VALLEY RECREATION, LLC and their own proper use and behoof. And also, FARMINGTON VALLEY RECREATION, INC., the said Grantor, does for itself, its successors and assigns, covenant with the said Grantee, its successors and assigns, that at and until the ensealing of these presents, FARMINGTON VALLEY RECREATION, INC is well seized of the premises, as a good indefeasible estate in Fee Simple; and has good right to bargain and sell the same in manner and form as is above written

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and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, FARMINGTON VALLEY RECREATION, INC. the said grantor do by these presents binds itself and its successors and assigns forever to WARRANT and DEFEND the above granted and bargained premises to the said Grantee, and its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, FARMINGTON VALLEY RECREATION, INC., acting herein by VICTOR J. PUIA, its duly authorized President, has hereunto set my hand this 10th day of December, 1997.

Signed and Delivered in the presence of

WITNESS:

GRANTOR:

FARMINGTON VALLEY RECREATION, INC.

Its President

STATE OF CONNECTICUT) COUNTY OF HARTFORD

Avon

December 10, 1997

Personally Appeared VICTOR J. PUIA, President of FARMINGTON VALLEY RECREATION, INC., Signer of the foregoing Instrument, and acknowledged the same to be his free act and deed as such President and the free act and deed of said Corporation, before me.

Commissioner of the Superior Court

Grantee's Address:

1603 Hopmeadow Street Simsbury, CT 06070

\$ CONVEYANCE TAX RECEIVED. RECEIP

HOUSING AUTHORITY OF SIMSBURY

1600 HOPMEADOW STREET

SIMSBURY

CT 06070

H02 403 001

BASHKIN IRIS

3 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

BRADLEY SUSAN

9 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

SANDOVAL SYBIL L

44 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 000A

TOWN OF SIMSBURY

933 HOPMEADOW STREET

SIMSBURY

CT 06070

H02 403 008

GRAHAM SCOTT A AND LAURA F

4 LAURIE-JOE WAY

SIMSBURY

CT 06070

H02 402 006

B3G LLC

1606 HOPMEADOW STREET

SIMSBURY

CT 06070

H02 403 001

HORDEJUK DARIUSZ AND AGNIESZKA

49 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

MCKEON DOROTHY E

5 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

BOSCO JAMES J AND MAUREEN G

7 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

WELDON CHRISTOPHER AND BARBARA

48 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

THOMAS SHARON R

42 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 001

LOBO DENNIS

46 BRETTONWOOD DRIVE

SIMSBURY

CT 06070

H02 403 002B

VALLEY RECREATION LLC

65 NOD ROAD

AVON

CT 06001

H02 403 007

VELLAIPARAMBIL JOSE K AND VADAKEL

5 LAURIE-JOE WAY

SIMSBURY

CT 06070

H02 403 009

PAYANDEH MEHRAN AND IRIS

2 LAURIE-JOE WAY

SIMSBURY

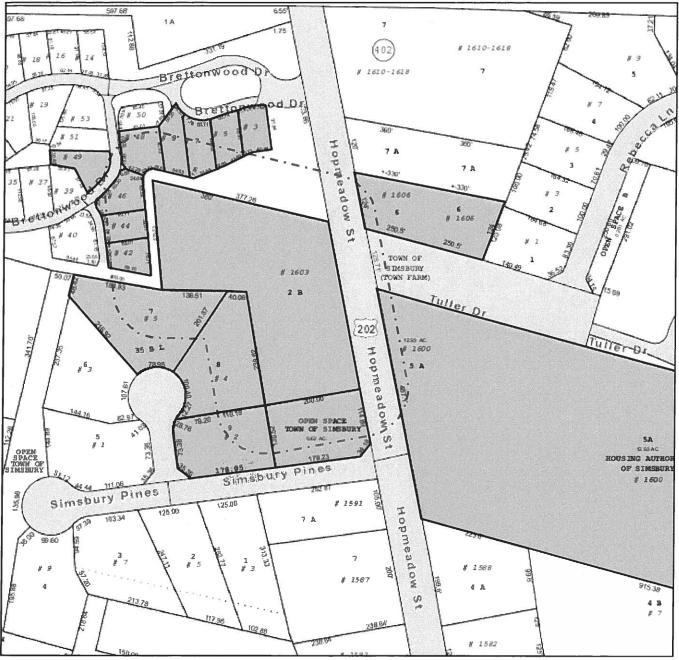
CT 06070

Town of Simsbury

Geographic Information System (GIS)



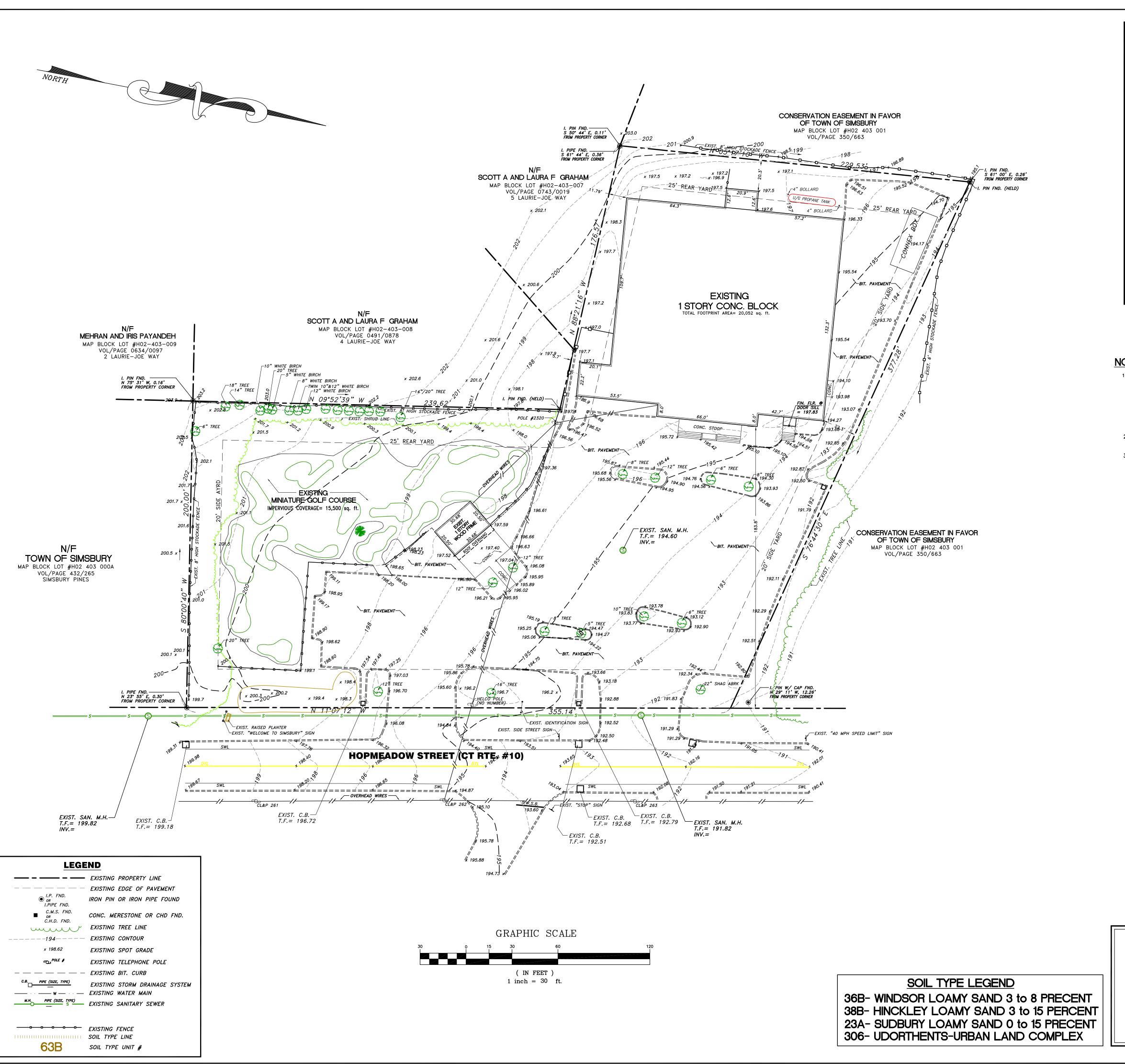
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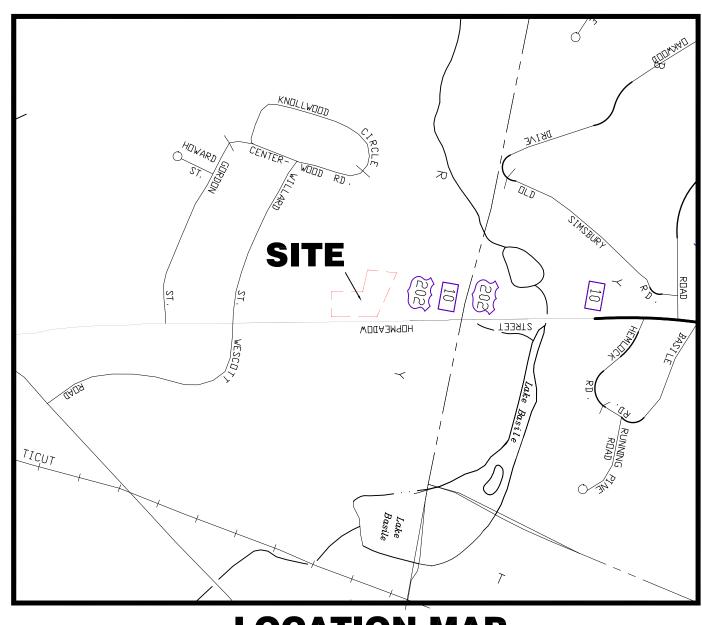


MAP DISCLAIMER - NOTICE OF LIABILITY

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.







LOCATION MAP

SCALE: 1"= 1000'

NOTES:

1. SURVEY NOTES:

-This survey has been prepared pursuant to the Regulation of Connecticut State Agencies Section 20-300b-1 Through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996.

-Type Of Survey is PROPERTY & TOPOGRAPHIC SURVEY
-Boundary Determination Category is DEPENDENT RESURVEY MAP REF A
-Class of Accuracy is: HOR.-'A-2', "T-2" TOPO, "V-2" VERT.

2. PROPERTY MAY BE BURDENED AND/OR BENEFITED BY RECORDED AND/OR UNRECORDED EASEMENTS OR RIGHTS OF WAY.

3. A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD ZONE X (AREA OF 0.2% ANNUAL CHANCE FLOOD HAZARD) AS SHOWN OF FIRM COMMUNITY MAP NO. 09003C0191F EFFECTIVE DATE: SEPT. 26, 2008.

4. PROPERTY IS ZONED: (B-2) BUSINESS ZONE

5. ORIGINAL PARCEL AREA = 113,008 sq.ft.. or 2.5943 acres.

6. MAP REFERENCE: A). "SITE PLAN OF DEVELOPMENT SHOWING EXISTING AND PROPOSED IMPROVEMENTS
FARMINGTON VALLEY RECREATION, INC. PREPARED FOR VICTOR PUIA
#1603 HOPEMEADOW STREET SIMSBURY, CONNECTICUT, B-1 ZONE,
DATE: SEPT. 30, 1985, REVISED through: 05-9-1986, PREPARED BY: HENRY CHARLES COTTON"

B). "SCHEDULE 3 (31 UNITS) PROPERTY/BOUNDARY SURVEY DEVELOPER: 1617 HOPEMEADOW, LLC SUMMERFIELD AT SIMSBURY HOPMEADOW STREET, SIMSBURY, CONNECTICUT, DATE: 3-17-99, REVISED through: 3-24-99, SHEET: 1 OF 2, PREPARED BY: THE BONGIOVANNI GROUP, INC."

C). "SIMSBURY PINES PREPARED FOR C.G.R. DEVELOPERS, INC. HOPEMEADOW STREET — SIMSBURY. CONNECTICUT, DATE: MAY 06, 1993, REVISED through: 8/10/93, PREPARED BY: ED LALLY AND ASSOCIATES, INC."

ONE: B-2	REQUIRED	EXISTING
JSE		BOWLING ALLIES/MINI-GOLF
MINIMUM LOT AREA	NO MIN.	113,008 sq. ft.
MIN. LOT FRONTAGE	N/A	355.14'
MAX. IMPERVIOUS COVERAGE	40%	84,199 sq.ft./113,008 sq. ft.= 74.4%*
MAX. BUILDING HEIGHT	40'	<40'
MIN. FRONT YARD DEPTH	25'	183.8'
MIN. SIDE YARD DEPTH	20'	5.7'* / 22.3'
MIN. REAR YARD	25'	20.3'*

*- DENOTES EXISTING NON-CONFORMING

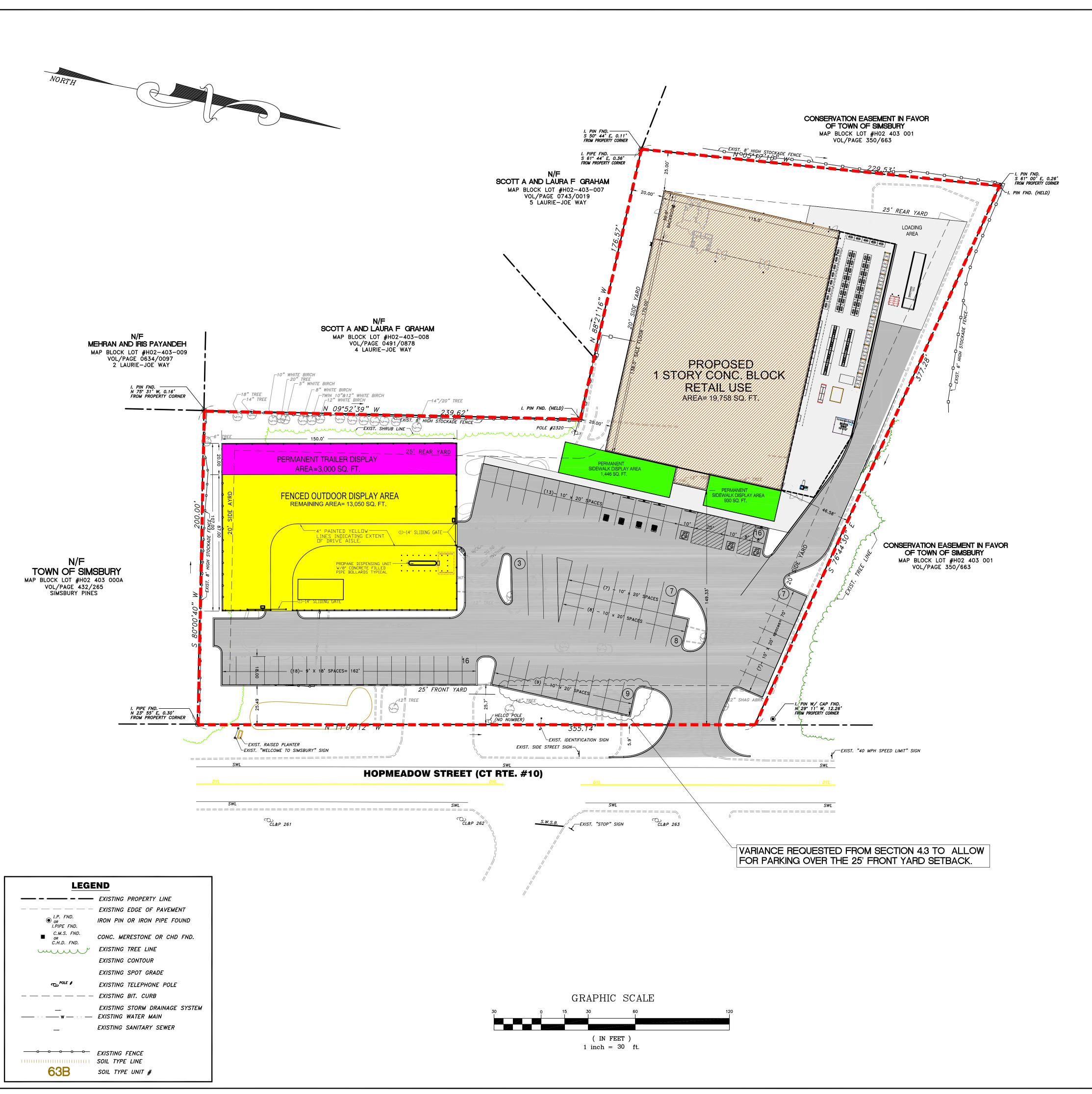
TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON:

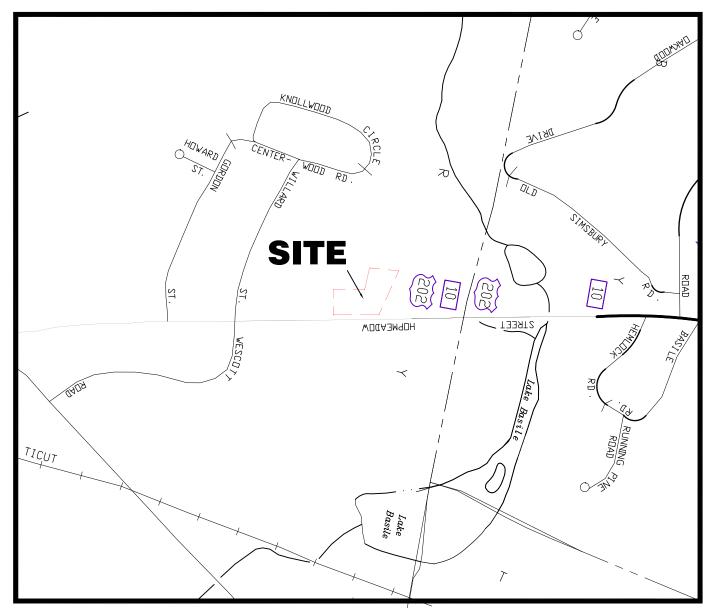
PAUL A. HALLISEY, LS L

MARCH 09, 2021

THIS DOCUMENT AND COPIES THEREOF ARE VALID ONLY IF THEY BEAR THE SIGNATURE AND EMBOSSED SEAL OF THE DESIGNATED LICENSED PROFESSIONAL. UNAUTHORIZED ALTERATIONS TO THIS PLAN RENDER THE DECLARATION HEREON NULL AND VOID. VALID ONLY ON MAPS BEARING EMBOSSED SURVEYOR'S SEAL







LOCATION MAP

SCALE: 1"= 1000'

NOTES:

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ZONE: B-2	REQUIRED	EXISTING	PROPOSED
USE		BOWLING ALLIES/MINI-GOLF	RETAIL
MINIMUM LOT AREA	NO MIN.	113,008 sq. ft.	113,008 sq. ft.
MIN. LOT FRONTAGE	N/A	355.14'	355.14'
MAX. IMPERVIOUS COVERAGE	40%	84,199 sq.ft./113,008 sq. ft.= 74.4%*	83,863/113,008= 74.2%
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MIN. FRONT YARD DEPTH	25'	183.8'	149.33'
MIN. SIDE YARD DEPTH	20'	5.7'* / 22.3'	20.0'/46.58'
MIN. REAR YARD	25'	20.3'*	25.0'

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS

PAUL A HALLISEY IS

NOTED HEREON:

MARCH 09, 2021

LIC. NO. 7761 DATE

THIS DOCUMENT AND COPIES THEREOF ARE VALID ONLY IF THEY BEAR THE SIGNATURE AND EMBOSSED SEAL OF THE DESIGNATED LICENSED PROFESSIONAL. UNAUTHORIZED ALTERATIONS TO THIS PLAN RENDER THE DECLARATION HEREON NULL AND VOID. VALID ONLY ON MAPS BEARING EMBOSSED SURVEYOR'S SEAL

ZONING IMPROVEMENT LOATION SURVEY PREPARED FOR





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, March 24, 2021, at 7:00 p.m. via Zoom: https://zoom.us/i/2574297243 on the following:

Application #21-04 of MACK V LLC, Applicant and Valley Recreation LLC, Owner for a variance
of the Simsbury Zoning Regulations Section 4.3 to allow parking within the 25' front yard setback
at the property located at 1603 Hopmeadow Street as per plans provided (Assessor's Map H02,
Block 403, and Lot 002B). Zone B-2

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 March 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.

Steven Antonio, Chairman SIMSBURY ZONING BOARD OF APPEALS

HARTFORD COURANT:

PLEASE PUBLISH THIS ON FRIDAY, MARCH 12, 2021, AND FRIDAY, MARCH 19, 2021 AND ZONE ONLY FOR FARMINGTON VALLEY EDITION.

INVOICE: SIMSBURY ZONING BOARD OF APPEALS acct #CU00254390